

Fort Fairfield Town Council Monthly Meeting
Council Chambers
Wednesday, June 19, 2019
6:00 P.M.

I. Roll Call

Councilors: All Councilors are present.

Staff: Ms. Powers, Billie Jo Sharpe, Darren Hanson, Chief Newell, Kevin Senal, Tony Levesque, Mitch Dufour, Fred Everett, Ella Leighton, Jennifer Gaenzle, Ryan Eagles,

Citizens: 9 Including Media

II. Prayer

Tony Levesque offered the prayer.

III. Pledge to the Flag

All in attendance pledged their allegiance to the American Flag.

IV. Public Comment Period

Mr. Butler congratulated the recent High School graduates and wished them the best of luck in the future.

V. Correspondence and Reports

A. Licenses and Permits – Ms. Sharpe

As of June 19, 2019 we have received a Malt, Vinous, and Spirituous license renewal for Canterbury Royale Gourmet Dining Room and a Catering permit for Northern Maine Brewing Company, LLC during the Potato Blossom Festival July 18-21.

B. Financial Report

The Towns' Real Estate and Personal Property total tax collections as of May 31, 2019 are \$3,248,489.48. Tax collections are \$82510.00 less than for the same period last year.

Excise tax collections as of May 31, 2019 are \$592,439.75. We have collected 105.79% of our budgeted amount, which is 14.12% greater than the anticipated amount for May 31, 2019.

State revenue sharing as of May 31, 2019 is \$191,284.42; this shows a slight decrease compared to our budget. History shows this as normal for this time of the year.

Our expenses as of May 31, 2019 are \$4,627,704.68. Expenses are at 90.50% (slightly lower) than our budget of 91.67%

May, 2019 revenues are 1.91% above budget.

Our checking account balance as of May 31, 2019 is \$406,007.60; CDARS balance is \$1,474,763; ICS balance is \$162,878 and Machias savings has a balance of \$5,000.00.

C. AWS Report – Mr. Rogeski

Representative Chris Johansen from the Natural Resources Committee met with the Board and discussed various bills related to solid waste management.

Mark Draper has met with a potential Eagle Scout candidate regarding a project to build 12 portable mailbox structures that would be located at igloo locations to provide recycling brochures to the public.

The Board authorized the Solid Waste Director to participate with Fort Fairfield Utilities District regarding establishment of a pipeline to their proposed new treatment plant. There may be an option to install a pipeline from AWS to the proposed new facility as an alternative to CUD for leachate disposal.

The new baler is up and running and all cardboard is now being baled with the new machine.

D. Fort Fairfield Snowmobile Club Trail Grant

Background: At its October 17, 2018 meeting, the Town Council authorized the Town Manager to sign the application for financial assistance under the provisions of the Bureau of Parks and Lands, Municipal/County Grant-in-Aid Program for Snowmobile Trail Fund (M.R.S.A. Title 12, Chapter 220, Subchapter 8, Section 1893.3) for the maintenance of the Town of Fort Fairfield's snowmobile trail system. The State distributes the grant funds to the municipality and the municipality appropriates the grant funds to the Club.

Discussion: On May 29, 2019 the Town received \$22,050 from the State of Maine for the Snowmobile Grant. A check in the amount of \$22,050; made payable to the Fort Fairfield Snowmobile Club; was included in Warrant #25.

Recommendation: No action required.

E. Town Generator Project Update and Discussion with BRS Engineering

Ms. Powers met with BRSA, the Public Works Director, Chief Newell and Chief Baldwin to further discuss the second generator project being proposed for the Town Office side of the Community Center. It is Ms. Powers finding that the second generator project is a necessity to the stability of the daily processes for the citizens of the Town of Fort Fairfield, but not an immediate one as we are moving forward with the first generator project.

Ms. Powers is proposing to the Council to create a three year reserve account funding of the second generator project.

Recommendation: Council to approve the three year reserve account funding for the second generator project for the Town of Fort Fairfield.

Mr. Butler made a motion to create a three year reserve account funding of the second generator project.

Mr. Kilcollins seconded.

Discussion: None

Vote: All Affirmative.

VI. Old Business

A. Approve FY 19/20 Budget

Background: Public hearings were held on April 24th, 2019 and May 8th, 2019. There were no public comments at either public hearing.

Discussion: The budget presented at the April 25 public hearing had a projected excess of \$95,622. The budget presented at the May 9 public hearing had a projected excess of the same amount. The projected excess for FY 19/20 as of MSAD #20 budget hearings on May 23rd, 2019 is a projected excess of \$17,227.

