

**TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING
August 8, 2016
6:45 p.m.**

EXECUTIVE SESSION

- Consultation with legal counsel

PUBLIC HEARING

1. Ordinance No. 6-2016: Providing for An Amendment to the Winslow Zoning Ordinance Sec.14-84, Definitions, by adding the definition for Setbacks.
2. Ordinance No. 7-2016: Providing for an Amendment to Winslow Sewer Ordinance, Chapter 10, Article 2 by deleting the strikethrough language and adding the underlined language in the attached document.

REGULAR COUNCIL MEETING

1. Roll Call
2. Recite the Pledge of Allegiance
3. Approval of Minutes of Previous Meeting (July 11).
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

1. Ordinance No. 6-2016: Providing for An Amendment to the Winslow Zoning Ordinance Sec.14-84, Definitions, by adding the definition for Setbacks. (Second Reading) Sponsored by Kenneth Fletcher.
2. Ordinance No. 7-2016: Providing for an Amendment to Winslow Sewer Ordinance, Chapter 10, Article 2 by deleting the strikethrough language and adding the underlined language in the attached document. (Second Reading) Sponsored by Gerald Saint Amand.

3. Order No. 10-2016: Providing for the Acceptance of a Labor Contract between the Winslow Full-Time Police Officers Association and the Town of Winslow. (Second Reading) Sponsored by Gerald Saint Amand.
4. Order No. 11-2016: Providing for Authorization for the Town Manager to enter into a Municipal Partnership Agreement with the Maine Department of Transportation (Maine DOT). (Second Reading) Sponsored by Gerald Saint Amand.
5. Order No. 12-2016: Providing for Authorization for the Town Manager to enter Into a Five (5) Year Solid Waste Disposal Agreement with Waste Management Disposal Services of Maine, Inc. (WM). (Second Reading) Sponsored by Gerald Saint Amand.

NEW BUSINESS

1. Ordinance No. 8-2016: Providing for an Amendment to Ordinance No. 3-2013 Personnel Rules and Regulations for Town Employees. (First Reading) Sponsored by Administration.
2. Order No. 13-2016: Providing for an Amendment to Order No. 11-2015 by Increasing the not to exceed amount by \$13,000 to \$140,000. (First Reading) Sponsored by Gerald Saint Amand.
3. Order No. 14-2016: Providing for Authorization for Replacement of Five Hundred and Fifty Feet of Sewer Line on Stuart Street at a cost not to exceed \$95,000. (First Reading) Sponsored by Gerald Saint Amand.
4. Order No. 15-2016: Providing for Authorization for the replacement of a storm Drain catch basin and one hundred and twenty feet of pipe on Halifax Street at a total cost not to exceed \$81,000. (First Reading) Sponsored by Gerald Saint Amand.
5. Resolution No. 18-2016: Providing for Authorization for the Tax Assessor and Tax Collector to Assess and Collect on an Installment Basis Over a Period not Exceeding 5 Years the Expenses Incurred in Abating Malfunctioning Domestic Wastewater Disposal Units Pursuant to 30-A M.R.S. A. Sec. 3428. (One Reading) Sponsored by Gerald Saint Amand.

6. Resolution No. 19-2016: Providing for Pole Location Permit- Central Maine Power and Northern New England Telephone Operations LLC. Work order 801000100689. (One Reading) Sponsored by Gerald Saint Amand.

PUBLIC HEARING to determine if the garage located at 12 Marcoux Street is a dangerous building and if so what actions need to be taken.

7. Resolution No. 20-2016: Providing for Declaration of Dangerous Building and a Nuisance 12 Marcoux Street, Winslow, Maine.

DISCUSSION

- July 4th committee payment to the town

ADJOURN COUNCIL MEETING



Town Manager's Report to the Town Council

Submitted by:
Michael W. Heavener
August 3, 2016

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

DANGEROUS BUILDING HEARING

In the Council packet is Resolution No 20-2016 that will require the Council to conduct a public hearing. The purpose of the hearing will be to determine if the garage located at 12 Marcoux Street is a dangerous building. After the hearing the Council will then act on the resolution.

I have spoken to the attorney who represents the mortgage holder of 12 Marcoux Street and was assured that the bank will comply with the resolution if it is approved by the Town Council.

