

Fort Fairfield Town Council Monthly Meeting Minutes  
Council Chambers  
Wednesday, May 17, 2023  
6:00 P.M.

THE TOWN OF FORT FAIRFIELD FY 2023-2024 BUDGET 2<sup>nd</sup> HEARING  
Report from the Budget Advisory Committee

I. Roll Call at 6:12 PM

Council: Keith E. Thibeau II, Pat Canavan, Robert Kilcollins, James Ouellette, Kevin Pelletier

Staff: Dan Foster, Neadra Dubois, Tony Levesque, Chief Jalbert, Chief Cummings, Darren Hanson, Doug Sharpe

Citizens: 18 citizens present.

Media: Fort Fairfield Journal

II. Prayer

Mr. Leveque offered the prayer.

III. Pledge to the Flag

All in attendance pledged their allegiance to the flag.

IV. Public Comment Period

Martha “Marty” Letasz comments about the speed of traffic on Brunswick Ave. There is no sidewalk on that street and Marty states that it is most dangerous after school.

Anne Blanchard also comments about the speed of traffic on Brunswick Ave. She states that there is a 15 mile an hour sign at the beginning of the road, but nobody, including herself, follows that because, she says, that when there are no children and it’s the weekend, 15 miles an hour doesn’t seem reasonable. She suggests a sign with flashing lights when school is in.

Mr. Levesque calls point of order to the Public Comment Period, as people are speaking out of turn and not standing at the podium for their comments.

V. Correspondence and Reports

A. Licenses and Permits

Mr. Foster reports that there is one application for a Catering Permit for Northern Maine Brewing Company, LLC. The recommendation is that Council approve the Catering Permit for Northern Maine Brewing Company.

Motion: Councilor Ouellette motions to approve the permit.

Second: Councilor Kilcollins seconded.

Discussion: None.

Vote: All Affirmative.

#### B. Financial Report

Mr. Foster reports on the Town's finances. Mr. Foster states that there is not much to report that is different than the past. The trend has been expenses are going down. The only concern that Mr. Foster would bring up is the Accounts Receivable on property taxes for this year is still hard. It's about \$700,000 and it would normally be lower than that for this time of year, so it's not a question of income and expenses, it's just a question of the bill getting paid so that there is cash in the bank come June 30<sup>th</sup> so the \$500,000 can be paid. Mr. Foster assures that the Town will be doing that. Outside of that, Mr. Foster states that things are going well and the Department Heads are doing great with their expenses and that's going to show a very good surplus coming in this year.

#### C. Aroostook Waste Solutions – Stev Rogeski

Mr. Foster reports on the last AWS meeting, as Mr. Rogeski was unable to attend that meeting due to having surgery. Mr. Foster states that at the meeting, they went over the budgets, which are all fine, it's pretty Steady Eddy Business with no issues. Mr. Foster gives an update on the construction of cells five and six, which they are still looking at moving forward sometime in construction season. There is some concern with increase in cost, but that is something they'll know better about as time goes on. Mr. Foster also reports on an organization in Southern Maine that puts forward a bill, this year it was LD 1171, and the purpose of the bill is to promote recycling and reducing waste. What they ultimately want to do is get rid of landfills. If the bill passes, what will happen is that every ton that goes into a landfill is assessed a fee that the people who use the landfill have to pay and it is not a practical thing for Rural Maine to think that not using landfills is going to work. Out of 21 individuals who testified 13 testified in opposition of this bill, including DEP, who is also in opposition of the bill. Mr. Foster reports that Mark, at AWS, is thinking of getting together with leadership at the legislature to put in a bill saying that landfills cannot be charged fees in that manner. Mr. Foster states that all in all the business runs very well and they do a great service for The County.

#### D. Police Department Report

Chief Cummings gives the monthly Police Department Report. The Police Department has logged 1,550 incidents year to date, 70 of those cases were referred to prosecution. Chief Cummings states that the officers have been proactive with traffic enforcement and property checks and they try to be in the school zones as often as they can in between calls for service and when time allows. Chief Cummings reports that the community has been getting hit with burglaries lately and they've been successful in solving the cases by arresting two for burglary and theft and have an outstanding warrant for a third person for burglary. During this case three search warrants were granted and thousands of dollars' worth of stolen tools were recovered and returned. Chief Cummings hopes that being proactive with these cases and solving these crimes

