

**Town Council Meeting**  
**April 9, 2024**

**Open Town Council Meeting:** Council chair Mark Ketch opened the Town Council meeting; all Town Council members were present. Also present was Town Manager Melissa Doane

**Review of Minutes:** Councilor Ketch made a motion to accept the minutes of 3/26/2024, seconded by Councilor Wade vote 5/0.

**Citizens Request:** None

**Managers' Report:** Melissa reported that when she submitted the insurance renewal documents she verified that deductibles and values were appropriate. She did raise the value of contents for both the fire station and municipal building from \$30,000 to \$50,000. Additional policy coverage includes \$100,000 extra expenses, \$100,000 for valuable papers and records, \$100,000 for accounts receivables, \$100,000 for loss of rent, and \$300,000 for electronic data processing.

Melissa provided an update regarding some ongoing land use violations:

859 Main Street has received a permit to operate a mechanics shop at the location and has been working on cleaning up the property in conjunction with the site permit.

297 Main Street has removed all but two unregistered vehicles from the property.

3 Cram Street the owner has come into the office and got contractor bags for use to remove the household trash that has accumulated there. He explained that he has been very ill and out of work, but will begin the clean-up. The Penobscot County case worker did make contact with the owners of the property; they do not wish to find other housing.

114 Cram Street no progression on the court-ordered clean up or payment of court-ordered penalizes. Mr. Wing contacted Maine DEP last week to report that his property was flooding from a septic system next to his home. Melissa reported to Maine DEP that the ditches were full at this property and many more as it had rained for 5 days straight. The plumbing inspector looked at the property and confirmed that the water collecting was stormwater.

22 Elm Street was directed to clean up the property, the owner acknowledged the letter and will begin working on getting ready for the spring cleanup.

Councilor Ketch offered to provide a pick-up service to the property owner of 3 Cram Street for the clean-up on May 4; Melissa will provide that information to them. Councilor Lugdon asked what the next step is regarding 114 Cram Street. Melissa stated that at the end of April, she will make contact with the attorney to start the process of contempt of court and an order to allow the Town to clean up the property.

Melissa would like the Town Council to consider dedicating the 2024 Town Report to Cheryl Leonard. Ms. Leonard was the Viola Rand School Principal from 2008 to 2022. She has left RSU 34 and is now working at the University of Maine, however, she dedicated 15 years to Bradley students. The Town Council was in favor of the dedication.

Melissa reported that she has been approached by resident Ann Delaware about starting the conversation about the Ballfield redevelopment. Melissa contacted the University of Maine Engineering Department and they are going to add this to their list of potential capstone projects. If the project is selected, engineering students will spend the fall semester gathering information about the property and participating in public comment/hearings. In the spring the project will be presented for a Q&A with professional engineers.

Melissa spoke to Terry Coulter the previous owner of 43 Highland Avenue. He would like to redeem the property however he will not have the ability to do so until mid-May or June. Melissa has secured the property with a latch lock and added it to the Town's liability insurance. She had a conversation with an abutter to the property and he stated that the land is very wet and may not be suitable for cemetery development. In addition, the new tax foreclosure laws require that if a municipality keeps the property for public use, it must pay the previous owner fair market value. Melissa would like to look at the land this spring and make a better determination. She would continue to research cemetery development and the Town Council could revisit the foreclosure in May or June. Councilor Wade questioned why there had been so many legislative changes regarding tax foreclosures. Melissa explained that there was a Supreme Court ruling that made it unlawful for municipalities to keep excess funds from tax foreclosure sales and Maine legislatures attempted to amend the statute to conform to that ruling. She also added that the foreclosure sales that the Town of Bradley has had in the past do not typically have excess to funds as the bids are set to regain municipal taxes and municipal investment.

Melissa stated that she will be on vacation from April 24<sup>th</sup> to May 1.

Mark Gibson will be at the April 23 Town Council meeting to discuss the revaluation.

**New Business:** Councilor Lugdon stated that he had prepared a resolution for the Town Council's consideration regarding the legal services the Town has had from John Hamer and Rudman Winchell. The only updates that are received are upon the request of Melissa and he

worries that with failure, the Town may miss an important deadline. The resolution would inform the municipal attorneys that more is expected. Councilor Hatch suggested that upon approval of the resolution it also be included that an invitation can be extended to have a conversation with the attorneys. Councilor Lugdon resolved/motioned and seconded by Councilor Wade, vote 5/0:

The following terms related to any future engagement for legal services to the Town of Bradley shall be imposed upon current Legal Counsel John Hamer and the parent firm Rudman Winchell Counselors at Law as articulated below:

1. Following oral/written consultation, by Bradley Town Manager with Rudman Winchell Counselors At Law, the firm or its representatives will transmit or otherwise convey, within 5 business days to the Court Clerk, all charges, motions, complaints, or other submissions authorized by the Bradley Town Manager and will provide via electronic copy transmitted to the Town Manager, a copy of all such filings within 5 business days of the filing unless otherwise agreed via electronic consultation by e-Mail.
2. Provide, via electronic copy transmitted to the Town Manager, a copy of any/all filings of complaints/motions/briefs/argument/documentary evidence/opinions/bench decisions/hearing schedules or other case documents filed to the case docket by any party within 5 business days of its filing unless otherwise agreed via electronic consultation by e-Mail.
3. Provide, via electronic copy transmitted to the Town Manager, a copy of any complaint/charge/allegation filed with the Clerk of Court by any party alleging that the Town of Bradley is directly involved or a party of interest to the filed matter within 5 business days of its filing unless otherwise agreed via electronic consultation by e-Mail.
4. The thrust of this Motion is to recognize that all filings/complaints filed with a Court Clerk and related to the Town of Bradley are “noticed” to the Legal Counsel engaged by the Town via electronic service. Further, the motion requires that Counsel retained by the Town of Bradley will act with due diligence, and in a fully defined timely way, to keep the Town informed at all times with respect to any and all filings by any party to a case which the Town of Bradley may be party to.

**Unfinished Business:** 2024-2025 Municipal Budget, Melissa presented an updated budget that is \$48.78 below the self-imposed budget cap. The changes include an additional \$25,400 in carryforwards, an increase of \$2800 in revenues, and a decrease of expenses of \$33,965. Councilor Ketch asked for clarification regarding the larger carryforwards on solid waste disposal and salt and sand. Melissa explained that she has been budgeting solid waste disposal at \$100 per ton for the last few years because of the unknowns with the MRC facility, PERC, and Juniper Ridge, the cost per ton however is \$85.00 per ton, therefore creating a

savings. In regards to the salt and sand, she explained that plowing was much less than typical so only one delivery of salt and sand was needed.

Councilor Clemons asked how the re-evaluation was going to change the tax rate. Melissa stated that the assessing agent would do a much better job explaining, however with the current budget the tax rate is estimated to be \$10.50. While only a specific amount of funds is needed to operate the municipality, there are going to be large changes in the values of homes which will cause a tax increase. She added that Mark has been very conservative in the increases, however, the market is holding the values very high, and comps are coming in double what the current assessed value is. The notification was just received from the State that the Town is at 64% valuation, with the re-evaluation that will change to 100%.

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

**Next Meeting:** The next meeting was set for April 23, 2024, at 6:30 pm, the meeting will include a public hearing regarding the municipal budget, land use amendments, and an explanation of the re-evaluation.

**Adjourn:** Councilor Wade made a motion to adjourn, seconded by Councilor Clemons, vote 5/0.