

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING
Minutes of Meeting
November 8, 2010

PUBLIC HEARING

1. Ordinance No. 5-2010: Providing for an Amendment to Chapter 12 of the Winslow Subdivision Ordinance, by adding Article 12-36: Open Space Development.

Elery Keene, 3 Pat Street spoke in support of the ordinance. With no further comment from the Public Chairman Russell closed the Public Hearing and opened the regular meeting at 7:01 p.m.

REGULAR MEETING

1. Roll call attendance was taken with six (6) members present.

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

Michael Heavener, Town Manager was present along with Frank Stankevitz, CEO.

2. Approval of Minutes of Previous Meetings:

Motion by Mr. Saint Amand and seconded by Mr. Manson that the minutes of the meeting held on October 12 be approved. Motion carried. Unanimous.

2. Communications

- a. A plaque was presented for recognition to the July 4th Committee by Councilman Caron. Mary Morrision accepted the plaque and expressed appreciation for all former and current committee members and volunteers that work to make this celebration so successful and thanked Ron Leclair for all his years of service.

- b. Legislative Update

Mr. Fletcher reviewed his final monthly report with the council.

- c. Other

1. Copy of Minutes from Kennebec Sanitary Treatment District meeting held September 21.
2. Copy of Minutes from Kennebec Water District meeting held September 16 and October 7.

4. Reports of Committees and Commissions

a. Town Manager's Report

INDUSTRIAL BUILDING ELECTRICAL SYSTEM IMPROVEMENTS

A few weeks ago I met with Joe Nixon of Johnny's Selected Seeds regarding some concerns they have about the electrical system associated with the space they are leasing from the town in the Industrial Building. Mr. Nixon explained that they recently discovered a portion of the electrical system was insufficient to support improvements they are planning in their production line. Mr. Nixon said portions of the system do not meet current building code and the deficiencies should be addressed. The town's Code Enforcement Officer confirmed this and added that some of the electrical boxes were not properly grounded.

I have authorized the following improvements to the electrical system of our Industrial Building associated with the space leased by Johnny's Selected Seeds:

1. Replace an existing 3 phase panel with a 30 circuit 120/240 volt single phase load center in the shipping area (\$900).
2. Replace existing panel with a 30 circuit 3 phase 120/208 volt panel in the loading dock area (\$900).
3. Add 2—120 volt 20 amp circuits to the offices located in the shipping area (\$400).
4. Mark electrical panel board covers with main breaker location, voltage, phase and Arc Flash OSHA requirements. Inspect each panel for hazards, code violations, document, take picture, make recommendations to correct (\$800).
5. Replace the mezzanine 42 circuit load center with a 225 amp 3 phase 250 volt rated panel board (\$2,500).
6. Install a new 42 Circuit main lug 3 phase 225 amp 250 volt rated feed thru panel board in the seed storage area (\$2,300).

The total cost of improvements is \$7,800.

LANDSLIDE UPDATE

On October 12th, Senior Geologist Michael Foley of the Maine Geological Survey issued a Site Visit Report on the March 2010 Fort Hill Cemetery Landslide. In his report Mr. Foley expressed his belief that an abnormally high precipitation event was most likely the primary cause/trigger of the landslide. Mr. Foley also indicated that the erosion at the base of the slope caused by the removal of the dam contributed to the overall slope instability of the area.

On November 1st, and in response to Mr. Foley's report, Dana Murch of the MDEP in a letter to Chad Clark of FPLE wrote: "*the Department now concludes that, while not a primary cause of the landslide, the removal of the Fort Halifax Dam contributed to the conditions that resulted in the failure of the slope that abuts the cemetery*". Mr. Murch also wrote: "*Should the Town develop a remedial action plan, the Department requests that FPL Energy participate with the Town in an equitable cost-sharing arrangement to implement this plan*".

After receiving a copy of Mr. Murch's letter I telephoned Dana Murch and asked if DEP had consulted with their legal advisor on whether or not they now have sufficient information to enforce the condition of their permit that would require FPLE to remediate the landslide and he said "No".

I now intend to request that DEP consult with their legal advisor to determine if they have sufficient information to enforce the condition of their permit or if more information is needed in order to make that determination. I also intend to ask Representative Kenneth Fletcher and Senator Lisa Marrache to contact the Commissioner of DEP in support of our request.

POLICE UNION CONTRACT

The fulltime police officers contract expired on June 30, 2010. The fulltime officers have elected to be represented by the Maine Association of Police (MAP). I am planning to begin negotiating with MAP for a new police contract on Friday, November 5th.

