

TOWN OF WINSLOW, MAINE  
REGULAR COUNCIL MEETING  
& PUBLIC HEARING  
Minutes of Meeting  
June 10, 2013

PUBLIC HEARING

1. Order No. 2-2013: Providing for The Expenditure of Funds From the Capital Improvement Fund.

With no Public Comment, Chairman Saint Amand closed the Public Hearing and opened the Regular meeting at 7:01 p.m.

REGULAR MEETING

1. Roll call attendance was taken with five (5) members present.

Ray Caron, Ken Fletcher, Jerry Quirion, Gerald Saint Amand and Benjamin Twitchell. Steve Russell arrived at 7:10 p.m. Catherine Nadeau was absent.

Michael Heavener, Town Manager was present along with Attorney Bill Lee. Also present were Police Chief Fenlason, PW Director Paul Fongemie, Fire Chief David Lafountain, Judy Mathiau, Assessor and Frank Stankevitz, Code Officer

2. Recite the Pledge of Allegiance.
3. Approval of Minutes of Previous Meetings

Motion by Mr. Quirion and seconded by Mr. Twitchell that the minutes of the meeting held on May 13 be approved. Motion carried. Unanimous.

4. Appointments

Motion by Mr. Quirion and seconded by Mr. Twitchell to reappoint Peter Deane to the Kennebec Sanitary Treatment District for a 3-year term. Motion carried. Unanimous.

Motion by Mr. Quirion and seconded by Mr. Twitchell to reappoint Judi-Ann Bouchard and Richard Hutchinson to the Board of Parks & Recreation for a 3-year term. Motion carried. Unanimous.

5. Communications

- a. Legislative Update

b. Other

1. Copy of Minutes from the Winslow Safety Committee meeting held April 10.
2. Copy of Minutes from Kennebec Sanitary Treatment District meeting held April 11.
3. Copy of Winslow School Board Agenda for May 20.
4. Copy of Minutes from Winslow School Board meetings held March 25 & April 3.

6. Reports of Committees and Commissions

a. Town Managers Report

**SEWER INTEREST FEE UPDATE**

In 1981 the town extended the sewer line on the China Road in the vicinity of Lohmann Animal Health. The Town Council at the time passed Order No. 16-1981 which required the Town Treasurer to collect a sewer connection fee from each abutting property owner whether the property was occupied or not. If the connection fee was not paid then the connection fee was to increase annually by 7%. The owners of 327 China Road decided at the time to not pay the connection fee.

Fast forward 31 years later and the sewer connection fee for 327 China Road is calculated as follows:

Connection Fee =	400.00
280' x \$14.50 =	<u>4,060.00</u>
Total without interest =	4,460.00
7% interest for 31 yrs =	<u>31,867.20</u>
Total with interest =	<b>36,327.20</b>

In order to adjust the interest owed the Town Council would likely need to amend the original Order No. 16-1981. I should point out that in the past an interest fee has been imposed on sewer projects to encourage the abutters to pay the connection fee, which helps to financially support the project.

At the February Town Council meeting I was asked to provide the Town Council with information on what other towns do to avoid such high interest costs.

Attached to this report is a summary of how the communities of Fairfield, Oakland and Waterville handle sewer extension projects. I have placed this item on the Council Agenda as a discussion item for further discussion.

**RECYCLING UPDATE**

As you may recall Skills Inc in Waterville will no longer accept our recyclable materials after June 30, 2013. Central Maine Recycling in Vassalboro has agreed to take our recyclable materials beginning July 1, 2013. As a result of this new relationship we will be saving approximately \$8,000 annually.

In addition, there will be no change in how we collect our recyclable materials at the Library.

**PETER GARRETT—KMT**

Peter Garrett from Kennebec Messalonskee Trails (KMT) is on the Town Council Agenda for June so that he can explain what KMT is thinking about doing with the donated land they received along the Kennebec River in Winslow.

Since I have been asked about property owner liability as it relates to trail systems, I have attached a copy of the Maine Statute protecting property owners from liability if someone is injured while

using the property owner's property for recreational or harvesting activities.

### **KSB SOCCER FIELD COMMITTEE**

Members of the KSB Soccer Field Committee will be at the June Council meeting to discuss their progress of identifying a solution for the drainage issue at the KSB Soccer Field.

### **TOWN CDBG UPDATE**

We recently accepted bids regarding a roofing project at our Industrial Building, which is partially funded with CDBG funds. Attached to this report is a Bid Report. As you will see, C.O. Beck & Sons was the lowest bidder at \$156,490, which is \$10,624 more than what we had budgeted for the project.

This project also included replacing three furnaces in the Industrial Building. It is likely we may only replace two furnaces to cover the overage in the roofing portion of the project. I will not know if this will be necessary until after we receive the bids for the Sewer portion of the project.

### **AVESTA HOUSING**

Avesta Housing ([www.avestahousing.org](http://www.avestahousing.org)) is a nonprofit developer of affordable housing in New England. They have entered into a purchase/sale agreement to buy the Living Water Spiritual Center located at 93 Halifax Street. I have spoken with Matthews Peters from Avesta Housing and he said they are currently doing their due diligence before they purchase the Halifax Street Property. He said if they purchase the property they intend to convert the existing structure there into affordable senior housing.

