

**TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING**

October 13, 2015

7:00 p.m.

PUBLIC HEARING

1. Ordinance No. 5-2015: Providing for Regulating all Large Scale Principal Solar Energy Systems (LSPSES), Whereas the Winslow Zoning Ordinance does not address LSPSES.
2. Ordinance No. 6-2015: Providing for an Amendment to Appendix B, Control of Noise and to Appendix C, Decommissioning Plan in Section 14-65B, Wind Energy Facilities by adding the underlined language of the attached Ordinance.
3. Ordinance No. 7-2015: Providing for an Amendment to the Winslow Zoning Ordinance, Section 14-84, Definitions, by adding the underlined language in the attached provision of the Zoning Ordinance.
4. Ordinance No. 8-2015: Providing for an Amendment to the Winslow Code Book, Chapter 14, Zoning, Section 14-45 Low Density Residential District, Section 14-46 Rural District, and Section 14-47 Industrial District by adding the underlined language in the attached sections.

REGULAR COUNCIL MEETING

1. Roll Call
2. Recite the Pledge of Allegiance
3. Approval of Minutes of Previous Meeting (September 14).
4. Communications
 - a. Legislative Report
 - b. Other
5. Reports of Committees and Commission
 - a. Town Manager's Report
 - b. Department Reports
 - c. Finance Committee Report (Treasurer's Warrants)
 - d. Financial Report.

UNFINISHED BUSINESS

1. Ordinance No. 5-2015: Providing for Regulating all Large Scale Principal Solar Energy Systems (LSPSES), Whereas the Winslow Zoning Ordinance does not address LSPSES. (Second Reading) Sponsored by Gerald Saint Amand.

Winslow Town Council Agenda

2. Ordinance No. 6-2015: Providing for an Amendment to Appendix B, Control of Noise and to Appendix C, Decommissioning Plan in Section 14-65B, Wind Energy Facilities by adding the underlined language of the attached Ordinance. (Second Reading) Sponsored by Gerald Saint Amand.
3. Ordinance No. 7-2015: Providing for an Amendment to the Winslow Zoning Ordinance, Section 14-84, Definitions, by adding the underlined language in the attached provision of the Zoning Ordinance. (Second Reading) Sponsored by Gerald Saint Amand.
4. Ordinance No. 8-2015: Providing for an Amendment to the Winslow Code Book, Chapter 14, Zoning, Section 14-45 Low Density Residential District, Section 14-46 Rural District, and Section 14-47 Industrial District by adding the underlined language in the attached sections. (Second Reading) Sponsored by Gerald Saint Amand.
5. Order No. 12-2015: Providing for the Abatement of Taxes on an Account that has been deemed out of Business. (Second Reading) Sponsored by Gerald Saint Amand.

NEW BUSINESS

1. Ordinance No. 9-2015: Providing for the Amendment of Ordinance No. 4-2002, "The Administration of General Assistance." (First Reading) Sponsored by Gerald Saint Amand.
2. Ordinance No. 10-2015: Providing for an Amendment to the Town of Winslow Code, Chapter 11, Section 10, Curbs and Sidewalks by deleting the Strikethrough language in the attached document. (First Reading) Sponsored by Gerald Saint Amand.
3. Ordinance No. 11-2015: Providing for an amendment to the Town of Winslow Code, Chapter 14, Section 84, Vacant Buildings, (h) Penalties by adding the underlined language in the attached document. (First Reading) Sponsored by Gerald Saint Amand.
4. Resolution No.27-2015: Providing for Application for a Class I Liquor License and Club Catering License (Renewal) by MacCrillis-Rousseau Post #8835 V.F.W., 175 Veteran Drive. (One Reading) Sponsored by Gerald Saint Amand.

Winslow Town Council Agenda

5. Resolution No. 28-2015: Providing for a Special Amusement Permit (Renewal) For MacCrillis-Rousseau Post #8835 V.F.W., 175 Veteran Drive. (One Reading) Sponsored by Gerald Saint Amand.

6. Resolution No. 29-2015: Providing for Pole Location Permit – Central Maine Power Company and Fairpoint New England Work Order 801000057094. (One Reading) Sponsored by Gerald Saint Amand.

