

Town Council Meeting September 12, 2023

Open Town Council Meeting: Council Chair Mark Ketch opened the Town Council meeting; all members were present, including Town Manager Melissa Doane and Fire Chief Eric Gifford.

Review of Minutes: Councilor Ketch made a motion to approve the minutes of 8/29/2023, seconded by Councilor Lugdon. Vote 5/0.

Citizens Request: None

Managers' Report: Melissa reported that the municipal audit was completed last week on 9/7/2023. No issues were described to her and she anticipates working on the final adjustments and reports with the auditor in mid-October.

Melissa contacted John Milligan regarding the Knapp Cemetery bamboo removal. The cost for the project was estimated at \$21,040.00. Melissa suggested that they begin planning for the upgrade to the cemetery during the budget cycle, with the hopes of getting the work completed in 2 to 3 years. The cost will obviously be higher then. The only other option would be to ask the voters for approval to remove the funds from the Town's undesignated fund. Prior expenditures from this fund included the reconstruction of Carter Woods, the building of the salt and sand shed, and a few transfers to offset large decreases in revenue for budget purposes. Councilor Hatch asked about possibly having someone else look at the area and give an estimate on how much it would cost for the upgrading of the cemetery. Councilor Lugdon was wondering if it could be re-mowed now that some of the bamboo has been cut down. Manager Doane stated that she has contracts with Zach Carlow yearly to cut back the bamboo, it is not a permanent solution. Councilor Wade asked if it would be possible to rototill to uplift the dirt and the roots. Manager Doane was unsure. She was going over the cost that was provided to her, and what was given included the cost of new loam and the work to be done. Councilor Ketch did ask Manager Doane if she knew how wide the cemetery was, and she stated an estimated size of 10' x 100'.

Melissa required a motion to approve her to act as a voting delegate at the Maine Municipal Association annual meeting on October 4, 2023. Motion made by Councilor Ketch, seconded by Councilor Lugdon. Vote 5/0.

Melissa's term for the Municipal Review Committee will end in December. She has placed her name in for the nomination process to hopefully continue her work with that committee.

The first RSU 34 Facilities Advisory meeting for the new school year was yesterday, September 11, 2023. Over the summer work was done on the retaining wall in Victory Field, doors are being replaced at Viola Rand School to be ADA compliant and provide better safety, cameras

were installed, and improvements were done on several playgrounds. There was some discussion about playing fields; there was hope previously to work with the YMCA on field expansion. That does not appear to be happening. The administration will be searching for grant funds for improvements and asking about the improvements to that area. The group asked to include the Bradley ballfield area in a possible playing field, Melissa stated she thought that the residents would for sure approve that use and development, though did note it would be quite a project. There was also discussion about energy upgrades using building infrastructure management solutions funding in which a company would complete energy efficiency audits and offer financing to fund the projects, such as new windows and insulation. The group did note that the current enrollment is 1,415, whereas last year it was 1,408.

Melissa provided information to the Town Council regarding the new general assistance appendices which will be subject to a public hearing on 09/26/2023.

Melissa informed the Town Council that she will be out of the office Thursday, Friday, and Tuesday for the Maine Municipal Association annual retreat as well as the Maine Municipal Health Trust meeting.

The Town will be going to court for the initial appearance regarding the land use violation of 114 Cram Street tomorrow, September 13, 2023, at 3:30. This appearance allows Mr. Wing to either contest the violation or settle on an agreement. The agreement prepared provides that all but one sign, the size of 4 square feet, be removed. Mr. Wing will be liable and responsible for making monthly payments on the amount set by the court. Melissa has requested the amount be at least \$100.00 per month. The amount due will include attorney fees and the cost of the dumpster. The agreement will also include provisions that if sign removal is not completed the Town can remove them at Mr. Wing's cost and there will be additional fines for land use violations.

In regards to the violation regarding a non-functioning septic system, Mr. Wing signed the letter from the LPI last Tuesday. He technically has until Thursday or Friday to contact the LPI and allow an inspection. If it is not done, it will be at the Town Council's discretion on how to move forward. Code Enforcement Officer Dean Bennett has suggested that the Town talk to other legal counsel who may not be as familiar with the case and provide additional assistance. He suggested Andrew Hamilton of Eaton Peabody.

Councilor Lugdon stated that he feels that Mr. Hamer does not want to take orders before the courts, but tries to find a different solution that will not involve going to the courts. He feels that a way for things to be resolved is that an abundance of calls and court orders may need to happen. Councilor Wade stated that he does not think the Penobscot County Sheriff's Department is really doing anything. Residents have been told to call the Sheriff's Department and make reports, but we cannot be sure that it is happening each time.

Councilor Hatch made the comment that if we are under the assumption that Mr. Hamer is exhausted with working this case at 114 Cram Street, he feels that a conversation is warranted with Mr. Hamer to see if new legal representation is warranted. If new legal representation was warranted, Councilor Hatch asked how long would it take for them to get caught up to speed on the case and how far is this going to push the process back. Town Manager Doane stated that she was hoping to have Mr. Hamer present for this meeting via Zoom, however, he already had prior commitments. But she is hoping that she can set up a meeting with Mr. Hamer as well as one with Eaton Peabody for the Town Council to speak with. It was determined that Melissa will attempt to set up a meeting with the current council and possibly Eaton Peabody to discuss the case, this meeting can be done via Zoom and will need to be scheduled appropriately to allow the agenda posting.

New Business: None

Unfinished Business: Town Manager Melissa Doane asked the Town Council if they had an opportunity to review the policies that she provided for the workers' compensation incentive program. Councilor Ketch asked if the wellness policy encouraged employees to go for walks around the building. Councilor Hatch responded that he has seen that before and yes, it is encouraged that your wellness policy should include some activities that would pique the interest of your employees to get out moving around. Councilor Lugdon made a motion to accept the policies as Manager Doane provided, seconded by Councilor Wade. Vote 5/0.

Municipal Warrants: Councilor Ketch made a motion to accept the municipal warrants as presented, seconded by Councilor Clemons. Vote 5/0.

Next Meeting: The next meeting is set for September 26, 2023. Councilor Ketch will be out of town and will not be present. Councilor Wade will also not be present but is going to try to attend by Zoom.

Motion to adjourn: Councilor Clemons made a motion to adjourn, seconded by Councilor Wade. Vote 5/0.