



**NOVEMBER 2, 2015
7:00 P.M.**

**AGENDA
REGULAR COUNCIL MEETING
City Council Chambers, 2nd Floor
265 Main Street-Old Town, Maine**

- I. CALL TO ORDER (Please turn off or silent cell phones)**
- II. FLAG SALUTE**
- III. ROLL CALL**
- IV. Approval of the Minutes of the October 5, 2015 Regular and October 21, 2015 Special Council Meetings.**
- V. PETITIONS, COMMUNICATIONS AND CITIZENS' REQUESTS**
- VI. REPORTS**
 - A. Council President**
 - B. Standing Committees (Finance, Public, Administrative & Economic Services; Landfill, Legislative, Sewer, Airport & Housing sub-committees)**
 - C. City Councilors**
 - D. City Attorney**
 - E. Special Committees**
 - F. School Board Liaison**
 - G. City Manager**

VII. CONSENT AGENDA (New Business items 1 through 11)

Suggested motion: Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1 through 11 as presented.

(Councilor McLeod)

VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

PUBLIC HEARINGS

1. The City Council will conduct a Public Hearing on a new application for a Taxi Business for Robert Millett, d/b/a Marty's Old Town Taxi.

1a. The City Council will consider approval of a new application for a Taxi Business for Robert Millett.

Suggested motion: Resolved, the Old Town City Council hereby approves a new application for a Taxi Business for Robert Millett, d/b/a Marty's Old Town Taxi.

(Councilor Klitch)

2. The City Council will conduct a Public Hearing on a new application for a Second Hand Shop for Wayne Davenport, d/b/a D.J. Store, 274 Main Street.

2a. The City Council will consider approval of a new application for a Second Hand Shop for Wayne Davenport.

Suggested motion: Resolved, the Old Town City Council hereby approves a new application for Second Hand Shop for Wayne Davenport, d/b/a D.J. Store, 274 Main Street.

(Councilor Roach)

SECOND READINGS

1. The City Council will conduct a Second Reading for final approval on a proposal to amend Chapter 21, titled Welfare, Appendices A, C & D (Food, Electricity & Utilities Assistance Limits) of the General Assistance Maximum Amounts for the period October 1, 2015 through September 30, 2016. This amendment is a requirement of the Department of Human Services in compliance with Title 22, M.R.S.A. §4305(4).

- 1a. The City Council will consider final approval on a proposal to amend Chapter 21, Titled Welfare, Appendices A, C & D of the General Assistance Maximum Amounts.

Suggested motion: Resolved, the Old Town City Council hereby approves a proposal to amend Chapter 21, titled Welfare, Appendices A, C & D (Food, Electricity & Utilities Assistance Limits) of the General Assistance Maximum Amounts for the period October 1, 2015 through September 30, 2016 as presented in Attachment #1.

(Councilor Nuttall)

(Roll Call Vote)

IX. OLD BUSINESS

X. NEW BUSINESS

1. The City Council will consider appointing officers to the General Assistance Fair Hearing Appeals Board.

Suggested motion: Resolved, the Old Town City Council hereby appoints William Mayo and Patricia Brochu as Officers to the General Assistance Fair Hearing Appeals Board with a term to expire 12/31/2016.

2. The City Council will consider accepting an after deadline redemption on foreclosed property for Barbara Bailey-Schmidt, located at 49 Willow Street for payment of 2016 Real Estate Taxes and Sewer fees in the total amount of \$5,418.26.

Suggested motion: Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for Barbara Bailey-Schmidt, located at 49 Willow Street for payment of 2016 RE taxes in the amount of \$2,625.96 and 2012 to present Sewer fees in the amount of \$2,630.81 for a total amount of \$5,418.26 which includes interest, lien costs and late redemption fee and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

3. The City Council will consider authorizing the Economic Development Director to prepare and submit an application to the Department of Economic & Community Development for the City to become certified as a Business-Friendly Community.