7. Resolution No. 30-2015: Providing for Authorization for the Town Manager to Accept a Department of Justice COPS Hiring Grant in the amount of \$125,000. (One Reading) Sponsored by Gerald Saint Amand.

GENERAL PUBLIC COMMENT

DISCUSSION

- Business Permits/Personal Property

ADJOURN COUNCIL MEETING



Town Manager's Report to the Town Council

Submitted by:
Michael W. Heavener
October 6, 2015

Town of Winslow - In the heart of Central Maine representing People, Pride and Progress.

STREET ORDINANCE AMENDMENT

In our street ordinance there are two conflicting sections regarding when sidewalks are required. For example, Section 11-3A states:

Urban Roads: An Urban road is designed for subdivisions and developments within the MDOT Urban Compact Areas. The Urban Road Design is intended to reflect the more densely – developed portions of the town. Sidewalks, curbs, and gutters will be required when the abutting public road is already serviced. Open ditch drainage may be used in those areas not served by the municipal system.

This sections indicated sidewalks are NOT required if the abutting public road does not have a sidewalk.

Section 11-10 Curbs and Sidewalks, however, states:

Sidewalks are required on at least one side on an Urban Road and whenever a new road connects to an existing road with a sidewalk. Sidewalks shall meet the following minimum standards:

This section indicates that a sidewalk is required on an urban road. Therefore, I have prepared a proposed amendment to Section 11-10 to address this inconsistency. See Ordinance No. 10-2015 in the Council packet.

SEWER FORECLOSURE

Earlier I reported that we had foreclosed on 750 Benton Avenue due to unpaid sewer fees. We have since learned that the Bank of America sold the property to the Bank of New York MELLON (BNYM). Although we sent the required notices to the Bank of America, we did not send any notices to BNYM. Therefore, we did not perfect the foreclosure so we do not own the property. It is too late to start the foreclosure process with BNYM this year.

If the fees remain unpaid next year then we will be able to again initiate the foreclosure process at that time.

NEW PART-TIME CLERK

I am happy to report that I have hired Tanya Goding to fill the part-time clerk position in the collections department. She is a 2006 graduate of the Kennebec Valley Community College with an Associates Degree in Business Administration/Marketing. Tanya has worked in the banking field since 2007. Her first day of work here was Monday, October 5th.

We received 24 applications for the position and we interviewed four (4) applicants. We had planned to interview eight (8) applicants but four dropped out at the last minute.

Judy Mathiau and Pam Smiley assisted me with interviewing the applicants and the selection of Tanya Goding was unanimous.

COPS HIRING GRANT

We have been awarded a COPS hiring grant in the amount of \$125,000 and if approved, Resolution No. 30-2015 will authorize me to accept the grant. The grant would fund 75% of a new Patrol Officer position over a three year period. The Town's cost over this same time period would be approximately \$82,215.69. In the Police Chief's report he points out that we could use the Reserve Officer funds for the first two years (FY16 & FY17) to fund our share of the position. In the third year (FY18) we would need to increase the budget by approximately \$56,442.33. During that same year we will have retired \$339,517 in bond payments (see attached). Then in the fourth year (FY19) we would need to increase the budget by \$5,343.51.

Debt Payment Schedule

Fiscal Year	2015 Bond	Sports Track	PD Project	Industrial Bldg. Bonds	\$6,000,000 High School	\$3,000,000 High School	Town Garage Bond	Total Debt Appropriation	Increase (Decrease)
2015/2016	\$ 12,800.00	\$ 67,719.99	\$ 78,760.00	\$ 318,000.00	\$ 419,527.00	\$ 112,580.00	\$ 129,746.00	\$1,139,132.99	\$ (19,379.85)
2016/2017	\$ 158,750.00			\$ 309,000.00	\$ 413,625.00	\$ 112,580.00	\$ 126,125.00	\$1,120,080.00	\$ (19,052.99)
2017/2018	\$ 154,550.00				\$ 413,350.00		\$ 212,663.00	\$ 780,563.00	\$ (339,517.00)
2018/1019	\$ 150,350.00				\$ 414,200.00		\$ 112,900.00	\$ 677,450.00	\$ (103,113.00)
2019/2020	\$ 146,150.00				\$ 419,675.00		\$ 104,975.00	\$ 670,800.00	\$ (6,650.00)
2020/2021	\$ 137,025.00				\$ 419,775.00		\$ 102,125.00	\$ 658,925.00	\$ (11,875.00)
2021/2022					\$ 414,650.00		\$ 99,275.00	\$ 513,925.00	\$ (145,000.00)
2022/2023					\$ 419,225.00		\$ 96,425.00	\$ 515,650.00	\$ 1,725.00
2023/2024					\$ 423,350.00			\$ 423,350.00	\$ (92,300.00)
2024/2025					\$ 420,200.00			\$ 420,200.00	\$ (3,150.00)
2025/2026					\$ 425,600.00			\$ 425,600.00	\$ 5,400.00
2026/2027					\$ 423,300.00			\$ 423,300.00	\$ (2,300.00)