Mr. Peters did also say that at some point they may approach the Town and request an Affordable Housing TIF. He said they usually ask for a 50% TIF.

In preparation of Avesta Housing's TIF request I have attached a printout from the Maine Housing website regarding the Affordable Housing TIF Program for the Town Council to review.

### **AUGUSTA BUDGET TALKS**

Currently both Democrats and Republicans are proposing a reduction in State Revenue Sharing. In the Democrats' proposal we stand to lose \$138,622 in revenue and in the Republicans' plan we would lose \$222,670 in revenue.

Both Democrats and Republicans are in agreement with requiring a \$29 million local obligation to pay teachers' retirement. If approved this will have a negative impact on the School's budget for FY 2014.

Unfortunately, it is looking more likely that we may be forced to raise property taxes as a result of the potential, additional, revenue loss. We will not know for sure until a final state budget is adopted and we have a chance to fully understand its impact on our FY 2014 budget and the services we provide.

### **SCHOOL BUDGET VOTE**

On Tuesday, June 11th, we will have the June Elections here at the Town Office from 8am to 8pm. Voters will be asked to vote on the school budget and whether they want to continue voting on the school budget for the next three years.

b. Department Reports

Reports were received from the Assessor, Code Enforcement, Public Works, Parks & Recreation and Library.

c. Treasurer’s warrant approved and signed by the Finance Committee during the Month of May.

No. 21.....	\$	212,629.29
No. 22.....	\$	183,721.92
Total	\$	396,351.21

d. Financial Report

Motion by Mr. Quirion and seconded by Mr. Twitchell to approve all reports.  
Motion carried. Unanimous.

TABLED BUSINESS

1. Ordinance No. 9-2012: Providing for Regulating the Use of Consumer Fireworks. (First Reading) Sponsored by Catherine Nadeau.

Motion by Mr. Caron and seconded by Mr. Fletcher to remove Ordinance No. 9-2012 from the Table and accept the First Reading. After a lengthy discussion, a roll call vote was taken.

Ben Twitchell—No	Ray Caron—No
Jerry Quirion—No	Ken Fletcher—No
Steve Russell—No	Gerald Saint Amand—Yes

Motion denied, 1 – 5.

UNFINISHED BUSINESS

1. Order No. 2-2013: Providing for The Expenditure of Funds From the Capital Improvement Fund. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Quirion to adopt Order No. 2-2013. A roll call vote was taken.

Ken Fletcher—Yes	Steve Russell—Yes
Ray Caron—Yes	Ben Twitchell—Yes
Jerry Quirion—Yes	Gerald Saint Amand—Yes

Motion passed, 6 – 0.

2. Order No. 3-2013: Providing for Authorization for the replacement of approximately 900 Feet of Public Sewer Line on Robert Street and Beck Street at a cost not to exceed \$175,000. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Quirion to adopt Order No. 3-2013. A roll call vote was taken.

Ray Caron—Yes	Steve Russell—Yes
Ken Fletcher—Yes	Jerry Quirion—Yes
Ben Twitchell—Yes	Gerald Saint Amand—Yes

Motion passed, 6 – 0.

3. Order No. 4-2013: Providing for The Purchase of a Plow Truck Unit to replace existing Unit #7 (2001 Volvo). (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Quirion to adopt Order No. 4-2013. A roll call vote was taken.

Ray Caron—Yes	Ken Fletcher—Yes
Ben Twitchell—Yes	Steve Russell—Yes
Jerry Quirion—Yes	Gerald Saint Amand—Yes

Motion passed, 6 – 0.

## NEW BUSINESS

1. Resolution No. 19-2013: Providing for Pole Location Permit-Time Warner Cable. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Twitchell to adopt Resolution No. 19-2013.  
Mr. Quirion recused himself from the issue. Motion carried. Unanimous.

2. Resolution No. 20-2013: Providing for Authorization for the Town Manager to enter into an Information Technologies Services Contract with the City of Waterville. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Twitchell to adopt Resolution No. 20-2013.  
Motion carried. Unanimous.

3. Resolution No. 21-2013: Providing for Authorization for the Town Manager to submit a Guaranteed Annual Tonnage (GAT) Trading Request Application to Lower the Town's GAT from 3,300 to 3,000. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Fletcher and seconded by Mr. Russell to adopt Resolution No. 21-2013.  
Motion carried. Unanimous.

4. Resolution No. 22-2013: Providing for Transfer of Funds from the Contingency Account. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Russell to adopt Resolution No. 22-2013.

Motion carried. Unanimous.

#### DISCUSSION

- The Council asked Mr. Heavener to Amend Order No. 16-1981 to cap the penalty not to exceed \$1,000.00 for the next Council Meeting.

#### EXECUTIVE SESSION

Motion by Mr. Fletcher and seconded by Mr. Fletcher to enter into Executive Session at 8:02 p.m. pursuant to 1 M.R.S.A. ss 405(6)(E); Consultations with legal counsel for a 2009 roof project and property matters.

Motion carried. Unanimous.

Motion by Mr. Fletcher to exit Executive Session at 8:35 p.m.

#### ADJOURNMENT

Motion by Mr. Twitchell and seconded by Mr. Quirion to adjourn the meeting.

Motion carried. Unanimous.

The meeting adjourned at 8:35 p.m.

ATTEST: \_\_\_\_\_  
Town Clerk of Winslow Maine