Town Jr. High Building Committee

At the last Town Council meeting I was asked to seek volunteers who would be willing to serve on a committee to help determine what should be done with the Jr. High building. I posted a request for volunteers on the Town's webpage and Facebook page. The following is a list, in alphabetical order, of people who have expressed an interest in serving on the committee:

John Cassidy	John Ferry
Sally Harwood	Walter McIntire
Jack Nivison	Gary Owen
William Sadulsky	

We can discuss the formation of the committee in more detail at Monday night's Town Council meeting.

MSW COMMITTEE UPDATE

The Town's Municipal Solid Waste Committee continues to explore our solid waste and recycling options when the PERC contract expires in 2018. At the committee's last meeting on June 21st the following was requested of me and Paul Fongemie:

- Contact Agri-Energy and get details for creating a composting pilot project.
- Gather more detailed information on split trash trucks
- Get costs for large recycling containers and transporting them to a facility.
- Talk to the School Department about implementing a recycling program in the schools.

Once the requested information has been collected a committee meeting will be scheduled.

SIDEWALK COMMITTEE UPDATE

The Town's Sidewalk Committee has recently completed its work. I now need to convert their recommendations into a street ordinance amendment. I hope to have the proposed amendment completed for the September Council meeting.



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

RESOLUTION NO. 20-2016

A RESOLUTION

Providing for: Declaration of Dangerous Building and a Nuisance at 12 Marcoux Street, Winslow, Maine.

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

WHEREAS, that after the hearing on August 8, 2016 the municipal officers make the following findings of fact:

1. Embert L. Allen is the owner of the real property located at 12 Marcoux Street, Winslow, Maine, the deed for which is recorded in Kennebec County Registry of Deeds in Book 1124, Page 461.
2. Michael Allen, legal guardian and conservator of Embert L. Allen, signed an acceptance of service of notice for the hearing on behalf of Embert L. Allen on July 25, 2016.
3. Mortgage holder, TD Bank, N.A. F/K/A TD Banknorth, N.A., was served in hand of the notice for the hearing on August 2, 2016.
4. Notice for the hearing was properly recorded in the Kennebec County Registry of Deeds on August 2, 2016 in Book 12369, Page 93.
5. There are two buildings at 12 Marcoux Street, a house and a garage. The garage at 12 Marcoux Street, Winslow, Maine has partially collapsed and is damaged beyond repair; no repairs to the building have been made.
6. The garage is structurally unsafe, it is unsuitable for the use to which it is put, and there is a danger to the public as the garage can be entered from the garage bay, windows and doorways.
7. Neither the lienholder nor the owner of the property appeared at the hearing

WHEREAS, Based on the forgoing findings of fact, the municipal officers make the following conclusions of law:

1. The garage is a dangerous building and a nuisance as defined in 17 M.R.S.A. Sec. 2851 and in unrepairable.

BE IT RESOLVED BY THE TOWN COUNCIL that based on the foregoing findings of facts and conclusions of law, the municipal officers hereby Order:

1. Embert L. Allen is to demolish the garage, remove all of the debris and fill in any holes left by such demolition by September 20, 2016.
2. If this remedial action is not completed by September 20, 2016, the Town shall demolish the garage, remove the debris, and fill any holes left by such demolition.
3. The cost of this remedial action, service costs, and the municipality's legal fees incurred in prosecuting this action shall be paid by the owner within 30 days of the demand or a special tax for this amount shall be assessed against the land and remaining building, collectable in the same manner as real estate taxes.

BE IT FURTHER RESOLVED BY THE TOWN COUNCIL Any appeal of this decision must be made to the Superior Court within 30 days, pursuant to the provision of the Maine Rules of Civil Procedure, Rule 80B.

**CERTIFIED COLLECTION LIST OF DUNBAR ROAD SEWER CONSTRUCTION
INSTALLMENT PAYMENTS**

To: Michael Heavener, Tax Collector, Town of Winslow:

We the undersigned municipal officers for the Town of Winslow hereby certify that the following abutting landowners have agreed to repay the town on an installment basis for costs and expenses incurred for the sewer line extension along the Dunbar Road pursuant to Ordinance 1-2004, Order 6-2004, and 30-A MRSA §§ 3442 and 3444. The names of the abutting landowners, the amount of their quarterly installment payments and the total amount owed for this fiscal year are certified and listed below. Interest on a particular installment will accrue at the same rate as that applicable to delinquent taxes for the year in which the installment is due and runs from the date which is 30 days after the date on which written notice is sent by the Town to the landowner.

