

Fort Fairfield Town Council Monthly Meeting  
Council Chambers  
Wednesday, June 21, 2017  
6:00 P.M.

Councilors: Jason Barnes, Mitchell Butler, John Herold, Melissa Libby, Scott Smith  
Staff: James Risner, Tony Levesque, Jennifer Gaenzle, Tim Goff, Vince Baldwin,  
Theresa Greenleaf, Darren Hanson, Ella Leighton, Shawn Newell  
Citizens: 9 including Media

- I. Roll Call – Chair Jason Barnes asked that the record reflect all councilors were present.
- 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

Brian Redmond introduced himself as a new resident to Fort Fairfield, interested in growing Hemp in northern Maine.

Mr. Risner introduced Theresa Greenleaf, the new Deputy Clerk. Ms. Greenleaf has been working in the Town Office for about a month and is doing a great job.

V. Correspondence and Reports

A. Licenses and Permits – Ms. Sharpe

As of June 21, 2017 we received two License and Permit applications: Canterbury Royale Gourmet Dining Room and a catering permit for The Lions Club

B. Financial Report

As of May 31, our revenue is higher than our budget projection; 94.19% compared to the budget projection of 91.66%, and our expenses are lower than our budget projection; 87.46% compared to the budget projection of 91.66%.

Excise tax collections as of May 31 are \$551,290.33. This is 100.23% of the budgeted amount, which is 8.57% above the 91.66% budget projection.

We received State Revenue Sharing on May 22 in the amount of \$23,397.85. To date we have received \$186,471.40, which is 83.33% of our budget projection. This puts us behind our budget projection of 91.66%. This morning we received the last Revenue Sharing for this year \$29,785.86, this brings the total to \$216,257.26.

Real Estate and Personal Property tax collections were \$3,171,945.03 on May 31. This is 86.26% of our budget projection.

Cash flow is very good with a balance of \$73,833.46 in checking and \$1,150,000 in savings after completion of Warrant #25 on June 13.

As of today, June 21, 2017 the projected deficit is \$248,521. This is \$51,410 less than the May 10 projected deficit of \$299,931 and \$7,921 less than the June 19 projected deficit of \$256,442.

The mil rate increase to support the projected deficit has decreased from 2.03 on May 10 to 1.68 today.

#### C. Tri-Community Recycling and Sanitary Landfill Report – Mr. Draper

Mr. Mark Draper, TCL Solid Waste Director, provided information on the merger of TCL and the City of Presque Isle's landfill.

The Town of Fort Fairfield is currently a co-owner of TCL. Tri-Community Landfill and the City of Presque Isle have signed a letter of intent to merge solid waste operations. In general, the letter of intent spells out a number of concepts that both parties have agreed to. The City of Presque Isle will not take control of TCL and its operations. Presque Isle would get two votes on the Board of Directors for TCL. Currently the City of Caribou has two votes, the Town of Limestone has one vote and the Town of Fort Fairfield has one vote. We are also considering implementing a "super majority vote" that would require certain types of financial decisions. This would allow the two Towns to retain some power. The current proposal is to "add" the Presque Isle as a co-owner along with Caribou, Fort Fairfield and Limestone. By doing this, TCL would be taking over ownership of their (Presque Isle) landfill that they are currently operating. Tri Community Landfill would own, operate, and decide the future fate of both facilities. Landfill capacity would basically double which will allow more effective and efficient operations. Financially, this should not increase any costs to the Town of Fort Fairfield or any other owners or contract communities, in fact hopefully by combining the entities costs will decrease going forward.

Looking forward to the future, by having a large volume landfill, there may be opportunities for turning waste into fuels. The goal is to have the agreement finalized by the end of this year. This is a good thing for the town of Fort Fairfield and TCL and the region.

Mr. Herold asked if Presque Isle is in a similar situation as TCL with regards to their budget for equipment replacement, etc.

