

TOWN OF WINSLOW, MAINE  
REGULAR COUNCIL MEETING  
Minutes of Meeting  
& Public Hearing  
July 13, 2015

PUBLIC HEARING

1. Ordinance No. 8-2014: Providing for adding a new section to the Winslow Zoning Ordinance Chapter 14, Building and Property Maintenance Ordinance.

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 seven (7) members present.

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

Michael Heavener, Town Manager was present along with Attorney Bill Lee, Fire Chief Lafountain and Public Works Director, Paul Fongemie.

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 June 8 be approved. Motion Carried. Unanimous.

4. Communications

- a. Legislative Report
- b. Other

1. Copy of Minutes from Kennebec Water District meeting held May 21.
2. Copy of Minutes from Kennebec Sanitary Treatment District meeting held May 14.
3. Copy of Minutes from Winslow School Board Meetings held April 27 & May 18.
4. Copy of Winslow School Board Agenda for June 22.
5. Copy of Minutes from Planning Board meeting held April 1.
6. Copy of Minutes from Safety Committee meeting held May 13.

7. Copy of Municipal Review Committee Newsletter.
8. Copy of MMA Voting Ballot.
9. Copy of Kennebec Sanitary Treatment District Charter Changes.

5. Reports of Committees and Commissions

a. Town Manager's Report

**SOLAR ORDINANCE NEEDED**

On June 18, 2015, at 5:00 PM, Aaron Svedlow of Ranger Solar conducted a solar workshop for Winslow Planning Board members. Ranger Solar is a utility scale solar development company focused on the New England region. Mr. Svedlow said they are currently looking at a site on the Heywood Road here in Winslow for a large scale solar project in the 10 to 20 MW range. He said the project could cost as much as 25 million.

In order for such a project to be constructed here in Winslow, we will need to develop a utility scale solar ordinance. To accommodate Ranger Solar's timeline we should have such an ordinance adopted on or before October 13, 2015.

To help facilitate the development of a utility scale solar ordinance the Planning Board is requesting that the Town Council form a Solar Ordinance Committee consisting of **Mike Parker, Elery Keene, Gary Owen, Chris Huck** (KVCOG) and **one or two Town Councilors**. The committee should first be charged with developing a utility scale solar ordinance to be presented to the Town Council on or before September 14, 2015. After the development of the utility scale solar ordinance the committee should be charged with developing a business and residential scale solar ordinance.

**LEASE WITH WUNDERLICH PROPERTIES, LLC**

As requested by the Town Council, I have worked with the Town Attorney's Office and Neal Wunderlich to develop a commercial lease for lot #1 in our Industrial Park. Since only 1 acre of the 7.7 acres of this lot is developable, I am proposing that the annual lease payment be equivalent to the tax assessment if it were taxable (\$649.45). In addition, since municipal sewer is not available to this lot the use is limited. Order No. 9-2015 in the Council Packet will authorize me to sign this lease. I will also be asking the Town Council to waive the second reading due to the fact that Wunderlich-Malec is on an accelerated timeline to construct a new facility.

**PROPOSED RENOVATION**

When we did the renovation and expansion of the Police Department and Town Office in 2012 the Fire Marshal's Office also required that we renovate the Town Office entrance so that it is ADA compliant. At the time they did not specify when the renovations needed to be done.

We have sufficient funds in our Town Office Capital Account to do the project this year. Therefore, I have prepared Resolution No. 18-2015, which will authorize me to do the required renovations.

**CHANGES IN THE FIRE DEPARTMENT**

Attached to this report is a notice from Fire Chief David LaFountain regarding the resignations of Deputy Fire Chief Dana Michaud and Lieutenant John Lacombe. In light of their many years of service and at the request of Town Councilor Caron, I have prepared two resolutions that recognize them for their meritorious service.

**CMGC MEMBERSHIP FEE INCREASING**

In January and at last month's Council meeting I reported that the Central Maine Growth Council (CMGC) was reorganizing to improve its delivery of economic development services to the communities of Fairfield,

Waterville and Winslow.

Winslow has been a member of the CMGC since 2001. The CMGC was instrumental in helping ALCOM with its most recent expansion. It was also instrumental in helping Orion RopeWorks expand its business here in Winslow.

