# TENTATIVE AGENDA REGULAR TOWN COUNCIL MEETING COUNCIL CHAMBERS THURSDAY, AUGUST 11, 2016 4:30 P.M.

'This is a fragrance free building. Please help us to accommodate our co-workers and clients who are chemically sensitive to fragrances and other scented products. Thank you for not wearing perfume, aftershave, scented hand lotion, fragranced hair products, and or similar products.'

- 1. Call to Order
- 2. Roll Call.
- 3. Adjustments to the Agenda
- 4. Approval of Minutes of the Regular Town Council Meeting of July 28, 2016.
- 5. Special Presentation
  - a. John Dicentes- Crandall Park
  - b. John Raymond- Economic Development Packets
- 6. Town Manager's Report

#### **OLD BUSINESS**

#### **NEW BUSINESS**

- 7. ORDER #179-2016 Execution of the Warrant for August 04, 2016
- 8. ORDER #180-2016 Execution of the Warrant for August 11, 2016
- 9. ORDINANCE #1-2016 PUBLIC HEARING- 2<sup>ND</sup> Reading- Livestock Ordinance
- 10. ORDER #181-2016 Authorization to Expend Legal Fees
- 11. ORDER #182-2016 Approval of Millinocket Waste Water Treatment Plant Agreement
- 12. ORDER #183-2016 Approval of Elected Municipal Officials
- 13. Reports and Communications:
  - a. Warrant Committee for the August 11, 2016 Council Meeting will be Councilor Dumais and Councilor Madore
  - b. Chair's report back on appointed sub-committees
- 14. Adjournment

The Regular meeting of the Millinocket Town Council was brought to order by Chair Angotti in Council Chambers at 4:30 P.M.

Roll Call:

Town Council Members Present:

Angotti (Chair)

Dumais Sannicandro Madore Stratton

Pelletier

Also Present: Town Manager John Davis, Deputy Clerk Diana Campbell, Public Works Director Ralph Soucier, Wastewater Plant Operator Jim Charette, and 12 citizens.

Prav

Adjustments to the Agenda: NONE

Approval of the minutes of the July 14, 2016 regular meeting.

Motion – Stratton Second – Madore Vote 7-0

Special Presentations: Bill Patterson from Nature Conservancy

Councilors discussed the value of the new trails and shares appreciation for all the improvements of accessibility. Jimmy Busque, 32 Forest Ave., shares his worry that the land will become a National Park because the Nature Conservancy has a tight relationship with the Federal Government.

Town Manager's Report

- \*Regular Town Council Meeting schedule as follows: Thursday, August 11, 2016 and Thursday, August 25, 2016.
- \*No significant change on the payment status for the foreclosure properties.
- \*Council direction on how to handle left over Library funds.
- \*Smith Brook Interceptor project is going well with some ground minor ground water issues.
- \*Councilor views and ideas on Power Utility.

Councilor Madore suggests let the over funds for the library be put into a reserve account for their use, looks forward to the new bids for both foreclosed properties.

Councilor Pelletier questions amount of foreclosures pending.

Councilor Pray suggests the library and Manager discuss why there is a balance of funds leftover and should revisit what is budgeted.

Jimmy Busque, 32 Forest Ave., Power Utility is a good idea and should be looked into, questions in excess of library funds and suggests those funds should be appropriated towards this years budget for a reduction.

Councilor Pray states an agreement for a one (1) year contract is open for discussion pertaining to the library.

#### **Old Business**

Councilor Dumais suggests a discussion on the design lab needs to take place now.

\*Town Manager states information is underway.

Councilor Dumais questions why contracts are not being processed as urgent as stated earlier in the year, shares to much time has been wasted, need to be more productive and efficient.

Councilor Pray stated proposals were submitted on Jan. 28, 2016, then resubmitted on march 10, 2016, an agreement was on March 28, 2016 with Council action which passed in May of 2016, shares this project needs to move forward. Councilor Madore agrees with Councilor Dumais, shares no desire to waste anymore time, need to ratify agreement with Design Lab and honor our commitment to proceed forward with Economic development.

Councilor Sannicandro shares details and facts with inconsistencies with the agreement with Design Lab, states a reasonable timely follow up is necessary to move forward for a solid and secure agreement which will allow ample time for review.

Councilor Stratton notes questions needs to be answered, shares she will vote when those answers are available.

Councilor Pray suggests action takes place by next council meeting with a solid agreement.

Hafford, Design Lab Rep., offers to the Council an open door for questioning and share concerns.

Councilor Sannicandro states a final contract needs to be submitted for viewing and signing for a final agreement.

Councilor Madore appoints Councilor Dumais to be the Town's liaison for the agreement process with Design Lab.

Councilor Sannicandro seconds Councilor Madore.

Councilor Dumais accepts with the assistance of Councilor Madore.

#### **New Business**

ORDER #1-2016 PROVIDING FOR: Execution of the Warrant for July 21, 2016

IT IS ORDERED that the Warrant for July 21, 2016 in the amount of \$35,223.02 is hereby approved.

Motion - Stratton

Second -Madore

Vote 7-0

\*KARE Grants

ORDER #1-2016 PROVIDING FOR: Execution of the Warrant for July 28, 2016

IT IS ORDERED that the Warrant for July 28, 2016 in the amount of \$184,534.51 is hereby approved.

Motion -Stratton

Second -Madore

Vote 7-0

- \*Waste Water Abatements
- \*Androscoggin Bank
- \*Emera Maine

ORDINANCE #1-2016 PROVIDING FOR: An Amendment to Chapter 61 of the Code of the Town of Millinocket BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLINOCKET that Article II of Chapter 61 of the Millinocket Code is amended by repealing and replacing sections 61-12 and 61-13 and adding section 61-13-1 as follows:

61-12 Livestock and other animals prohibited.

No person shall keep chickens, ducks, turkeys, roosters, drakes, tom turkey, fowl of any kind, goats, cattle, sheep, horses, llama, alpaca, rabbit or livestock of any kind on any premises within the limits of the Town of Millinocket except as follows:

Livestock

Livestock, including but not limited to, a cow, horse, alpaca, llama, sheep or goat, are permitted in the Residential Zones (R1 and R2), Neighborhood Commercial Zone (NC); Highway Commercial Zone (HC), Downtown Commercial Zone (DC), Rural Development (RD); Commercial Forestland Zone (CF) and Shoreland Protection Zone (SP) as those zones are defined and located in the Zoning Ordinance of the Town of Millinocket from time to time.

Livestock, including but not limited to, a cow, horse, alpaca, llama, sheep or goat, are not permitted in the Industrial Zone (ID), Airport Development Zone (AD), Open Space/Recreation Zone (OR) or Wetland Protection Zone (WP) as those zones are defined and located in the Zoning Ordinance of the Town of Millinocket.

In those zones in which livestock are permitted, livestock can be kept, in accordance with the following provisions, on any lot which meets the lot area, frontage and width requirements for the zone in which the lot is located as defined in Part 2 of the Zoning Ordinance of the Town of Millinocket. The size of a lot is determined by its legal description on the face of the earth.

One livestock Animal Unit (AU) is allowed per acre of lot. A horse or cow is equal to 1.5 Animal Units. A sheep, goat, llama or alpaca equals 0.5 Animal Unit. Other livestock equal 1 Animal Unit.

Livestock must be kept back 25-feet from the high water mark of a water body. Manure cannot be stockpiled or stored within 100' of a Great Pond or tributary to a Great Pond or within 75' of other water bodies.

Each lot on which livestock is maintained shall have adequate fences or barriers that will prevent livestock from escaping the lot or entering or damaging a neighboring property or a waterbody or public property.

Livestock may not occupy the portion of a lot within ten feet of a property line, area from which livestock is prohibited within the lot, or within ten feet of public property.

