

Fort Fairfield Town Council Monthly Meeting  
Council Chambers  
Wednesday, March 21, 2018  
6:00 P.M.

I. Roll Call

Councilors: All Councilors are present.

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

Citizens: 18 including media.

II. Prayer Tony offered the prayer.

III. Pledge to the Flag All in attendance pledged their allegiance to the American Flag.

IV. Public Comment Period

Dave Lown, local resident and business partner with RLC Energy LLC asked Council to postpone the appointment of an electrical inspector and eliminate the local Ordinance. Mr. Lown said the local Ordinance is out of date, vague and with errors.

Mr. Lown said that Fort Fairfield is the only Town within a 50-mile radius that currently has an electrical inspector and says it hinders economic growth by slowing down the construction of homes and improvements to property and the State doesn't require an electrical permit process in the Town. The State has a well-documented Statute and its own electrical inspectors. The State has an online process that documents an application that has been applied for and that a permit has been issued. Mr. Lown said that to the best of his knowledge, the Town does not document the process. There is no accountability. Having an electrical inspector that is directly in competition with the contractors he or she is inspecting is a conflict of interest. This puts the inspector in direct conflict with the contractor. The inspector can make or break the contractor and eventually drive the contractors out of town. If the Town insists on having an electrical inspector, it should be someone who is no longer in the contracting business. A local inspector does not have any higher authority or knowledge than a master electrician.

Mr. Smith commented that it was his understanding that for an industrial or commercial electrical job, the State will come in, and a master electrician inspects his own work on residential. Mr. Lown responded "yes that is correct."

Mr. Lown replied that a citizen is permitted to do their own electrical wiring but Emera will not connect to the wiring unless a master electrician inspects and approves that work.

Mr. Smith asked Mr. Lown if he believed that having a master electrician doing the inspection, if it improves the liability.

Mr. Lown said that you have to have a master electrician inspect it and by having a master electrician sign off on the work, as far as the State is concerned, that work meets code.

Mr. Butler commented that Mr. Lown said the State has its own electrical inspector?

Mr. Lown replied that the State has many inspectors.

Mr. Lown then handed the Council each a packet documenting information regarding current statutes relating to the topic.



The Town Manager from Mapleton, Castle Hill and Chapman also had questions for the Board regarding how the recent merger may affect his community.

Mr. Draper also informed the Board that grant application process has begun for a new recycling center and Kim Smith from Presque Isle will help write the grant for no cost to TCL.

Mr. Rogeski also said that the Board approved the by-laws now that the Merger with Presque Isle is complete.

Mr. Smith asked when the Pine Tree contract expires.

Mr. Rogeski replied that it ends at the end of 2018 as do all the contracts.

Mr. Butler wanted to know where the meetings are held.

Mr. Rogeski responded that they are held at the Caribou Motor Inn at 7:30 am.

#### D. Dynamic Speed Sign

On February 5, 2017, Public Works Director Darren Hanson received notice from the awarded a dynamic speed sign.

Director Hanson and Chief Newell traveled to Augusta on February 22, 2017, to pick up the sign and to attend the mandatory training on the signs use. The dynamic speed sign is approximately three feet by three feet and has a separate solar panel attached to power the unit. It will provide valuable traffic data and bring attention to problematic areas for speeding complaints. The speed sign is portable and can be placed in high traffic areas anywhere in town. A photo of the dynamic speed sign was included in the Council packets.

The value of the dynamic speed sign is \$3,700.

Recommendation: For information only. No Town Council action required.

Mr. Smith asked if the sign needs to be calibrated.

#### E. FairPoint Application for Pole Locations

On February 23 the Town received three applications from FairPoint to move the following poles:

1. Move one pole approximately one foot further from the centerline of the road and add 2nd pole approximately eight feet; and in line; with the new pole on West Limestone Road.
2. Move one pole approximately six feet; and in line but one foot further from the centerline of the road; and add a 2nd pole approximately five feet; and in line; with the new pole on Center Limestone Road.
3. Move one pole approximately four feet; and in line with the existing pole; and add a 2nd pole approximately six feet; and in line; with the new pole on the Green Ridge Road.