Suggested motion: Resolved, the Old Town City Council hereby approves authorizing the Economic Development Director to prepare and submit an application to the Department of Economic & Community Development for the City to become certified as a Business-Friendly Community.

4. The City Council will consider authorizing the Economic Development Director to expend funds for the commercial appraisal of the FBRI (Forest Bio-products Research Initiative) site at the Mill as recommended by the LLC.

Suggested motion: Resolved, the Old Town City Council here by authorizes the Economic Development Director to expend funds in an amount not to exceed \$10,000 for the commercial appraisal of the FBRI site at the Mill as recommended by the LLC. Funds are to come from the Old Town Development LLC Account #03450.

5. The City Council will consider accepting a Grant received by the Old Town-Orono Fiber Corporation in the amount of \$250,000.

Suggested motion: Resolved, the Old Town City Council hereby accepts a Grant received by the Old Town-Orono Fiber Corporation in the amount of \$250,000.

6. The City Council will consider authorizing the Economic Development Director to expend funds towards the extension of three miles of high-speed fiber for the infrastructure and for the engineering study as recommended by the LLC.

Suggested motion: Resolved, the Old Town City Council hereby approves authorizing the Economic Development Director to expend \$80,000 towards the extension of three miles of high-speed fiber for the infrastructure and \$12,500 for the engineering study as recommended by the LLC. Funds are to come from the Old Town Development LLC Account #03450.

7. The City Council will consider retaining the services of CES to work on the Landfill Agreement and the State will pay for the service.

Suggested motion: Resolved, the Old Town City Council hereby approves retaining the services of CES, Inc. to work on the Landfill Agreement with the State of Maine funding the work.

8. The City Council will consider authorizing the Public Works Director to sell the Baler at the Transfer Station.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the Public Works Director to sell the Baler at the Transfer Station to Pine Tree in the amount of \$7,500.

9. The City Council will consider authorizing the Public Works Director to enter into a Memorandum of Agreement with the ME Department of Environmental Protection to establish a procedure to report aboveground oil spills and discharges of less than 10 gallons.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the Public Works Director to enter into an Memorandum of Agreement with the MDEP to establish a procedure for reporting oil spills and discharges of less than 10 gallons.

10. The City Council will consider accepting a Grant from the U.S. Department of Justice in the amount of \$2,294.57 towards the purchase of 5 new Bullet Proof Vests for the Police Department. The City's share is \$1,956 and will come from Account #3000-0325 Public Safety Supplies

Suggested motion: Resolved, the Old Town City Council hereby approves accepting a Grant from the U.S. Department of Justice in the amount of \$2,294.57 towards the purchase of 5 new Bullet Proof Vests for the Police Department. The City's share is \$1,956 and will come from Account #3000-0325 Public Safety Supplies.

11. The City Council will consider adding two new fees to the Public Safety Fee Schedule. One is for fingerprinting in the amount of \$10.00 and the other is for Background checks in the amount of \$15.00 per check.

Suggested motion: Resolved, the Old Town City Council hereby approves adding a fingerprinting fee of \$10.00 and Background Check fee of \$15.00 to the Public Safety Fee Schedule.

12. The City Council will consider accepting the 2015 Department of Justice Community Oriented Policing Services (COPS) Grant. The Police Department has been awarded this 3 year grant in the amount of \$125,000 to be used to fund a School Resource Office. This Grant requires a City match of \$94,527.43 over the 3 years and the School Department has agreed to split all costs 50-50 that are not covered by the grant.

Suggested motion: Resolved, the Old Town City Council hereby accepts the 2015 Department of Justice Community Oriented Policing Services (COPS) Grant in the amount of \$125,000 over a 3 year period to be used to fund a School Resource Officer. The City's match of \$94,527.43 over the 3 year period is required and the School Department has agreed to split all costs 50-50 that are not covered by the Grant.