Livestock and any accessory structures for livestock cannot be located in the front yard of a lot that is visible from a public way or an adjacent property. Livestock and accessory structures can be located in the rear yard of a lot. A permit is required from the Code Enforcement Officer, as defined in the Zoning Ordinance of the Town of Millinocket, in order to keep livestock. The permit fee for each class of animal is \$5 and remains valid for the duration

that livestock is maintained on the holder's property, as recorded in the town's records on the date the permit was issued. The Code Enforcement Officer shall develop an application form for completion by the applicant and from which compliance with this ordinance can be determined. The Dog Constable shall consult with the Code Enforcement Officer concerning issuance of the permit. A permit under this Ordinance is not authorization for accessory buildings for livestock each of which must be separately permitted under the Building Construction Code, Zoning Ordinance and/or any other town code which applies.

Livestock on a lot must not result in the making, creation or maintenance of excessive, unnecessary or unreasonably loud noise which disturbs, annoys, injures, prejudices or endangers the comfort, repose, health, peace or safety of individuals of ordinary sensibilities or the public in general or the property rights of others, and which noise affects and is a detriment to the public health, comfort, convenience, safety, welfare or prosperity of the residents of the Town. Livestock on a lot must not cause or produce unreasonable, offensive or harmful odors which are perceptible beyond the lot line of the lot on which the livestock is permitted. The composting of animal manure or waste is allowed on the lot on which the animals are permitted but must not cause or produce unreasonable, offensive or harmful odors which are perceptible beyond the lot line of the lot.

Animal manure or waste must be properly discarded or stored in a suitable covered container or in a fully enclosed structure with a roof that complies with any required setback from a property line. Except for compost, no more than three (3) cubic feet of manure can be stored on any lot.

In addition to the requirements of this Ordinance, the permit holder for livestock shall comply with the requirements in the "Manual of Best Management Practices for Maine Agriculture" published by Maine Dept. of Agriculture, issued in January 2007 and the requirements in the "Manure Utilization Guidelines" published by the Maine Dept. of Agriculture, issued Nov. 1, 2001 and as such publications may be updated or replaced with other publications from time to time.

- B. Other animals
- 1. Other animals are allowed at the following densities:
- a. A chicken (no roosters) or rabbit equals 0.066 AU and 1

AU per acre is allowed except that a minimum of six (6) chickens are allowed on each lot;

- b. A turkey (no toms) equals 0.2 AU and 1 AU per acre is allowed;
- c. A duck (no drakes) equals 0.1 AU and 1 AU per acre is allowed.

It shall be unlawful for any person to keep on their premises any animals without providing adequate fences or barriers that will prevent animals from escaping, damaging or disrupting any portion of a neighboring property or a waterbody or public property.

Animals on a lot must not result in the making, creation or maintenance of excessive, unnecessary or unreasonably loud noise which disturbs, annoys, injures, prejudices or endangers the comfort, repose, health, peace or safety of individuals of ordinary sensibilities or the public in general or the property rights of others, and which noise affects and is a detriment to the public health, comfort, convenience, safety, welfare or prosperity of the residents of the Town. Animals on a lot must not cause or produce unreasonable, offensive or harmful odors which are perceptible beyond the lot line of the lot on which the livestock is permitted. The composting of animal manure or waste is allowed on the lot on which the animals are permitted but must not cause or produce unreasonable, offensive or harmful odors which are perceptible beyond the lot line of the lot.

Animal manure or waste must be properly discarded or stored in a suitable covered container or in a fully enclosed structure with a roof that complies with any required setback from a property line. Except for compost, no more than three (3) cubic feet of manure can be stored on any lot.

A permit is required from the Code Enforcement Officer, as defined in the Zoning Ordinance of the Town of Millinocket, in order to keep animals. The permit fee for each class of animal is \$5 and remains valid for the duration that livestock is maintained on the holder's property, as recorded in the town's records on the date the permit was issued. The Code Enforcement Officer shall develop an application form for completion by the applicant and from which compliance with this ordinance can be determined. The Dog Constable shall consult with the Code Enforcement Officer concerning issuance of the permit. A permit under this Ordinance is not authorization for accessory buildings for animals each of which must be separately permitted under the Building Construction Code, Zoning Ordinance and/or any other town code which applies.

In addition to the requirements of this Ordinance, the permit holder for animals shall comply with the requirements in the "Manual of Best Management Practices for Maine Agriculture" published by Maine Dept. of Agriculture, issued in January 2007 and the requirements in the "Manure Utilization Guidelines" published by the Maine Dept. of Agriculture, issued Nov. 1, 2001 and as such publications may be updated or replaced with other publications from time to time. Other Provisions

Livestock regulations are necessary to allow residents of Millinocket to keep and maintain livestock for personal use and gain, with such use incidental or subordinate to other residential or non-commercial uses of a property. This Article does not allow commercial for profit animal farming operations.

The permit required by this Article is in addition to any permit required by any other Ordinance or regulation of the Town of Millinocket

#### 61-13 Penalties violations and enforcement.

Any person who shall violate a provision of this article shall be subject to a penalty of \$100.00 for each occurrence. Each day that a violation continues shall be deemed a separate occurrence with a maximum penalty as provided in Title 30-A MRSA Section 4452 as in effect from time to time or as replaced by another statute addressing the same subject matter.

Any person who violates this Code shall also be responsible for the costs and expenses, including attorneys fees, incurred by the Town in prosecuting and correcting violations of this Ordinance.

This article shall be enforced by the Dog Constable or Code Enforcement Officer and they shall retain the right to revoke livestock and other animal permits should conditions exist that do not conform to the aforementioned standards. 16-13-1 Severability.

Every section of this ordinance or subdivision or separate part thereof shall be considered a separate provision such that if any portion shall be declared invalid such invalidity shall not affect the remaining parts of this ordinance.

IT IS FURTHER ORDAINED that the Town Clerk make appropriate changes to incorporate this article into the Millinocket Code and distribute new pages to all persons known to have a copy of the Code.

First Reading:	July	28,	2016	
Second Readin	g:			_
Effective Date:				

Tony Filauro, head of the Town's Planning Board, shares some concerns with the lengthy verbiage added to the draft submitted by the board, suggests a revision for adjustments to the ordinance for specification, states the Planning Board only can give a direction for guidelines.

Susan D'alesandro, approves ordinance with some clarifications made.

Joseph Clark, 299 Katahdin Ave., shares his concerns with items in the ordinance, would like the fines/fees addressed at the time of adoption to reflect reasonable standings.

Councilor Pray compliments the Planning Board for their accomplishments.

ORDER #173-2016 **PROVIDING FOR:** Authorization for the Town Manager to sign the necessary paperwork to secure a loan from Bangor Savings Bank.

IT IS ORDERED that the Millinocket Town Council authorizes the Town Manager to sign the necessary paperwork to secure a loan in the amount of \$100,000 from Bangor Savings Bank to refurbish the Public Works Grader. The term of the loan will be for four years, at 1.9% interest, with annual principal and interest payments of \$26,198.30. The total amount of interest will be \$4,793.14.

**NOTE:** Three other quotes were submitted:

Bangor Savings three years - 1.7% Interest Annual Payments-\$34,472.43

Total Interest-\$3,417.31

Bangor Savings five years - 2.2% Int. Annual Payments - Approximately \$20,000

Total Interest - \$6,696

Bond Bank five years - 1.5% Interest Annual Payments - \$20,000

Total Interest - \$4,500

Motion – Sannicandro Second – Stratton

Vote 7-0

Councilor Sannicandro questions the decision to not go with Bond Bank.

\*Town Manager states a payment cannot be made early or in full, adds the loan would not be available until October.

ORDER #174-2016 **PROVIDING FOR:** Authorization to purchase a new generator for the Pines Pump House Station. **IT IS ORERED** that the Millinocket Town Council authorizes the expenditure of funds in the amount of \$20,110.00 to purchase a Cummins Onan C60D6 60Kw 1800 rpm Genset, 60Hz, 3 phase 277/480 volt generator for the Pines Pump House Station.

