

TOWN OF WINSLOW, MAINE  
REGULAR COUNCIL MEETING  
Minutes of Meeting  
July 12, 2010

REGULAR MEETING

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

James Byrne, Raymond Caron, Paul Manson, Roland Michaud, Catherine Nadeau, Steven Russell and Gerald Saint Amand.

Michael Heavener, Town Manager was present along with attorney Bill Lee.

2. Approval of Minutes of Previous Meetings:

Mr. Saint Amand noted that the roll call for Ordinance 2-2010 incorrectly had Roland Michaud voting twice with no vote for Ray Caron. The clerk will correct the minutes from May and June.

Motion by Mr. Saint Amand and seconded by Mr. Byrne that the minutes of the meeting held on June 14 be approved as amended. Motion carried. Unanimous.

3. Communications

- a. Legislative Update

No comments.

- b. Other

1. Copy of Minutes from Kennebec Water District meetings held June 3 & June 17.
2. Copy of Minutes from Kennebec Sanitary Treatment District meeting held May 18.
3. Copy of Kennebec Sanitary Treatment District Annual Report.

4. Reports of Committees and Commissions

- a. Town Manager's Report

**END OF FISCAL YEAR PRELIMINARY BUDGET NUMBERS**

June 30, 2010 was the end of our 2010 Fiscal Year Budget and as a result I have some preliminary budget numbers to share. It is important to keep in mind that these numbers will change slightly as we make some final end of year adjustments during the audit process. These preliminary

numbers also do not reflect the education budget. Those numbers are pending.

First on the expenditure side you will note in the budget report that we exceeded our Emergency Management budget by **\$13,729.83**. We are still waiting on a Federal Grant reimbursement request of **\$13,730.39**, which should arrive at any time. If you consider the pending reimbursement request our total expenditures are projected to be **\$12,128,127.09**.

On the revenue side we show a total collection of **\$11,222,419**. There was a payment received from the School Department of **\$75,000** that will be transferred to our capital line to offset a deficit and therefore that payment should not be reflected in our revenues. If you make an adjustment for the school payment and consider our unpaid taxes **\$600,512** our projected revenue is **\$11,747,931**.

Based on these preliminary numbers we are projected to use approximately **\$380,196.09** in surplus. We had budgeted to use **\$498,508** in surplus. These numbers will change especially when considered with the school expenditures and revenues.

## **COMMUNITY GARDEN UPDATE**

Last month I reported that Kate Newkirk, who is a soil expert and an accomplished farmer, is volunteering to help develop a community garden site here in Winslow.

Kate and I have been working on identifying a suitable site for hosting a community garden. We initially narrowed our search down to the location on Dallaire Street where the six homes were removed this past Spring. However, FEMA will not allow us to use the site as such.

Therefore, Kate and I would like to use a portion of the Dallaire Street Park, which is across the street from our initial site (*see attached aerial photo*). If the Council supports the concept we would like to collaborate with the Dallaire Street Residents and others to determine the suitable number of 4' X 8' raised beds to construct at an estimated cost of \$50.00 each. We also plan to seek sponsorship from businesses such as Johnny's Selected Seeds to help sustain the project.

We expect to start with a small number of raised beds, which we hope to prepare this fall so that planting can begin next Spring.

## **FORMER GARLAND ROAD DUMP SITE**

In your packet is a letter from Robert Birk of the Maine DEP regarding the former Garland Road Dump Site. Mr. Birk conducted an inspection of the site as part of the planned Garland Road Bridge construction.

The site was closed in the Fall of 1963 and was only in existence for approximately 4 to 5 years. Residential waste and Paper Mill ash was dumped at the site.

In his letter Mr. Birk expresses some concern about the visible debris that exists at the site. I plan to work with the Public Works Director to address Mr. Birk's concerns. I also plan to complete a Deed Affidavit to notify any potential purchaser of the site's former use.

## **PSAP CONSOLIDATION**

Attached to this report is a Maine PUC Inquiry into the Reduction of Public Safety Answering Points (PSAPs). Also attached is my response to the PUC's inquiry.

As you may recall, when the Waterville Communication Center was not allowed to continue functioning as a PSAP we contracted with the Somerset County Communication Center to provide PSAP services. We chose Somerset County because the Kennebec County PSAP center was too costly.

The PUC is now exploring reducing PSAPs even further from 26 to 15 or 17.

## **PROPERTY TAX ABATEMENT**

In your packet is Order No. 12-2010 that provides for the abatement of taxes for 5 of the 6 homes

on Dallaire Street that were acquired by the Town.

During the acquisition of the homes we agreed to abate the second half of the 2010 property taxes.

**EXTENTION OF PLANNING BOARD DEADLINE**

At the last Town Council meeting the Council returned Zoning Ordinance No. 1-2010 to the Planning Board for further review and directed the Planning Board to make recommendations on the ordinance to the Town Council within 45 days.

