

TOWN OF WINSLOW, MAINE  
REGULAR COUNCIL MEETING  
& PUBLIC HEARING  
Minutes of Meeting  
March 14, 2011

PUBLIC HEARING

1. Ordinance No. 3-2011: Providing for the updating of the National Flood Insurance Maps.
2. Ordinance No. 4-2011: Providing for the Management of the Floodplain.

With no public comment, Chairman Saint Amand closed the Public Hearing and opened the Regular Meeting at 7:00 p.m.

REGULAR MEETING

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

Ray Caron, Ken Fletcher, Paul Manson, Roland Michaud, Catherine Nadeau, Steve Russell and Gerald Saint Amand.

Michael Heavener, Town Manager was present along with several residents.

2. Recite the Pledge of Allegiance.
3. Approval of Minutes of Previous Meetings

Motion by Mr. Michaud and seconded by Mr. Caron that the minutes of the meetings held on February 14 & February 23 be approved. Motion carried. Unanimous

1. Communications

- a. Legislative Update

Representative Morissette discussed the state budget that will not meet the April 1<sup>st</sup> deadline and gave the council a handout from the State Treasurer.

- b. Other

1. Copy of Minutes from Kennebec Sanitary Treatment District meeting held January 18.
2. Copy of Minutes from Kennebec Water District meetings held February 3 and February 17.
3. Copy of Minutes from the Winslow Planning Board meeting held December 1.

4. Copy of KVCOG "The Dispatch" newsletter.
5. Copy of Winslow School Board agendas for January 24 and February 28.
6. Copy of Minutes from Winslow School Board meeting held January 24.
7. Copy of Minutes from Winslow Safety Committee meeting held January 19.

c. Appointments

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

Motion by Mr. Michaud and seconded by Mr. Russell to appoint Roy Strahan to the Personnel Appeals Board for a 3-year term. Motion carried. Unanimous.

4. Reports of Committees and Commissions

a. Town Manager's Report

**WINSLOW HIGH SCHOOL RECOGNITION**

The Spirit of America program is planning to recognize the Winslow High School for their many years of volunteer service. In your packet is Resolution No. 5-2011, which recognizes the High School's Students, Administration and Staff for their significant contributions to society over the years. Attached to this report is a document that highlights many of the successful activities conducted by the High School's Community Based Learning Class.

If the resolution is adopted I anticipate a formal presentation will occur either at the High School or at the Town Council meeting scheduled for April 11th.

**CONTRACT FOR FIRE CHIEF SERVICES**

Our contract with the City of Waterville for Fire Chief Services will automatically renew July 1, 2011 for a one year period unless either party provides a written notice of intent not to renew 90 days in advance of July 1st.

I am pleased with the contractual arrangement and I recommend we continue and allow the contract to renew. I have attached the cost breakdown for the services of the Fire Chief to this report. As you will see, our total cost is \$40,915, which is much less than what our cost would be on our own.

**FORT HILL CEMETERY SLOPE UPDATE**

As you know, on 3/4/2011, I met with state officials from the Maine Geological Survey and the Maine DEP to discuss our options of stabilizing the Fort Hill Cemetery slope. Town Councilor Kenneth Fletcher was also in attendance. We identified the following options:

1. Rip rap the toe of the slope (*this option would be very costly because a method to cross the river would need to be constructed*)
2. Construct a barrier to protect the island that has formed at the base of the slope.
3. Plant vegetation at the toe of the slope to stabilize the soils.
4. Dig a shallow channel on the opposite bank to divert water during times of high water.
5. Move only the threatened grave sites and cutback the upper portion of the slope to prevent further slope failure. Vegetation can then be planted to stabilize the soils.

The State Officials pointed out that if we do nothing the slope could last 100 years without another failure or it could fail again tomorrow.

The two options that were most favored by the officials were options 3 and 5. It was suggested that we first try planting vegetation at the toe of the slope before trying the more costly options. It was also suggested that we have a geoenvironmental engineer calculate the angle of repose at the top of the slope, which will enable us to more accurately identify the burial sites that should be moved. Once the vulnerable sites are moved we can then reshape the upper portion of the slope and plant vegetation to stabilize the soils. We can discuss these options in more detail at our meeting on March 14th.

At an earlier Town Council meeting I was asked to solicit the services of a Genealogist to help identify a living relative of one of the threatened burial sites.

I have attached a diagram which depicts the approximate location of the unstable slope in relation to 12 burial sites. I solicited the services of Bill Moulton to locate a living relative of Elmarine Richards. Mr. Moulton was unable to locate a direct descendent of Mr. Richards. He said it could become very costly to identify a living relative (*see attached report*)

I have asked the Town Attorney to evaluate our legal position if we conclude we need to act sooner rather than later to relocate one or more of the burial sites and we do not have sufficient time to locate a living relative.

### **HEALTH INSURANCE OPTION**

We currently provide only one (1) health insurance option through the Maine Municipal Employee Health Trust for municipal employees. I recommend we include a second, lower cost, insurance option for employees. If an employee chooses the lower cost option then both the town and the employee will pay a lower premium. Plus, there is no additional cost for us to offer the second option (*see attached info on the POS-200 plan*).

If the Town Council is supportive of offering a second option, then I will proceed with implementation.

