

Fort Fairfield Town Council Monthly Meeting
Council Chambers
Wednesday, November 15, 2017
6:00 P.M.

Councilors: Jason Barnes, Mitchell Butler, John Herold, Melissa Libby, Scott Smith.

Staff: James Risner, Jennifer Gaenzle, Darren Hanson, Ella Leighton, Tony Levesque, Shawn Newell, Billie Jo Sharpe, Tom Towle.

Citizens: Five including Media.

- I. Roll Call
- 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 thanked Town Staff for the excellent service he received while registering his vehicle.

- V. Correspondence and Reports

- A. Licenses and Permits

As of November 15, 2017 we have received one new application for a Bed and Breakfast license (which includes privileges for serving Malt, Vinous and Spirits) for “Teeny’s Country Tap & Grill B & B” located at 430 South Caribou Road.

The license indicated a business start date of December 1, 2017

- B. Financial Report

The Town’s Real Estate and Personal Property tax collections as of October 31 are \$338,437.95, compared to \$378,346.29 for October 31, 2016.

Excise tax collections as of October 31 are \$260,124.67. This is 46.45% of the budgeted amount, which is 13.12% more than the 33.33% expected as of October 31.

State revenue sharing as of October 31 is \$82,881.56. This is 33.89% of the budgeted amount, which is slightly more than the 33.33% that is expected as of October 31.

Our expenses as of October 31 are 3.52% higher the budgeted amount, at 36.85% compared to the 33.33% expected as of October 31. I am not concerned at this time, as most of the difference is driven by seasonal employment and maintenance in the recreation department, planned training, and preparation by public works for the winter season.

We received the 2018 rate adjustments from the Maine Municipal Employees Health Trust; the Town's health insurance provider. There is a 6.0% increase for the period January 1, 2018 through December 31, 2018. Because of the increase we experienced for 2017 (11.25%), I factored in an 11.50% increase for the 2nd half of Fiscal Year 2017/2018 (January – June, 2018). At the current employee status, I have calculated a savings of approximately \$7,500 as a result of the lower increase; 6.0% instead of 11.50%.

Cash flow is fair, with a balance of \$4,544.58 in checking and \$250,000 in savings after completion of Warrant #11 on November 14. In comparison, last year at this time we had completed Warrant #10 and had \$39,016.24 in checking, no funds in savings, and had taken an advance of \$100,000 from our Tax Anticipation Note.

C. Tri-Community Recycling and Sanitary Landfill

Mr. Rogeski introduced Mark Draper, Director of the Tri Community Landfill (TCL).

Mr. Draper provided information as to why they are even considering a merger. There is an excess of landfill disposal capacity in Aroostook County. There is Tri Community Landfill and Presque Isle Landfill and both have significant amounts of disposal capacity and are faced with the realization that the amount of waste that requires disposing is declining. Population is declining, waste reduction efforts have come to fruition and there are two landfills that are competing for a shrinking volume of waste. Both entities recognize it makes more sense to combine that capacity under a single entity; use it more effectively and more efficiently and stabilize costs moving forward. Since July the two entities have continued to discuss and negotiate. A specific plan has been developed on how TCL would utilize this landfill capacity. The plan calls for both landfills to continue to operate for a limited time, primarily to utilize the constructed capacity at the Presque Isle Landfill, not the entire licensed capacity, but the cells that have been constructed there. Utilize the capacity there, fill it up and shut it down and bring everything to Fort Fairfield. The alternative to that would be to immediately shut down Presque Isle Landfill and bring everything to Fort Fairfield. There would be no change to how residents and contractors of Fort Fairfield, Caribou and Limestone handle their trash disposal as a result of the merger. The legislative bodies of Fort Fairfield, Caribou and Limestone will need to approve the merger. The three legislative bodies will have to approve any changes in the local agreement; which is the agreement between the three current owners that governs how we operate. In order to add a new owner we need to change that in the local agreement.

The inter-local agreement has some proposed revisions that have been made to include representation on the Board of Directors by the City of Presque Isle, changes in how certain types of decisions are made, primarily the annual budget or in any case where

they are going to be borrowing money; would require a three-fourths majority of the Board of Directors to do that. No ONE community can drive, for example the agenda of the organization.