**NOTE:** Three other bids were received:

- 1. Milton Cat \$21,828.00
- 2. Milton Cat \$21,663.00
- 3. Cummins Northeast LLC \$18,895.00

Motion -Dumais Second - Madore

Vote 7-0

ORDER #175-2016 **PROVIDING FOR:** The acceptance of the revisions to the Tax Acquired Property Policy. **IT IS ORDERED** that the Millinocket Town Council accepts the July 8<sup>th</sup> 2016 revisions to the Town's Tax Acquired

Property Policy and incorporates them into the existing policy.

Motion -Pelletier

Second - Madore

Vote 6-1 Opposed-Stratton

ORDER # 176-2016 **PROVIDING FOR:** Authorization to accept the agreement between the Town of Millinocket and the Town of Medway to provide Tax Assessor and Code Enforcement services.

IT IS ORDERED that the Millinocket Town Council authorizes the acceptance of the agreement between the Town of Millinocket and the Town of Medway to provide Tax Assessor and Code Enforcement Services at a contracted cost of \$7,283.00 for Tax Assessing services and \$4,431.00 for Code Enforcement services. This agreement will be in effect from July 1, 2016, to June 30, 2017.

Motion – Pray

Second - Dumais

Vote 7-0

ORDER # 177-2016 **PROVIDING FOR:** Authorization to accept the agreement between the Town of Millinocket and the Town of East Millinocket for Code Enforcement Services.

IT IS ORDERED that the Millinocket Town Council authorizes the acceptance of the agreement between the Town of Millinocket and the Town of East Millinocket for Code Enforcement Services beginning July 1, 2016, and ending June 30, 2017, at a contracted cost of \$4,988.00.

Motion -- Madore

Second -Stratton

Vote 7-0

ORDER #178-2016 PROVIDING FOR: Transfer of funds to the Friends of the Library.

IT IS ORDERED that \$7,047.79 be transferred to the Friends of the Library from the following funds: Library Gifts and donations - \$6,046.52, and \$1,001.27 from the Eagle Scouts account.

**NOTE:** The Library Gifts and Donations account of \$6,046.52 includes a \$4,000 donation from the family of Patricia Gonya Skinner. It will be the responsibility of the Friends of the Library to make sure that this money is spent as outlined in the January 6, 2015 letter to the Millinocket Memorial Library from Mary Anne Skinner

Motion –Stratton

Second -Madore

Vote 7-0

#### Reports and Communications:

- a. Warrant Committee for the August 11, 2016 Council Meeting is Councilor Dumais and Councilor Madore
- b. Chair's Committees Reports:
- c. Adjournment: Motion to adjourn at 6:25 p.m. Pray Second Madore Vote 7-0

#### Manager's Report August 11, 2016

#### **Council Meeting Schedule-Council Chambers**

Thursday, Aug. 25, 2016

4:30 p.m.

**Regular Meeting** 

Thursday, Sept.8, 2016

4.30 p.m.

**Regular Meeting** 

#### **Maine Municipal Association Convention**

The 2016 MMA Convention will be held on October 5<sup>th</sup> and 6<sup>th</sup> at the Cross Insurance Center in Bangor. Attached is a copy of the general sessions and events.

#### **Tax Commitment**

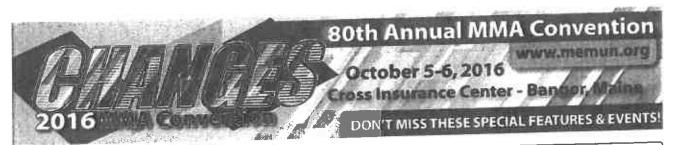
The Tax Assessor is planning to commit taxes at the next Regular Councilor Meeting on August 25<sup>th</sup>, 2016.

#### **Economic Development Assessment Team (EDAT)**

The Congressional Delegation received a letter from the Department of Commerce announcing that it has agreed to establish an integrated, multi-agency Economic Development Assessment Team to assist Maine's forest products industry in the wake of a number of mill closures. I spoke with Sarah Curran who is working with the Maine Development Foundation to help coordinate a federal agency visit to Maine. They will be in the area from August 17-19 and are trying to set up a meeting at the Career Center in East Millinocket. I have attached an Internet article for you that explains more about this subject.

#### **Smith Brook Interceptor Project**

After having a few problems last week, the project appears to be back on track. We will be having a contractors meeting on Tuesday, August 16<sup>th</sup>, at 2:00 p.m., to get a full update.



# The 2016 MMA Convention: 80th Anniversary Year General Sessions & Events (preliminary)

View Affiliate Programs | Download Agenda Packet (pdf)

# Wednesday, October 5, 2016

7:30 a.m. Registration Begins

7:30 - 10:30 a.m. Buffet Breakfast

9:00 - 10:15 a.m. WELCOME AND KEYNOTE SPEAKER

#### David Eaves - The 'Open' Revolution

Our special guest is David Eaves, a Research Fellow at Harvard University and government-access expert from Canada, whose premise is simple: Technology is changing everything. His invigorative and interactive presentation will challenge attendees to think about the challenges and opportunities presented by an instantly interactive world. David is an expert in public policy, strategy, open government, disruptive innovation, negotiation and collaboration - all wrapped up in one person. At home both in Washington, D.C. and Ottawa, David recently led the White House boot camp for Presidential Innovation fellows. He is a prolific writer, both in print and online, and expert in U.S. and Canadian governmental affairs.

Certification: Valid for 1.25 MTCMA credits in the following category: Leadership.

10:15 – 10:30 a.m. Break/Visit with Exhibitors

10:30 - 11:45 a.m. Concurrent Sessions

#### **Cutting Edge Energy Projects**

Years of collaborative local planning efforts were realized this year, with a variety of municipal energy generation projects going online throughout the state. Whether using the sun or gas produced by organic materials, members of this panel will explain how they are saving money, and creating new revenue streams, in sustainable and environmentally friendly ways.

Moderator: Garrett Corbin, Legislative Advocate, Maine Municipal Association

#### MMA Convention

- <u>Agenda</u>
- Register
- Keynote & Featured Speakers
- 2016 Sponsors
- **Exhibitor Information**
- Area Hotel Information

2016 MMA Convention -Sponsors

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Presenters: Sadie Lloyd, Assistant Planner, City of Belfast; Steven Buck, City Manager, City of Sanford; Thomas Hall, Town Manager, Town of Scarborough; Travis Peaslee, Assistant Superintendent, Lewiston-Auburn Water Pollution Control Authority (LAWPCA) Certification: This session is approved for 1.25 CMA/CAT re-certification credits through Maine Revenue Services. Valid for 1.25 MTCMA credits in the following categories: Leadership and Finance/Budget.

#### **Elder Scams**

Maybe it's because Maine has its share of senior citizens and maybe it's because they are a trusting lot, but scams that hurt senior citizens are the scourge of our great state. Here's an update on the problem and advice on what can be done to reduce it.

Presenter: Sheriff Bill King, York County Sheriff's Department

Certification: Valid for 1.25 MTCMA credits in the following categories: Leadership and Legal.

#### Medical Marijuana in the Workplace

Medical marijuana is legal in Maine and, in fact, small amounts of marijuana possession also are permitted in a few communities. What can municipal employers do when confronted with the fact that employees are using marijuana, legally?

Presenter: Stephen E.F. Langsdorf, Partner and Chair of the Municipal Law Group, Preti Flaherty, Augusta

Certification: Valid for 1.25 MTCMA credits in the following categories: Leadership, Legal, and Human Resources.

11:45 a.m. - Noon Break/Visit with Exhibitors

Noon - 1:30 p.m. Awards Luncheon

1:30 - 2:30 p.m. Concurrent Sessions

#### MMA Annual Business Meeting

Please join us as President Stephan Bunker, Vice President Laurie Smith and Executive Director Stephen Gove shed light on MMA's upcoming priorities and issues that arose in 2016, including the introduction of several new MMA programs and offerings. Certification: Valid for 1.00 MTCMA credit in the following category: Leadership.