Mr. Draper said that the initial concern was the liability for closure and post closure care. Timing is good right now because Presque Isle just closed a significant portion of their landfill already so that liability is now very small. The agreement would require Presque Isle to contribute the amount of money to cover that current liability to TCL. We are not taking on any new unfunded liability.

#### D. LED Streetlights – Mr. Risner

Interviews of three companies; NEI (Northern Electric Incorporated), RealTerm Energy, and Tanko Lightning; were conducted on April 27 and 28 at the Presque Isle City Hall. Council Chair Barnes and Mr. Risner participated in all three interviews, and Councilor Smith participated in the NEI interview.

E. Fiber to the Home Project Extension Grant Award – Mr. Goff

The Town of Fort Fairfield has been working in partnership with Pioneer Broadband to expand high-speed Internet access in rural, underserved sections of our community. The Town supported Pioneer Broadband's submission of a grant application to the ConnectME Authority in May 2017 to build an extension of the fiber to the home project that is currently under construction along sections of Presque Isle Road, Houlton Road and Maple Grove Road. The ConnectME Authority awarded a grant to Pioneer Broadband of nearly \$200,000 during its 10<sup>th</sup> Round of grant funding in spring 2016 with a total project cost of roughly \$250,000. Construction of this project has been underway since fall 2016.

On May 26th, the ConnectME Authority announced winning proposals for their 11<sup>th</sup> Round of grant funding. The grant application submitted by Pioneer Broadband to extend the fiber to the home project further out Houlton Road and down part of Conant Road was awarded \$59,824 from the ConnectME Authority. Pioneer Broadband will match those grant funds with an additional \$45,000 investment for a total project cost of \$109,824. The project will extend service to unserved areas of Fort Fairfield, the majority of which includes a 2.6 mile section of Houlton Road from Maple Grove Road to the Francis Malcolm Science Center in Easton. This spur will serve 26 homes and businesses that have limited Internet service. In addition, the project will also extend service .8 miles down Conant Road from the intersection with Presque Isle Road nearest the Nordic Heritage Center. This extension will serve eight additional homes that are currently underserved.

Mr. Barnes asked if there are any other construction projects from Pioneer, Time Warner, Fair Point or anything else in the area that may be going on.

Mr. Goff responded "not at this time". Fair Point could come in at any time and light the North Caribou Roads remote terminal it's fiber fed, it's ready to go, it's about a \$40,000 piece of equipment that needs to be plugged in and that would service all of homes along the Aroostook River or low lying homes who are struggling with internet service. We have had on-going dialogue with Fair Point asking them to plug that in and let it go. We hope to engage in the franchise renewal process with Charter, Spectrum and encourage them to invest as part of their merger agreement nationwide.

Mr. Risner notes that this grant is another example of the efforts town staff continue to make to improve services and opportunities for residents – in this case continuing to build upon the momentum we have created to address our community's need for more robust and reliable Internet infrastructure.

F. U.S. Army Corps of Engineers Inspection of the Flood Damage Reduction System

Mr. Risner -

The U.S. Army Corps of Engineers (USACE) conducted a routine inspection of the federally constructed Aroostook River – Right Bank, Fort Fairfield, Maine Flood Damage Reduction (FDR) System on September 27, 2016. The USACE sent a copy of the report to the Town on April 28, 2017. A copy of the report is available for review at the Town Office.

The USACE gave the FDR System an overall rating of unacceptable, with seven items rated unacceptable and seven items rated minimally acceptable. Town staff has responded to the USACE, stating what actions the Town has taken or is planning to take to correct each of the items rated unacceptable or minimally acceptable (letter attached).

Vegetation on and along the FDR System is a major area of concern to the USACE. Public Works and a local contractor began correcting those areas during the week of June 5.

The one area that is not planned to be completed this year is the video inspection of the sanitary sewer line and culverts/discharge pipes, which is estimated to cost between \$10,000 and \$12,000. Mr. Risner requested \$5,000 be included in the FY 17/18 budget in order for the Town to be in a better position to complete the video inspection in FY 18/19 (the summer of 2018).