### **POLICE DEPARTMENT FACILITY**

Attached to this report are cost estimates to add an addition to the rear of the municipal building in order to address the facility needs of the police department. I have also included three financing options to give the Council a perspective of the cost to borrow money and the payment amounts.

### **GAT PENALTY?**

As you are probably aware, if we fail to deliver our Guaranteed Annual Tonnage (GAT) of trash to the PERC Trash to Energy facility then we may be subject to a penalty. Unfortunately we have fallen short of our GAT by 200 tons. If a penalty is imposed the fee could be as high as \$2,248. Attached to this report is a letter from the Municipal Review Committee that provides more detail on the shortfall and how the penalty is calculated.

### **KWD INCREASES METER FEE**

The Kennebec Water District will be increasing the fee they charge to provide us with the water usage data of our sewer users. We use the water usage data as an indicator of sewer usage and bill the users accordingly. The fee will increase from \$0.50 per user per quarter to \$1.50. As a result, our fee will increase from \$4,500 to \$13,272 or 195%.

### **REDISTRICTING COMMISSION**

The Redistricting Commission will be meeting on Monday, March 14th, at 3:00 pm at the town office to discuss the proposed amended voting district map.

**TAX ACQUIRED PROPERTY**

As you know, we foreclosed on four (4) parcels of land on February 22, 2011 for unpaid 2009 property taxes.

The four parcels are described as follows:

Map 19, Lot 25A (owed \$411.64)

Is located at 1 Barton St and is 0.22 acres in size. The owner intended to donate the parcel to the town and chose the foreclosure process because it was the least costly way to transfer ownership. Valued at \$19,400.

Map 15, Lot 23 (owed \$107.90)

Is located on the Augusta Rd and is 0.14 acres in size. The owner intends to request that the property be deeded back to them. Valued at \$3,400.

Map 15, Lot 21 (owed \$119.09)

Is located on the Cushman Rd and is 0.28 acres in size. The owner intends to request that the property be deeded back to them. Valued at \$4,000.

Map 2, Lot 58 (owed \$371.82)

Is located on the Wyman Rd and is 3 acres in size. We have been unsuccessful in locating the owner. Valued at \$30,700.

**GENERAL FUND BALANCE**

Our General Fund cash balance at the end of February was \$5.3 million.

Motion by Mr. Russell and seconded by Mrs. Nadeau that Mr. Heavener obtain estimates for the Fort Hill Cemetery; Option 3, plant vegetation at the toe of the slope and Option 5, moving gravesites and plant vegetation in their place. Motion carried. Unanimous.

The Council approved adding a lower cost Insurance Plan as an option for employees. They asked Mr. Heavener to call Maine Municipal Association to discuss options for the council to sell foreclosed property back to the original owners.

b. Department Reports

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

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

No. 15.....	\$ 795,845.50
No. 16.....	\$ 323,550.74
Total	\$ 1,119,396.24

d. Financial Report

Motion by Mr. Fletcher and seconded by Mr. Caron to approve all reports. Motion carried. Unanimous

UNFINISHED BUSINESS

1. Ordinance No. 3-2011: Providing for the updating of the National Flood Insurance Maps. (Second Reading) Sponsored by Administration.

Motion by Mr. Russell and seconded by Mr. Michaud to adopt Ordinance No. 3-2011.  
A roll call vote was taken.

Roland Michaud—Yes	Catherine Nadeau—Yes
Steve Russell—Yes	Ray Caron—Yes
Paul Manson—Yes	Ken Fletcher—Yes
Gerald Saint Amand—Yes	

Motion passed, 7 – 0.

2. Ordinance No. 4-2011: Providing for the Management of the Floodplain. (Second Reading) Sponsored by Administration.

Motion by Mr. Russell and seconded by Mr. Michaud to adopt Ordinance No. 4-2011.  
A roll call vote was taken.

Ray Caron—Yes	Steve Russell—Yes
Ken Fletcher—Yes	Roland Michaud—Yes
Catherine Nadeau—Yes	Paul Manson—Yes
Gerald Saint Amand—Yes	

Motion passed, 7 – 0.

NEW BUSINESS

1. Resolution No. 3-2011: Providing for Application for a Restaurant (Class I, II, III, IV) Liquor License by Lucky Panda Inc d/b/a Lucky Panda, 1 Cushman Road, Unit #2. (One Reading)  
Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Manson to adopt Resolution No. 3-2010.  
Motion carried. Unanimous.

2. Resolution No. 5-2011: Providing for Recognition of the Winslow High School Students, Administration and Staff. (One Reading)  
Sponsored by Gerald Saint Amand

Motion by Mr. Russell and seconded by Mr. Michaud to adopt Resolution No. 5-2011.  
Motion carried. Unanimous.

3. Resolution No. 6-2011: 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. Russell and seconded by Mr. Manson to adopt Resolution No. 6-2010.  
Motion carried. Unanimous.

#### EXECUTIVE SESSION

Motion by Mrs. Nadeau and seconded by Mr. Caron to enter into Executive Session Pursuant to 1 M.R.S.A. section 405(6)(A); Personnel Matters, Town Manager's Evaluation at 8:25 p.m.  
Motion carried. Unanimous.

Motion by Mr. Michaud to exit Executive Session at 9:25 p.m.

#### ADJOURNMENT

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

The meeting adjourned at 9:26 p.m.

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