

**TOWN OF WINSLOW, MAINE  
REGULAR COUNCIL MEETING  
June 13, 2016  
6:45 p.m.**

EXECUTIVE SESSION

- Consultation with legal Council

PUBLIC HEARING

1. Order No. 6-2016: Providing for the Expenditure of Funds From the Capital Improvement Fund.

REGULAR COUNCIL MEETING

1. Roll Call
2. Recite the Pledge of Allegiance
3. Approval of Minutes of Previous Meeting (May 9).
4. Communications
  - a. Legislative Report
  - b. Other
5. Appointments
  - Reappoint Peter Deane as KSTD Trustee for a 3-year term.
  - Reappoint Judi-Ann Bouchard and appoint Chad Bell (to replace Richard Hutchinson) to the Parks & Recreation Board for a 3-year term.
  - Reappoint Elery Keene and Severn Towl to the Agricultural Commission for a 3-year term.
  - Vacancy on KRDA (First Park) for a 2-year term.
6. Reports of Committees and Commission
  - a. Town Manager's Report
  - b. Department Reports
  - c. Finance Committee Report (Treasurer's Warrants)
  - d. Financial Report.

TABLED BUSINESS

1. Ordinance No. 2-2016: Providing for Standards for the Keeping of Domesticated Chickens. (Second Reading) Sponsored by Steve Russell.
2. Ordinance No. 4-2016: Providing for An Amendment to Winslow Sewer Ordinance, Chapter 10 Sec. 10-11 (a) by deleting the Strikethrough language and adding the underlined Language in the attached document. (First Reading) Sponsored by Gerald Saint Amand.

UNFINISHED BUSINESS

1. Order No. 6-2016: Providing for the Expenditure of Funds From the Capital Improvement Fund. (Second Reading) Sponsored by Gerald Saint Amand.
2. Order No. 7-2016: Providing for An Increase in the Sewer Flow Rate Charge for the Public Sewer Users. (Second Reading) Sponsored by Gerald Saint Amand.

NEW BUSINESS

1. Ordinance No. 5-2016: Providing for An Amendment to the Winslow Zoning Ordinance Sec. 14-82, Definitions, by adding the Underlined and deleting the strikethrough language in the attached Agriculture Definition. (First Reading) Sponsored by Steve Russell.
2. Order No. 8-2016: Providing for the Abatement of Taxes on an Account that has Been Deemed Out of Business. (First Reading) Sponsored by Gerald Saint Amand.
3. Resolution No. 15-2016: Providing for Authorization for the Police Department to utilize \$1,500 from the Police Confiscated Fund account to purchase Body Cameras. (One Reading) Sponsored by Gerald Saint Amand.

DISCUSSION

- Benefits for Part-time Employees

ADJOURN COUNCIL MEETING



## Town Manager's Report to the Town Council

Submitted by:  
Michael W. Heavener  
June 7, 2016

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

### DOMESTICATED CHICKEN ORDINANCE

The town's Agricultural Commission has made some changes to the proposed Domesticated Chicken Ordinance (Ord. No. 2-2016) in response to some of the concerns expressed by the Town Council. The revised ordinance is in the Council packet. I have highlighted the changes in yellow. As you will see, the revised ordinance only applies to residents in the Mixed Use zoning district with less than 2 acre lots, as well as, Medium Density Residential (MR) and High Density Residential (HR) zoning districts.

The Agricultural Commission is also proposing that the definition of Agriculture be amended to include personal use (see Ordinance No. 5-2016). If this change is approved then Agriculture for personal use will be allowed in all our zoning districts except Medium Density and High Density Residential.

### Proposed Sewer Flow Rate Charge Increase

At the last Council meeting the Council considered Order No. 7-2016, which if approved will increase the sewer flow rate charge per 100 cu/ft by \$0.40 to \$3.00. The average domestic user (63.29 cu/ft) will see an annual increase of \$25.32 or \$6.33 per quarter.

At the meeting I was asked how much additional revenue will the proposed increase generate. Attached to this report is a document that illustrates three sewer flow rate charge options and how much additional revenue each will generate. As you will see, the proposed \$0.40 increase is projected to generate \$65,346 in additional revenue.

The document also shows the Sewer Department fund balances from FY2009 to FY2016. The department has gone from a high of \$504,384 in FY2013 to a low of \$224,788 in FY2016.

### Benefits for Part-time Employees?

I have put this topic on the Council agenda as a discussion item. We have some necessary employees who work less than 35 hour but do not receive benefits such as vacation and sick-time. I am concerned about retaining these employees and would like to discuss the possibility of offering them some benefits. If we were to offer them vacation and sick-time it would not impact our budgets. Currently there are only three regularly scheduled part-time employees who I would like to offer benefits to. We will discuss this further at our Council meeting.