# Trees Everywhere: What's the Future of Our Forests?

Paper mill closures and a tough market for biomass electricity make it easy to get discouraged about the vitality of Maine's woods-based industries, at least in the short-term. Four highly credentialed presenters who work in, or closely alongside, these industries will provide updates on emerging markets and innovations that offer what might be called "realistic optimism" as the forest-based industries explore new technologies and adapt. The municipal role in assisting in the inevitable adaptation process will be discussed. Moderator: Geoff Herman, Director, State & Federal Relations, MMA Presenters: Donna Cassese, Managing Director, Wood Resource Strategy, Sappi North America, Skowhegan; Peter Triandafillou, Vice President, Huber Resources, Old Town; Dr. Stephen Shaler, Director and Professor, School of Forest Resources, University of Maine; Michael Bilodeau, Director, Process Development Center, University of Maine. Certification: This session is approved for 1 CMA/CAT re-certification credit through Maine Revenue Services. Valid for 1.00 MTCMA credit in the following categories: Leadership and Finance/Budget.

#### Making Good Employee Leave Decisions

Municipal leaders as employers must make decisions about employee leave requests and, believe it or not, a bevy of federal and state laws come into play. Join our expert legal speakers as they provide tips on what to do, and what not to do, when employee leave

#### Gold Sponsors







#### Silver Sponsors

- Camden National Bank
- Darlings Auto Group
- FairPoint Communications
- First National Bank
- HP Fairfield
- Kofile Technologies
- Harris Local Government
- Hoyle, Tanner & Associates, Inc.
- TD Bank
- Woodard & Curran

#### Bronze Sponsors

- Central Maine Power
- General Code
- Business Management Systems, Inc.
- The Thomas Agency

#### **Treasure Chest** Prizes Sponsor

· Bernstein Shur

#### Attendee Bag Sponsor

Drummond Woodsum

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requests come along.

Panelists: Daniel J. Rose and Tom Trenholm, Attorneys, Drummond Woodsum Certification: Valid for 1.00 MTCMA credit in the following categories: Legal and Human Resources.

2:30 - 2:45 p.m. Break/Visit with Exhibitors

2:45 - 4:00 p.m. Concurrent Sessions

#### Setting MMA's 2017 Legislative Priorities

Municipal officials are invited to meet and interact with the 70 members of their 2017-18 Legislative Policy Committee. The goal of this meeting is to prioritize the municipal issues to be addressed during the upcoming two-year legislative session. Please come and see how responses to MMA's recent "Issues Survey," which was completed by more than 350 members, have influenced our legislative agenda and provide feedback as the LPC works to finalize municipal initiatives to be advance to the Maine Legislature, in 2017 and 2018. Chair: Laurie Smith, MMA Vice President and Manager, Town of Kennebunkport

Presenters: MMA State & Federal Relations Staff

Certification: Valid for 1.25 MTCMA credits in the following category: Leadership.

# Following the Money: How Retail Is Changing

What is the future of retail sales? Is it more big-box stores, revitalizing downtowns, online sales and call-center employers - or all of the above? Our expert speaker has worked closely with Maine communities, and municipalities throughout the U.S., as they assess retail trends and projects.

Presenter: Scott Emison, Director of Retail Strategy, The Retail Coach Certification: Valid for 1.25 MTCMA credits in the following categories: Leadership and Finance/Budget.

#### Making Your Comp Plan Meaningful

Communities large and small struggle with conceptualizing, organizing and getting "buy in" on comprehensive plans. Some even ask if they are worth doing in the first place. The truth is, the comprehensive plan process can be invaluable, if done right. Here are some best practices, lessons learned, and new ways of thinking to make planning your community's future a more practical and valuable endeavor.

Moderator: Nancy Smith, GrowSmart Maine

Panelists: Amanda Bunker, Land Use Planning Consultant, Community Planning Studio, Brunswick; Pat Hart, Councilor, City of Gardiner; Kurt Klebe, Falmouth Long Range Planning Advisory Committee Member; Emily Newell, Selectperson, Town of Unity; Judy East, Washington County Council of Governments.

Certification: Valid for 1.25 MTCMA credits in the following category: Leadership.

# 4:00 - 5:30 p.m. Member Appreciation Reception

Music by jazz guitarist Steve Lynnworth

# 5:00 - 6:30 p.m. Eaton Peabody Bus Tour of Bangor

In Cooperation with Cyr Bus Line

Eaton Peabody, a Maine-based law firm, and Cyr Bus Line of Old Town will sponsor and host a bus tour showing highlights in and around the City of Bangor, A limited number of seats on two buses are available on a first-reserved, first-served basis. To reserve your seat, and to enjoy this fun experience, please contact MMA via email now at: Convention@memun.org.

# Thursday, October 6, 2016

7:30 a.m. Registration Begins

7:30 - 9:00 a.m. Continental Breakfast

9:00 - 10:15 a.m. FEATURED SPEAKER

# Dr. James H. Page, Chancellor - The Future of the University of Maine System

The single most important component to the future of Maine – its economy, vibrancy and retention of young people – may rest with the public University of Maine System. Plus, we all know how important our public university campuses are in Maine Communities from Presque Isle and Machias to Orono, Gorham and Portland.

Please listen to Dr. Page as he explains his vision for the University System, how it can grow and prosper and where municipal leaders, like you, fit in. Born and raised in Caribou, and educated at the University of Maine in Fort Kent, Dr. Page is the first University of Maine Chancellor, ever, to be born in Maine or to have been educated at one of its public university campuses.

Certification: Valid for 1.25 MTCMA credits in the following category: Leadership.

10:15 - 10:30 a.m. Break/Visit with Exhibitors

10:30 - 11:45 a.m. Concurrent Sessions

#### Lewiston-Auburn Merger: What Lies Ahead?

One of the most ambitious and highest-profile municipal issues involves the cities of Lewiston and Auburn, which are discussing a full-fledged merger. Come hear a leader from the L-A region talk about the region's past, present and possible outcomes of the merger project.

Presenters: Chip Morrison, Business Development Officer, Androscoggin Bank (former Androscoggin County Chamber of Commerce Executive Director; former municipal manager and MMA President).

Certification: Valid for 1.25 MTCMA credits in the following categories: Leadership, Legal, and Finance/Budget.

#### Making Healthy Downtowns a Reality

Downtown development is very important, but the ultimate goal is developing a downtown area that encourages good health. Please join Breanna and Sadie as they provide details about their town's successes and future challenges in creating a vibrant downtown that's welcoming to pedestrians and bicyclists.

Presenters: Breanna Pinkham Bebb, Executive Director, Our Town Belfast; Sadie Lloyd, Assistant City Planner, City of Belfast.

Certification: Valid for 1.25 MTCMA credits in the following categories: Leadership and Finance/Budget.

Addressing, Acquiring Properties with Unpaid Taxes

MIGHIN INTERNATIONS . .....

The experts say the economy has improved, but cities and towns still deal with whether to acquire properties with unpaid taxes – and how to force property owners, banks and lenders to maintain the properties they control. This workshop addresses legal and strategic considerations in the foreclosure process.

Presenters: Wendy Paradis and Phil Saucier, Attorneys, Bernstein Shur Certification: This session is approved for 1.25 CMA/CAT re-certification credits through Maine Revenue Services. Valid for 1.25 MTCMA credits in the following categories: Leadership, Legal, and Finance/Budget. Valid for 5 points towards certification as tax collector or treasurer. Overall attendance at the MMA Convention is valid for 1 additional point for MMTCTA Certification.

11:45 a.m. – 12:50 p.m. Networking Luncheon

12:50 – 1:00 p.m. Break and Move!
Please make your way to the Exhibit Hall.

1:00 - 2:00 p.m. FEATURED SPEAKER

#### Michael Clumpner – An Active Shooter in Your Community

Our convention takes a deliberate step toward the very serious as Michael Clumpner, an internationally recognized expert and speaker, talks about community leadership – and more – if there ever is an active shooter in your city or town. He will address how community leaders should plan for, staff and fund their emergency response priorities.

