

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
Minutes of Meeting
October 13, 2009

REGULAR MEETING

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

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

Michael Heavener, Town Manager was present along with Kelly Karter, Assessor and Attorney William Lee.

2. Approval of Minutes of Previous Meetings:

Motion by Mr. Grant and seconded by Mr. Saint Amand that the minutes of the meetings held on September 14, 2009 & September 28, 2009 be approved.

Motion Carried. Unanimous.

3. Communications

- a. Legislative Update

No Comment.

- b. Other

1. Copy of Minutes from Kennebec Water District meetings held September 3 and September 1.
2. Copy of Letter from Kennebec County Administrator, Robert Devlin.
3. Copy of 2010 State Valuation from Maine Revenue Services.
4. Copy of "The Dispatch" from KVCOG.
5. Copy of Minutes from Winslow Planning Board Meetings held June 17, August 5 and September 2.

4. Reports of Committees and Commissions

- a. Assessor's Tax Abatements and Supplemental Tax Bills

ABATEMENTS

2008/2009	Nancy & Tim Reynolds 432 South Reynolds Rd Winslow ME 04901 Land reduction for old Town Dump Map 2 Lot 43A	\$ 446.40
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2008/2009	Robert Williams/Jeannie Wyman PO Box 8176 Winslow ME 04901 Mobile Home moved	\$ 305.35
2008/2009	Donald Eskelund 189 Heywood Road Winslow ME 04901 Farm Equipment Personal Property #5745	\$ 10.85
2009/2010	Reginald & Danielle Blanchard 46 Harding Drive China ME 04358 Incorrect Billing Code Map 5 Lot 76	\$3,234.85
2009/2010	Lori Genest 278 Abbott Road Winslow ME 04901 Incorrect Billing Code Map 6 Lot 2	\$2,497.05
2009/2010	Robert & Charlotte Masee Trust 5 Poulin Street Winslow ME 04901 Incorrect Billing Code Map 26 Lot 49	\$1,168.70
2009/2010	Pearl Prescott 3 Graybirch Drive #107 Augusta ME 04330 Incorrect Billing Code Map 5 Lot 43A	\$ 68.20
2009/2010	David & Suzanne Ferrigan 4 Getchell Lane Winslow ME 04901 Pool Data entry error Map 34 Lot 30	\$ 713.00
2009/2010	James Fedorovich 239 Nowell Road Winslow ME 04901 Tree Growth Correction Map 6 Lot 53	\$ 88.35

2009/2010	Robert Williams/Jennie Wyman 431 Kelley Mobile Home Park Millinocket ME 04462 Mobile Home Moved Map 2 Lot 19A	\$ 305.35
2009/2010	Donald Eskelund 189 Heywood Road Winslow ME 04901 Farm Equipment Personal Property #5745	\$ 10.85
2009/2010	Rodney Rowe PO Box 97 Albion ME 04910 Taxes supplemented at full value versus tree growth value Map 2 Lot 32	\$ 598.57
2009/2010	Le G Corp 581 Benton Avenue Winslow ME 04901 Supplemented correct valuation Personal Property #5662	\$ 260.38
2009/2010	Charles Morrill 341 Clinton Ave Winslow ME 04901 Grade corrected for new construction Map 7 Lot 22A	\$ 392.15
2009/2010	Joseph & Darlene Sproul 489 Morrill Road Winslow ME 04901 Incomplete factor remains/corrected Map 6 Lot 5E	\$ 172.05
2009/2010	Leone Marie Labreck 384 Cushman Road Winslow ME 04901 Widow's Veteran Exemption removed in error Map 2 Lot 10A	\$ 93.00

2009/2010 Hugh Danielson \$ 368.90
46 Mccaslin Drive
Winslow ME 04901
Mobile Home moved
Map 9 Lot 2E

2009/2010 Ethel Berkins \$ 93.00
11 Cardinal Way
Winslow ME 04902
Widow's Exemption removed in error
Map 7 Lot 44

SUPPLEMENTAL TAX BILLS

2008/2009 Peter Reynolds \$ 462.40
299 South Reynolds Road
Winslow ME 04901
Tree Growth Penalty
Map 2 Lot 37A

2009/2010 Le G Corp \$ 312.37
881 Benton Avenue
Winslow ME 04901
BETE items listed, not eligible
Personal Property #5662

2009/2010 Luc & Lisette Beaulieu \$2,287.80
1101 China Road
Winslow ME 04901
Incorrect Billing Code & garage charged twice
Map 5 Lot 76

2009/2010 Nickolas LaBun \$ 68.20
928 China Road
Winslow ME 04901
Incorrect Billing Code
Map 5 Lot 43A

2009/2010 Jeanette Perro \$1,168.70
5 Poulin Street
Winslow ME 04901
Incorrect Billing Code
Map 26 Lot 49

2009/2010	Erving & Lillian Quimby 278 Abbott Road Winslow ME 04901 Incorrect Billing Code Map 6 Lot 2	\$2,497.05
2009/2010	Rodney Rowe PO Box 97 Albion ME 04910 Property removed from Tree Growth Map 2 Lot 32	\$1,142.35

Motion by Mr. Saint Amand and seconded by Mr. Byrne to approve the Tax Abatements totaling \$10,827.00 and the Supplemental Tax Bills totaling \$7,938.87.