Name of Landowner	Amount of Quarterly Installment	Total for FY 2017
Ronald & Kelly Bonnell	\$161.20	\$644.80
Andrew Pepin, Jr.	\$232.13	\$928.51
Lynn Doyon	\$128.96	\$515.84
Ronald P. & Rachel A. Bourgoin	\$145.08	\$580.32

Date: _____

Municipal Officers for the Town of Winslow



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

RESOLUTION NO. 19-2016

A RESOLUTION

Providing for: Pole Location Permit - Central Maine Power Company and Northern New England Telephone Operations LLC. Work Order 801000100689.

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

That an application for a pole location permit on Rt. 201 by Central Maine Power Company and Northern New England Telephone Operations LLC be approved.

Starting at the intersection of Halifax Street and Rt. 201 beginning at a point approximately 635' northerly- 1 Pole.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

July 28, 2016 One (1) Reading, and approved.

Town Clerk

APPROVED: July 28, 2016

CHAIRMAN: _____

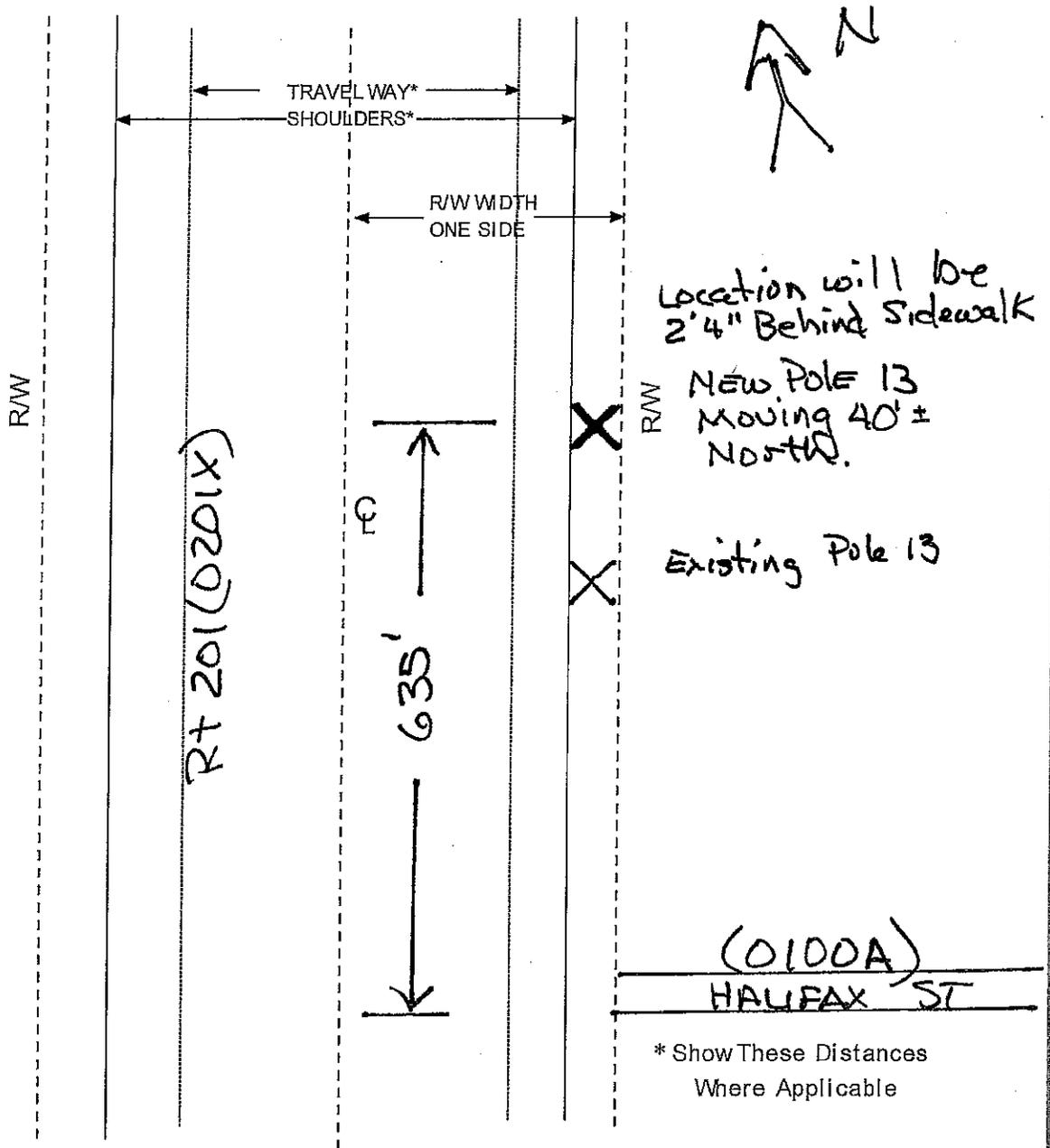
Maine Department of Transportation
Utility Location Permit Application