Recommendation: Town Council approves the Fort Fairfield Fiscal Year 2019/20 budget.

Mr. Kilcollins made a motion to approve the Fort Fairfield Fiscal Year 2019/20 budget.

Mr. Butler seconded.

Discussion: None.

Vote: All Affirmative.

B. Re-Energy

ReEnergy has proposed a Site Redevelopment Agreement to the Town of Fort Fairfield, 32 acres of land (the "Site") located at 78 Cheney Grove Road. As per the May 15th, 2019 Council Meeting a meeting between The Town Manager, the Town Attorney, ReEnergy's Chief Risk Officer, Director of Communications and Governmental Affairs and their Attorney produced the revised Site Agreement Contract for tonight's meeting.

Recommendation: That Town Council signs the revised ReEnergy Contract for Site Redevelopment Agreement dated June 19th, 2019.

Mr. Kilcollins made a motion that Town Council signs the revised ReEnergy Contract for Site Redevelopment Agreement dated June 19th, 2019.

Mr. Butler seconded.

Discussion: None.

Vote: All Affirmative.

VII. New Business

A. Approve FY19/20 Permits and Licenses – Mr. Levesque

A public hearing was held on Wednesday, June 19, 2019 at 12:00 noon in the Council Chambers of the Fort Fairfield Municipal Building. Attached are the list of the FY19/20 permit and license renewals, public hearing notice and minutes of the public hearing.

Recommendation: Town Council approves the permits and licenses recommended for renewal and approval by the Code Enforcement Officer.

Mr. Kilcollins made a motion to approve FY 19/20 Permits and license renewals.

Mr. Butler seconded.

Discussion: None

Vote: All Affirmative.

B. Approve FY19/20 Appointments of Town Officials and Board Members

Recommendation is that Council appoints the following as presented:

Darren Hanson as Road Commissioner

Andrea L. Powers as Health Officer.

Richard A. Levesque as Plumbing Inspector

Richard A. Levesque as Code Enforcement Officer

Trudy O’Neal as Sub-Registrar

Ms. Neadra Dubois as the General Assistance Administrator for the Town of Fort Fairfield.

George McLaughlin on the Fort Fairfield Utilities District for a three year term to run July 1, 2019 through June 30, 2022.

Jeffrey Murchison on the Zoning Board of Appeals for a 5 year term to run July 1, 2019 through June 30, 2024.

Kendall F. Stratton, II on the Planning Board for a five year term to run July 1, 2019 through June 30, 2024.

Shane McGillan on the Economic Development Board for a three year term to run July 1, 2019 through June 30, 2022.

Patricia Troicke on the Fort Fairfield Arbor Committee for a term of three years to run from July 1, 2019 through June 30, 2022.

Duska Day on the Fort Fairfield Housing Authority for a five year term, to run from July 1, 2019 through June 30, 2024.

Mr. Kevin Pelletier to the Economic Development Board to serve a three year term beginning July 1, 2019 through June 30, 2022.

Mr. Kendall Stratton II to the Library Board of Trustees to serve a five year term beginning July 1, 2019 through June 30, 2024.

Ms. Nancy Levasseur to the Arbor Committee to serve a three year term beginning July 1, 2019 through 2022.

Staff will continue to search for individuals to fill vacancies moving forward.

Mr. Kilcollins made a motion to approve the individuals to serve as presented to Council.

Mr. Butler seconded.

Discussion: None

Vote: All Affirmative.

C. Authorize Audit Services from Felch & Company, LLC

Background: The Town has used Felch & Company for several years and has been very satisfied with their work.

Discussion: Attached is a proposal from Felch & Company, LLC to utilize their services to complete the Town's financial audit for the year ending June 30, 2019. The proposal states the audit will begin on approximately July 08, 2019 with reports issued later in September 2019.

The fee for this years' audit is \$9,200; which is \$250 more than last year.

Recommendation: Town Council authorizes the Council Chair to sign the proposal from Felch & Company, LLC to conduct an audit of the Town's financial statements for the year ending June 30, 2019.

Mr. Butler made a motion to authorize the Council Chair to sign the proposal from Felch & Company, LLC to conduct an audit of the Town's financial statements for the year ending June 30, 2019.

Mr. Kilcollins seconded.

Discussion: None.

Vote: All Affirmative.

D. Prepayment of Taxes through a Tax Club – Ms. Leighton

Background: Prepayment of taxes is authorized by 36 M.R.S.A. §506.

