

Town Council Meeting
11/21/2023

Open Town Council Meeting: Councilor Ketch opened the Town Council meeting. All members were present. Also present was Town Manager Melissa Doane

Review of Minutes: Councilor Ketch made a motion to approve the Town Council minutes of 11/7/2023, seconded by Councilor Wade. Vote 4/0 (Councilor Hatch was excused on 11/7/2023).

Citizens Request: None

Managers' Report: Melissa reported that the hearing regarding the 114 Cram Street Land Use Violation is scheduled for Thursday, December 7 at 1:00 pm. John Hamer has a conflict that day, therefore Stephen Wagner, an attorney from Rudman and Winchell, will be handling the case. Melissa and Dean are scheduled to meet with Mr. Wagner on November 29, 2023. The hope was that Mr. Wing would agree to a stipulated judgment that requires compliance and fines. Mr. Wing's appointed attorney has communicated with Mr. Hamer that Mr. Wing does not have any defense but has not made any progress with an agreement. The Town will be providing the judge with a copy of the stipulated agreement. It is Melissa's recommendation that the Town request \$7,000.00 in attorney fees, \$400.00 reimbursement for the dumpster cost, and fines of \$2,500.00, totaling \$9,900.00. There is no way to know if that will be permitted as it will ultimately be up to the judge. Councilor Lugdon made a motion to request \$9,900.00 in a judgment, seconded by Councilor Wade. Councilor Ketch stated that the agreement also mentions a payment plan. Councilor Hatch indicated that the fine assessment relays the seriousness of land use violations. Vote 5/0.

Melissa stated that she did receive a letter from Christopher Almy, in which he recognized the letter she sent on October 31. The letter addressed the need for Mr. Wing to receive prosecution on the many summonses he receives and the need for mental health assistance. As the Town has reported repeatedly, Mr. Almy stated "If Bradley residents have complaints against Mr. Wing, they need to notify PCSO". It has been brought to Melissa's attention that Mr. Wing has a criminal hearing scheduled on December 14th regarding littering. Melissa is scheduled to be in Augusta that day and is not sure if she will be able to attend. Melissa did today meet with Deputy Ryan Fitch and Penobscot County caseworker Vanessa Scott as they had a visit with Mr. Wing today. He reportedly agreed to have them get him a caseworker. Councilor Lugdon noted a letter that Melissa had written to Mr. Wing dated October 12, which basically stated that the town also intended to seek a judgment of inhabitable condition due to his refusal to use his septic system. Councilor Lugdon asked if he had responded to that. Melissa stated that he refused the letter and therefore has not seen it. When she meets with Mr. Wagner, she will ask that it be somehow included in the trial on the 12th. Councilor Hatch asked if the Penobscot County Sheriff's Office was aware of Mr. Almy's comment regarding calling with concerns. Melissa stated that the letter was also shared with Sheriff Morton and the Department knows of the reference.

Melissa provided to Town Council a memo outlining her recommendation regarding removing funds from the savings reserve to hire Mark Gibson to perform duties as an assessing agent and complete a re-evaluation of values for the 2024 tax commitment. As was described in the memo these funds have

been established by voters through the budget process and the Town Council has the authority to use them. The reserve funds are separate from the undesignated funds, in which voter approval is needed. Councilor Ketch noted that the information that was provided by Manager Doane from Maine Municipal Association notes that it is recommended that a Town have a surplus equal to 10-12% of total tax commitment, two months operating expenses, or expenses for the highest expense month. Melissa confirmed that it is recorded in the investment policy that the undesignated surplus must be equal to at least 3 months of expenditures, which it is.

April successfully completed the November Election and Melissa believes it is appropriate for the Town Council to appoint her the Town Clerk. As per the Charter, the Town Manager is to serve as the Town Clerk, unless otherwise directed by the Town Council. Councilor Wade a motion to appoint April Dorr as Town Clerk and Melissa Doane as Deputy Clerk, seconded by Councilor Clemons. Vote 5/0.

On Tuesday, November 28, Melissa will be sending out foreclosure notices for the unpaid 2021 real estate accounts. Currently there are five accounts still unpaid. Melissa would like a motion to release the postage check for the foreclosure notices. Councilor Ketch made a motion to allow for the release of the funds, seconded by Councilor Lugdon. Vote 5/0.

New Business: Melissa would like the Town Council to consider closing on December 26, 2023, and offer the staff an additional holiday this year. The staff is not awarded many holidays, as they typically fall on Mondays. Councilor Clemons made a motion to allow for the additional holiday for this year, seconded by Councilor Wade. Vote 5/0.

Councilor Lugdon asked Melissa to bring to the next meeting information regarding the year-end bonuses that have been provided in the past to employees.

Councilor Ketch noted the memo from Manager Doane regarding her Maine Municipal Executive Committee schedule. Melissa stated nothing was needed from the Council as the memo was meant to provide notice. Councilor Hatch asked if any Town Council meetings would be need to rescheduled. Melissa believed one in March would need to be addressed as she is scheduled to be in Washington DC. She will know better as the date comes closer.

Unfinished Business: Melissa forwarded the foreclosure policy to the municipal attorney and has not received any feedback. It did come to her attention last week that a working group has been formed to provide guidance and policy on the new law.

Councilor Ketch asked if the road closures on Route 178 were complete. Melissa stated she was unsure and that she had a very difficult time being included in the conversation regarding the closures. Last week the road and detour were completely shut down due to an oil spill. She found out and was able to monitor only because she lives off the County Road which was part of the detour. She did believe the Route 178 detours were done, however noted that there is still equipment and culverts located at the site. Councilor Wade mentioned that he called Maine DOT as there are detour signs all over the region, including Brewer, Eddington, Old Town, and Orono.

Councilor Ketch noted that the trash pick-up will be on Friday this week due to the Thanksgiving holiday.

Municipal Warrants: Councilor Ketch made a motion to accept the municipal warrants as presented, seconded by Councilor Lugdon. Councilor Ketch asked for clarification on the bill from HCP for a fire station tower and a bill for gardening. Melissa stated that the fire station tower is a desktop computer that was identified in the capital/IT needs assessment and the replacement was done in May. However, a bill was just received. The bill for the gardening is paid to Patricia Bingaman, who owned a greenhouse in Bradley years ago. She does all the gardening in the Town Park and outside the Municipal Building. Vote 5/0.

Next Meeting: The next meeting was set for December 7, 2023.

Adjourn: Councilor Ketch made a motion to adjourn, seconded by Councilor Lugdon. Vote 5/0.