



Town Manager's Report to the Town Council

Submitted by:
Michael W. Heavener
April 28, 2010

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

CEMETERY HILL SLOPE (UP-DATE)

As you know, on or about Wednesday, March 31st., a substantial portion of the Fort Hill Cemetery slope along the Sebasticook River slid into the river. As a result some of the burial plots in the cemetery may be in jeopardy of sliding down the slope at some point in the future as the slope eventually reaches its natural angle of repose. The plots most in jeopardy are those closest to the fence at the rear of the cemetery in the vicinity of the slide. All of the burial plots in the cemetery have been mapped by George Lessard of the Cemetery Committee.

According to both the Maine DEP permit and the Town's Planning Board permit NextEra Energy (formerly FPLE) is required to remediate the Fort Hill Cemetery landslide if it is at all related to the removal of the Fort Halifax Dam. In consultation with the Town, NextEra Energy hired Geo Engineer Consultant Craig Findlay, PhD., P.E., G.E. to investigate the cause or causes of the Fort Hill Cemetery landslide. On April 15, 2010 Mr. Findlay issued his report but failed to identify the cause (or causes) of the landslide.

The Town hired Consulting Geotechnical Engineer Richard Reynolds and Sebago Technicians to conduct a peer review of Mr. Findlay's report. They concluded that Mr. Findlay failed to answer nine (9) fundamental questions that would need to be answered in order to determine the cause (or causes) of the slide (see attached report).

A Maine DEP engineer is also conducting a peer review of Mr. Findlay's report but has not yet issued any findings. The results of our peer review have been provided to the Maine DEP reviewing engineer.

At this point it is difficult to determine the next steps since the results of Maine DEP's peer review will have an influence on

our options of how to proceed from here.

I do, however, recommend that the Town Council go into executive session at Monday night's meeting to discuss possible legal strategies in the event Maine DEP's peer review conflicts with the results of our peer review.

BUDGET ORDER #6-2010

In your packet is Budget Order #6-2010, which has been revised to reflect the changes made during the first reading of the order. I have also added the school budget articles that will be voted on by the public at the June election.

We will be conducting the second and final reading of the budget order at Monday night's meeting.

Also in your packet is Order #8-2010, which reflects the transfer of funds into the Capital account that are outlined in the FY 2011 Budget. You will be conducting the first reading of this order after the adoption of the budget order.

INDUSTRIAL BUILDING LEASE AGREEMENT

In your packet is Order #9-2010, which if approved will authorize me to renew the lease with Johnny's Selected Seeds for a portion of our Industrial Building. As you will see, the biggest change in the lease is the addition of Article 5 that gives Johnny's Selected Seeds second refusal rights on the Industrial Building if the Town decides to sell the building. Orion Ropeworks has first refusal rights.

The current lease expires on June 30, 2010. The new lease, if approved, will be for a term of six (6) years.

FORT HALIFAX PARK

For a number of months now there has been a small committee working on ideas to enhance the Fort Halifax Park. Since the 1980's the Town has had a vision for the park that included a walking trail, gazebos and a boat launch.

In January of this year the Town Council authorized me to apply for Federal Earmark funding for the park that included riprap, a walking trail and a boat launch.

Since that time I have learned more about the history of the Fort Halifax Park site. For example, it was once the location of a seventeenth century fur trading post (1650—1676), which many people are unaware of.

Due to the unique historical character of the Fort Halifax Park site I recommend that a formal committee be formed to create a proposed improvement plan for the park that preserves and promotes all of the unique historical aspects of the park.

I also recommend that a historical architect be required to design any plans for improvement or construction within the park's boundaries to insure that all development is in keeping with the site's uniqueness.

The proposed committee as a minimum should consist of the following membership:

1—Friends of Fort Halifax

1—Fourth of July Committee

1—Parks & Rec Committee

1—Municipal Employee

1—Town Councilor

1—General Public

Once the Committee is formed they can begin working on funding sources to hire an historical architect. Once an architect is hired the committee can then focus on a park improvement plan that should include riprap design, trail design, carry-in boat access design, and a parking lot design.

Once a proposed improvement plan is developed, public input and comment can be sought. Following public input the Town Council can adopt the plan that will become a road map for ongoing site development.

The committee can then work on securing funding to implement the plan. The committee should also insure that all proposed site improvements are approved by the appropriate State or Federal agencies before any work begins.