will deter people from coming here to do things like this. Chief Cummings reports on a Law Enforcement Pre-Service Phase 2 Course that is being hosted by Fort Fairfield PD. It is a prerequisite course for somebody to be a part-time law enforcement officer in the state and it is Chief Cummings' hope to hire additional part-time officers to continue to fill open shifts caused by officers on vacation, sick or gone to training. Sergeant Cormier recently completed an active shooter instructor program. Chief Cummings states that one thing they take very seriously is school safety and the potential for an active shooter and being prepared for it. The used cruiser that was purchased in March has been put into service and was purchased solely with funds by selling surplus equipment. There is one officer slated to attend the 18-week Police Academy in August, which will finally complete the full-time certification requirement for all of the officers in Fort Fairfield. Chief Cummings publicly thanks all his officers for their continued dedication, hard work, and professionalism. Chief Cummings reports on the bison issue that has consumed countless man hours over the last several months. Chief Cummings and Mr. Foster were able to put together a Zoom meeting with Commissioner Beale from the Department of Agriculture and Commissioner Sauce Chuck from the Department of Public Safety. There is no State agency that is regulating this type of farming operation or willing or able to assume responsibility for the actions of the farmer. Though the Department of Inland Fisheries and Wildlife have some basic regulations regarding the possession of wildlife and captivity, they consider bison a domesticated breed, such as cattle, and they do not license these farms or inspect them to ensure safe, appropriate facilities. The State's position is that the situation is deemed a public safety issue and is the responsibility of the appropriate law enforcement agency in the area to resolve the problem. In this case, it would fall on the Fort Fairfield Police Department. Chief Cummings states that if Fort Fairfield assumes responsibility, they would have to bring in those or are properly trained like agents from the USDA and Fort Fairfield would be responsible for paying the cost of their services, which is in the thousands of dollars. Chief Cummings states that he needs clarification for Inland Fisheries and Wildlife and USDA regarding any responsibility they might have on regulating these farming practices. He will also reach out to MMA to see what guidance they can provide on the issue, and he is working with Representative Babin to try to enact legislation to protect the community from future issues. Chief Cummings states that it would be appropriate for himself and Mr. Foster to reach out to State agencies, other law enforcement agencies and any applicable associations that support raising bison to prepare an Ordinance outlining these requirements for having such a farm raising these animals in the community. Chief Cummings asks for support from the Council to start this process and thinks that it's something that needs to be done immediately.

Council banter with Chief Cummings about the bison issue.

Councilor Kilcollins tells Chief Cummings that he likes everything that's been done so far and says he will support it as soon as there's something put together. Chief Cummings states that he and Mr. Foster will work on putting something together to get something done.

#### E. FY 23/24 Budget

Mr. Foster reports on the budget and says that he has posted this budget, since the end of March, three times, on two Facebook pages and on the Town's website. Mr. Foster states that he had talked with a citizen who commented to him "please tell me that the Mil Rate is not going up." Mr. Foster wonders how he can get the word out, then he

asks David Deschesne if there is some way he could put this in the paper, and tells him that the headline could say The Mil Rate Is Going Down. Mr. Foster states that the Mil Rate is going down, he doesn't know by how much, but he assures that it is going down. Mr. Foster states that the Town is moving in a positive direction and is going to get the Mil Rate down to an appropriate level. Mr. Foster tells the Council that when they pass the budget next month, what they are doing is setting the budget for next year, but not setting the Mil Rate. The budget that's being approved shows a Mil Rate reduction of three quarters of a Mil, but it's also showing a surplus of \$218,000.00. Mr. Foster tells the Council that in September, they will have to decide what to do with that overlay of \$218,000.00. He suggests putting some of that money towards helping the cash reserves and a fair amount can be used to further lower the Mil Rate. Mr. Foster thanks the Budget Advisory Committee for being attentive and asking good questions and he thinks that it is clear, with the presentation, that they are taking it seriously.

F. Fort Fairfield Community Empowerment Project

Mr. Foster states that he will be meeting with Catherine to go over that the general consensus of the group was to have one more meeting to finalize the recommendations that were made. Catherine will be getting in touch with everyone and getting another meeting going sometime in the next two weeks. Once that meeting has happened, there will be a final set of recommendations that then will go to the community so the community gets a chance to see them, review them and have an opportunity to comment or make recommendations or ask questions and then, at the June Council meeting or the July Council meeting, there will be some recommendations to the Council that will set some new systems in place moving forward. Mr. Foster thought the meeting went well with Catherine and thought it was productive. There was great participation and people are taking it serious which will really set the stage to start the process for a job search for a new Town Manager.

G. Federal Funding for Wastewater Infrastructure Improvements

Mr. Foster reports on the Fort Fairfield Utilities District and says that Jon Helstrom is doing an outstanding job. Mr. Helstrom has been responsible for a multi-million dollar project that they're working on right now and he's received a lot of federal funds and support to be able to do that. A letter has just been received from Senator Collins, saying that \$1,592,000.00 is being set aside in the infrastructure budget for next year for Mr. Helstrom's project. Mr. Foster gives hats off to Mr. Helstrom for his work in finding these funds, sharing information and winning grant awards.