(Councilor Klitch)

13. The City Council will consider authorizing the Airport Manager to repair the fence at the airport.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the Airport Manager to expend funds to repair the fence at the in an amount not exceed \$20,000. Funds will come from the Airport Hangar Reserve Account #03560

(Councilor Peterson)

14. The City Council will consider authorizing the Finance Director to carry forward the following balances in the Municipal General Fund accounts and Pollution Control accounts. This is an annual year-end accounting authorization.

Suggested motion: Resolved, the Old Town City Council hereby approves authorizing the Finance Director to carry forward funds in the Municipal General Fund accounts and Pollution Control accounts as listed in Exhibits A & B.

(Councilor McLeod)

15. The City Council will consider accepting a bid for the construction of a storage building at the Airport.

Suggested motion: Resolved, the Old Town City Council hereby accepts the low bid from Greg Harvey Builders in the amount of \$67,250 to construct a storage building at the Airport. Funds will come from the Airport Hangar Reserve Account #03560.

(Councilor Peterson)

16. The City Council will consider going into Executive Session for the purpose of discussing the City Manager's annual performance evaluation.

Suggested motion: Resolved, the Old Town City Council hereby approves going into Executive Session pursuant to MRSA Title 405, Section (6)(A) for the purpose of discussing the City Manager's annual performance evaluation .

(Councilor May)

XI. ADJOURNMENT



**NOVEMBER 4, 2015
4:30 P.M.**

**AGENDA
SPECIAL COUNCIL MEETING
City Council Chambers, 2nd Floor
265 Main Street-Old Town, Maine**

- I. CALL TO ORDER**
- II. FLAG SALUTE**
- III. ROLL CALL**
- IV. Approval of the Minutes**
- V. PETITIONS, COMMUNICATIONS AND CITIZENS' REQUESTS**
- VI. REPORTS**
 - A. Council President**
 - B. Standing Committees (Finance, Public, Administrative & Economic Services; Landfill, Legislative, Sewer, Airport & Housing sub-committees)**
 - C. City Councilors**
 - D. City Attorney**
 - E. Special Committees**
 - F. School Board Liaison**
 - G. City Manager**
- VII. CONSENT AGENDA**
- VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**
- IX. OLD BUSINESS**

X. NEW BUSINESS

1. The City Council will consider accepting the Return of the Votes cast of the November 3, 2014 Regular Municipal Election.

Suggested motion: Resolved, the Old Town City Council hereby accepts the Return of the Votes cast of the November 3, 2015 Regular Municipal Election as presented.

(Councilor May)

XI. ADJOURNMENT



REGULAR COUNCIL MEETING – OCTOBER 5, 2015

Council convened October 5, 2015 at the Old Town City Council Chambers on 265 Main Street.

Councilors present: President David Mahan, Janet Klitch, Carol May, Linda McLeod, John Nuttall, Eric Roach and Stan Peterson.

Administration present: Bill Mayo, Ed Bearor, Patty Brochu, Miles Greenacre, Steve O'Malley, Travis Roy and Scott Wilcox.

Council President Mahan called the meeting to order at 7:00 p.m.

Councilor Klitch, seconded by Councilor Nuttall, moved to approve the Minutes of the September 8, 2015 Regular and September 16, 2015 Special Council Meetings. Approved all in favor, 7-0.

REPORTS

President Mahan praised and thanked all involved with the Riverfest Celebration. Councilor May also thanked everyone who volunteered their time and efforts.

Manager Mayo: 1) He has a meeting at the Airport with someone who wants to build an 8 bay hangar building; 2) There is a Juniper Ridge Landfill Committee meeting in the Council chambers on October 6th at 6:00 p.m. and Casella will be there as well; 3) Casella is also working on the Conservation Easement.

Councilor Klitch said she attended Casella's open house and it was great.

CONSENT AGENDA

Councilor Peterson, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2, 3, 4, 5 & 6 as presented and as follows:

Item #1: Resolved, the Old Town City Council hereby approves an application for a Major Event Permit for the Old Town Rotary Club to hold the Annual Hunters Breakfast to be held in the Municipal Parking lot on Main Street on October 31, 2015 and to allow set up on October 30, 2015 starting at 1:00 p.m. and to further waive the permit fee.