BELLEVUE STREET BANK CLEAN-UP

As most of you are probably aware there is a small public park on the west side of Bellevue Street. Unfortunately the heavily vegetated slope at the park has become a dumping ground for all sorts of trash.

Sometime next week inmates from the Kennebec County Jail are expected to begin cleaning up the trash on the slope.

Public Works Director John Giroux is making arrangements to have a roll-off container available for the trash pick-up.

The much needed clean-up is being done at a minimal cost to the town due to the use of the inmates. Many thanks go out to Sheriff Randall Liberty for his support of the inmate program.

CMP LAND USE OFFER

CMP has expressed a willingness to allow the town to use their parcel of land that abuts the Fort Halifax Park along the Kennebec River. I will be asking the Parks & Rec Department to consider this offer and to determine if recreational use of the land should be pursued.

LPC NOMINATION FORM

In your packet is a nomination form for the MMA Legislative Policy Committee. If you would like to make a nomination you can do so at Monday night's meeting.

MEMORANDUM

To: Mike Heavener

Cc: Bob Gerber

From: Dick Reynolds

Date: 22 April 2010

Subject: Comments on April 2010 FEI Report on Cemetery Hill Landslide

You requested a review of the April 2010 report that Findlay Engineering, Inc (FEI) prepared regarding the March 2010 landslide of the Cemetery Hill slope in the Town of Winslow. This memo summarizes the review that Bob Gerber and I made.

In summary, the report provides a good compilation of the slope stability considerations that occurred when the Ft. Halifax Dam was removed by FPLE. The report also provides a nice description of what was seen shortly after the March 2010 slide occurred. Such observations are usually difficult and sometimes even dangerous to make. We are in complete agreement with the report's finding that a root cause of the landslide was that it occurred in a steep, wet slope. The report, however, leaves some fundamental questions unanswered and these answers are important to the Town regarding how it will deal with the slope failure. The following questions should be definitively answered:

1. Of what significance is it that the March 2010 slide occurred at a location below Fort Hill Cemetery that was not stabilized by FPLE with riprap?
2. How did the March 2010 rainfall amount compare with the recorded precipitation in the Winslow area for other months of heavy rainfall (not just the month of March) since the reservoir was dewatered, and for other individual rainfall events?
3. What was the recurrence interval for the level of seismicity that occurred at the Fort Hill Cemetery on 31 March 2010?
4. What triggered the landslide in a steep, frequently wet, and seismically shaken Cemetery Hill slope that had not triggered a landslide in this slope for as long as the Fort Hill Cemetery had existed prior to the recent landslide?
5. How much did the probability of the landslide increase because of the progressive loss of soil and soil strength at the toe of the Cemetery Hill slope at the same location where the landslide occurred?
6. How would the mechanics of the landslide's resisting and driving forces be influenced by progressive sloughing around the old reservoir HWL?

7. What would the angle of repose be for glacial till subjected to freeze-thaw cycles?
8. How would the strength of the soil placed on the riverbank in summer 2009 below the March 2010 slide compare with the soil that sloughed at this location after the drawdown?
9. Where (in the Cemetery Hill slope) and how much was the post-cyclic shear strength of the soil reduced by the 30 March 2010 earthquake in Bucksport?

We believe that these questions could be summarily answered by answering the following question:

What was the probability of failure of the steep, wet Cemetery Hill slope subjected to the 31 March 2010 “Bucksport” Earthquake?

- a. Before the 2008 reservoir drawdown?
- b. After the drawdown and the sloughing of the riverbank soil?
- c. After the drawdown, if the sloughed riverbank were replaced with riprap?
- d. After the drawdown, if the sloughed riverbank were replaced with soil?

To help answer these questions, we believe that specific data on the site conditions around the HWL (high water line) of the old reservoir would be required. Such data would at least comprise:

1. A profile of the glacial till along the old HWL in the slide area.
2. A re-creation of the most likely topography of the reservoir side slope that existed before the reservoir drawdown at the landslide area.
3. Shear strengths of weathered surficial glacial till.
4. Monotonic and cyclic shear strengths of the silty sand at the toe of the slope.

If you would like our suggestions on how these data might be obtained or further consultation on ways to mitigate the landslide, please do not hesitate to ask.