Motion carried. Unanimous.

b. Appointments

Motion by Mr. Michaud and seconded by Mr. Grant to appoint Richard Hutchinson to complete Sylvia Poulliot's term on the Board of Assessment Review.

Motion carried. Unanimous.

c. Town Manager Report

DALLAIRE STREET HOME ACQUISITION UP-DATE

As of the date of this report, homeowners from 5 of the 6 homes on Dallaire Street have officially accepted the town's fair market value offer for their homes. Homeowners of the 6th home have agreed to accept our offer and arrangements are being made to complete the paperwork.

Three of the homes are scheduled for an October 15th closing, one home is scheduled for an October 20th closing and another is scheduled for a November 2nd closing.

Once we acquire all the homes we will begin the process of removing hazardous materials from the homes. Habitat for Humanity has been contacted and they plan to remove all reusable building materials from the homes before they are burned.

FPLE BOND TO EXPIRE

As you may recall the Planning Board required FPLE to post a bond to be drawn upon by the town to the extent there is damage or destruction of any of the six homes on Dallaire Street due to a slope failure caused by the removal of the dam. The bond will expire on October 31, 2009.

The home located at 13 Dallaire Street has shown signs of damage due to settling of the Dallaire Street slope fill. Some of the damage has occurred since the removal of the dam.

Attached to this report is a memo from Consulting Geotechnical Engineer Richard Reynolds dated September 14, 2009. In his memo Mr. Reynolds concludes the removal of the dam has not caused the settling in the fill on the Dallaire Street slope. Mr. Reynolds' memo refers to an earlier memo by him dated September 10, 2009, which I have also attached to this report.

Due to the fact that settling of the Dallaire Street slope fill has been occurring for many years and Mr. Reynolds' conclusion that the recent settling is not related to the removal of the dam, it appears we have no basis in which to draw upon the bond.

POLICE CHIEF RICHARD GRINDALL ANNOUNCES HIS RETIREMENT

As you know, Chief Grindall has announced he will be retiring from the Winslow Police Department on December 11, 2009 after 40+ years of service to the town.

Waterville City Manager Mike Roy has expressed a willingness to discuss our two communities sharing the Waterville Police Chief.

Therefore, I propose we conduct a traditional search to replace Chief Grindall and at the same time explore the option of sharing a police chief with the City of Waterville. In the end we may have the option of selecting the top candidate from our search or share the current Waterville Police Chief if both communities determine that is a viable option.

RIVER LAND ADVISORY COMMITTEE UP-DATE

As you are aware, the River Land Advisory Committee has decided on the recommendations for the five (5) questions posed by the Town Council. Prior to their meeting at 6:00 PM on October 8th they plan to make a site visit at 5:00 PM behind Pleau's Market to assess public access to the river. The committee is on-track to meet the November 9th deadline.

MANAGERS TO DISCUSS TABOR II & EXCISE TAX INITIATIVE

On Wednesday October 14th I will participate in a panel discussion with Waterville City Manager Mike Roy, Oakland Town Manager Peter Nielsen and Fairfield Town Manager Paul Blanchette. We will be discussing the impact TABOR II and the Excise Tax initiatives could have on our four (4) communities. The panel discussion will be moderated by KVCOG Executive Director Kenneth Young.

The discussion will be videotaped and then aired at a later time on the local cable access channel.

CREDIT CARDS ACCEPTED

We have begun accepting credit cards for tax related payments only. There is a 2.50% convenience fee applied to all transactions so most people are opting to pay by cash or check. Some have commented that they appreciate having the option in the event they do not have sufficient cash on hand to make their payment.

PLANNING COMMITTEE NEEDED

At an earlier Town Council meeting I discussed the need to form a committee to explore our future building and space needs for our Police Department, Library and Parks & Recreation Department.

For many years the Police Department has been operating in substandard conditions and have no handicap accessibility. The Library has been plagued with moisture and odor problems and upgrading the existing facility has its limitations. The Parks & Recreation Department along with the Parks & Recreation Committee have expressed a need for a Community Center.

By the year 2018 the Town will have paid-off three (3) bonds and could be in a position to address one or more of the town's building and space needs.