There are still negotiations around the specific financial details. As that information becomes more determined, it will be shared with Council.

The merger could also allow for grant opportunities moving forward in the near future, could be beneficial with some of the changes needed to the facilities. In the long, long term, future waste management alternatives, something other than landfilling if those technologies become available, those are going to go where the tonnage is. If we are working together, hopefully we will be able to take advantage of some of those opportunities in the future, if we are not we probably won't be able to.

Mr. Draper said he would be back hopefully in the relative near future with more details and at some point with something to vote and approve or disapprove.

Mr. Herold asked when the entities combine, will a resident that purchased a dump sticker for TCL be able to also dump in the Presque Isle landfill on the same sticker.

Mr. Draper responded that it would entitle that person to, but the plan is that the Presque Isle landfill in the relative future will be shut down and the specific question regarding using the two landfills on one dump sticker hasn't been contemplated at this time.

The primary plan that has been developed allows a kind of transition period, especially for the residents of Presque Isle because eventually that landfill will be shut down; allows them some period of time to contemplate how they are going to deal with it, most likely some kind of transfer station.

Mr. Butler stated it sounds like the whole merger is happening so that they can shut down Presque Isle? Who is going to be responsible for the maintenance of the stuff that's already there?

Mr. Draper responded that the new company, the four municipalities would be responsible for this and that here is a provision in the agreement that would require the City of Presque Isle to provide funding for the eventual closure of that landfill so that Fort Fairfield, Caribou or Limestone aren't inheriting any unfunded liability for that. But the ongoing mowing and monitoring would be the responsibility of the new company, as it would, they are inheriting some partial responsibility for TCL site here in Fort Fairfield.

Mr. Butler asked how many cells are left in Presque Isle to fill up.

Mr. Draper said they have three constructed cells they are working on and they are about half full. Depending upon the volume that's going in there, it will be a certain number of years before those are full. We would like to take advantage of that capacity and use it.

D. Update of Legal Action on Land Use Complaint – Mr. Levesque

The Town continues to receive complaints about 107 Riverside Avenue. I have continued to monitor the conditions at the property and there has been little improvement. The Town has retained the services of Richard Currier, Attorney at Law to represent the Town in District Court.

The case was heard in Court on November 8, 2017. After brief presentations by Mr. Currier and Mr. McLaughlin who represented Union Jack Properties, LLC, the defendants without legal representation were questioned. The Judge then asked that we meet with all parties in mediation.

Discussion: After the mediation meeting we returned to the Court and the Judge scheduled the continuation of the case and set the next court date at November 29, 2017.

Recommendation: To continue to participate in the litigation.

Mr. Risner asked Mr. Levesque if there is a new court date set yet. Mr. Levesque responded no, not at this time.

VI. Old Business – None.

VII. New Business

A. Library Board of Trustees Bylaws – Mr. Risner

The Library Board of Trustees approved their bylaws during its October 26, 2017 regular meeting.

The bylaws are effective upon a majority vote of the Board and a majority vote of the Town Council.

Recommendation: That Town Council approves and the Council Chair signs the Library Board of Trustees Bylaws.

Mr. Butler made a motion that the Council Chair signs the Library Board of Trustees Bylaws.

Mr. Smith seconded.

There was no discussion.

Vote – All Affirmative

B. Volunteer Fire Assistance Program Grant Application – Mr. Risner

The Fire Department has the opportunity to apply for a VFA grant for 2017. The VFA grants require a 50% match from the Town.

The Manager's report is provided to the Council for informational purposes only.

XII. Executive Session

MRSA §405.6.C.

Mr. Butler made a motion to go into executive session.

Mr. Smith seconded. Vote – All Affirmative

Council went in to Executive Session at 6:21pm.

Mr. Butler made a motion to come out of Executive Session.

Mr. Butler seconded. Vote – All Affirmative

Council came out of Executive Session at 6:46pm.

XIII. Adjournment

Mr. Butler motioned to adjourn.

Council adjourned at 6:47pm.