

Fort Fairfield Town Council Meeting Minutes
Council Chambers
Wednesday, March 15, 2017
6:00 P.M.

Councilors: Jason Barnes, Mitchell Butler, John Herold, Melissa Libby and Scott Smith
Staff: Tim Goff, Darren Hanson, Rebecca Hersey, Ella Leighton, Tony Levesque, James Risner and Thomas Towle.
Citizens: 2

- I. Roll Call – Chair Jason Barnes asked that the record reflect all councilors were present.
- II. Prayer – Tony Levesque offered the prayer
- III. Pledge to the Flag - All in attendance pledged their allegiance to the Flag.
- IV. Public Comment- None

V. Correspondence and Reports

- A. Recognition of Former Library Board of Trustees Member – Mr. James Risner - Mr. Carl Young served on the Town’s Library of Trustees from December 16, 2015 to December 21, 2016. Chair Jason Barnes presented Mr. Young with a certificate of appreciation for his service.
- B. Licenses / Permits- Ms. Hersey – We received two Liquor License applications, one from the VFW Paul Lockhart #6187 and the other from Boondocks Grille.
- C. Financial Report – Mr. James Risner – Excises tax collections as of February 28 are \$380,889.20, which is 69.25% of the budgeted amount, which is 2.59% above the 66.66% of budget projection. We received State Revenue Sharing on February 22 in the amount of \$20,749.88, the total so far this year is \$144,757, which puts the Town ahead of budget as we have collected 67.68% of the amount budgeted. We received the FY18 projected revenue sharing numbers this week, which are \$244, 550.00, which is up \$30, 637.00 from FY17. Overall, our expenses are in line with expectations; at 65.93% compared to the budget projection of 66%. Cash flow is good with a balance of \$403,563.33 in checking and \$900,000.00 in savings after completion of Warrant #18.

Mr. Risner and Ms. Leighton are planning to attend SAD 20’s first public workshop for the school budget scheduled for March 21st at 6 PM.

- D. Tri-community Landfill Report – Mr. James Risner - The board met on February 24th and reviewed the draft audited financial statements. Over all Tri-Community Landfill is adequately funded and met all of their anticipated liabilities. DEP has approved their five year renewal for the multi sector general permit for storm water discharge and the storm water management plan has been updated. The next board meeting is scheduled for this Friday, March 17th .

- E. LED Street Lights – Mr. James Risner – I am working with 13 other municipalities in Aroostook County to look at the possibility of converting our community street light system to LED fixtures and from utility owned to municipally owned and maintained fixtures on utility owned poles. The other municipalities are the cities of Caribou and Presque Isle and the towns of Fort Kent, Frenchville, Grand Isle, Houlton, Island Falls, Limestone, Madawaska, Mapleton, Mars Hill, St. Agatha, and Washburn. A Request for Qualification (RFQ) was released on February 24, with proposals to be submitted no later than 2:00 p.m. on March 27. The information companies provide in their response will be used by each municipality to determine which, if any, of the companies they might want to contract with to do the conversion. It is expected that by combining our needs, we will lower the cost of conversion. Each municipality, at their discretion, may select a firm outright or select a finalist(s) for in-person interviews; reserves the right to negotiate directly with the firm selected for additional project work at a negotiated contract for services; reserves the right to accept or reject any or all proposals for any reason; and reserves the right to negotiate with any individual or firm and to select one or more of the proposals.

Mr. Risner plans to sit on the selection committee to review the proposals and the selection committee (interviews slated from April 3-7). He welcomes a Councilor to sit on the selection committees also. If a Councilor is interested in sitting on a committee, Mr. Risner asks that they let him know by Thursday, March 16.

Discussion:

Mr. John Herold stated that this was not the Towns first experience with LED lights. The Town owns around 170 of its own street lights, which around 2010 we received a \$58,000.00 grant to replace existing bulbs with LED bulbs. In 2012 we experienced some problems with the lights, I believe they were Sylvania. They kept burning out, about half of the bulbs failed to function. Sylvania claimed these were due to manufacture defects and they replaced the lights for us, but the installation was not covered. He raised the question about any monies that may be available to further cover municipal lights.