Dr. Clumpner, President and CEO of Threat Suppression Inc. in North Carolina, has a supplifications almost too lengthy to list; a 24-year veteran of the fire service; adjunct college

qualifications almost too lengthy to list: a 24-year veteran of the fire service; adjunct college professor; flight paramedic; seven years in law enforcement special operations; co-chair of the North Carolina Active Shooter/Active Assailant Work Group; instructor with the U.S. Department of Homeland Security and Department of Justice.

Join Dr. Clumpner for this "can't miss" address.

Certification: Valid for 1.00 MTCMA credit in the following categories: Leadership and Legal.

2:00 - 2:15 p.m. Break time with Exhibitors

2:15 - 3:15 p.m. Concurrent Sessions

#### **Active Shooter: Tactical Instruction**

Primarily aimed at police officers and fire-rescue personnel, Michael Clumpner of Threat Suppression Inc. – a nationally recognized expert on dealing with active shooters – begins a two-hour, 30-minute session that explores the most effective tactics of dealing with a major emergency.

Presenter: Michael Clumpner, Threat Suppression Inc.

Certification: Valid for 1.00 MTCMA credit in the following categories: Leadership and Legal.

#### Municipal Impact of New Overtime Rules

New rules from the U.S. Labor Department, which take effect on Dec. 1, will grant overtime pay to many non-salaried employees who previously were not entitled to OT. The change affects 4.2 million Americans, 16,000 Maine workers — and many municipal employees. What does the new rule say? And, how will it affect municipal staffs and budgets? *Moderator:* David Barrett, Director, Personnel Services & Labor Relations, MMA

Presenter: Sarah Newell, Attorney, Eaton Peabody, Bangor

Certification: Valid for 1.00 MTCMA credit in the following categories: Leadership, Legal, and

Finance/Budget.

#### Street Lights and Your Community

The issue of who owns street lights and utility poles has important ramifications for many municipalities, and the amount of money at stake can be surprising. This panel of local leaders offers insight and education into the issue and future trends.

Presenters: Nathan Poore, Manager, Town of Falmouth; Larry Pritchett, Councilor, City of Rockland; Tex Haeuser, Community Development Director, City of South Portland Certification: Valid for 1.00 MTCMA credit in the following categories: Leadership and Finance/Budget.

3:15 - 3:45 p.m. Dessert and Grand Prize Drawing: Exhibit Area

3:45 - 4:45 p.m. Concurrent Sessions

#### Active Shooter: Tactical Instruction (continued)

Primarily aimed at police officers and fire-rescue personnel, Michael Clumpner of Threat Suppression Inc. – a nationally recognized expert on dealing with active shooters – continues a two-hour, 30-minute session that explores the most effective tactics of dealing with a major emergency.

Presenter: Michael Clumpner, Threat Suppression Inc.

Certification: Valid for 1.00 MTCMA credit in the following categories: Leadership and Legal.

#### Right to Know

Attorneys from MMA's Legal Services Department offer Right to Know training that is required for both elected officials and municipally appointed Public Access Officers.

\*Presenters:\* Richard Flewelling, Assistant Director, Legal Services, MMA; Amanda Meader, Staff Attorney, Legal Services, MMA

Certification: Valid for 1.00 MTCMA credit in the following category: Legal. Valid for 5 points toward certification as tax collector or treasurer. Overall attendance at the MMA Convention is valid for 1 additional point for MMTCTA Certification.

#### Demonstrating the 2016 Municipal Salary Survey

This meeting will officially unveil MMA's 2016 Salary Survey, an interactive tool that we hope members will use – and that we will build on – for years to come. Please join us in a live demonstration on how our interactive survey can help your municipality compare wages and benefits with other Maine communities.

Presenters: Holly Maki, Project Manager with Dynamic Benchmarking; Eric Conrad, Director, Communication & Educational Services, MMA; Carol Weigelt, Web Publishing Technician, MMA; Ben Thomas, Website & Social Media Editor, MMA

Certification: Valid for 1.00 MTCMA credit in the following categories: Leadership and Finance/Budget.

4:45 p.m. Adjourn

# Affiliate Association Programs

#### Maine Association of Assessing Officers (MAAO)

Co-Sponsored by Maine Chapter of IAAO

Wednesday, October 5

#### 1:30 - 4:00 p.m. Using Aerial Photography for GIS

The Maine Association of Assessing Officers will give an update on their association, what they do and who they serve. During the second half of this session, GIS professionals will discuss aerial photography and how it ties into GIS design and implementation.

Presenters: Kerry Leichtman, Assessor, Town of Rockport and President, Maine Chapter of IAAO; Bill Healey, Assessor, City of Lewiston and Vice President, MAAO; Judy Mathiau, Assessor, Town of Winslow; Aaron Weston, Business Development Manager, CAI Technologies

Certification: This session is approved for 2.5 CMA/CAT re-certification credits through Maine Revenue Services

#### Maine Animal Control Association (MACA)

Co-Sponsored by Maine Town & City Clerks' Association

Wednesday, October 5

#### 10:30 - 11:45 a.m. Dog Licensing from A-Z

The Town of Oakland will demonstrate its model process for dog licensing, which, the town promises, will guarantee results. As Oakland says: "Licensing your dogs is the 'leash' you can do."

Presenters: Janice Porter, Clerk, Town of Oakland; Kathleen Paradis, Deputy Clerk, Town of Oakland; Pat Faucher, Animal Control Officer, Town of Oakland and President, Maine Animal Control Association

Certification: Attendance at the MMA Convention is valid for 2 optional points for MTCCA Certification.

#### Maine Association of Local Emergency Managers (MALEM)

Thursday, October 6

#### 9:00 - 11:45 a.m. It's a Disaster: Open the EOC!

A presentation and demonstration on setting up, staffing and managing a municipal Emergency Operations Center (EOC). All disasters begin locally and municipal elected and appointed officials are responsible for managing the emergency response. A municipal EOC involves more than the Emergency Management Director. Municipal elected officials, managers, clerks, treasurers, public safety chiefs, ACOs, health officers, CEOs and other municipal officers are all vital members of the effort.

Presenter: Dale Rowley, Director, Waldo County EMA and Vice President, Maine Association of Local Emergency Managers

#### Maine Chapter of American Public Works Association (MCAPWA)

Thursday, October 6

9:00 - 11:30 a.m. MCAPWA Annual Meeting & Sessions

11:30 a.m. - 1:15 p.m. MCAPWA Luncheon (pre-registration required)

#### Maine Fire Chiefs' Association (MFCA)

Wednesday, October 5

9:00 a.m. - 1:00 p.m. Annual Meeting and Maine Fire Chief of the Year Award and

Luncheon - (pre-registration required)

Thursday, October 6

9:00 a.m. - 11:45 a.m. Violence Against Firefighters

District Attorney Chris Almy will address the recently passed legislation that increases the

penalty for violence against firefighters. This session will focus on what the law means, what constitutes assault, when it should be reported and who it should be reported to. Presenter: Chris Almy, Penobscot County District Attorney

Maine Local Government Human Resources Association (MLGHRA)

Wednesday, October 5 10:30 - 11:45 a.m. Session TBD 1:30 - 2:30 p.m. MLGHRA Annual Meeting

Maine Municipal Tax Collectors' and Treasurers' Association (MMTCTA)

Thursday, October 6

2:15 - 3:15 p.m. How to Read Your Municipal Audit

A look at audit reports, what to realistically expect from them and what the figures mean for your town's future.

Presenter: Craig Costello, CPA, CGMA, Brantner, Thibodeau & Associates, Bangor Certification: Valid for 5 points toward certification as tax collector or treasurer. Overall attendance at the MMA Convention is valid for 1 additional point for MMTCTA Certification.

