

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING
Minutes of Meeting
April 14, 2014

EXECUTIVE SESSION

Motion by Mr. Fletcher and seconded by Mr. Russell to enter into Executive Session Pursuant to 1 M.R.S.A. ss405(6)(A); Personnel Matters at 7:01 p.m.

Motion carried, Unanimous.

Motion by Mr. Fletcher to exit Executive Session at 7:16 p.m.

Motion carried, Unanimous.

PUBLIC HEARING

1. Ordinance No. 2-2014: Providing for An Amendment to Ordinance No. 3-2013 Personnel Rules and Regulations for Town Employees.
2. Ordinance No. 3-2014: Providing for An Amendment to the Winslow Sewer Ordinance, Chapter 10, by deleting Sections 18, 19, 20, 22, 24 and 28 of the Sewer Ordinance.
3. Order No. 2-2014: Providing for Approval of the Town of Winslow 2014-2015 Fiscal Budget Series in the amount of \$21,284,338 and to Establish a Tax Due Date and Interest Rate on Taxes Remaining Unpaid.

Lucette Wolfe, Whippoorwill Drive, reminded the council that the residents of Roderick Road have requested a sidewalk or breakdown lane for the last few years. The council explained that they are willing to do this and are coordinating the project with the Summit Gas project and the development by Rene Desrosiers. With no further Public Comments, Chairman Saint Amand closed the Public Hearing and opened the Regular Meeting at 7:28 p.m.

REGULAR MEETING

1. Roll call attendance was taken with seven (7) members present.

Ray Caron, Ken Fletcher, Catherine Nadeau, Jerry Quirion, Steve Russell, Gerald Saint Amand and Benjamin Twitchell.

Michael Heavener, Town Manager was present along with several Department Heads.

2. Recite the Pledge of Allegiance.

3. Approval of Minutes of Previous Meetings

Motion by Mr. Twitchell and seconded by Mr. Quirion that the minutes of the meeting held March 10 be approved. Motion carried. Unanimous.

4. Appointments

Motion by Mr. Russell and seconded by Mr. Twitchell to reappoint John Ferry to the Parks & Recreation Board for a 3-year term. Motion carried. Unanimous.

Motion by Mr. Quirion and seconded by Mr. Twitchell to appoint Karen Andrus to the Library Trustee Board until the June Election. Motion carried. Unanimous.

5. Communications

a. Legislative Update

b. Other

1. Copy of Minutes from Kennebec Water District meetings held February 20 and March 6.
2. Copy of Minutes from Kennebec Sanitary Treatment District meeting held February 13.
3. Copy of Minutes from Safety Committee meeting held February 12.
4. Copy of Winslow School Board Agendas for March 10 and March 24.
5. Copy of Minutes from Winslow School Board Meetings held January 27, February 24 and March 10.
6. Copy of Minutes from Planning Board meetings held December 4 and January 15.
7. MMA Nominations for Executive Committee.

6. Reports of Committees and Commissions

a. Town Manager's Report

FY2015 PROPOSED BUDGET

In the Council packet is Budget Order No. 2-2014 for the adoption of the Town's FY 2015 Budget. The proposed budget maintains the current property tax rate of \$15.50 per \$1,000 in valuation. The property tax rate in Winslow has not changed over the past six (6) fiscal years and this coming fiscal year will be the seventh year with no change. Town surplus funds of \$1,184,000 are being used to maintain the tax rate.

Total expenditures (school & municipal) have increased by \$516,857 to \$21,284,338. Municipal expenditures (less education) have increased by \$147,438 or 2.1%. Education expenditures have increased by \$369,419 or 2.7%. The local share of the Education expenditures has increased by \$212,184 or 3.5%. The overall municipal budget (with the local share of education) has increased by \$359,622 or 2.7% to 13,574,222.

Municipal revenues (less taxes & surplus) are projected to increase by \$81,762 or 2.64% to \$3,177,475. The taxable valuation is projected to increase by \$5,884,533 or 1.0% to over

\$594 million. This increase in valuation will generate \$91,210 in additional property tax revenue.

POLICE RADIO SYSTEM UPGRADE

Since converting to a narrow band frequency our police officers have been experiencing spotty radio coverage. At times they receive incomplete radio messages or their communications are not received by the dispatch center. This has become an officer safety concern.