**Saturday, June 18, 2016**

*1:00 PM to 4:30 PM*

*at Fort Halifax Park*

- 2<sup>nd</sup> annual Ft. Halifax Days Open & Free to the Public
- French and Indian War Reenactments by Living History Reenactors
- Musical Entertainment by Castlebay
- Food for Sale by Local Organizations
- Taconnett Falls Genealogical Library will be having their Annual Fair on Lithgow St. 9:00 AM to 1:00 PM
- Please bring Chairs and Join us for a Fun Filled Afternoon

Sewer Historical Fund Balance Comparison		
FY Ending	Balance	Diff Prior Year
2009	299,557.00	
2010	359,571.00	60,014.00
2011	371,415.00	11,844.00
2012	432,444.00	61,029.00
2013	504,384.00	71,940.00
2014	496,066.00	-8,318.00
2015	460,160.00	-35,906.00
Current	224,788.00	-235,372.00

Sewer Flow Rate Charge Comparison			
2015 Annual Flow in 100 cu/ft	Flow Rate Charge	Total	Diff from \$2.60
163,365	2.60	424,749.00	
	3.00	490,095.00	65,346.00
	3.20	522,768.00	98,019.00
	3.40	555,441.00	130,692.00

Dated 05/10/2016



# TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone  
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www.winslow-me.gov

114 Benton Avenue  
Winslow, ME 04901

**PUBLIC HEARING** 3-14-16

## TOWN COUNCIL

## ORDINANCE NO. 2-2016

### AN ORDINANCE

**Providing for:** Standards for the Keeping of Domesticated Chickens.

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

**WHEREAS**, the Agricultural Commission has prepared the attached Domesticated Chickens Ordinance to address the growing interest of keeping chickens for personal use; and

**WHEREAS**, the Town's current ordinances only allows for the keeping of chickens for the sale or leasing of poultry or poultry products; and

**WHEREAS**, the Planning Board has reviewed the Ordinance and voted to forward the ordinance to the Town Council with no specific recommendation; now therefore,

**BE IT ORDAINED** by the Town Council of the Town of Winslow, Maine, that the attached Domesticated Chickens Ordinance be incorporated in Chapter 3 (Animals) as Article 2.

**SPONSORED BY:** Steve Russell

### IN THE TOWN COUNCIL

<u>February 8</u> , 2016	First Reading, <u>17-0</u>	<u>                    </u>
	accepted	rejected
<u>March 14</u> , 2016	Second Reading, <u>Tabled</u>	<u>                    </u>
	adopted	rejected
<u>                    </u> , 2016	Second Reading, <u>                    </u>	<u>                    </u>
	adopted	rejected

APPROVED: \_\_\_\_\_, 2016

\_\_\_\_\_  
Town Clerk

CHAIRMAN: \_\_\_\_\_  
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## Article 2 – Domesticated Chickens

### Sec. 3-11. Purpose.

The purpose of this article is to provide standards for the keeping of domesticated chickens. The article is intended to enable residents in the Mixed Use zoning district with less than 2 acre lots, as well as, Medium Density Residential (MR) and High Density Residential (HR) zoning districts to keep a small number of chickens on appropriately sized lots while limiting the potential adverse impacts on the surrounding neighborhood.

### Sec. 3-12. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Chicken pen.** An outdoor fenced-in area connected to a henhouse for the purpose of allowing chickens to leave the henhouse while remaining in an enclosed, predator-safe environment.

**Enclosure.** The combined area of a henhouse and chicken pen.

**Henhouse.** A structure for the sheltering, roosting and nesting of female chickens. A new or legally existing detached shed, garage or barn that may be located within the required district setback can be used for this purpose if it meets all other standards contained in this article.

**Broiler Chicken.** A male or female chicken raised for its meat and not older than 10 weeks.

### Sec. 3-13. Keeping of domesticated chickens on appropriately sized lots, unless as otherwise permitted within a specific zoning district.

- (a) No more than six (6) female chickens shall be allowed on lots of 7000 sq. ft. or more and up to one acre. No more than twelve (12) female chickens shall be allowed on lots 1 acre or more. No chickens shall be permitted within multi-family complexes, including duplexes.
- (b) Only female chickens are permitted with no restriction on chicken species. The only exception is broiler chickens of either sex that are not more than 10 weeks old.
- (c) Advertising the sale of eggs, chicken breeding or fertilizer production is prohibited.
- (d) Outdoor slaughtering of chickens is prohibited.

### Sec. 3-14. Enclosure.

- (a) Chickens must be kept in a secure enclosure at all times on lots less than two (2) acres.
- (b) Chickens shall be secured within the henhouse during non-daylight hours.
- (c) Enclosures must be clean, dry and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of abutters due to noise, odor or other adverse impact.

- (d) An enclosure shall not be located in the front yard.

**Sec. 3-15. Henhouse.**

- (a) A henhouse shall be provided and designed to provide safe and healthy living conditions for the chickens, while minimizing adverse impacts to abutters.
- (b) The henhouse shall be fully enclosed with latchable doors and windows. Windows and vents must be covered with predator and bird proof wire with openings one-inch or less.
- (c) The henhouse shall be well maintained. The use of scrap, waste board, sheet metal, or similar materials for the construction of the structure is prohibited.
- (d) Henhouses shall only be located in rear yards and in accordance with applicable zoning district setbacks. In the case of a corner lot, a side yard may be used in accordance with applicable zoning district setbacks.