# Maine Resource Recovery Association (MRRA)

Wednesday, October 5

10:30 – 11:45 a.m. Effective Community Engagement and How Recycling Can Affect Your Town's Bottom Line

Join Maine Resource Recovery Association for a discussion on how to use new tools in education and outreach to engage your community, increase recycling rates and lower solid waste disposal costs.

Presenters: Shelby Wright, Director of Communications and Development, MRRA; Victor Horton, Executive Director, MRRA.

# Maine Town, City & County Management Association (MTCMA)

Thursday, October 6

10:30 - 11:45 a.m. ADA Requirements for Local Government and Public Projects The Americans with Disabilities Act has been in effect for over 25 years, yet many people are still confused about what the law requires. This session will explore the many ADA issues faced by towns and cities with particular focus on cross walks, curb cuts and other pedestrian facilities.

Presenters: Stacy Hart, ADA Trainer, Information and Outreach Specialist, New England ADA Center; Steve Landry, Traffic Engineer, MaineDOT

Certification: Valid for 1.5 MTCMA credits in the following categories: Leadership and Legal

# Maine Town & City Clerks' Association (MTCCA)

Wednesday, October 5

1:30 – 4:00 p.m. State Agency Updates

Law & Policy Changes, Department Updates, Tips, Do's & Don'ts, Questions & Answers. 1:30-2:00 p.m. Division of Elections, Deputy Secretary of State Julie Flynn; 2:00-2:30 p.m. Inland Fisheries & Wildlife, Moses Training & Support, Management Analyst Chet Chessman; 2:30-3:00 p.m. Data, Research & Vital Statistics/Vital Records, TBD; 3:00-3:30 p.m. Division of Notary, Deputy Secretary of State Julie Flynn; 3:30-4:00 p.m. Animal Welfare Program, Director Liam Hughes

Certification: Attendance at the MMA Convention is valid for 2 optional points for MTCCA Certification.

# Maine Water Environment Association (MEWEA)

Wednesday, October 5

#### 10:30 – 11:45 a.m. What Do Our Clean Water Utilities Really Do?

Sanitary sewer collection and separate storm sewer systems are a complex underground utility infrastructure that requires advanced management to protect public health and safety and the environment. This infrastructure is challenged by climate, political organization, age and funding. This presentation will cover the basics of underground "clean water" utilities, why they are important and how municipal managers can engage the public on the importance of these utilities.

Presenters: Matt Timberlake, President, Ted Berry Company and First Vice President, Maine Water Environment Association; Barry Sheff, Senior Project Manager, Woodard & Curran; Scott Firm in, Director of Wastewater Services, Portland Water District and President, Maine Water Environment Association

Commerce recommended

# COMMERCE DEPARTMENT TO ESTABLISH ECONOMIC DEVELOPMENT TEAM TO STRENGTHEN MAINE'S FOREST ECONOMY AND ASSIST RURAL COMMUNITIES IMPACTED BY MILL CLOSURES

June 30, 2016 | Press Release

**WASHINGTON**, **D.C** – U.S. Senators Angus King and Susan Collins and Representatives Bruce Poliquin and Chellie Pingree received letters today from the U.S. Department of Commerce announcing that it has agreed to establish an integrated, multi-agency Economic Development Assessment Team, known as an EDAT, to assist Maine's forest products industry in the wake of several mill closures. The goal of the EDAT will be to leverage the power of multiple federal government agencies and harness stakeholder input to create economic development strategies that help pave the way for job growth in rural Maine communities in the years to come.

Maine's Congressional delegation was informed of the decision in identical individual letters today from Commerce Secretary Penny Pritzker. Senators King and Collins originally requested the formation of the EDAT in a March 2016 (http://www.king.senate.gov/newsroom/press-releases/collins-king-call-on-commerce-department-to-spearhead-economic-development-efforts-in-rural-maine) letter to Secretary Pritzker.

"This announcement is welcome news for Maine," **the Maine Congressional Delegation said in a joint statement**. "Our forest products industry is a central part of the state's heritage and a vital pillar of the state's economy, and an Economic Development Assessment Team will assist local public and private stakeholders in coordinating strategies so the industry can continue to be a source of good-paying jobs for Mainers for generations to come."

Опринетов поравином но -

In the letter, Secretary Pritzker announced that Commerce Department intends to deploy an EDAT on the ground in northern Maine for three days in July – the exact dates are to be determined – to "participate in a comprehensive set of stakeholder meetings to evaluate new and existing economic strategies for addressing the state!s forest-based economic challenges."

"At the conclusion of the EDAT process, regional and local stakeholders will have a bottomup strategy, developed with input from their Federal partners, designed to foster robust economic growth and recovery," Secretary Pritzker wrote in her letters. "EDATs are not designed to be a silver bullet, but EDA and its Federal partners are committed to working closely with you and the Maine stakeholders to come to help struggling communities statewide work toward building a robust and enduring economy."

Secretary Pritzker also wrote that the EDAT will be modeled off the National Disaster Framework and will be similar to those that the Economic Development Administration has used to address more than 30 prior major incidents and other economic development crises, such as the New England fisheries challenges, Deepwater Horizon oil spill, Joplin's EF-5 tornado, and Colorado wildfires and flooding.

The EDAT will leverage resources from multiple federal agencies including the Economic Development Administration, the Department of Agriculture, the Department of Labor, the Department of Energy, the Environmental Protection Agency, the Department of the Treasury, the Small Business Administration, and the Northern Border Regional Commission.

The following text was sent in individual, identical letters to Senators King and Collins and Representatives Poliquin and Pingree today:

+++

June 29, 2016

Following up from my previous letter on March 28, 2016, I am writing today to outline the Department of Commerce's response to the economic challenges occurring in Maine's forest-based economy. As I mentioned before, I have tasked the Economic Development Administration (EDA) with leading our response. Since March, EDA has taken steps to

coordinate and prepare a multi-agency response to the region's economic challenges. EDA has worked diligently with your offices and regional stakeholders to encourage a community-led process capable of driving economic growth throughout Maine.

At the invitation of representatives from your state, we are excited to announce that an Economic Development Assessment Team (EDA T) will deploy to northern Maine next month and participate in a comprehensive set of stakeholder meetings to evaluate new and existing economic strategies for addressing the state's forest-based economic challenges. Over the course of three days, regional leaders, alongside the Federal partners, will have the opportunity to engage in an intensive set of economic development sessions, tours, and briefings in an effort to identify pathways of economic diversification and related Federal resources available to help develop those pathways. In particular, this process will also examine how local, state, and Federal partners can work together on new and existing research to foster future innovation and commercialization in the forest economy.

Modeled after the National Disaster Recovery Framework, this EDAT deployment will be similar to those EDA has used to address more than 30 prior major incidents and other economic development crises, including the New England fisheries challenges, Deepwater Horizon oil spill, Joplin's EF-5 tornado, and Colorado wildfires and flooding.

The Department and EDA believe that success in addressing this issue will depend upon a coordinated multi-agency effort and the dedication of significant public and private financial resources over an extended period of time. Furthermore, effectively addressing this issue will require the strong commitment and engagement of local, regional, and state leaders in Maine.

To that point, in addition to EDA, regional community representatives will meet with EDAT members from across the Federal Government, including the Department of Agriculture, the Department of Labor, the Department of Energy, the Environmental Protection Agency, the Department of the Treasury, the Small Business Administration, and the Northern Border Regional Commission, along with invited economic development experts.

At the conclusion of the EDAT process, regional and local stakeholders will have a bottomup strategy, developed with input from their Federal partners, designed to foster robust economic growth and recovery. EDATs are not designed to be a silver bullet, but EDA and its Federal partners are committed to working closely with you and the Maine stakeholders in the years to come to help struggling communities statewide work toward building a robust and enduring economy.