PERMITS
Major Event/
Hunter's Breakfast
Approved

Item #2: Resolved, the Old Town City Council hereby approves issuance of Municipal Warrants for the November 3, 2015 Regular Municipal Election.

ELECTIONS
Warrants for
11/3/2015 Election
Approved

Item #3: Resolved, the Old Town City Council hereby approves the Registrar of Voters hours for the November 3, 2015 State General & Regular Municipal Election, pursuant to Title 21A, M.R.S.A. §101(6) as presented in attachment #2 and recommended by the City Clerk.

ELECTIONS
Registrar of
Voters hours
for 11/3/15
Election Approved

Item #4: Resolved, the Old Town City Council hereby approves a renewal application for a Malt, Vinous & Spirituous Liquor License and a Special Amusement Permit for the Old Town Knights of Columbus, 5 Gilman Falls Avenue.

LICENSES
Liquor & Spec
Amusement Per
Approved/ K of C
and Elks Lodge

Item #5: Resolved, the Old Town City Council hereby approves a renewal application for a Malt, Vinous & Spirituous Liquor License and a Special Amusement Permit for the Old Town Lodge of Elks #1287, 37 Fourth Street.

Item #6: Resolved, the Old Town City Council hereby approves an application from Fairpoint Communications for a Pole Location Permit for one pole located approximately 85 feet southwesterly from the center line of N. Brunswick Street and one pole approximately 28 feet northeasterly from the center line of N. Brunswick Street..

PERMIT
Pole Permit/
Fairpoint Approved

Consent Agenda items unanimously approved, 7-0.

PUBLIC HEARINGS

The City Council conducted a Public Hearing on a new application for a Malt Liquor License and Victualer's License for Jason Fell, d/b/a Linda's New York Style Pizza II, 239 Main Street.

PUBLIC HEARING
Liq Lic & Vict
Approved/
Linda's NY Pizza

Clerk Brochu reported all requirements by the Ordinance have been met and the Inspectors approved.

The City Council considered approval of a new application for a Malt Liquor License and Victualer's License for Jason Fell, d/b/a Linda's New York Style Pizza II.

Councilor Nuttall, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves a new application for a Malt Liquor License and Victualer's License for Jason Fell, d/b/a Linda's New York Style Pizza II, 239 Main Street.
Approved all in favor, 7-0.

The City Council conducted a Public Hearing on a new application for a Taxi Business for Robert Millett, d/b/a Marty's Old Town Taxi.

TAXI BUSINESS
for Marty's OT
Taxi/ Denied

Police Chief Wilcox suggested they deny this application. His findings are based on several phone calls made to the applicant to bring his vehicle into the Police Station for inspection and to apply for the required Taxi Driver License which he didn't comply with.

No further comments, the Council President closed the hearing.

The City Council considered approval of a new application for a Taxi Business for Robert Millett.

Councilor Klitch, seconded by Councilor McLeod, Resolved, the Old Town City Council hereby denies the application of Robert Millett, d/b/a Marty's Old Town Taxi, due to non-compliance of Sections 20-20 & 20-28 of Chapter 20 Vehicles for Hire of the Old Town Code of Ordinances. Approved all in favor, 7-0.

The City Council conducted a Public Hearing on a proposal to amend Chapter 21, titled Welfare, Appendices A, C & D (Food, Electricity & Utilities Assistance Limits) of the General Assistance Maximum Amounts for the period October 1, 2015 through September 30, 2016. This amendment is a requirement of the Department of Human Services in compliance with Title 22, M.R.S.A. §4305(4).

PH Con't
Proposal to
amend Welfare
Ord/ 2nd Reading
Scheduled

Clerk Brochu reported this is the State's annual adjustment of the assistance limits.