Mr. Risner was contacted by members of U.S. Senator Collins' office and U.S. Representative Poliquin's office, offering assistance to help the Town correct the areas rated unacceptable or minimally acceptable. To date, we have been unsuccessful in identifying a federal program that can assist the Town.

Recommendation: Town Council continue to support the \$5,000 in the FY 17/18 budget (Administration Reserve Account) and a probable request for \$5,000 in the FY 18/19 budget (Emergency Management Account) in order to conduct the required video inspection of sanitary sewer line and toe drains in the summer of 2018.

Mr. Barnes asked why there are two different accounts.

Mr. Risner explained that the Administration Reserve Account is a reserve account and we cannot put money into the Emergency Management Account this year because it is an expense account, so next year money will be put in the expense account.

G. 70th Annual Maine Potato Blossom Festival – Mr. Goff

There are roughly 100 family-friendly events planned for the 70<sup>th</sup> Maine Potato Blossom Festival July 8-16<sup>th</sup>. New additions this year include the Spuddy Buddy Challenge Scavenger Hunt which will take place at The County Federal Credit Union on Friday July 14<sup>th</sup> and the Five-O Car Show – a police vehicle display featuring current and classic cruisers from departments throughout Maine and New Brunswick, that will be held on Saturday before the parade at the Village Square parking lot. Another major change for 2017 will be an extended series of performances on the Festival Main Stage that will begin at 3pm on Saturday in order to capture more of the crowd already in town for the parade. These performances will run from 3 through late evening on Saturday the 15<sup>th</sup>.

#### H. Ruth Reed Mraz Family Memorial Fund of the Maine Community Foundation

Mrs. Gaenzle –

The Library received a grant on June 2<sup>nd</sup> in the amount of \$2,700 from the Ruth Reed Mraz Family Memorial Fund of the Maine Community Foundation. The fund was established in 2008 in memory of Ruth Reed Mraz.

The library applied for the grant in May 2017 to continue digitization of the Town's local history. The newest project will start the digitization of the oldest yearbooks and the local school newspapers. The Ruth Reed Mraz Fund has been a major source of funding in the digitization of our local town newspapers which completed last year.

The award of this grant is an example of the work Town staff is doing to find resources that provide services to the Town as well as help reduce the tax burden on our taxpayers.

#### I. Atrium Cataloging System – Mrs. Gaenzle

The Library will be switching its current cataloging system to Atrium beginning in July 2017. On June 1<sup>st</sup> the Library Board of Trustees unanimously voted to cover the start-up costs of the new system.

Atrium will open up greater access to the town residents by allowing them to see all our titles from their home. They will be able to place holds on items, be notified via email or phone when those items are ready to be picked up, and be reminded when checked-out items are due.

In the future, we will work with other libraries in the local area which will give our patrons access to their catalogs.

The library will be closed on Wednesday, June 28th for staff to complete training on the new system.

#### J. Update on Community Bandstand

Mr. Risner spoke to Mr. Pelletier from K-Pel on June 15, 2017 and he informed Mr. Risner that The Bandstand kit should be in Fort Fairfield in the next week and that it will take four to five days to get it up but is very confident that it will be up by the start of the Potato Blossom Festival. Mr. Risner will keep Council updated on the progress of the construction.

## VI. Old Business

### A. Approve FY 17/18 Budget – Mr. Risner

Public hearings were held on April 26 and May 10. There were no public comments at either public hearing.

The budget presented at the April 26 public hearing had a projected deficit of \$248,289, with \$148,146 due to the increase in the MSAD #20 budget requirement and \$100,143 for the Town's Capital Reserve. The budget presented at the May 10 public hearing had a projected deficit of \$299,931, with \$199,788 due to the increase in the MSAD #20 budget requirement (1.35 mil increase) and \$100,143 for the Town's Capital Reserve (.68 mil increase).

Recommendation: Town Council approve the Fort Fairfield Fiscal Year 2017/18 budget.