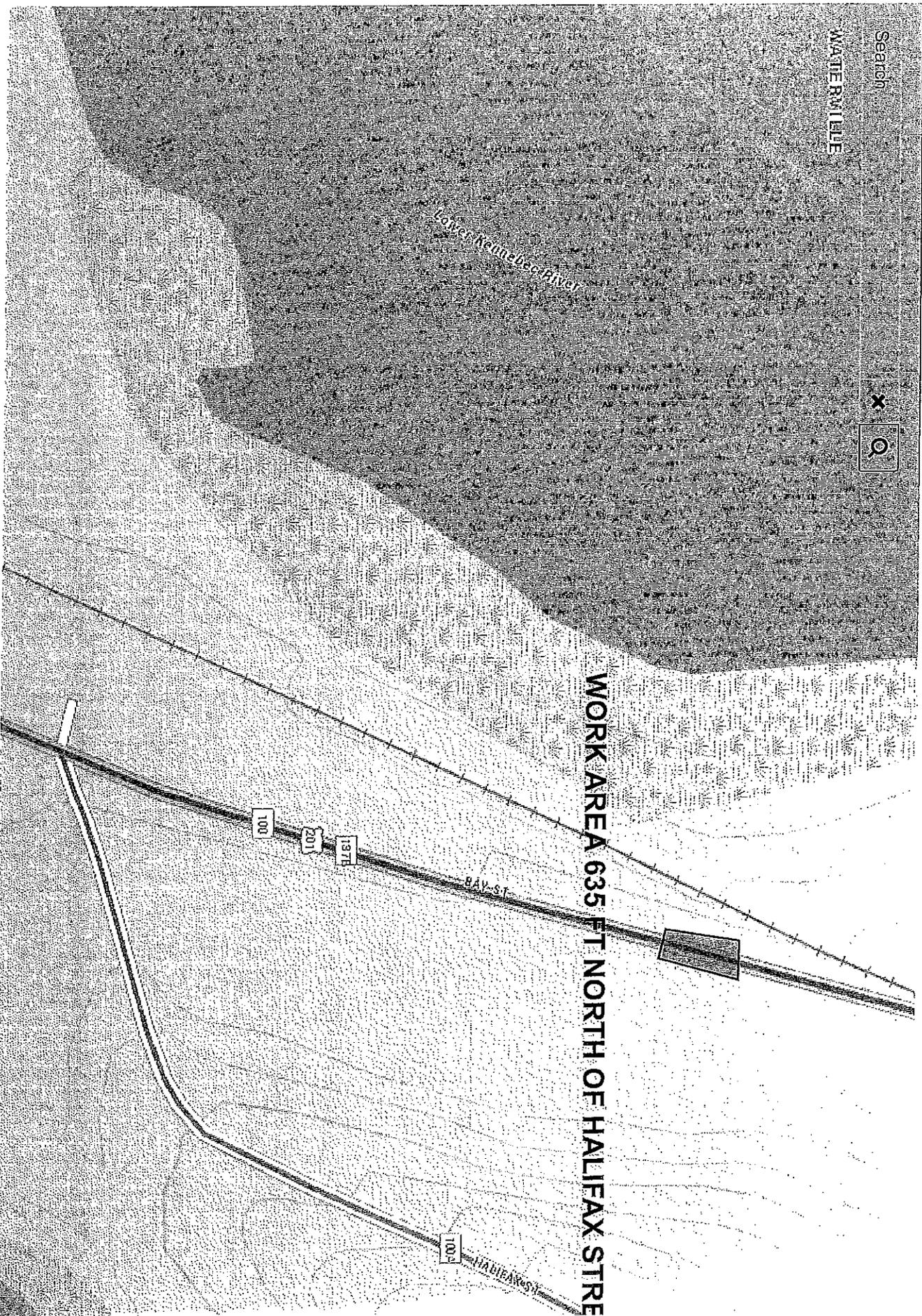
Utility Job/W.O. No.
 801000100689

Utility: **Central Maine Power Co.**

Town: **Skowhegan**

The purpose of this "Sketch Plan" is to show the location of the proposed facility in relation to the highway. This plan is not necessarily drawn to scale, however, all reference points, offset distances and lengths must be accurately indicated. Multiple utility pole installations associated with MaineDOT projects may indicate the first and last pole in relation to the reference point described on the first sheet (including the project stations) and then reference an attached pole list for all those in between.