The City Council considered scheduling a Second Reading for final approval on a proposal to amend Chapter 21, Titled Welfare, Appendices A, C & D of the General Assistance Maximum Amounts.

Councilor McLeod, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves scheduling a Second Reading for final approval on November 2, 2015 on a proposal to amend Chapter 21, titled Welfare, Appendices A, C & D (Food, Electricity & Utilities Assistance Limits) of the General Assistance Maximum Amounts for the period October 1, 2015 through September 30, 2016 as presented in Attachment #1. Approved all in favor, 7-0.

NEW BUSINESS

The City Council considered going into Executive Session for the purpose of discussing the Expera Old Town, LLC Mill closure.

EXECUTIVE SESSION
Mill Closure

Councilor May, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:16 p.m. pursuant to Title 1, M.R.S.A. §405 (6) (C) for the purpose of discussing the Expera Old Town, LLC Mill closure. Approved all in favor, 7-0.

Councilor Klitch, seconded by Councilor Nuttall moved to come out of Executive Session at 7:52 p.m. Approved all in favor, 7-0.

EXECUTIVE SESSION
Manager's
Evaluation

The City Council considered going into Executive Session for the purpose of discussing the City Manager's annual performance evaluation.

Councilor May, seconded by Councilor Nuttall, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:52 p.m. pursuant to Title 1, M.R.S.A., §405(6)(A) for the purpose of discussing the City Manager's annual performance evaluation. **Approved all in favor, 7-0.**

Councilor Peterson, seconded by Councilor Klitch, moved to come out of Executive Session at 8:21 p.m. **Approved all in favor, 7-0.**

Councilor McLeod, seconded by Councilor May, moved to adjourn at 8:22 p.m. **Approved all in favor, 7-0.**

Adjourned,

Patricia A. Brochu, CMC
City Clerk-Old Town, ME



SPECIAL COUNCIL MEETING – OCTOBER 21, 2015

Council convened October 21, 2015 in the Old Town City Council Chambers at 265 Main Street.

Councilors present: Janet Klitch, Carol May, Linda McLeod, Eric Roach and Stan Peterson. President David Mahan and John Nuttall absent.

Administration present: Bill Mayo, Erik Stumpf, Patty Brochu, Lance Farrar, Ron Harriman, Steve O'Malley, John Rouleau and Scott Wilcox.

Others present: Four citizens in the audience and news media.

In the absence of the Council President, Clerk Brochu called the meeting to order at 7:16 p.m.

Clerk Brochu asked for a nomination to elect a Council President Pro-temp. Councilor Peterson, seconded by Councilor May, nominated Linda McLeod. No other nomination, Clerk Brochu asked for a vote. *Approved all in favor, 5-0.*

REPORTS

Councilor Klitch informed the Council that she would like to discuss plastic bags at some point soon.

Manager Mayo let the Councilors know that the Clerk needs a meeting to accept the Return of the Vote on November 4th. He also let them know there is still \$50,000 left from the Brownfield Grant and he would like to use it for the downtown community feasibility study.

NEW BUSINESS

The City Council considered issuance of a Proclamation in recognition of World Polio Day sponsored by the Rotary's Purple Pinky Project.

PROCLAMATION
World Polio Day

Councilor Peterson, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby issues a Proclamation in recognition of World Polio Day sponsored by the Rotary's Purple Pinky Project.

Jake Hanstein, Gwen King and Michelle Adams were at the meeting and gave a presentation on the history of Polio and the goals to get everyone in the world inoculated. They also invited the Council to donate and get their pinky's colored purple at the meeting.

Motion was approved all in favor, 5-0.

The City Council considered approval of a renewal application for a Malt & Vinous Liquor License for Governor's Restaurant, 963 Stillwater Avenue.

LICENSES
Liquor License/
Governor's
Approved

Councilor Roach, seconded by Councilor May, Resolved, the Old Town City Council hereby approves a renewal application for a Malt & Vinous Liquor License for Randall Wadleigh, d/b/a Governor's Restaurant, 963 Stillwater Avenue. **Approved all in favor, 5-0.**

The City Council considered going into Executive Session for the purpose of discussing a Personnel matter.