If we begin the planning process now we should have ample time to fully assess our needs and to identify options to solve those needs. Starting now may also give us time to take advantage of funding options.

Therefore, I am requesting that the Town Council authorize the formation of a Planning Committee consisting of one or two Town Councilors, Jack Nivison, Dr. Paul Dunbar, Don Plourde, the Police Chief, the Parks & Rec Director, the Library Director and the Town Manager.

TOWN MANAGER’S VACATION

I am planning to take a vacation from October 21st to the 30th and I expect to be unreachable during most of that time.

Therefore, with Town Council approval, I will submit a letter to the Town Clerk designating John Giroux as administrative officer with the powers and duties of manager from October 21st to the 22nd and again from the 26th to the 30th.

In the same letter I will designate Chief Richard Grindall as administrative officer with the powers and duties of manager from October 23rd to the 25th.

INDUSTRIAL BUILDING RE-ROOFING OPTION

Peachy Builders has been awarded the contract to re-roof a portion of the space leased by Johnny’s Selected Seeds. In their bid proposal they included an option to re-roof a small portion of space leased by Orion Ropeworks, which is also part of the roof they will be re-roofing for Johnny’s Selected Seeds.

This portion of the roof leaks as well and will need to be re-roofed at some point. If we re-roof it now the cost will be less than if we re-roofed it at a later time. I have prepared Resolution 38-2009, which will allow me to accept Peachy Builders’ proposal at a cost of \$18,590.00.

LOHMANN TIF REQUEST

Our TIF Advisory Committee is recommending we approve Lohmann’s TIF request (*see Order 17-2009 and attached document*). A Lohmann representative will be at our meeting on the 13th to explain the TIF.

The Council asked Mr. Heavener to select a committee for hiring a Police Chief, Mr. Manson and Mr. Saint Amand volunteered to be part of the committee. Mr. Grant and Mrs. Nadeau volunteered to be on a committee to explore the option of sharing a Police Chief with Waterville. Mr. Heavener will select others for this committee. The council approved Mr. Heavener’s Planning committee and will ask for volunteers from the council at the next meeting.

d. Department Reports

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

e. Treasurer’s warrant approved and signed by the Finance Committee during the Month of September.

No. 5.....	\$ 1,901,388.70
No. 6.....	\$ <u>169,436.36</u>

Total	\$1,070,825.06
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f. Financial Report

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

TABLED BUSINESS:

Motion by Mr. Saint Amand and seconded by Mr. Byrne to take Resolution No. 33-2009 from the Table. Motion Carried. Unanimous.

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. Manson to postpone indefinitely Resolution No. 33-2009. Motion Carried. Unanimous.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

1. Ordinance No. 5-2009: Providing for The Amendment of Ordinance No. 4-2002, "The Administration of General Assistance." (First Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Grant to accept the First Reading of Ordinance No. 5-2009. A roll call vote was taken.

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

Motion passed. 7 – 0.

2. Order No. 15-2009: Providing for the conveyance of Town owned Property. (First Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to accept the First Reading of Order No. 15-2009. A roll call vote was taken.

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

Motion passed. 7 – 0.

Motion by Mr. Saint Amand and seconded by Mr. Grant to read by Title Only for the remainder of the Agenda. Motion carried. Unanimous.

3. Order No. 16-2009: Providing for a Public Referendum to Consider amending the Reorganization Plan and the Interlocal Agreement of the Kennebec Valley Consolidated Schools. (First Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to accept the First Reading of Order No. 16-2009. A roll call vote was taken.

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

Motion passed 7 – 0.

4. Order No. 17-2009: Providing for Designation of Municipal Development and Tax Increment Financing District (Lohmann Animal Health International 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. 17-2009. After a lengthy discussion a roll call vote was taken.

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

Motion passed. 7 – 0.

5. Resolution No. 37-2009: Providing for authorization for the Town Manager to Renew the existing contract for legal services with the Firm of O'Donnell, Lee, McCowan & Phillips. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Grant to adopt Resolution No. 37-2009. Motion carried. Unanimous.

6. Resolution No. 38-2009: Providing for authorization for the Town Manager to accept A proposal by Peachey Builders to re-roof a 50' x 120' section of the Town's Industrial Building at a cost to the Town of \$18,590.00. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Michaud to adopt Resolution No. 38-2009. After a discussion with Mr. Heavener a motion by Saint Amand and seconded by Mr. Michaud to table Resolution No. 38-2009 indefinitely.

Motion carried. Unanimous.

DISCUSSION:

Attorney Lee updated the council regarding the Dan Bernier Appeal.

ADJOURNMENT:

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

Motion Carried. Unanimous.

The meeting adjourned at 8:58 p.m.

ATTEST: _____
Town Clerk of Winslow Maine