Sincerely, Penny Pritzker

PROVIDING FOR: Execution of the Warrant for August 04, 2016
IT IS ORDERED that the Warrant for August 04, 2016 in the amount of \$ is hereby approved.
Passed by the Town Council
Attest:

PROVIDING FOR: Execution of the Warrant for August 11, 2016
IT IS ORDERED that the Warrant for August 11, 2016 in the amount of \$ is hereby approved.
Passed by the Town Council
Attest:

#### **ORDINANCE #** 1-2016:

PROVIDING FOR: An Amendment to Chapter 61 of the Code of the Town of Millinocket

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLINOCKET that Article II of Chapter 61 of the Millinocket Code is amended by repealing and replacing sections 61-12 and 61-13 and adding section 61-13-1 as follows:

#### 61-12 Livestock and other animals prohibited.

No person shall keep chickens, ducks, turkeys, roosters, drakes, tom turkey, fowl of any kind, goats, cattle, sheep, horses, llama, alpaca, rabbit or livestock of any kind on any premises within the limits of the Town of Millinocket except as follows:

#### A. Livestock

- 1. Livestock, which means a cow, horse, alpaca, llama, sheep or goat, are permitted in the Residential Zones (R1 and R2), Neighborhood Commercial Zone (NC); Highway Commercial Zone (HC), Downtown Commercial Zone (DC), Rural Development (RD); Commercial Forestland Zone (CF) and Shoreland Protection Zone (SP) as those zones are defined and located in the Zoning Ordinance of the Town of Millinocket from time to time.
- 2. Livestock are not permitted in the Industrial Zone (ID), Airport Development Zone (AD), Open Space/Recreation Zone (OR) or Wetland Protection Zone (WP) as those zones are defined and located in the Zoning Ordinance of the Town of Millinocket.
- 3. In those zones in which livestock are permitted, livestock can be kept, in accordance with the following provisions, on any lot which meets the lot area, frontage and width requirements for the zone in which the lot is located as defined in Part 2 of the Zoning Ordinance of the Town of Millinocket. The size of a lot is determined by its legal description on the face of the earth.
- 4. One livestock Animal Unit (AU) is allowed per acre of lot. A horse or cow is equal to 1.5 Animal Units. A sheep, goat, llama or alpaca equals 0.5 Animal Unit.

- 5. Livestock must be kept back 25-feet from the high water mark of a water body. Manure cannot be stockpiled or stored within 100' of a Great Pond or tributary to a Great Pond or within 75' of other water bodies.
- 6. Each lot on which livestock is maintained shall have adequate fences or barriers that will prevent livestock from escaping the lot or entering or damaging a neighboring property or a waterbody or public property.
- 7. Livestock may not occupy the portion of a lot within ten feet of a property line, area from which livestock is prohibited within the lot, or within ten feet of public property.
- 8. Livestock and any accessory structures for livestock cannot be located in the front yard of a lot that is visible from a public way or an adjacent property. Livestock and accessory structures can be located in the rear yard of a lot.
- 9. A permit is required from the Code Enforcement Officer, as defined in the Zoning Ordinance of the Town of Millinocket, in order to keep livestock. The permit fee for each class of animal is \$5 and remains valid for the duration that livestock is maintained on the holder's property, as recorded in the town's records on the date the permit was issued. The Code Enforcement Officer shall develop an application form for completion by the applicant and from which compliance with this ordinance can be determined. The Code Enforcement Officer shall consult with the Dog Constable concerning issuance of the permit. A permit under this Ordinance is not authorization for accessory buildings for livestock each of which must be separately permitted under the Building Construction Code, Zoning Ordinance and/or any other town code which applies.
- 10. Livestock on a lot must not result in the making, creation or maintenance of excessive, unnecessary or unreasonably loud noise which disturbs, annoys, injures, prejudices or endangers the comfort, repose, health, peace or safety of individuals of ordinary sensibilities or the public in general or the property rights of

others, and which noise affects and is a detriment to the public health, comfort, convenience, safety, welfare or prosperity of the residents of the Town.

- 11. Livestock on a lot must not cause or produce unreasonable, offensive or harmful odors which are perceptible beyond the lot line of the lot on which the livestock is permitted. The composting of animal manure or waste is allowed on the lot on which the animals are permitted but must not cause or produce unreasonable, offensive or harmful odors which are perceptible beyond the lot line of the lot.
- 12. Animal manure or waste must be properly discarded or stored in a suitable covered container or in a fully enclosed structure with a roof that complies with any required setback from a property line. Except for compost, no more than three (3) cubic feet of manure can be stored on any lot.
- 13. In addition to the requirements of this Ordinance, the permit holder for livestock shall comply with the requirements in the "Manual of Best Management Practices for Maine Agriculture" published by Maine Dept. of Agriculture, issued in January 2007 and the requirements in the "Manure Utilization Guidelines" published by the Maine Dept. of Agriculture, issued Nov. 1, 2001 and as such publications may be updated or replaced with other publications from time to time.

#### B. Other animals

- 1. Other animals, which means chickens, rabbits, turkeys and ducks but not roosters, tom turkeys or drakes) are allowed at the following densities:
  - a. A chicken or rabbit equals 0.066 AU and 1 AU per acre is allowed except that a minimum of six (6) chickens are allowed on each lot;
  - b. A turkey equals 0.2 AU and 1 AU per acre is allowed;
  - c. A duck equals 0.1 AU and 1 AU per acre is allowed.

- 2. It shall be unlawful for any person to keep on their premises any animals without providing adequate fences or barriers that will prevent animals from escaping, damaging or disrupting any portion of a neighboring property or a waterbody or public property.
- 3. Animals on a lot must not result in the making, creation or maintenance of excessive, unnecessary or unreasonably loud noise which disturbs, annoys, injures, prejudices or endangers the comfort, repose, health, peace or safety of individuals of ordinary sensibilities or the public in general or the property rights of others, and which noise affects and is a detriment to the public health, comfort, convenience, safety, welfare or prosperity of the residents of the Town.
- 4. Animals on a lot must not cause or produce unreasonable, offensive or harmful odors which are perceptible beyond the lot line of the lot on which the livestock is permitted. The composting of animal manure or waste is allowed on the lot on which the animals are permitted but must not cause or produce unreasonable, offensive or harmful odors which are perceptible beyond the lot line of the lot.
- 5. Animal manure or waste must be properly discarded or stored in a suitable covered container or in a fully enclosed structure with a roof that complies with any required setback from a property line. Except for compost, no more than three (3) cubic feet of manure can be stored on any lot.
- 6. A permit is required from the Code Enforcement Officer, as defined in the Zoning Ordinance of the Town of Millinocket, in order to keep animals. The permit fee for each class of animal is \$5 and remains valid for the duration that livestock is maintained on the holder's property, as recorded in the town's records on the date the permit was issued. The Code Enforcement Officer shall develop an application form for completion by the applicant and from which compliance with this ordinance can be determined. The Code Enforcement Officer shall consult with the Dog Constable concerning issuance of the permit. A permit under this Ordinance is not authorization for accessory buildings for animals each of

which must be separately permitted under the Building Construction Code, Zoning Ordinance and/or any other town code which applies.

7. In addition to the requirements of this Ordinance, the permit holder for animals shall comply with the requirements in the "Manual of Best Management Practices for Maine Agriculture" published by Maine Dept. of Agriculture, issued in January 2007 and the requirements in the "Manure Utilization Guidelines" published by the Maine Dept. of Agriculture, issued Nov. 1, 2001 and as such publications may be updated or replaced with other publications from time to time.

#### C. Other Provisions

- Livestock regulations are necessary to allow residents of Millinocket to keep and maintain livestock for personal use and gain, with such use incidental or subordinate to other residential or non-commercial uses of a property. This Article does not allow commercial for profit animal farming operations.
- 2. The permit required by this Article is in addition to any permit required by any other Ordinance or regulation of the Town of Millinocket.
- 3. This Article does not apply to commercial for profit animal farming operations which are an allowed use in the zone, as defined in the Zoning Ordinance of the Town of Millinocket from time to time, in which the operation is located.