H. Fort Fairfield Solar, LLC Notice of Extension

Mr. Foster reports on the getting the request from Fort Fairfield Solar for an extension of the Development Term. After receiving the request, Mr. Foster also received an email from the Director of Development asking for the Town to sign an Estoppel Agreement for financing. That agreement is for when somebody is getting financing and they are using infrastructure as collateral that is on land that they're leasing, that the

financing institution is going to go to the owner, who is the Town, and say that there is no litigation and they want the Town to sign a document saying, yes, this is all true. Mr. Foster is going to ask, in New Business, for Council to authorize him to sign and get it back to them. What Mr. Foster really wants to know is when is the Town going to get paid from them, because that wasn't really clear. Mr. Foster suggests that before the document gets signed, they get some clarity. Councilor Pelletier asks Mr. Foster when the lease takes affect and when do they start paying. Mr. Foster explains that the lease is divided up into three terms – the first one is the development term, which is two years and was up on April 20<sup>th</sup> of this year, if they're not on the grid, they have the right to extend that another two years. There is no payment made during the development term. The Town will start getting paid when once they start sending electricity across the grid and that's when the lease is enacted. It's a 20-year lease from that point and every January the Town will get an annual payment of \$21,000 something. They plan to be on the grid in mid-June and should be issuing a prorated payment in 2023, then a full payment by January 15, 2024.

I. Aroostook County Funding for FY 23-24

Mr. Foster reports on Aroostook County going to a fiscal year instead of calendar year. To do that they are going to end up sending the Town a bill sometime in the fall for six months, which is going to run from January 1, 2024 to June 30, 2024, and they will also send a bill for the next twelve months. Both bills will be due in October of 2024. Councilor Pelletier asks how much the bill will be. Mr. Foster gives an educated guess and breaks it down for both bills. The full year bill will be around \$300,000 and the six-month bill should be around \$120,000 or less for a total of both bills at around \$420,000.

J. MSAD #20 New Superintendent

Mr. Foster publicly congratulates the Board of Directors at the school system. They have just hired a new Superintendent, Tonya Staples. She is currently the Principal at the High School and will be stepping in as the permanent Superintendent for SAD20 when Tim Doak leaves the position.

K. Speed Limit Sign on Brunswick Ave

Mr. Foster reports on Brunswick Avenue being the street that is used for dropping off and picking kids up at the Elementary School and how the speed of traffic on that street has been an issue since the school opened in 1991. Putting in a sidewalk has been discussed in the past, however it did not pan out. Mr. Foster thinks that this is a legitimate concern. Mr. Foster states that serious consideration should be given to posting the street with a flashing 15 mile an hour sign. Mr. Foster states that the cost of the sign would be about \$1,700 and Mike Greenlaw has agreed to put the sign up free of charge. Mr. Foster states that it would great that if the sign was blinking when kids are going in and when kids are coming out. Mr. Foster thinks that 25 miles an hour is appropriate when kids are not in school, weekends and summertime. Mr. Foster asks the Council a motion to purchase the sign and he would use money from Administrative Reserves for the purchase. Mr. Foster also asks if he can move this item to New Business and Council agrees.

L. Potato House on Cheney Grove

Mr. Foster reports that a Potato House on Cheney Grove is down and it's getting cleaned up. Piles are being separated and lugged off. Darren Hanson reports that eight to ten loads are planned to be lugged out this week alone and within two or three weeks hopefully it will be down to the concrete pad.

VI. Old Business

A. Approve Ordinance #23-02 – To convey Land to Jon & Christine Helstrom

Mr. Foster asks Council to approve Ordinance 23-02 to convey land to Jon & Christine Helstrom.

Motion: Councilor Kilcollins makes the motion.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

B. Approve Ordinance #23-03 – To convey Land to Gary Sirois Jr. & LaNiece Sirois

Mr. Foster asks Council to approve Ordinance 23-03 to convey land to Gary Sirois Jr. and LaNiece Sirois.

Motion: Councilor Kilcollins makes the motion.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

C. Approve Ordinance #23-04 – To Deed Land to Fort Fairfield Utilities District

Mr. Foster asks Council to approve Ordinance 23-04 to deed land to Fort Fairfield Utilities District.

Motion: Councilor Kilcollins makes the motion.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

D. Approve Ordinance #23-05 – to Convey a Right of Way at Riverside Park to Fort Fairfield Utilities District

Mr. Foster asks Council to approve Ordinance 23-05 to convey a right of way at Riverside Park to Fort Fairfield Utilities District.