TOWN FOREST HARVEST UPDATE

Joseph Stevenson, a forester for SAPPI Fine Paper, has informed me that the residual stand in our Town Forest looks great as a result of the current thinning operation. He said he believes we will be seeing a very positive response from the regeneration on the forest floor. I intend to meet with Mr. Stevenson very soon to inspect the progress of our thinning operation.

DONATION TO THE TOWN

Longtime resident Stanley Mathieu has expressed a desire to donate an original timber from the Fort Halifax Fort to the town. As you probably know Mr. Mathieu was commissioned by the State to rebuild the fort after the April flood of 1987. Many of the original timbers were retrieved and used to rebuild the fort. Mr. Mathieu wishes to donate an original timber that could not be used in the rebuilding of the fort.

Mr. Mathieu also wishes to donate a painting that is a rendition of what the fort may have looked like during the time period it was being used as a fort.

AUDIT WORKSHOP

We will be having an Audit Workshop on Monday, November 15th, at 7:00 pm. Hank Farrah from our auditing firm Runyon, Kersteen & Ouellette will present the results of their audit of the town’s financial records.

In your packet is a copy of the audit. Mr. Farrah will be distributing a bound copy of the audit at the Audit Workshop.

The Council would like to accept the donation from Stan Mathieu. Mr. Heavener will bring it back to the Council in the appropriate form for action.

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 October.

No. 8.....	\$ 645,595.86
No. 9.....	<u>\$ 69,260.37</u>
Total	\$ 714,856.23

d. Financial Report

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

Motion carried. Unanimous.

TABLED BUSINESS

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

UNFINISHED BUSINESS

- 1. Ordinance No. 5-2010: Providing for an Amendment to Chapter 12 of the Winslow Subdivision Ordinance, by adding Article 12-36: Open Space Development. (Second Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Manson to adopt Ordinance 5-2010. A roll call vote was taken.

Catherine Nadeau—Yes	Paul Manson—Yes
Roland Michaud—Yes	Raymond Caron—Yes
Gerald Saint Amand—Yes	Steve Russell—Yes

Motion passed, 6 – 0.

NEW BUSINESS

- 1. Ordinance No. 7-2010: Regulating Wind Energy Facilities, Whereas the Winslow Zoning Ordinance does not address Wind Energy Facilities and the citizens of Winslow feel there is a need for regulating Wind Energy Facilities with the attached State Model Ordinance. (First Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Manson to accept the first reading of Ordinance No. 7-2010. A roll call vote was taken.

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

Motion passed, 6– 0.

Motion By Mr. Saint Amand and seconded by Mr. Caron to act on Resolution No. 26-2010 through Resolution No. 30-2010 as one. Motion carried. Unanimous.

- 2. Resolution No. 26-2010: Providing for Application for a Special Amusement Permit (Renewal) for Frank & Irene Giordano d/b/a Giordano’s Camping and Recreation Club, North Pond Road. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Caron to adopt Resolution No. 26-2010. Motion carried. Unanimous.

3. Resolution No. 27-2010: Providing for Application for a Special Amusement Permit for Ty Management d/b/a Dress me Bridal & Catering, 67 Veteran Drive. (One Reading) Sponsored By Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Caron to adopt Resolution No. 27-2010. Motion carried. Unanimous.

4. Resolution No 28-2010: Providing for Application for a Special Amusement Permit (Renewal) for MacCrillis-Rousseau Post #8835 V.F. W., 175 Veteran Drive. (One Reading) Sponsored By Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Caron to adopt Resolution No. 28-2010. Motion carried. Unanimous.

5. Resolution No. 29-2010: Providing for Application for a Bottle Club Registration (Renewal) for Frank and Irene Giordano d/b/a Giordano's Camping and Recreation Club, North Pond Road. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Caron to adopt Resolution No. 29-2010. Motion carried. Unanimous.

6. Resolution No. 30-2010: Providing for Application for a Class I Liquor License And Club Catering License (Renewal) by MacCrillis-Rousseau Post #8835 V. F. W., 175 Veteran Drive. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Caron to adopt Resolution No. 30-2010.

ADJOURNMENT

Motion by Mr. Saint Amand and seconded by Mr. Caron to adjourn the meeting. Motion carried. Unanimous.

The meeting adjourned at 7:28 p.m.

ATTEST: _____
Town Clerk of Winslow Maine