Attached to this report is a copy of a memo from Mike Parker the Planning Board Chair to the Town Council. As you will see the Planning Board is recommending that the 45 day deadline be extended to allow them enough time to obtain public input on the ordinance and to obtain input from the Comprehensive Planning Committee.

**FORT HILL CEMETERY SLOPE (UP-DATE)**

As you know, FPLE has initially declined to collaborate with the Town to develop a remediation plan for the Fort Hill Cemetery landslide as requested by the Maine DEP. FPLE insists that their Consulting Geotechnical Engineer was correct when he concluded the removal of the dam did not cause the landslide.

I have continued to have discussions with FPLE and they have agreed to meet with me and Maine DEP representatives at the site of the landslide along with Geotechnical Engineer John Field to discuss possible remediation measures.

We will need to go into executive session at Monday night’s meeting (7/12/2010) with the Town Attorney to discuss legal issues related to our continued negotiations with FPLE and the Maine DEP.

The Council supports a community vegetable garden.

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 June.

No. 25.....	\$	695,722.67
No. 26.....	\$	354,706.12
No. 27.....	\$	<u>87,721.46</u>
Total	\$	1,138,150.25

d. Financial Report

Motion by Mr. Saint Amand and seconded by Mr. Byrne to approve all reports.

Motion carried. Unanimous.

**TABLED BUSINESS**

1. Resolution No. 30-2009: Providing for the Town Manager to sign a Memorandum of

Agreement with Sappi Fine Paper for the sale of standing timber within the Town's Tree Farm. (One Reading)  
Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Manson to remove Resolution 20-2009 from the table. Motion carried. Unanimous.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to adopt Resolution No. 30-2009. Motion carried. Unanimous.

2. Ordinance No. 1-2010 shall remain on the table until the Planning Board has finished its review.

#### UNFINISHED BUSINESS

1. Order No. 10-2010: Providing for the Authorization for the Town Manager to Sign a Sixty (60) Month Municipal Lease Purchase Agreement with Gorham Leasing Group LLC for Four (4) Copiers at total cost of \$40,025.40. (Second Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to adopt Order No. 10-2010. A roll call vote was taken.

Roland Michaud—Yes	Ray Caron—Yes
Catherine Nadeau—Yes	James Byrne—Yes
Paul Manson—Yes	Gerald Saint Amand—Yes
Steven Russell—Yes	

Motion passed. 7 – 0.

2. Order No. 11-2010: Providing for the Conveyance of Development Rights for a Parcel of Land on Bay Street to Winslow Property Holdings, LLC. (Second Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to adopt Order No. 11-2010. A roll call vote was taken.

Ray Caron—Yes	Gerald Saint Amand—Yes
James Byrne—Yes	Catherine Nadeau—Yes
Roland Michaud—Yes	Paul Manson—Yes
Steven Russell—Yes	

Motion passed. 7 – 0.

NEW BUSINESS

1. Order No. 12-2010: Providing for the Abatement of Taxes on Accounts that have been Acquired by the Town with Federal Funds. (First Reading)  
Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to accept the First Reading of Order No. 12-2010. A roll call vote was taken.

Catherine Nadeau—Yes	Roland Michaud—Yes
Paul Manson—Yes	Ray Caron—Yes
James Byrne—Yes	Gerald Saint Amand—Yes
Steven Russell—Yes	

Motion passed. 7 – 0.

2. Resolution No. 12-2010: Providing for Application for a Restaurant (Class I, II, III, IV) Liquor License (beer and wine only) by Noudee Noke Syboun, (Noudees Asian Café Inc) d/b/a Asian Café, 53 Bay Street. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Manson to adopt Resolution No. 12-2010. Motion carried. Unanimous.

3. Resolution No. 13-2010: Providing for Pole Location Permit – Central Maine Power Company and Northern New England Telephone Operations, LLC – Project 10-2001-11280-8. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Manson to adopt Resolution No. 13-2010. Motion carried. Unanimous.

DISCUSSION

Motion by Mr. Saint Amand and seconded by Mr. Byrne to have Chairman Russell cast the ballot for MMA Election of Vice President & Executive Committee Members. Motion carried. Unanimous.

EXECUTIVE SESSION

Motion by Mr. Saint Amand and seconded by Mr. Manson to enter into Executive Session at 7:40 p.m. pursuant to 1 M.R.S.A. ss 405(6)(E); consultation with legal counsel. Motion carried. Unanimous.

Motion by Mr. Saint Amand and seconded by Mr. Caron to exit Executive Session at

8:05 p.m.

Motion carried. Unanimous.

ADJOURNMENT

Motion by Mr. Saint Amand and seconded by Mr. Manson to adjourn the meeting.

Motion carried. Unanimous.

The meeting adjourned at 8:06 p.m.

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