The first two applications are changes to the applications that were initially received on January 30. Both of the initial applications were to move the poles closer to the road, which creates a problem because of the lay of the road and snow plowing. The current applications; received on February 23; move the poles further from the road.

Mr. Darren Hanson, Road Commissioner, and Mr. Risner inspected the current and proposed new pole locations for the three applications. Moving and adding poles will not create any problem for the Town. Mr. Risner approved the application for these poles based on his discussion with Mr. Hanson and their visual inspection of the site.

#### F. Transfer of Funds within the Public Works Appropriation

The 2004 Komatsu loader that is used to plow the in-town streets and the cleanup of snow on Main Street experienced a serious driveline failure in January. The loader has been repaired and came back into service on March 7.

The total repair cost was \$38,900.97. The Town received a credit of \$12,066.07 on the core of the transfer case. The final cost to the Town is \$26,834.90.

To pay for the repairs, Mr. Risner will transfer \$25,000 from the health insurance account (E 01-08-02-05) and \$4,000 from the sand/salt/calcium account (E 01-08-25-40) to the parts/repair/freight account (E 01-08-25-15). Personnel changes within Public Works this year and a smaller increase in health insurance for calendar year 2018 are the reasons for the extra funds in the health insurance account. Bottom ash received from ReEnergy is a major reason for extra funds in the sand, salt and calcium account.

### VI. Old Business

#### A. All-Terrain Vehicle (ATV) Access Routes Mr. Risner

Background: During its February 21 meeting, Town Council directed Staff to further review alternative ATV access routes that will maintain safety and further accessibility to downtown.

Discussion: Mr. Risner met with Mr. Kendall Stratton, President of the Fort Frontier ATV Club. The current request contains four parts.

Part 4 runs from the  
and ends at the Dumond Road.

Town Staff has reviewed the requested routes and has the following comments.

Part 1 can be supported by Staff. While not an optimal route, it is .2 miles shorter than the route requested at the February 21, 2018 Council meeting. This access route closes the ATV trail loop in Fort Fairfield and provides access to Main Street and the businesses located there. The route is on a State maintained road.

Part 2 is not supported by Staff. The requested route is not needed if Council recommends the State approve Part 1, and is not viable if Council does not recommend State approval of Part 1. From a safety perspective, the curves on Roosevelt Avenue at Fisher Street, Fisher Street at Blaine Street, and Blaine Street at Columbia Avenue are narrow with limited sight vision. The Elm Street extension on Map 2 ends at Main Street, and does not connect to a trail.

Part 3 is not supported by Staff. The requested route does not connect two trails, but appears to be a feeder route to a requested access route. The route is intended for use by local residents only.

Part 4 is not supported by Staff. The requested route does not connect two trails, but appears to be a feeder route to a requested access route. The route is intended for use by local residents only.

Recommendation: Town Council approves support to have the State make the .9 mile stretch of Forest Avenue an ATV access route. Town Council not approves and 4.

Mr. Kilcollins stated his concern is that there are a lot of people in the community that have ATVs that live on these streets and asked if they were to use the streets to gain access anyway, would they get in trouble with the law and will there be any leeway for these people.

Chief Newell said that they would in fact be in violation of the State law.

Mr. Kilcollins said then that Council needs to look at 2, 3, and 4 as it affects a lot of people that want access.

Mr. Barnes commented that he is very against having every street opened to ATV access.

Mr. Smith If the Forest Avenue access is approved, it will give plenty of access to the sides streets.

Mr. Risner There are no sidewalks; people are out walking in the summer. Roosevelt  
Forest Avenue

which is one the things Council was looking for. The other routes are just convenience  
in the legal distance of an  
access route.

Mrs. Libby Commented that it is more of a need than a convenience for people to be able to a gain access to the trails using the side streets rather than having to trailer their ATVs.

Mr. Butler Plan #1 gives access to downtown which is what was requested. Plan #2 is not a good idea, sidewalks are not good, too many walkers. There is major safety concern with Plan #2.

Mr. Smith happens. If it works, maybe then look at opening other ones a little at a time rather than opening them all up at once. The ATV club was originally looking for the access to downtown by opening up Forest Avenue and this is a good start.

Mr. Barnes made a motion to approve Part #1 as recommended by staff.

Mr. Butler seconded.

Vote All Affirmative.