To address the problem the radios in the police vehicles will need to be upgraded from 50 watts to 110 watts and radio repeaters will need to be installed in each of the four police vehicles. In addition, 10 portable radios, compatible with the new system, will need to be purchased. The total cost for this upgrade is \$26,292.

Another concern is that the portable radios have spotty coverage when the officers are in the police department. To address this problem a radio repeater needs to be installed in the police department at a cost of \$2,461.

In the Council Packet is Resolution No. 9-2014 which if approved will authorize the purchase of the necessary equipment to address the radio communication problems.

TERRI CLARK ANIMAL ABUSE CASE

Over a year ago the Town's Animal Control Officer seized several farm animals from Terri Clark and charged Ms. Clark with cruelty to animals. Ms. Clark recently plead guilty to the offense.

When we seized the animal we asked Martin Lane, Jan Marconi and Julie Kenney to care for some of the seized animals. At the time we indicated they could receive restitution of \$10 a day per animal.

In the Council Packet is Resolution No 11-2014, which authorizes me to sign a Settlement Agreement and Release with Martin Lane at a cost to the town of \$17,500.

We have paid Julie Kenney \$2,600 for her services and we have paid Jan Marconi \$2,460 for her services. It is likely we will be paying Jan Marconi an additional \$5,040.

The total cost for the seizure of these animals to the town will likely be \$27,600. The Judge in this case did not order Terri Clark to pay restitution so it is unlikely we will recoup our costs.

EFFICIENCY MAINE TRUST GRANT

I currently serve as the President of the Sustain Mid Maine Coalition and Mike Roy serves as the Vice-President. A few years ago the Coalition partnered with the City of Waterville and the Town of Winslow and obtained a grant from Efficiency Maine to fund a home energy improvement project in both communities. At the time the City of Waterville served as fiscal agent for the grant.

Waterville, Winslow, Fairfield and the Sustain Mid Maine Coalition recently submitted a grant request to Efficiency Maine to deliver coordinated home energy retrofit education and outreach efforts to home owners in our communities. These education efforts may include, but are not limited to, educating homeowners about building science and home energy principles, home energy retrofit projects, and home energy retrofit incentives from Efficiency Maine.

We have since learned that we have been awarded an \$80,000 grant and I have agreed for Winslow to be the fiscal agent for the grant. There will be no cost to the town and will only involve my time.

SOLID WASTE & RECYCLING REPORT

Attached to this report is the City of Waterville’s Solid Waste—Recycling Committee report. I have also attached an editorial from the Bangor Daily News regarding the possible benefits of the expiring contract with PERC.

MANAGER’S VACATION

I am planning to take a vacation from April 16th to the 25th. If there are no objections from the Town Council I will designate Public Works Director Paul Fongemie as Administrative Officer with the powers and duties of manager during my temporary absence.

Department Reports

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

- b. Treasurer’s warrant approved and signed by the Finance Committee during the Month of March.

No. 18.....	\$ 517,635.18
No. 19.....	<u>\$ 305,431.07</u>
Total	\$ 823,066.25

- c. Financial Report

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

UNFINISHED BUSINESS

Motion by Mr. Russell and seconded by Mr. Quirion to read Ordinance No. 2-2014 and Ordinance No. 3-2014 by Title only. Motion carried. Unanimous.

- 1. Ordinance No. 2-2014: Providing for An Amendment to Ordinance No. 3-2013 Personnel Rules and Regulations for Town Employees. (Second Reading) Sponsored by Administration.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Ordinance No. 2-2014. A roll call vote was taken.

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

Motion passed, 7 – 0.

2. Ordinance No. 3-2014: Providing for An Amendment to the Winslow Sewer Ordinance, Chapter 10, by deleting Sections 18, 19, 20, 22, 24 and 28 of the Sewer Ordinance. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Twitchell to adopt Ordinance No. 3-2014. A roll call vote was taken.

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

Motion passed, 7 – 0.

NEW BUSINESS

1. Ordinance No. 4-2014: Providing for an Amendment to Chapter 2 of the Winslow Ordinances, adding the Agricultural Commission Charter. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Quirion to accept the First Reading of Ordinance No. 4-2014. A roll call vote was taken.

