

**TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING
January 11, 2015
7:00 p.m.**

EXECUTIVE SESSION

- Discussion of confidential records for a Hardship/Poverty Abatement Application
- Consultations with legal counsel

PUBLIC HEARING

1. Ordinance No. 13-2015: Providing for Regulating all Medium Scale Principal Solar Energy Systems (MSPSES), whereas the Winslow Zoning Ordinance does not address MSPSES.
2. Ordinance No. 14-2015: Providing for an Amendment to the Winslow Zoning Ordinance Sec. 14-84, Definitions, by adding the underlined (underlined) and deleting the strikethrough (~~strikethrough~~) language in the attached provision of the Zoning Ordinance.
3. Ordinance No. 15-2015: Providing for an Amendment to the Winslow Code Book, Chapter 14 Zoning Districts by adding Medium Scale Principal Solar Energy Systems as a Principal Use.

REGULAR COUNCIL MEETING

1. Roll Call
2. Recite the Pledge of Allegiance
3. Approval of Minutes of Previous Meeting (December 14).
4. Communications
 - a. Legislative Report
 - b. Other
5. Reports of Committees and Commission
 - a. Town Manager's Report
 - b. Department Reports
 - c. Finance Committee Report (Treasurer's Warrants)
 - d. Financial Report.

UNFINISHED BUSINESS

4. Ordinance No. 13-2015: Providing for Regulating all Medium Scale Principal Solar Energy Systems (MSPSES), whereas the Winslow Zoning Ordinance does not address MSPSES. (Second Reading) Sponsored by Gerald Saint Amand.

5. Ordinance No. 14-2015: Providing for an Amendment to the Winslow Zoning Ordinance Sec. 14-84, Definitions, by adding the underlined (underlined) and deleting the strikethrough (~~strikethrough~~) language in the attached provision of the Zoning Ordinance. (Second Reading) Sponsored by Gerald Saint Amand.
6. Ordinance No. 15-2015: Providing for an Amendment to the Winslow Code Book, Chapter 14 Zoning Districts by adding Medium Scale Principal Solar Energy Systems as a Principal Use. (Second Reading) Sponsored by Gerald Saint Amand.
7. Order No. 14-2015: Providing for Authorization for the Tax Collector to Apply a Tax Payment or a Sewer Payment to the Oldest Outstanding Unpaid Tax or Sewer Bill. (Second Reading) Sponsored by Gerald Saint Amand.
8. Order No. 15-2015: Providing for the Abatement of Taxes on an Account that has been Deemed Out of Business. (Second Reading) Sponsored by Gerald Saint Amand.
9. Order No. 16-2015: Providing for the Authorization for the Town Manager to Sign a Lease between the Town, as Landlord and Johnny's Selected Seeds, as Tenant. (Second Reading) Sponsored by Gerald Saint Amand.

NEW BUSINESS

1. Ordinance No. 1-2016: Providing for Repeal of Chapter 8, Section 10, Noise Control Ordinance and Adoption of the attached Noise Control Ordinance. (First Reading) Sponsored by Gerald Saint Amand.
2. Resolution No. 3-2016: A Resolution Regarding Poverty/Hardship Abatement Request No. 001-2016. (One Reading) Sponsored by Gerald Saint Amand.

EXECUTIVE SESSION

- Personnel Matters

ADJOURN COUNCIL MEETING



Town Manager's Report to the Town Council

Submitted by:
Michael W. Heavener
January 6, 2016

Town of Winslow - In the heart of Central Maine representing People, Pride and Progress.

CHIEF O'LEARY TO RECEIVE AWARD

I am pleased to report that Police Chief Shawn O'Leary has been selected as this year's recipient of the Maine Association of Police David W. Pickering Award. This award is presented to a chief who has shown outstanding support for, and made contributions to, the Maine Association of Police.

Please join me in congratulating Chief O'Leary who continues to be a tremendous asset to this community.

SIDEWALK ORDINANCE WORKING GROUP

As you may recall, at the request of the Town Council, the Planning Board has formed a working group to work on developing a comprehensive sidewalk ordinance.

The first meeting of the working group is scheduled for Tuesday, January 12th, starting at 4:00 PM. The following are members of the working group:

Al Hodsdon
Andrew Vear
Caleb Albert
Dabney Lewis
Elery Keene
Paul Fongemie
Rene Desrosiers

In addition, I will be serving as the Chair of the working group.

2016 FORT HALIFAX REENACTMENT EVENT

We have already begun planning for this year's reenactment event in the Fort Halifax Park as part of our fundraising effort for the Park improvement project. We intend to make this year's event even bigger than last year's event by celebrating the cultural heritage of this area. The event is currently scheduled for Saturday, June 18th, so please mark your calendars and stay tuned...

FY2017 BUDGET PREPARATION SCHEDULE

Attached to this report is what I hope will be the final budget preparation schedule for the FY2017 budget. As you will see, the school budget discussion has been moved to March 16th, at 6:00 PM.