**Sec. 3-16. Chicken pens.**

- (a) Chicken pens must be provided. Where provided on lots less than two (2) acres, the chicken pen shall be attached to the henhouse and the fence shall be constructed to prevent the escape of chickens.
- (b) Chicken pens shall only be located in rear yards and in accordance with applicable zoning district setbacks. In the case of a corner lot, a side yard may be used in accordance with applicable zoning district setbacks.

**Sec. 3-17. Odor, noise and lighting.**

- (a) Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries.
- (b) Perceptible noise from chickens shall not be a nuisance to abutters.

**Sec. 3-18. Waste management. .**

Provision must be made for the proper management of chicken manure and chicken waste.

**Sec. 3-19. Licensing requirements.**

A person who keeps domesticated chickens shall obtain a license for a one-time fee of ten dollars (\$10.00). The initial license shall be issued by the Town Code Enforcement Office after favorable inspection of the premises by the Town Code Enforcement Officer or designee. The ten dollar (\$10.00) fee is nonrefundable if the license is not approved. Licenses shall expire annually on the last day of April. There is no fee for license renewal however licenses shall only be renewed after a review of complaints and inspections, if necessary, to verify that corrective actions are in place. Requests for renewals after the expiration date will be assessed a late fee of \$10.00.

**Sec. 3-20. Penalty.**

In addition to any other enforcement action which the town may take, violation of any provision of this

article shall be a civil violation and a fine not exceeding one hundred dollars (\$100.00) may be imposed. Each day that a violation continues will be treated as a separate offense.

**Sec. 3-21. Removal of chickens.**

Any violation of the provisions of this article or of the license shall be grounds for an order from the code enforcement officer to remove the chickens and any non-compliant chicken-related structures. The animal control officer may also order the removal of the chickens upon a determination that the chickens pose a health risk. If a chicken dies, it must be disposed of promptly in a sanitary manner.



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## PUBLIC HEARING \_\_\_\_\_

### TOWN COUNCIL

### ORDINANCE NO. 5-2016

#### AN ORDINANCE

**Providing for:** An Amendment to the Winslow Zoning Ordinance Sec. 14-82, Definitions, by adding the underlined (underlined) and deleting the strikethrough (~~strikethrough~~) language in the attached Agriculture Definition.

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

**WHEREAS**, the Town's Agricultural Commission is recommending that the definition of Agriculture in our zoning ordinance be amended to include personal use: and

**WHEREAS**, the Agricultural Commission has prepared the attached amendment to the definition of Agriculture; now therefore,

**BE IT ORDAINED** by the Town Council of the Town of Winslow, Maine, that the Winslow Zoning Ordinance Section 14-82 be amended to include the attached amendments to the definition of Agriculture.

**SPONSORED BY: Steve Russell**

#### IN THE TOWN COUNCIL

\_\_\_\_\_, 2016

First Reading, \_\_\_\_\_

accepted      rejected

\_\_\_\_\_, 2016

Second Reading, \_\_\_\_\_

adopted      rejected

\_\_\_\_\_  
Town Clerk

APPROVED: \_\_\_\_\_, 2016

CHAIRMAN: \_\_\_\_\_

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***Agriculture.*** The production of plant and livestock products and the keeping and maintenance of livestock for personal use, sale or lease. Plant production includes, but is not limited to, forages, grains, seeds, fruits, vegetables, ornamentals and/or greenhouse plants. The keeping and maintenance of livestock includes, but is not limited to, the keeping of dairy and ruminant animals (cows, beef, sheep, goats, alpacas, llamas); poultry (chickens, turkeys, ducks); and horses. The keeping and maintenance of livestock is limited to lots two or more acres in size. ~~The production, keeping or maintenance for sale or lease, of plants and/or animals, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green house products. Agriculture does not include forest management and timber harvesting activities.~~



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## TOWN COUNCIL

**ORDER NO. 8-2016**

### **AN ORDER**

Providing for: The Abatement of Taxes on an Account that has been Deemed Out of Business.

**BE IT ORDERED** by the Town Council of the Town of Winslow as follows:

**WHEREAS**, the Tax Collector has learned that Dan Bloomer (acct 5269) went out of business in FY2014; and

**WHEREAS**, the Assessor assessed personal property taxes for FY2015 totaling \$395.85; now, therefore

**BE IT ORDERED** that the municipal officers of the town of Winslow hereby authorize the Tax Collector to issue a tax abatement to the Dan Bloomer (acct 5269) in the amount of \$395.85, plus interest and fees.

**SPONSORED BY:** Gerald Saint Amand

### **IN THE TOWN COUNCIL**

\_\_\_\_\_, 2016

First Reading, \_\_\_\_\_  
accepted      rejected

\_\_\_\_\_, 2016

Second Reading, \_\_\_\_\_  
adopted      rejected

\_\_\_\_\_  
Town Clerk

APPROVED: \_\_\_\_\_, 2016

CHAIRMAN: \_\_\_\_\_

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