#### B. Status on UDAG Loan #43

Background: The Town of Fort Fairfield has a mortgage on the property at 330 Main Street.

Discussion: On August 1, 1994, Thomas J. Clukey and Richard S. Clukey executed and delivered a Promissory Note payable to the order of the Town of Fort Fairfield in

Mortgage recorded in Book 2711, Page 253 of the Southern Aroostook Registry of

assumed by Robert E. Kilcollins by Assumption, Allonge and Modification Agreements dated September 22, 1997 and May 15, 1999.

The Note, as modified, was fully due and payable on June 1, 2007. The current amount due as of March 15, 2018 is \$30,463.80 as follows: Principal: \$21,724.45

Interest: \$8,739.35

Legal fees to date are \$1,278.00.

with a cure date 30 days after delivery (March 14).

Mr. Kilcollins asked to address the Town Council on subject.

Mr. Smith informed Mr. Kilcollins that is he wished to address Council; he would have to step down and not participate in any vote or discussion.

Mr. Smith That being said, we are going to proceed.

VII. New Business

A. Tax Acquired Property for 2015 Taxes

The following is a list of properties that became Tax Acquired on March 8, 2018 for 2015 taxes and the total amount due on each property as of March 9, 2018:

(A) ROBERT SHERWOOD ESTATE/ERIC SHERWOOD, PR (DECEASED)  
564 Houlton Road Total Taxes Due: \$2,536.40.

Assessed Value is \$22,700: Minimum Bid Recommendation is \$3,000.

(B) JESSICA JANDREAU  
261 Sam Everett Road Total Taxes Due: \$1,759.56.

Assessed Value is \$26,600: Minimum Bid Recommendation is \$3,000.

First offer the property to the owner for the total taxes due plus interest and fees to be paid in full within 180 days.

Send the owner a certified mail offering the property back to her and allow her 15 days to accept the offer.

Put the property up for bid for \$3,000 if the owner is not interested or does not respond within the 15 days.

Recommendation: Town Council authorize the Treasurer to put the following properties out for bid in AS IS WHERE IS condition with no guarantees expressed or implied with minimum bids and offer as stated:

- 564 Houlton Road, minimum bid of \$3,000;

- 261 Sam Everett Road, offer to the owner for the total taxes due plus interest and fees to be paid in full within 180 days, contingent upon the owner accepting the offer within 15 days after receiving the certified mail. Town Council authorizes the Treasurer to put the property out to bid with a minimum bid of \$3,000 if the contingency is not met.

Mr. Barnes made a motion to authorize the Treasurer to put the following properties out for bid in AS IS WHERE IS condition with no guarantees expressed or implied with minimum bids and offer as stated.

Mr. Kilcollins seconded.

Discussion None.

Vote All Affirmative.

B. Transfer of Library Funds from Historical Preservation to Library Reserve

The Jesse Drew Room will be assessed by the Northeast Document Conservation Center on May 7 as to requirements that may be needed to better protect the historical collection. His assessment must be completed before we can have the collection appraised. The assessment is funded by a grant from The National Endowment for the Humanities.

The funds in the historical preservation account for Fiscal Year 2017/2018 were to be used to pay for the appraisal of the collection. The appraisal will likely occur after the start of the next fiscal year because of the timing of the assessment. Moving the funds from the historical preservation account to the library reserve account will ensure those funds will be used for the purpose they were budgeted for.

Recommendation: Town Council authorizes the Town Manager to transfer the \$1,500 currently in the historical preservation account (E 01-02-10-45) to the library reserve account (G 1-3040-00) for use in the appraisal of the Drew room collection.

Mr. Butler made a motion to authorize the Town Manager to transfer the \$1,500 currently in the historical preservation account (E 01-02-10-45) to the library reserve account (G 1-3040-00) for use in the appraisal of the Drew room collection.

Mr. Kilcollins seconded.

Discussion None.

Vote All affirmative.

C. Winter Sand

Background: The Town will need to purchase up to 3,000 cubic yards of screened sharp winter sand with 200 pounds of rock salt per yard in order to prepare for the 2018/2019 snow season.

The Town is projected to use 4,000 cubic yards of screened sharp winter sand with 200 pounds of rock salt per yard during the 2017/2018 snow season.