EXECUTIVE SESSION
Personnel Matter

Councilor Klitch, seconded by Councilor Roach, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:32 p.m. pursuant to MRSA Title 405, Section (6)(A) for the purpose of discussing a Personnel matter. **Approved all in favor, 5-0.**

Councilor Peterson, seconded by Councilor May, moved to come out of Executive Session at 7:40 p.m. **Approved all in favor, 5-0.**

The City Council considered going into Executive Session for the purpose of discussing the City Manager's annual performance evaluation.

EXECUTIVE SESSION
Manager's Eval
postponed

Councilor Klitch, seconded by Councilor Peterson, moved to postpone this item until the November 2, 2015 Regular Council Meeting. **Approved all in favor, 5-0.**

Councilor Peterson, seconded by Councilor Klitch, moved to adjourn at 7:41 p.m. **Approved all in favor, 5-0.**

Adjourned,

Patricia A. Brochu, CMC
City Clerk-Old Town, ME

EXHIBIT B

Pollution Control Carryforward Recommendation

Unexpended Balances from FY2014/2015 Carried Forward to FY2015/2016 Budget

<u>Department</u>	<u>Code</u>	<u>Description</u>	<u>FY2014/2015 Carry Forward</u>
8300	0195	GIS PROJECT	20,000.00
8300	0925	COMPUTER SYSTEM	6,500.00
8300	0930	HEADWORKS INVENTORY	10,000.00
8300	0940	LEGAL & ENGINEERING	5,000.00
8300	0945	INTERCEPTOR CLEANING	10,000.00
8300	0950	CSO FLOWMETER	10,000.00
8300	0960	RBC REPLACEMENT	60,000.00
8300	0980	I & I STUDY	19,754.95
8300	0985	LINE REPAIR	70,000.00
			<u>211,254.95</u>

EXHIBIT A

City of Old Town Carryforward Recommendation

Unexpended Balances from FY2014/2015 Carried Forward to FY2015/2016 Budget

<u>Department</u>	<u>Code</u>	<u>Description</u>	FY2014/2015 Carry Forward
1015	0268	EMPLOYEE BENEFITS - SAFETY INCENTIVE	2,272.51
1200	0540	CITY MGR. ADMIN - CONTINGENCIES	7,519.22
1220	0299	INFORMATION TECH - OTHER CONTRACTURAL	61,714.67
1300	0414	AIRPORT - OTHER CAPITAL OUTLAY	35,255.23
1420	0299	J R LANDFILL - OTHER CONTRACTURAL	246,730.66
7200	0010	SIDEWALKS	16,788.00
7200	0020	CAPITAL PROJECTS - ADA IMPROVEMENTS	19,964.15
7200	0030	CAPITAL PROJECTS - BROOK PIPE	38,787.00
7200	0150	CAPITAL PROJECTS - COMPREHENSIVE PLAN	28,854.72
7200	0210	CAPITAL PROJECTS - CLERK RECORDS	7,353.78
7200	0300	CAPITAL PROJECTS - STORMWATER PHASE I	29,620.00
7200	0350	CAPITAL PROJECTS - GRANT MATCH	25,904.72
7200	0380	TRAFFIC LIGHTS	22,600.00
7200	0385	CAPITAL PROJECTS - ENERGY PROJECTS	88,864.68
			<u>632,229.34</u>

Patty Brochu

From: Lance Farrar
Sent: Thursday, October 29, 2015 10:32 AM
To: Patty Brochu
Subject: Snow Removal building proposals

Good morning patty,

As per our conversation I am forwarding the proposals from HCS Enterprises and Greg Harvey Builders. The other two proposals did not make the deadline to be considered.

HCS proposal	\$68,400.00
Greg Harvey Builders	\$67,250.00

Greg Harvey Builders is the winning bid.

Regards
Lance Farrar