Proposed Changes to the Personnel Policy and Regulations

4. **GENERAL PROVISIONS**

4.4 **Types of Employment**

PART-TIME. Part-time employment is appointment to a regularly budgeted position to work less than thirty-five (35) hours per week on a continuing and indefinite basis. Regular, part-time employees, and employees who work less than a standard 35-hour work week, are not entitled to benefits, other than those mandated by law, such as Workers' Compensation and Unemployment Compensation, unless authorized elsewhere in this policy.

6. **EMPLOYEE BENEFITS**

6.1 **Holidays**

The following holidays are observed by the Town and shall be granted with pay to regular, full-time employees and part-time employees who work 30 or more hours per week:

1. New Year's Day
2. Martin Luther King
3. Washington's Birthday
4. Patriots Day
5. Memorial Day
6. Independence Day
7. Labor Day
8. Columbus Day
9. Veterans Day
10. Thanksgiving Day
11. Day after Thanksgiving Day
12. Christmas Day

6.2 **Sick Leave**

Sick leave for regular, full-time employees shall accumulate at the rate of 12 hours (1½ days) per month up to a total of 1,440 hours (180 days) maximum, with no buy-out on retirement or severance. Sick leave for part-time employees who work 30 or more hours per week shall accumulate at the rate of 9 hours per month up to a total of 120 hours, with no buy-out on retirement or severance.



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

ORDER NO. 13-2016

AN ORDER

Providing for: An Amendment to Order No. 11-2015 by increasing the not to exceed amount by \$13,000 to \$140,000.

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

WHEREAS, the Town Council approved Order No. 11-2015 that authorized a sewer line project on Fuller Drive at a cost not to exceed \$127,000; and

WHEREAS, due to habitat concerns related to certain species of bats, additional measures will need to be taken to protect the bat habitat; and

WHEREAS, the Public Works Director has received a new estimate of \$140,000 to do the work; now, therefore

BE IT ORDERED by the Town Council of the Town of Winslow that Order No. 11-2015 is hereby amended by increasing the not to exceed cost to \$140,000; and

BE IT FURTHER RESOLVED that the project will be funded with from the Sewer Department Capital Account.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

_____, 2016

First Reading, _____
accepted rejected

_____, 2016

Second Reading _____
adopted rejected

Town Clerk

APPROVED: _____, 2016

CHAIRMAN: _____



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

ORDER NO. 14-2016

AN ORDER

Providing for: Authorization for Replacement of Five Hundred and Fifty Feet of Sewer Line on Stuart Street at a Cost not to Exceed \$95,000.

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

WHEREAS, five hundred and fifty feet of public sewer line on Stuart Street is in need of replacement; and

WHEREAS, the work needs to be completed this year; and

WHEREAS, the Public Works Director has received an estimate of \$95,000 to do the work; now, therefore

BE IT ORDERED by the Town Council of the Town of Winslow that authorization is given for replacement five hundred and fifty (550) feet of sewer line on Stuart Street at a cost not to exceed \$95,000; and

BE IT FURTHER RESOLVED that the project will be funded from the Sewer Department Capital Account.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

_____, 2016

First Reading, _____
accepted rejected

_____, 2016

Second Reading _____
adopted rejected

Town Clerk

APPROVED: _____, 2016

CHAIRMAN: _____



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

ORDER NO. 15-2016

AN ORDER

Providing for: Authorization for the replacement of a storm drain catch basin and one hundred and twenty feet of pipe on Halifax Street at a total cost not to exceed \$81,000.

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

WHEREAS, the public storm drain system on Halifax Street is in need of replacement; and

WHEREAS, the work needs to be completed this year; and

WHEREAS, the Public Works Director has received an estimate of \$81,000 for the project; now, therefore

BE IT ORDERED by the Town Council of the Town of Winslow that authorization is given for the replacement of a storm drain catch basin and one hundred and twenty (120) feet of pipe on Halifax Street at a total cost not to exceed \$81,000; and

BE IT FURTHER ORDERED that the project will be funded from the Storm Drains Capital Account.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

_____, 2016

First Reading, _____
accepted rejected

_____, 2016

Second Reading _____
adopted rejected

Town Clerk

APPROVED: _____, 2016

CHAIRMAN: _____