Mr. James Risner - One of the things in the RFQ is to have them identify any grants, any monies out there, any discounts.

VI. Old Business – None

VII. New Business

- A. Planning Board Ordinance – Mr. Tony Levesque - The Training Manual for Planning Boards states that it is important to remember that a Planning Board has no authority to act as an official arm of municipal government unless it has been legally established. The laws pertaining to the establishment of a Planning Board have been modified several times over the years. It further states that any action by the Planning Board might be challenged if their enabling legislation is not on record. The Town

records show that the Planning Board was established after 1945 to aid in the post war recovery. No legislative document could be found in the archives to verify what the Planning Board's purpose or duties would be. The Town of Fort Fairfield Planning Board has drafted a new ordinance to establish/reestablish the local Planning Board in order to validate any past and future action of the local Planning Board.

Mr. Mitchell Butler introduced the Planning Board Ordinance 17-02 and proposed that a public hearing be scheduled for April 11, 2017 at 12:00 Noon in the Council Chambers at the Municipal Building.

- B. Construction Over Limit Permit – Mr. James Risner - The Maine Department of Transportation (MDOT) has established a construction area on Route 167 in the Town of Fort Fairfield, from the intersection of Route 1A to the Town's boundary with Presque Isle. MDOT requests the municipal officers sign an agreement to issue a construction over limit permit to the contractor for overweight equipment and loads that may be required to use a municipal way in the Town as part of the construction. Title 29-A § 2382 MRSA requires a permit be procured from the municipal officers for a construction area within the municipality.

All Councilors agreed to sign the agreement that a construction over limit permit will be issued to the contractor for the Maine Department of Transportation Project Number STP-2259(100) allowing the contractor to use overweight equipment and loads on municipal ways.

- C. Tax Acquired Property for 2014 Taxes Ms. Ella Leighton - On March 8, 2017 the Town of Fort Fairfield became owner of property(s) for unpaid 2014 Real Estate taxes. The following is a list of properties and the total amount due on each property as of March 8, 2017.

- (A) James Chambers Estate – 90 Sam Everett Road – tax amount due is \$1,212.29, assessed value is \$12,200, minimum bid recommendation is \$1,500.00.
- (B) M & T Bank – 37 Aroostook Falls Road – tax amount due is \$6,552.93, assessed value is \$82,600.00; minimum bid recommendation is \$15,000.00.
- (C) Kenneth Morrow – 332 Old East Road – tax amount due is \$1,272.68, assessed value is \$21,500.00; minimum bid recommendation is \$2,500.00.

Motion: Mr. Mitchell Butler moved to approve the Treasurer putting the above mentioned properties out for bid in "AS IS WHERE IS" condition with no guarantees expressed or implied with minimum bids as presented.

Second: Mr. John Herold

Vote – All affirmative

- D. Winter Sand – Mr. James Risner – The Town will need to purchase up to 3,000 cubic yards of screened sharp winter sand with 200 pounds of rock salt per yard in order to prepare for the 2017/2018 snow season. This was the amount used for the 2016/2017 snow season. Without serious competition in the winter sand market, the Town is spending more by putting the winter sand out to bid than it would if we negotiated the price. For the 2014/2015 and 2015/2016 winter season the Town negotiated with O’Neal General Contracting Ltd a price of \$13,75 per yard for both years.

Motion: Mr. John Herold moved to approve the Public Works Director to negotiate the price of winter sand for the winter season of 2017/2018.

Second: Mr. Mitchell Butler

Vote – All affirmative

- E. Personnel Policy – Mr. James Risner – The current Personnel Policy was adopted on April 15, 1993. Town staff has reviewed policies from other municipalities and the Maine Municipal Association’s Personnel Services and Labor Relations department has reviewed the updated policy and we have incorporated changes they recommended.