Mr. Butler asked if the mil rate may go down still a little bit. Mr. Risner said the mil rate didn't increase last year even though School budget also increased \$35,000-\$40,000. Departments tightened their budgets and continue to watch expenses. There is still some revenue coming in. The School budget has been the driver for the increase, but if the School gets more funding from the State the mil rate could go down. Council will be updated as soon as the Audit is over and the evaluations are complete. The intention is to only expend those resources needed now and not expend other Reserve account funds until after the mil rate has been set, in case something drastic happens and it goes the opposite direction and to be very prudent in how we spend any money that is in the Reserve Accounts prior to the mil rate setting.

Mr. Butler made a motion to approve Fort Fairfield Fiscal Year 2017/18 budget.

Mr. Smith seconded.                      No further discussion                      Vote – All affirmative

## VII. New Business

### A. Approve FY17/18 Permits and Licenses – Mr. Levesque

A public hearing was held on Wednesday, June 21 at 12:00 noon in the Council Chambers of the Fort Fairfield Municipal Building.

Recommendation: Town Council approve the permits and licenses recommended for renewal and approval by the Code Enforcement Officer as fees are collected. Mr. Herold made a motion to approve the permits and licenses as recommended for renewal and approval by Mr. Levesque as fees are collected.

Mr. Butler seconded. No Discussion Vote – All Affirmative

B. Approve FY17/18 Appointments of Town Officials and Board Members – Mr. Risner

Recommendation: That Town Council appoints the Town officials and makes the following Board appointments:

Sue LeVasseur on the Library Board of Trustees for a five year term to run July 1, 2017 through June 30, 2022.

Michael Edmunds on the Fort Fairfield Utilities District for a three year term to run July 1, 2017 through June 30, 2020.

John Houghton and George McLaughlin on the Zoning Boards of Appeals for a five year term to run July 1, 2017 through June 30, 2022.

Richard Langley on the Planning Board for a five year term to run July 1, 2017 through June 30, 2022.

Brent Churchill on the Board of Assessment Review for a three year term to run July 1, 2017 through June 30, 2020.

Donna Currie and Meg Hegemann as Commissioners on the Housing Authority of Fort Fairfield, for a five year term to run July 1, 2017 through June 30, 2022, and David Armstrong to complete the term ending June 30, 2019.

Mary Ann Ayoob, Dale Turner and Randolph Bouchard on the Fort Fairfield Arbor Committee each for a term of three years to run from July 1, 2017 through June 30, 2020.

Motion: Mr. Butler made a motion to approve the Town Officials as present to the pertinent Board and Commissions.

Mr. Herold seconded. No discussion. Vote – all affirmative

C. Authorize Audit Services from Felch & Company, LLC – Mr. Risner

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

The proposal states the audit will begin on approximately July 10, 2017 with reports issued no later than September 15, 2017.

The fee for this years' audit is \$8,800, which is \$100 more than last year. This increase is less than last years' which was \$200.

Recommendation: Town Council 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, 2017.

Mr. Herold made a motion to authorize Mr. Barnes to sign the proposal from Felch and Company, LLC.

Mr. Butler seconded.                      No discussion.                      Vote: All Affirmative

D. Fire Department Maintenance/Storage Ceiling – Mr. Risner

The ceiling in the Fire Department maintenance/storage area was a safety hazard. Public Works was not able to repair the ceiling, as the ceiling was 1 ½” to 2” thick concrete sprayed to a wire mesh. At its April 5, 2017 Special Council meeting, Town Council authorized the Town Manager to use \$9,976 from the Contingency Funds Account (E 01-12-50-10) to have PNM Construction, Inc. repair the ceiling.

After demolition of the old ceiling, PNM realized that they would need to strap the existing metal joist with 2x4's and steel fasteners from the wood to steel in order to ensure a proper makeup of construction for the gypsum ceiling system. The cost for this unexpected modification is \$1,000.