Dated September 28, 2015



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

PUBLIC HEARINGS: _____

TOWN COUNCIL

ORDINANCE NO. 9-2015

AN ORDINANCE

Providing for: The Amendment of Ordinance No. 4-2002, "The Administration of General Assistance."

BE IT ORDAINED by the Town Council of the Town of Winslow as follows:

WHEREAS, the Town Council established an ordinance for the administration of General Assistance, Ordinance No. 4-2002; and

WHEREAS, the Maine Municipal Association has provided an update to the Model General Assistance Ordinance; and

WHEREAS, the new proposed update changes are for the period of October 1, 2015 - September 30, 2016; now, therefore,

BE IT ENACTED by the Town Council of the Town of Winslow that Ordinance No. 4-2002 be amended to include appendices for the period of October 1, 2015 – September 30, 2016.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

_____ , 2015	First Reading, _____	_____
	accepted	rejected
_____ , 2015	Second Reading, _____	_____
	adopted	rejected

Town Clerk

APPROVED: _____, 2015

CHAIRMAN: _____

_____	_____
_____	_____
_____	_____

Chapter 11 Streets

Sec. 11-10. Curbs and Sidewalks.

All roads entering a curbed street should be curbed with materials matching the street curbing.

Sidewalks are required on ~~at least one side on an~~ Urban Road and whenever a new road connects to an existing road with a sidewalk. Sidewalks shall meet the following minimum standards:

- A. Sidewalks may be located adjacent to the curb, but it is recommended to locate sidewalks a minimum of 2½ feet from the curb facing or edge of shoulder if the street is not curbed.
- B. A bituminous sidewalk shall have a gravel base course of at least 12 inches and a one-inch bituminous pavement surface conforming to the MDOT specification for finish pavement. A Portland cement concrete sidewalk shall have a gravel base course of at least 12 inches and a surface shall be 4 inches of concrete reinforced with a six inch square, number 10 wire mesh.
- C. All sidewalks shall measure at least four (4) feet in width.
(Ord. No. 3-2006, 9-11-06)



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

PUBLIC HEARINGS: _____

TOWN COUNCIL

ORDINANCE NO. 11-2015

AN ORDINANCE

Providing for: An Amendment to the Town of Winslow Code, Chapter 14, Section 84 Vacant Buildings,
(h) Penalties by adding the underlined language in the attached document.

BE IT ORDAINED by the Town Council of the Town of Winslow as follows:

WHEREAS, the Town Attorney reviewed the Ordinance and determined additional language should be added to the penalty section of the ordinance; now therefore

BE IT ORDAINED by the Town Council of the Town of Winslow that Chapter 14, Section 85 Vacant Buildings, (h) Penalties be amended by adding the underlined language in the attached document.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

_____ , 2015	First Reading, _____	_____
	accepted	rejected
_____ , 2015	Second Reading, _____	_____
	adopted	rejected

Town Clerk

APPROVED: _____, 2015

CHAIRMAN: _____

_____	_____
_____	_____
_____	_____

- n. The owner of a vacant building or structure must comply with all building, fire, life safety, zoning and other applicable codes or ordinances and must apply for any building, fire prevention, and zoning permits necessary to perform work required by this Article.

(g) Definitions

If a term is not defined in this article or the land use ordinance, it shall have its customary dictionary meaning.