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

Motion passed, 7 – 0.

2. Ordinance No. 5-2014: Providing for The Amendment to Ordinance No. 6-2009, an Ordinance Determining which Matters will be Approved by Order and which by Resolution. (First Reading) Sponsored by Steve Russell.

Motion by Mr. Quirion and seconded by Mr. Twitchell to accept the First Reading of Ordinance No. 5-2014. A roll call vote was taken.

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

Motion Denied, 3– 4.

3. Order No. 1-2014: Providing for A Request for the Sale of Town Owned Property. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Fletcher and seconded by Mr. Russell to accept the First Reading of Order 1-2014. A roll call vote was taken.

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

Motion passed, 7 – 0.

4. Order No. 2-2014: Providing for Approval of the Town of Winslow 2014-2015 Fiscal Budget Series in the amount of \$21,284,338 and to Establish a Tax Due Date and Interest Rate on Taxes Remaining Unpaid. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Caron and seconded by Mr. Quirion to accept the First Reading of Order No. 2-2014. A roll call vote was taken.

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

Motion passed, 7 – 0.

5. Order No. 3-2014: Providing for Authorization for the Town Manager to sign an employment agreement with Shawn O’Leary (hereinafter called the “Chief”) to perform the services of Police Chief. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to accept the First Reading of Order No. 3-2014. A roll call vote was taken.

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

Motion passed, 7 – 0.

Motion by Mr. Twitchell and seconded by Mr. Quirion to waive the second Reading and adopt Order No. 3-2014. A roll call vote was taken.

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

Motion passed, 7 – 0.

6. Resolution No. 6-2014: Providing for Application for a Restaurant (Class I, II, III, IV) Liquor License (Renewal) (Beer and Wine Only) by Anima Nikonthet d/b/a Asian Café, 53 Bay Street. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Resolution No. 6-2014.
Motion carried. Unanimous

7. Resolution No. 7-2014: Providing for Authorization for the Town Manager to sign a Heating Oil Supply Agreement with Spring Brook Ice & Fuel Co. at a cost of \$44,415.00. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Resolution No. 7-2014.
Motion carried. Unanimous.

8. Resolution No. 8-2014: Providing for The Acceptance of Forfeiture Assets Obtained by the Kennebec County District Attorney’s Office. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Resolution No. 8-2014.
Motion carried. Unanimous.

9. Resolution No. 9-2014: Providing for Authorization for the Town Manager to Upgrade The Police Department Radio System at a Cost not to exceed \$29,000. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Twitchell and seconded by Mr. Quirion to adopt Resolution No. 9-2014.
Motion carried. Unanimous.

10. Resolution No. 10-2014: Providing for the Replacement of the Assistant Librarian Job Description with the Circulation Librarian/Cataloger Job Description and the Youth Services and Technology Librarian Job Description. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Caron to adopt Resolution No.10-2014.
Motion carried. Unanimous.

11. Resolution No. 11-2014: Providing for Authorization for the Town Manager to sign a Settlement Agreement and Release with Martin Lane in the Amount of \$17,500. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Caron to adopt Resolution No. 11-2014.
Motion carried. Unanimous.

12. Resolution No. 12-2014: Providing for Confirming the appointment of Shawn O'Leary of Topsham, Maine to the position of Police Chief. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Twitchell and seconded by Mr. Quirion to adopt Resolution No. 12-2014.
Motion carried. Unanimous.

DISCUSSION

The council agreed to have Dabney Lewis work part-time for six months as Code Officer and then discuss if the job should be full-time or remain part-time. They will advertise the position at that time.

EXECUTIVE SESSION

Motion by Mr. Fletcher and seconded by Mr. Russell to enter into Executive Session at 8:40 p.m. pursuant to 1 M.R.S.A. ss 405(6)(D); Labor Negotiations.
Motion carried. Unanimous.

Motion by Mr. Fletcher to exit Executive Session at 8:50 p.m.
Motion carried. Unanimous.

ADJOURNMENT

Motion by Mr. Fletcher and seconded by Mr. Caron to adjourn the meeting.
Motion carried. Unanimous.

The meeting adjourned at 8:51 p.m.

ATTEST: _____
Town Clerk of Winslow Maine