Discussion: Without serious competition in the winter sand market, the Town is spending more by putting the winter sand out to bid than it would if we negotiated the price.

Two years ago, the Town put the winter sand out to bid. The Town received two bids for 2,000 cubic yards of screened sharp winter sand with 200 pounds of rock salt per for \$19.25 per yard. Last year the Town Council authorized the Public Works Director to negotiate the price of sand and in doing so we were able to keep the price the same as the previous year \$14.99 per yard.

Recommendation: Town Council authorizes the public Works Director to negotiate the price of winter sand for the winter season of 2018/2019.



Mr. Kilcollins made a motion to authorize the public Works Director to negotiate the price of winter sand for the winter season of 2018/2019.

Mr. Butler seconded.

Discussion

The proposed ordinance establishes set days and times residents may use fireworks, and requires individuals to obtain a permit for the discharging of fireworks in Fort Fairfield. Recommendation: If Council agrees with the proposed ordinance, then a Councilor will need to introduce the Consumer Fireworks Ordinance at the March 21, 2018 Council meeting and direct staff to hold a public hearing on the ordinance on Thursday, April 5, 2018 at 6:00 p.m. in the Council Chambers at the Fort Fairfield Municipal Building.

Mr. Smith still requires a permit, but allow for special occasions such as an anniversary, birthday, etc and strike the fee.

Mr. Risner staff will make changes as suggested by Council.

Introduced by Mr. Butler with recommended amendments.

#### F. Appointment of Electrical Inspector

Background: Town Council Order Number 93-01 established the position of electrical inspector. The Order states that the individual appointed to the position shall be certified by the State as a master electrician, and that the Town Council shall appoint an electrical inspector annually.

Discussion: Mr. Todd Maynard is the current electrical inspector. Mr. Maynard is certified by the State as a master electrician, and has been the electrical inspector since 2005.

Recommendation: Town Council appoints Mr. Todd Maynard as the electrical inspector.

Mr. Kilcollins asked that this item be tabled until further review.

Mr. Smith with the information that we have, I think we can eliminate the Ordinance and the position of Electrical Inspector.

Mr. Butler introduced Ordinances 18-06 and 18-07 to repeal Ordinances 01-03 and 93-01.

#### G. Appointment to the Northern Maine Development Commission (NMDC)

Background: As a member of NMDC, the Town is authorized two representatives. At least one of the representatives must be a municipal officer or a designee elected by a majority vote of the municipal officers. This designee serves at the will of the municipal officers.

The other representative shall serve a term of two years and may be removed by the municipal officers for cause after notice and hearing. Mr. James Risner is this representative and was appointed by Town Council at its April 20, 2016 meeting.

Discussion: Mr. John Herold was the municipal officer representative. Mr. James Risner is the other representative and was appointed by Town Council at its April 20, 2016 meeting.

Recommendation: Town Council elects a municipal officer as a representative to NMDC and appoints Mr. Risner as the other representative for a term of two years.

Mr. Butler offered to serve as municipal officer representative.

Mr. Smith seconded.

Discussion None.

Vote Mrs. Libby: Aye  
Mr. Kilcollins: Aye  
Mr. Barnes: Aye  
Mr. Smith: Aye  
Mr. Butler abstained from this vote.

Mr. Butler nominated Mr. Risner to serve as the other representative for a term of two years.

Mr. Barnes seconded.

Discussion None.

Vote All affirmative

#### H. Storage of Public Works Grounds Maintenance Equipment

Background: Public Works stores its grounds maintenance equipment in the garage which is part of the bathhouse at Farm Park. With the sale of Farm Park, that storage is no longer available.

Discussion: The Town owns



- A. MRSA 405(6)(A)
- B. MRSA 405(6)(C)

Mr. Butler made a motion to enter into Executive Session.

Mr. Kilcollins seconded.

Vote All affirmative.

Council entered into Executive Session at 7:06p.m.

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

Mr. Barnes seconded.

Council came out of Executive Session at 7:29 pm.

Mr. Butler introduced Ordinance 18-08.

### XIII. Adjournment

Mr. Butler made a motion to adjourn.

Council adjourned at 7:30 p.m.

Respectfully submitted

Billie Jo Sharpe  
Council Secretary