The organization is somewhat unique because it involves a partnership between local government and private businesses. For example, private businesses contribute approximately \$67,000 to the organization annually and the three municipalities currently contribute a total of \$59,950 annually.

As a result of the reorganization the municipal fees will be increasing to \$79,650. Winslow's annual contribution will increase from \$16,656 to \$23,895 (*see attached fee scale calculation*). This increase will not impact the current budget because we are paying these dues with TIF funds.

I continue to support the CMGC because I believe a regional approach to economic development is the best approach. I also believe the private/public partnership has given the organization a unique perspective when planning and developing economic development strategies.

Kim Lindlof of the Chamber and Economic Development Specialist Garvan Donegan of the Growth Council will be attending our July meeting to explain the new structure of the Growth Council and the need for the increase in municipal dues.

### **IT SERVICE AGREEMENT RENEWAL**

Our current Information Technology (IT) Service Agreement with the City of Waterville has expired and a new agreement has been prepared. The new agreement is for a three year term and represents an increase over last year of \$7,694. The primary reason for the increase is that 6 computers at the Library were added to the cost sharing formula. Although the 6 computers have been serviced by the IT staff in the past, they were omitted from the cost sharing formula in an effort by the IT staff to help control the Library's IT costs. The City of Waterville is now providing IT services to the Waterville Library and the Town of Oakland so they included the 6 computers in this agreement in order to be consistent with their cost sharing formula.

Order No. 10-2015 will authorize me to sign the new IT Service Agreement. Since the current agreement has expired I will be requesting that the second reading be waived.

### **POSSIBLE COUNTY TAX INCREASE**

Attached to this report is a letter from Kennebec County Administrator Robert Devlin. As you will see he is making us aware that the County Tax could increase an additional 3% or \$167,000 as a result of the passage of LD 186. If this increase occurs our County Tax will increase by 4.6% to \$566,872 and will be \$13,841 more than we had budgeted for FY2016.

### **PROPERTY MAINTENANCE ORDINANCE**

The State has recently enacted LD 1203, which is an Act to address the detrimental effects of abandoned properties and it gives municipalities the authority to manage abandoned properties. This new State statute is comprehensive and eliminates the need for us to pass our own ordinance.

When the Town Attorney reviewed our proposed Property Maintenance Ordinance he expressed some concern about maintaining a listing of people who are away for extended periods of time because the list would be a public record and releasable upon request. I also have some concern about the amount of time our Part-time CEO would need to spend on enforcing the requirements in the proposed ordinance.

I have attached the new State statute to this report for your review and consideration. I recommend that you do not pass our proposed property maintenance ordinance and rely on the new statute to manage abandoned properties.

### **FIRE TRAINING FACILITY**

Fire Chief David LaFountain will be attending our July meeting to answer any questions the Town Council may have regarding the newly formed Fire Training Facility Committee.

**END OF YEAR BUDGET REPORT**

In the Council packet is an end of FY2015 budget report. As you will see, municipal expenditures were \$39,463 less than budgeted. Excluding taxes, municipal revenues were \$192,853 higher than projected. We still have to collect \$632,489 in unpaid taxes. These numbers are not final and will likely change following the annual financial audit.

In the school budget report it appears the schools ended with a surplus of \$110,205, however, due to a revenue shortfall they actually used an additional \$105,000 of their fund balance to cover their expenditures.

**Actions taken by the Council during Manager’s Report**

Kim Lindlof and Gavin Donegan updated update the council on the Central Maine Growth Council.

The Council discussed the Regional Fire training facility with Chief Lafountain. The council unanimously appointed Ken Fletcher and Ben Twitchell to the newly formed committee to create a Solar Ordinance.

b. Department Reports

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

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

|             |                      |
|-------------|----------------------|
| No. 23..... | \$ 222,773.44        |
| No. 24..... | \$ 306,608.92        |
| No. 25..... | <u>\$ 256,096.32</u> |

Total \$ 785,478.68

d. Financial Report

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

**UNFINISHED BUSINESS**

1. Ordinance No. 8-2014: Providing for adding a new section to the Winslow Zoning Ordinance Chapter 14, Building and Property Maintenance Ordinance. (Second Reading) Sponsored by Ben Twitchell.