For the purpose of interpreting this chapter, the following terms, phrases, works and their derivations shall have following meanings:

OWNER:

Any person, agent, firm, corporation or other legal entity having a legal or equitable interest in a vacant building, including but not limited to a mortgage in possession, the beneficiary of a trust, or the holder of a life estate.

PROPERTY MANAGER:

A Maine-based entity, corporation, or individual or the designee of the owner that is responsible for maintaining, securing, and inspecting vacant buildings.

VACANT BUILDING

Any building or other structure that is unoccupied by a person or occupied by unauthorized persons for one hundred eighty (180) days, excepting permitted garages or accessory buildings.

(h) Penalties.

Any person who is found to be in violation of any provision or requirement of this ordinance shall be subject to a civil penalty, legal fees and costs as set forth in 30-A M.R.S.A ss 4452. Each violation of a separate provision or requirement, and each day of violation, shall constitute a separate offense.



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

RESOLUTION NO. 27-2015

A RESOLUTION

Providing for: Application for a Class I Liquor License and Club Catering License (Renewal) by MacCrillis-Rousseau Post #8835 V.F.W., 175 Veteran Drive.

BE IT RESOLVED by the Town Council of the Town of Winslow, as follows:

That an application for renewal of a Class I Liquor License and Club Catering License for MacCrillis-Rousseau Post #8835 V. F. W. 175 Veteran Drive in Winslow be approved pursuant to Title 28-A, Section 2, Subsection 3, Sections 161 and 161-A and Section 601, Subsection 1 of the M.R.S.A., as amended.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

_____, 2015

One Reading, and accepted.

Town Clerk

APPROVED: _____, 2015

CHAIRMAN: _____



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

RESOLUTION NO.28-2015

A RESOLUTION

Providing for: Application for a Special Amusement Permit (Renewal) for MacCrillis-Rousseau Post #8835 V.F.W., 175 Veteran Drive.

BE IT RESOLVED by the Town Council of the Town of Winslow, as follows:

That pursuant to Chapter 501, Public Laws of 1977, enacted by the 108th Legislature and Ordinance No.12-1978 enacted by the Winslow Town Council, for the purpose of controlling the issuance of Special Amusement Permits, an application for a Renewal of a Special Amusement Permit for MacCrillis-Rousseau Post #8835 V. F. W., 175 Veteran Drive, Winslow, Maine, be approved by the Winslow Town Council.

SPONSORED BY: GERALD SAINT AMAND

IN THE TOWN COUNCIL

_____, 2015 One Reading, and adopted.

Town Clerk

APPROVED: _____, 2015

CHAIRMAN: _____



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

RESOLUTION NO. 29-2015

A RESOLUTION

Providing for: Pole Location Permit - Central Maine Power Company and FairPoint New England Work Order 801000057094

BE IT RESOLVED by the Town Council of the Town of Winslow, as follows:

That an application for a pole location permit on Verti Drive by Central Maine Power Company and Fairpoint New England be approved.

Verti Drive, Starting at Pole H West and East 30'
then 120' - 2 Poles.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

October 13, 2015

One (1) Reading, and approved.

Town Clerk

APPROVED: October 13, 2015

CHAIRMAN: _____



TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

RESOLUTION NO. 30-2015

A RESOLUTION

Providing for: Authorization for the Town Manager to Accept a Department of Justice COPS Hiring Grant in the amount of \$125,000.

BE IT RESOLVED by the Town Council of the Town of Winslow, as follows:

WHEREAS, the Police Chief has expressed a need to add one (1) Patrol Officer to the Police Department; and

WHEREAS, the Town has been awarded a COPS hiring grant to fund 75% of the cost for a new Patrol Officer over a three (3) year period; and

WHEREAS, the Town's cost for a new Patrol Officer will be approximately \$82,215.69 (25%) over a three (3) year period; now, therefore

BE IT RESOLVED by the Town Council that the Town Manager is hereby authorized to accept a Department of Justice COPS Hiring Grant in the amount of \$125,000.

SPONSORED BY: Gerald Saint Amand

IN THE TOWN COUNCIL

_____, 2015

One Reading, _____
adopted rejected

APPROVED: _____, 2015

Town Clerk

CHAIRMAN: _____