Motion: Councilor Kilcollins makes the motion.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

VII. New Business

A. Approve Line of Credit Commitment to Katahdin Trust Company

Mr. Foster asks the Council to approve a renewal of the line of credit with Katahdin Trust Company in the amount of \$500,000.00.

Motion: Councilor Ouellette moves that the Town of Fort Fairfield borrow from Katahdin Trust Company a loan of \$500,000 for eight months at a fixed interest rate of 8.25% for the purpose of renewing a current line of credit used for working capital. Also, the motion authorizes Keith E. Thibeau II, Chairman and Dan Foster, Town Manager permission to sign any required documents on behalf of the Town.

Second: Councilor Kilcollins seconded.

Discussion: None.

Vote: All Affirmative.

B. Approve Town Order #23-08 Tax Anticipation Note

Motion: Councilor Kilcollins made a motion to allow the Town of Fort Fairfield to borrow from Katahdin Trust Company a loan of up to \$1,000,000.00 for 12 months at a fixed interest rate of 5.98% for a Tax Anticipation Note. Also, this motion authorizes Keith E. Thibeau II, Chairman and Dan Foster, Town Manager permission to sign any required documents on behalf of the Town.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

C. Approve Appointments to the NMDC Board of Directors

Mr. Foster asks Council if any of them are interested in being on the Northern Maine Development Commission Board of Directors. No one on the Council is interested. Mr. Foster states that he is willing to step in until the Town gets a new Town Manager. Mr. Foster states that if Council is in agreement, he would ask that one of them make a motion to approve Dan Foster, Town Manager and Kevin Bouchard to represent the Town of Fort Fairfield on the Northern Maine Development Commission Board of Directors.

Motion: Councilor Ouellette makes the motion.

Second: Councilor Kilcollins seconded.

Discussion: None.

Vote: All Affirmative.

D. Introduce Ordinance #23-06 – Enter into a Lease Agreement with Jacqueline & Tim Shaw d/b/a Little Sunshine Learning Center at the Puddledock Facility

Mr. Foster asks a Council member to introduce Ordinance 23-06 for the Town of Fort Fairfield to enter into a lease agreement with Jacqueline and Tim Shaw doing business as Little Sunshine Learning Center at the Puddledock Facility.

Ordinance introduced by Councilor Kilcollins.

E. Introduce Ordinance #23-07 – To Repeal Ordinance #17-08 Prohibiting Retail Marijuana Establishments

Mr. Foster asks a Council member to introduce Ordinance 23-07 to repeal Ordinance 17-08, which prohibits retail marijuana establishments.

Ordinance introduced by Councilor Kilcollins.

F. Appoint John Chartier to serve out Kendall F. Stratton term on the Planning Board

Mr. Foster reports that there is a vacancy on the Planning Board and is asking Council to appoint John Chartier to replace Ken Stratton's position and serve out his remaining term. Mr. Chartier is currently an alternate member of the Planning Board.

Motion: Councilor Kilcollins makes the motion.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

G. Estoppel Certificate for Fort Fairfield Solar, LLC

Mr. Foster reports that he emailed the Estoppel Certificate to Rick Currier and Mr. Currier sees no problem with it. Mr. Foster asks the Council to authorize the Town Manager to execute this document on behalf of the Town.

Motion: Councilor Ouellette makes the motion.

Second: Councilor Kilcollins seconded.

Discussion: None.

Vote: All Affirmative

H. Speed Limit Sign on Brunswick Ave

Mr. Foster asks the Council to consider purchasing a sign to put up on Brunswick Avenue to hopefully slow down traffic.

Motion: Councilor Kilcollins makes the motion.

Second: Councilor Canavan seconded.

Discussion: Councilor Canavan asks if the signs come with a camera. She states that other towns use cameras to monitor so she was curious. Mr. Foster stated that he will check on that and report back to her on that.

Vote: All Affirmative.

VIII. Minutes of the April 19th Regular Council Meeting

Motion: Councilor Kilcollins makes the motion to accept the minutes of the April 19<sup>th</sup> Regular Council Meeting.



Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

IX. Warrants: #22 - \$110,108.12 #23 - \$398,753.54

Motion: Councilor Ouellette makes the motion to accept the Warrants #22 and #23.

Second: Councilor Kilcollins seconded.

Discussion: None.

Vote: All Affirmative.

X. Other

Nothing to report.

XI. Adjournment

Motion: Councilor Kilcollins motioned to adjourn.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

Council adjourned at 7:00 PM.

Respectfully Submitted,

Neadra E. Dubois, Council Secretary