

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING
Minutes of Meeting
September 14, 2009

PUBLIC HEARING:

Chairman Russell opened the Public Hearing at 7:23 and asked for comments on the following:

1. Order No.12-2009: Providing for an election to consider proposed amendments to the Town of Winslow Town Charter.

With no comments from the public, Chairman Russell closed the Public Hearing and opened the regular meeting at 7:24 p.m.

REGULAR MEETING

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

James Byrne, Brad Grant, Paul Manson, Roland Michaud, Catherine Nadeau, Steve Russell and Gerald Saint Amand.

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

2. Approval of Minutes of Previous Meetings:

Motion by Mr. Saint Amand and seconded by Mr. Michaud that the minutes of the meeting held on August 10 be approved. Motion carried. Unanimous.

3. Communications

- a. Legislative Update

Mr. Fletcher explained that revenues are looking better for the state.

- b. Other

1. Copy of Minutes from Kennebec Water District meetings held July 16, August 6, and August 20.
2. Copy of Minutes from Kennebec Sanitary Treatment District meeting held July 21.
3. Copy of Minutes from Winslow Planning Board meeting held June 17.
4. Copy of Maine Power Reliability Program from Central Maine Power.

4. Reports of Committees and Commissions

a. Town Manager's Report

FEMA GRANT APPROVED

Our FEMA grant for the Dallaire Street Acquisition & Demolition Project has been approved. A meeting with the Dallaire Street residents is being scheduled for Thursday 9/17 at 6:30 PM at the Town Office.

The total project cost is \$678,825. We have a local cash match of \$130,508 and an in-kind match of \$39,198 for a total local match of \$169,706.

The meeting on September 17th will be the beginning of the process to acquire the homes which could take one to two months to complete.

At the conclusion of the project the Dallaire Street slope will be restored to "Green Space" and will remain forever Green.

LD 974—MV EXCISE TAX INITIATIVE

In November we will see the following citizen's initiative ballot question:

"Do you want to cut the rate of the municipal excise tax by an average of 55% on motor vehicles less than six years old and exempt hybrid and other alternative-energy and highly fuel-efficient motor vehicles from sales tax and three years of excise tax?"

If the Motor Vehicle Excise Tax Initiative is approved by the voters then the fiscal impact for the Town of Winslow will be an annual reduction in MV excise tax of between \$460,000 and \$496,000. This of course will either result in a reduction of services or an increase in property taxes. Since some who pay MV excise taxes do not pay property taxes there could be an unfair tax shift to the local property tax payer.

We may want to consider passing a Council Resolution in opposition to this initiative at the next Council meeting.

LD 976—TABOR II

In November we will see the following citizen's initiative ballot question:

"Do you want to change the existing formulas that limit state and local government spending and require voter approval by referendum for spending over those limits and for increases in state taxes?"

This citizen's initiative compels municipalities to submit certain budget and tax decisions to a local referendum. In addition, the initiative requires a statewide referendum on state level tax decisions that cause an increase as little as \$300,000. The cost to the state to present such an increase to the citizens could be as high as 1.8 million.

We may want to consider passing a Council Resolution in opposition to this initiative at the next Council meeting.

ORDER # 13-2009

In your packet is Order # 13-2009, which if approved will authorize the ALCOM TIF District in our Industrial Park. The tax shift associated with this TIF over the 15 year period is \$408,382.00.

MMA VOTING DELEGATE

The Council will need to select their voting delegate for the MMA Annual Business meeting on October 7, 2009 (see attached)

SPECIAL COUNCIL MEETING

We will need to schedule a special council meeting to conduct the second reading on the Charter Amendment Order. We should have the meeting before October so that we have enough time to prepare the ballots.

The council instructed Mr. Heavener to bring Resolutions in Opposition to LD 974 & LD 976 to the next meeting. There will be a Special Council Meeting September 28, 2009 at 7:30 p.m.

Department Reports

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

- b. Treasurer’s warrant approved and signed by the Finance Committee during the Month of August.

No. 1.....	\$	152,471.54
No. 2.....	\$	<u>215,601.88</u>
Total		\$ 368,073.42

- c. Financial Report

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

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Motion by Mr. Byrne and seconded by Mr. Saint Amand to read all New Business by title only.
Motion carried. Unanimous.

- 1. Order No. 12-2009: Providing for an election to consider proposed amendments to the Winslow Town Charter. (First Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to accept the First Reading of Order No. 12-2009. Motion by Mr. Saint Amand and seconded by Mr. Grant to choose the first option on question 6. Motion Carried. 4-3. A roll call vote was taken to accept the First Reading as amended.