Motion by Mr. Quirion and seconded by Ms. Ayer to adopt Ordinance No. 8-2014.

After a discussion, motion by Mr. Quirion and seconded by Ms. Ayer to table Ordinance No. 8-2014.

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

Motion passed. 7 – 0.

2. Order No. 6-2015: Providing for The Expenditure of Funds from the Capital Improvement Fund. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Fletcher and seconded by Mr. Quirion to adopt Order No. 6-2015. A roll call vote was taken.

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

Motion passed, 7 – 0.

3. Order No. 7-2015: Providing for Authorizing up to \$875,000 of the Town’s General Obligation Bonds to finance the acquisition of municipal equipment and vehicles and other municipal improvements. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Ms. Ayer to adopt Order No. 7-2015. A roll call vote was taken.

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

Motion passed, 7 – 0.

4. Order No. 8-2015: Providing for Authorizing up to \$4,350,000 of the Town’s General Obligation Bonds to refinance and refund a portion of the Town’s Existing Series 2006 and 2007 Bond Obligations. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Order No. 8-2015. A roll call vote was taken.

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

Motion passed, 7 – 0

## NEW BUSINESS

1. Order No. 9-2015: Providing for the Authorization for the Town Manager to Sign a Commercial Lease between the Town and Wunderlich Properties, LLC. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Caron and seconded by Mr. Twitchell to accept the First Reading of Order No. 9-2015. A roll call vote was taken.

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

Motion passed, 7 – 0.

Motion by Mr. Quirion and seconded by Mr. Twitchell to waive the Second Reading and adopt Order No. 9-2015. A roll call vote was taken.

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

Motion passed, 6 – 1.

2. Order No. 10-2015: Providing for Authorization for the Town Manager to Renew the Information Technology Service Agreement with the City of Waterville for a Three year term. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to accept the First Reading of Order No. 10-2015. A roll call vote was taken.

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

Motion passed, 6 – 1.

3. Resolution No. 18-2015: Providing for Authorization for the Town Manager to Renovate the Benton Avenue Entrance of the Town Office, at a cost not to exceed \$20,000, so that the Entrance will be ADA Compliant. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Ms. Ayer to adopt Resolution No. 18-2015.  
Motion carried. Unanimous.

4. Resolution No. 19-2015: Providing for Recognition of Lieutenant John Lacombe's 18 years of Meritorious Service to the Winslow Fire Department and the Citizens of Winslow. (One Reading) Sponsored by Raymond Caron.

Motion by Mr. Caron and seconded by Mr. Quirion to adopt Resolution No. 19-2015.  
Motion carried. Unanimous.

5. Resolution No. 20-2015: Providing for Recognition of Deputy Chief Dana Michaud's 38 years of Meritorious Service to the Winslow Fire Department and the Citizens of Winslow. (One Reading) Sponsored by Raymond Caron.

Motion by Mr. Caron and seconded by Mr. Quirion to table Resolution No. 20-2015.  
Motion carried. Unanimous.

6. Resolution No. 21-2015: Providing for Approval of the attached 2014-2015 Certificate of Sewer Commitment of Sewer User Rates. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Ms. Ayer to adopt Resolution No. 21-2015.  
Motion carried. Unanimous.

7. Resolution No. 22-2015: Providing for Supporting an Amendment to the Kennebec Sanitary Treatment District's Charter to allow the District to create a Capital Reserve Fund. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Quirion and seconded by Mr. Twitchell to adopt Resolution No. 22-2015.  
Motion Carried. Unanimous.

EXECUTIVE SESSION

Motion by Mr. Russell and seconded by Mr. Quirion to enter into Executive Session at 8:45 p.m. pursuant to 1 M.R.S.A. 405(6)(E) Consultations with legal counsel.

Motion carried. Unanimous.

Motion by Mr. Quirion to exit Executive Session at 9:00 p.m.

ADJOURNMENT

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

Motion carried. Unanimous.

The meeting adjourned at 9:01 p.m.

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