Recommendation: Town Council authorize the Town Manager to use \$1,000 from the Contingency Funds Account (E 01-12-50-10) to pay PNM Construction, Inc. for the extra work they did on the ceiling in the Fire Department maintenance/storage area.

Mr. Butler asked if the work was all done now. Mr. Risner said yes, that all Councilors should definitely take a look at it, as it is a night and day difference and that it also satisfied the inspectors.

Mr. Herold made a motion to authorize the Town Manager to use \$1000 from the Contingency Funds account to pay PNM Construction, Inc. for the extra work they did on the ceiling in the Fire Department maintenance/storage area.

Mr. Buter seconded.                      No Discussion.                      Vote – All Affirmative

E. Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs

Mr. Levesque outlined the following information

Public Law 2017, Chapter 1 (Effective January 27, 2017) postpones the State licensing of retail marijuana establishments until February 1, 2018. The personal use and possession of marijuana became legal on January 30, 2017, but the law clarifies that users must be 21 or older. Personal use is also limited to private residences or private property not generally accessible by the public and the owner's permission.



The proposed ordinance expressly prohibits retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, and retail marijuana products manufacturing facilities, retail marijuana testing facilities, and retail marijuana social clubs in Fort Fairfield.

The voters of the Town of Fort Fairfield voted in opposition to the new law last November. The vote was 684 (41%) in favor and 989 (59%) in opposition.

Mr. Levesque recommended that Ordinance 17-08 be introduced and then Council schedules a public hearing for July 11, 017 at 6:00 p.m. in the Council Chambers at the Municipal Building.

Mr. Herold had questions about the Federal Government differentiating between smoking marijuana and industrial hemp, that it is still not legal. The gentleman that introduced himself earlier who was interested in growing hemp. Would this affect his idea of agricultural growing of marijuana?

Mr. Levesque stated that it is a separate issue and doesn't cloud the issue about this Ordinance. We are addressing the law that's about to be implemented by the State of Maine and the rules and regulations about those. The process for crops is a different situation federally and State.

Mrs. Libby asked how other communities are handling this. Houlton is moving forward with allowing some type of marijuana activity.

Mr. Levesque commented that they are proposing to have a land use ordinance in place for when it becomes regulated.

Mrs. Libby once it becomes regulated if someone were to want to open a facility in Town, Mr. Levesque commented that if the Town voted through its legislative body or referendum, they could rescind this Ordinance or amend it. Mrs. Libby said, so this is to just protect us in the meantime. Mr. Levesque responded yes as advised by several legal counsel.

Mr. Butler introduced Ordinance 17-08.

VIII. Minutes of the May 17, 2017 Regular Council Meeting and May 22, 2017 Special Council Meeting.

Mr. Herold made a motion to approve the minutes from May 17, 2017.

Mr. Butler seconded.                      No discussion                      Vote – All Affirmative

IX. Warrants: #24; \$265,807.22                      #25; \$116,152.27

Mr. Herold made a motion to approve Warrants #24 and #25.

Mr. Smith seconded.                      No Discussion                      Vote – All Affirmative

X. Other

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

The Town Office will close at 12:00 p.m. on Friday, June 30<sup>th</sup> for the end of fiscal year closure of financial records. The Town Office will reopen at 7:00 a.m. on Monday, July 3<sup>rd</sup>.

XI. Manager's Report - Mr. Risner submitted this to the Council for information purposes only.

XII. Executive Session

A. MRSA 405(6)(C)

B. MRSA 405(6)(D) Public Works Union Agreement

Mr. Butler made a motion for Council to go in to Executive Session

Mr. Herold seconded.

Vote: All Affirmative

Council entered into Executive Session at 6:52 p.m.

No action was taken by Council.

Mr. Herold made a motion to come out of executive session,

Mr. Butler seconded.

Vote: All Affirmative

Council came out of executive session at 7:20 p.m.

XIII. Adjournment –

Mr. Butler motioned to adjourn at 7:21 p.m.

Respectfully submitted,

Billie Jo Sharpe  
Council Secretary