James Byrne—Yes	Catherine Nadeau—Yes
Paul Manson—Yes	Brad Grant—Yes
Roland Michaud—Yes	Gerald Saint Amand—Yes

Steven Russell—Yes

Motion passed, 7 – 0.

- 2. Order No. 13-2009: Providing for Designation of Municipal Development and Tax Increment Financing District (ALCOM Project) and Adopting Related Development Program. (First Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to accept the First Reading of Order No. 13-2009. A roll call vote was taken.

Brad Grant—Yes	James Byrne—Yes
Catherine Nadeau—Yes	Roland Michaud—Yes
Gerald Saint Amand—Yes	Paul Manson—Yes
Steven Russell—Yes	

Motion passed, 7 – 0.

- 3. Order No. 14-2009: Providing for Authorization for the Town Manager to negotiate and enter into an agreement with Johnny’s Selected Seeds (JOHNNY’s) to re-roof a portion of their warehouse building at a cost to the Town not to exceed \$150,000, which would be repaid to the Town by JOHNNY’s over a ten (10) year period. (First Reading) Sponsored by Steven Russell.

Motion by Mr. Michaud and seconded by Mr. Byrne to accept the First Reading of Order No. 14-2009. After a brief discussion a roll call vote was taken.

Roland Michaud—Yes	Gerald Saint Amand—Yes
James Byrne—Yes	Catherine Nadeau—Yes
Paul Manson—Yes	Brad Grant—Yes
Steven Russell—Yes	

Motion passed, 7 – 0.

- 4. Resolution No. 27-2009: Providing for Authorization for the Town Manager to sign an agreement between the Town of Winslow and Downeast Surveying & Development, Inc. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Grant to add language to the Resolution to combine #1 and #2 of the agreement. Motion carried. Unanimous.

Motion by Mr. Saint Amand and seconded by Mr. Michaud to adopt Resolution

No. 27-2009 as amended.

Motion carried. Unanimous.

5. Resolution No. 28-2009: Providing for Authorization for the Town Manager to sign an agreement for roof repairs at the Lithgow Street Library not to exceed Six Thousand Dollars (\$6,000). (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to adopt Resolution No. 28-2009.

Motion carried. Unanimous.

6. Resolution No. 29-2009: Providing for Authorization for the Town Manager to renew a lease agreement with the Taconnet Falls Chapter of the Maine Genealogical Society for the Lithgow Street Library. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to adopt Resolution No. 29-2009.

Motion carried. Unanimous.

7. Resolution No. 30-2009: Providing for Authorization 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. Byrne to adopt Resolution No. 30-2009. After a discussion, motion by Mr. Saint Amand and seconded by Mr. Byrne to table Resolution No. 30-2009.

Motion carried. Unanimous.

8. Resolution No. 31-2009: Providing for Application for a Restaurant (Class I, II, III, IV) Liquor License by Celeste and Stan LaPointe d/b/a The Pointe Afta, 252 China Road. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Grant to adopt Resolution No. 31-2009.

Motion carried. Unanimous.

9. Resolution No. 32-2009: Providing for Authorization for the Town Manager to sign the roof repair agreement with G&E Roofing to repair a portion of the roof on the Town's Industrial Building at a cost of \$10,669.00. (One Reading) Sponsored by Steven Russell

Motion by Mr. Saint Amand and seconded by Mr. Grant to adopt Resolution No. 32-2009.

Motion carried. Unanimous.

10. Resolution No. 33-2009: Providing for authorization for the Town Manager to accept a bid proposal for the Winslow Connector Trail not to exceed \$223,500.00 with total project costs not to exceed \$261,996.30. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Michaud to adopt Resolution No. 33-2009. After a discussion, motion by Mr. Saint Amand and seconded by Mrs. Nadeau to table Resolution No. 33-2009 to obtain additional information.

Motion carried. 6 - 1.

11. Resolution No. 34-2009: Providing for Authorization for the Town Manager to replace one of the existing Recycling Trailers at a cost to the Town not to exceed \$18,000.00. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Michaud to adopt Resolution No. 34-2009.

Motion carried. Unanimous.

DISCUSSION:

ADJOURNMENT:

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

Motion carried. Unanimous.

The meeting adjourned at 8:45 p.m.

ATTEST: _____
Deputy Town Clerk of Winslow Maine