Discussion –

Mr. Jason Barnes – Remarked about the Martin Luther King Holiday being reinstated, we had originally dropped that holiday so employees could have the day after Thanksgiving off, so we are adding another day.

Mr. Risner - Yes, we are adding the extra day, with looking at other municipalities and the State, 12 holidays is the norm.

Mr. John Herold – Section 5.6, Religious Observance states, “The Town permits employees to participate in the religious observances of their choice”. This needs to say, “The Town recognizes employees’ rights to participate in the religious observances of their choice”.

Motion: Mr. Mitchell Butler moved to adopt the new Personnel Policy with one amendment to the 5.6 Religious Observance to read: “The Town recognizes the employees rights to participate in the religious observances of their choice”.

Second: Mr. John Herold

Vote – All affirmative

- F. Diesel Fuel Pump Replacement – Mr. Darren Hanson- The Town currently uses a diesel fuel pump that is twenty years old and is experiencing mechanical and electrical failures which are becoming very costly, \$2,000.00 so far this year. Mr. Hanson has asked three companies for bids on replacing the pump, the only company that gave an installed price was Gaftek of Bangor. The other two companies, John W. Kennedy of Hampden and Simard and Sons of Lewiston would sell the pump at a fixed cost but would only do the installation on a time and material basis. After

looking over the bids and the estimated installation cost, Gaftek's is the lowest responsive and responsible bid at \$8,681.30.

Motion: Mr. John Herold moved to authorize the Public Works Director to purchase a new diesel fuel pump, including installation from Gaftek for \$8,681.30 using funds from the Public Works vehicle fuel account E 01-08-25-60.

Second: Mr. Mitchell Butler

Vote – All affirmative

- G. Rename Mountain View Trailer Park Drive – Mr. James Risner – The Fort Fairfield Housing Authority recently purchased the Mountain View Trailer Park land and they intend to remove the mobile homes and demolish the structure on the property and build one duplex for moderate income individuals. Mr. Troicke, FFHA Executive Director, has requested that Mountain View Trailer Park Drive be changed to Cherry Lane.

Motion: Mr. Mitchell Butler moved to approve changing the Mountain View Trailer Park Drive to Cherry Lane.

Second: Mr. John Herold

Vote – All affirmative

- H. Proclamation 17-04 Community Development Week- Mr. Tony Levesque – The Community Development Block Grant (CDBG) program was established in 1974. The Town of Fort Fairfield has received \$10,728,926 in CDBG funds since 1988. Projects included the clinic project, armory renovation and Monson pond dam and bridge project. The National Community Development Association established the National Community Development Week 31 years ago. This year, April 17 through April 22, 2017 has been designated Community Development Week.

VIII Minutes: Council Meeting February 15, 2017 Regular Council Meeting and the March 6, 2017 Special Council Meeting.

Motion: Mr. Mitchell Butler moved to approve Minutes of February 15, 2017 and March 6, 2017 as written.

Second: Mr. John Herold

Vote – All affirmative

IX Warrants: #17 - \$249,998.76 and #18 - \$287,290.23

Motion: Mr. Mitchell Butler moved to accept warrants #17, & #18 as presented.

Second: Mr. John Herold

Vote – All affirmative

X Other – None

XI Manager's Report – Mr. James Risner submitted this to the Council for information purposes only.

XII Executive Session

Motion: Mr. Mitchell Butler moved to go into Executive Session at 6:34 PM to discuss

MRSA 405 (6) (A) - Personnel

Second: Mr. John Herold

Vote – All affirmative

Motion: Mr. Mitchell Butler moved to come out of executive session 6:51 PM

Second: Mr. John Herold

Vote – All affirmative

Motion: Mr. John Herold moved to approve the Town Managers Contract as presented.

Second: Mr. Mitchell Butler

Vote – All affirmative

XII. Adjournment –

Mr. John Herold moved to adjourn at 6:54 PM

Respectfully submitted,

Council Secretary
Rebecca J. Hersey