Discussion: For several years the Town has offered a Tax Club so that taxpayers can pay their taxes in 12 monthly payments. Payments are made from July to June and are due on or before the 10th of each month.

The Town commits taxes on October 1, so payment of any taxes prior to that date is a prepayment. Based on information received from Maine Municipal Association's legal services, Town Council needs to approve prepayment authority each year, and that prepayment is only for the next annual tax commitment, not for multiple future tax commitments.

Recommendation: Council authorizes the Tax Collector to establish a Tax Club for the 2019/20 tax commitment.

Mr. Kilcollins made a motion to authorize the Tax Collector to establish a Tax Club for the 2019/20 tax commitment.

Mr. Butler seconded.

Discussion: None.

Vote: All Affirmative.

E. RLC Generator Donation – Rec Department

Background: Title 30-A M.R.S.A. §5654 states that a conditional gift for any specified public purpose offered to a municipality may be accepted or rejected by its legislative body.

Discussion: The Parks and Recreation Department inquired about a donation of a portable generator to be used for recreation department events and activities. RLC Electric of Fort Fairfield is willing to donate a new Generac GP3500iO to our department for this purpose.

The Value of this donation is \$799.00.

Recommendation: That Town Council accepts the donation of the Generac generator from RLC Electric, valued at \$799.00.

Mr. Kilcollins made a motion that Town Council accepts the donation of the Generac generator from RLC Electric, valued at \$799.00.

Mr. Butler seconded.

Discussion: None.

Vote: All Affirmative.

F. Chicken Ordinance discussion

Ms. Powers was contacted by a citizen asking if the Town of Fort Fairfield had a Chicken Ordinance, referring to an ordinance regulating the keeping of chickens within the Residential District of Fort Fairfield.

After discussing this matter with our Code Enforcement Officer it was determined that we have a zoning ordinance against the keeping of and raising of poultry within the Residential District of the Town, Ordinance 98-02, Section 11.2 definition of agriculture. It was further determined that should a resident wish to have chickens within the Residential District they would need to go before the Planning Board and apply for a change in use.

“Urban chicken farming” has been a topic of interest for many across the State of Maine with interest in locally grown and locally sourced food products. Many urban communities have considered the permitting of the keeping of chickens on residentially zoned property as a means of supporting this movement and the desires of residents.

The concern of the Town should not be based on viewpoints, rather on the compatible use of land and the ability of the Town to effectively enforce such provisions.

Some policy questions the Council should consider are:

1. Is the keeping of chickens a desired and compatible use of residential property within the community? How much does noise, smell, and visual, impact the enjoyment of one's property?
2. How involved do we want to regulate the activity? What type of staff investment in the regulation of this activity is desirable?
3. If the regulating of the keeping of chickens is desired, what will the next steps be? Will there be an Ordinance hearing?

Discussion:

Ms. Powers stated that we already have a zoning ordinance that does not allow the keeping of poultry in the residential zone.

Mr. Kilcollins - are we looking at more interest from the community for backyard chickens for the purpose of eggs/poultry? Have there been complaints?

Ms. Powers stated that the Town had a person inquire about chickens in the downtown area but when it investigated it was unfounded.

Mr. Kilcollins – Is this something that is being practiced as we speak?

Ms. Powers responded not to her knowledge and we already have a zoning ordinance against the raising of chickens in a residential zone.

Mr. Kilcollins commented that they could re-look at it if they get more people inquiring about it.

Ms. Powers said that even if they had one individual, they would have to go before the Planning Board.

Mr. Butler commented that it is more of a zoning issue.

VIII. Minutes of the May 15, 2019 regular Council Meeting

Mr. Butler made a motion to approve the minutes of the May 15, 2019 regular Council Meeting.

Mr. Kilcollins seconded.

Discussion: None.

Vote: All Affirmative.

IX. Warrants: #23: \$302,069.06, #24: \$106,225.15, #25: \$352,489.39

Mr. Kilcollins made a motion to approve warrants #23, #24, and #25 as written.

Mr. Butler seconded.

Discussion: None

Vote: All Affirmative.

X. Other

A. Town Office Closure for End of Fiscal Year Closure of Financial Records

XI. Manager's Report

XII. Adjournment

Mr. Kilcollins made a motion to adjourn.

Mr. Butler seconded.

Vote: All Affirmative.

Council adjourned at 6:23 pm.

Respectfully Submitted,

Billie Jo Sharpe
Town Council Secretary