FY 2016 / 2017 Proposed Budget Preparation Schedule

<p>Tuesday March 15th at 6:00 pm</p> <p>Public Works 19 Sewer Dept. 20 Sanitation 21 Recreation 22 Community Services 26 Library 11</p>	<p>Wednesday March 16th at 6:00 pm</p> <p>Education Insurance & Pen 25 TIF Accts 39 Debt Service 27</p>	<p>Monday March 21st at 6:00 pm</p> <p>Police 13 Elections 10 Info. Technology 12 Town Council 8 Capital Improvement 38</p>	<p>Wednesday March 23rd at 6:00 pm</p> <p>Assessing 9 Emergency Mgt. 15 Codes 16 General Assistance 24 Fire 14 Administration 7</p>	<p>Monday March 28th at 6:00 pm</p> <p>Organization Support 18 Revenues 28-37 Other Town Util 17</p>	<p>Wednesday March 30th at 6:00 pm</p> <p>Finalize Budget</p>	<p>Monday April 11th at 7:00 pm</p> <p>Council Meeting 1st Reading</p>	<p>Monday May 9th at 7:00 pm</p> <p>Council Meeting 2nd Reading</p>	<p>Tuesday June 14th</p> <p>School Budget Validation Vote</p>
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Dated 01/06/2016



TOWN OF WINSLOW, MAINE

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114 Benton Avenue
Winslow, ME 04901

PUBLIC HEARING

TOWN COUNCIL

ORDINANCE NO. 1-2016

AN ORDINANCE

Providing for: Repeal of Chapter 8, Section 10 Noise Control Ordinance and Adoption of the attached Noise Control Ordinance.

BE IT ORDAINED by the Town Council of the Town of Winslow as follows:

WHEREAS, the Town Council Reviewed the current Noise Control Ordinance; and

WHEREAS, the Town Council has determined that section 10 of Chapter 8 of the Winslow Code Book be repealed and replaced with the attached Ordinance; now therefore,

BE IT ORDAINED by the Town Council of the Town of Winslow, Maine, that Chapter 8 Section 10, Noise Control be repealed and replaced with the attached Noise Control Ordinance.

SPONSORED BY: Gerald Saint Amand

_____, 2016

First Reading,

accepted rejected

_____, 2016

Second Reading,

adopted rejected

Town Clerk

APPROVED: _____, 2016

CHAIRMAN: _____

Sec. 8-10 Noise Control

(a) TITLE

This ordinance shall be known as the "Town of Winslow Noise Control Ordinance".

(b) FINDINGS AND PURPOSE

The Winslow Town Council finds that controlling excessive noise as provided herein is necessary to promote the health, welfare, and safety of the citizens of the Town of Winslow. It is the purpose of this ordinance to prevent any person from making, continuing, or causing noise that unreasonably interferes with the comfort, health, or safety of others within the Town of Winslow.

(c) DEFINITIONS

Public place: shall mean a place to which the public at large or a substantial group has access, including but not limited to:

1. Public ways: public way means any public highway or sidewalk, private way laid out under authority of statute, way dedicated to public use, way upon which the public has a right of access or has access as invitees or licensees, or way under the control of parks and recreation authorities or a body having like powers;
2. Schools and government-owned custodial facilities; and
3. The lobbies, hallways or other common areas of apartment houses, hotels, public buildings and transportation terminals.

Private place: shall mean any place that is not a public place.

(d) PROHIBITION

1. It shall be unlawful for any person in a public place to intentionally or recklessly cause annoyance to others by intentionally making loud and unreasonable noises after having been ordered by a law enforcement officer to cease the noise or similar such noises within the past 60 days.
2. It shall be unlawful for any person in a private place to make loud and unreasonable noise that can be heard by another person who is in a public place or in another private place after having been ordered by a law enforcement officer to cease the noise or similar such noise within the past 60 days.
3. For the purposes of this section, the term "noise" shall include, but is not limited to:
 - A. Sounds created by radios or other electronic or mechanical devices capable of amplifying or projecting ambient noise, including such devices operated within motor vehicles;
 - B. Sounds created in connection with use of vehicles or machinery between the hours of 10:00 p.m. and 6:00 a.m.

(e) EXCEPTIONS

The following are exempt from the provisions of "d" above:

1. Federal, state, and local governmental activities, whether conducted by the governmental agency or by a private contractor acting on the government agency's behalf, including, but not limited to, activities of police, fire, rescue, schools, and public works;
2. Activities of utility agencies, including, but not limited to, vehicles and activities for the provision of water, electricity, telephone service, and sewer service; and
3. Public assemblies, parades, performances or athletic events for which a permit is required and has been issued by the Town of Winslow. Any such noise upon the issuance of such permit shall cease at the time as indicated on the permit.

(f) VIOLATIONS & PENALTIES

1. The police department shall be responsible for the administration and enforcement of this article, including but not limited to the following duties and responsibilities:
 - A. Investigation of complaints of unlawful noise;
 - B. Documentation of violations of this article;
 - C. Issuance of written warnings for violation of this article; and
 - D. Initiation and prosecution of legal proceedings to enforce the provisions of this article.
2. Any person who violates this Chapter shall, upon conviction, be fined a civil penalty of not less than \$100 and not more than \$500 for each separate violation, which penalty cannot be suspended. If the Town is the prevailing party to an enforcement action, it shall be awarded reasonable attorney's fees and associated costs.



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TOWN COUNCIL

RESOLUTION NO. 3-2016

A Resolution Regarding Poverty/Hardship Abatement Request No. 001-2016

BE IT RESOLVED by the Town Council of the Town of Winslow, as follows:

We hereby move that Poverty/Hardship Abatement Request No. 001-2016 be granted/denied in the amount of \$_____.

SPONSORED BY: GERALD SAINT AMAND

IN THE TOWN COUNCIL

_____, 2016

One Reading, and adopted.

Town Clerk

APPROVED: _____, 2016

DENIED: _____, 2016

CHAIRMAN: _____