#### 61-13 Penalties violations and enforcement.

Any person who shall violate a provision of this article shall be subject to a penalty of \$100.00 for each occurrence. Each day that a violation continues shall be deemed a separate occurrence with a maximum penalty as provided in Title 30-A MRSA Section 4452 as in effect from time to time or as replaced by another statute addressing the same subject matter.

Any person who violates this Code shall also be responsible for the costs and expenses, including attorneys fees, incurred by the Town in prosecuting and correcting violations of this Ordinance.

This article shall be enforced by the Code Enforcement Officer who is authorized to revoke livestock and other animal permits should conditions exist that do not conform to the aforementioned standards.

#### 16-13-1 Severability.

Every section of this ordinance or subdivision or separate part thereof shall be considered a separate provision such that if any portion shall be declared invalid such invalidity shall not affect the remaining parts of this ordinance.

**IT IS FURTHER ORDAINED** that the Town Clerk make appropriate changes to incorporate this article into the Millinocket Code and distribute new pages to all persons known to have a copy of the Code.

First Reading:	07/28/2016
Second Reading:	
Effective Date:	

#### Manager

From:

Dean Beaupain <DBeaupain@gwi.net>

Sent:

Tuesday, August 09, 2016 9:49 AM

To:

Charles Pray (cppray@hotmail.com); Dick Angotti; Gilda Stratton; Jesse Dumais

(jessedumaismillinocket@gmail.com); Louis Pelletier (Cluelou70@yahoo.com); Madore,

Michael (mmadore@millinocketschools.org); Paul Sannicandro

(Sannicandro.Paul@gmail.com)

Cc:

Harold Davis (manager@millinocket.org); assessor@millinocket.org;

chiefkenyon@millinocket.org

Subject:

Livestock Ordinance

**Attachments:** 

00043083.docx; 00043081.pdf

Attached is a revised ordinance for your review and approval.

I have made the following changes:

1-the changes Chief Kenyon requested in his memo(00043081);

2-The definition of 'livestock' has been limited to cows, horses, alpacas, Ilamas, sheep or goats. No other livestock is allowed;

3-The definition of 'other animals' has been limited to chickens, rabbits, turkeys and ducks but no roosters, tom turkeys or drakes or other animals;

4-I added Section 61-12.C.3 which recognizes that the Kelley Farm has operated as a commercial facility with horses and cows since some time in the 1940s. The current use is an allowed use in that zone under the Zoning Ordinance but it does not have a permit because it was in existence when the Zoning Ordinance was adopted and it was in existence when Chapter 61 was adopted.

I agree that the noise and odor provisions are hard to nail down definitively unless you want to set a decibel level (and buy a decibel meter to measure the sound) and let a level for detectable substances in the air related to odor (and buy a device to measure the level).

Violation of those provisions can be established by testimony from the abutting landowners and/or the Code Enforcement Officer as to the unreasonable nature of the noise or odor.

Please let me know if you have questions or if there are other issues which need to be addressed.

#### Dean A. Beaupain, Esq.

Beaupain & Harman

Penobscot River Valley Title Services, LLC

Email: dbeaupain@gwi.net

#### Millinocket office:

780 Central Street – P.O. Box 480 Millinocket, ME 04462-0480 207-723-9793 ext. 1 Direct Line: 207-447-4052 207-723-6447 (fax)

Bangor office:

# Memo

To: John Davis, Town Manager

From: Chief Steven Kenyon

**CC: Michael Noble (Code Enforcement Officer)** 

Date: July 29th, 2016

Re: Ordinance #1-2016 Amendment to Chapter 61-12 &13

After review of the first reading of this change in current code I would like to request the following changes:

- 61-12 section A. Livestock, item #9. Change wording from "The Dog Constable (ACO) shall consult with the Code Enforcement Officer concerning issuance of the permit" to The Code Enforcement Officer shall consult the Dog Constable concerning issuance of the permit." This directs the Code Enforcement officer to initiate the contact and confer with the ACO, which is what I believe was meant by the initial reading.
- 2. 61-12 section B. Other animals, item #6.- Change to read as described in section A item #9.
- 61-13 Penalties violations and enforcement. Remove reference to the Dog Constable as being involved in the enforcement. The Code Enforcement of this section should be done by the Code Enforcement Officer, Mike Noble.

I have discussed this with Mike and we have agreed to keep the enforcement part within his department. I advised him that the police and ACO will help when he is not available by verifying the complaint and giving him a copy of the incident report in reference to such complaint. At no time will the police or the ACO attempt to correct violations of the code. Enforcing the code will remain within the entity of the Code Enforcement department.

**PROVIDING FOR:** Authorization to expend \$1,800.00 for legal fees from the Bangor Savings Bank loan of \$100,000.00 to refurbish the Public Works Grader.

IT IS ORDERED that the Millinocket Town Council authorize the expenditure of \$1,800.00 from the Bangor Savings Bank loan of \$100,000 to refurbish the Public Works Grader that was approved at the July 28<sup>th</sup>, Regular Council meeting by Order #173 - 2016, to finance the legal fees to prepare the paperwork for the loan.

	PASSED BY THE COUNC	L:
ATTEST:		

**PROVIDING FOR:** Authorization for the Town Manager to sign the necessary paperwork to secure a loan from Bangor Savings Bank.

IT IS ORDERED that the Millinocket Town Council authorizes the Town Manager to sign the necessary paperwork to secure a loan in the amount of \$100,000 from Bangor Savings Bank to refurbish the Public Works Grader. The term of the loan will be for four years, at 1.9% interest, with annual principal and interest payments of \$26,198.30. The total amount of interest will be \$4,793.14.

**NOTE:** Three other quotes were submitted: Bangor Savings three years – 1.7% Interest Annual Payments-\$34,472.43 Total Interest-\$3,417.31

Bangor Savings five years – 2.2% Int. Annual Payments – Approximately \$20,000 Total Interest - \$6,696

Bond Bank five years – 1.5% Interest Annual Payments - \$20,000 Total Interest - \$4,500

PASSED BY THE COUNCIL: 7/28/2016

ATTEST: Alang M Compsell

**PROVIDING FOR:** An agreement with the Millinocket Wastewater Treatment Plant (WWTP) and GNP West to provide wastewater sampling services for the former Millinocket Mill's Wastewater Treatment Plant.

**IT IS ORDERED** that the Millinocket Wastewater Treatment Plant enter into an agreement with GNP West, Inc. to provide the following sample support services for the former Millinocket Mill's Wastewater Treatment Plant in compliance with the following terms and conditions:

- 1. At least once per month, during or immediately following a rain event, visit the Wastewater Treatment Plant (WWTP) during normal business to conduct a general inspection of the lagoon area, and collect appropriate grab samples from the lagoon outfall if there is a discharge.
- 2. In the event a discharge is observed during a site visit and samples are collected, properly label the sample containers, complete a Chain of Custody (CoC) form, provide a copy of the CoC form to Dammon Frecker, and package the samples for shipment.
- 3. If there is no discharge, simply document that in an email to Dammon Frecker.
- 4. GNP will provide all necessary materials including sampling equipment (at the WWTP), sample containers (new containers will be shipped to the Town's WWTP following each sampling event so they will always be available) and a cooler for shipping samples to the laboratory
- 5. A GNP representative will escort Town personnel during each visit, collect the packaged samples and ship to the laboratory. Town personnel will need to contact GNP at least one day in advance of the planned date for

each monthly visit, based on projected weather forecasts, to assure that a representative will be available.

- 6. GNP will establish a contract for services with Katahdin Analytical to provide sample containers, conduct analyses, and provide required analytical reports. The Town will bear no responsibility for these tasks or costs.
- 7. It is understood that the Town is willing to enter into this agreement and provide the requested services for a monthly fee of \$200.00, payable in advance.

PASSED BY THE COUNCIL:

ATTEST: \_\_\_\_\_\_

#### GNP WEST, INC.

James Charette
Chief Operator
Millinocket Wastewater Treatment Facility
197 Penobscot Avenue
Millinocket, Maine 04462

**RE:** Wastewater Sampling Support Services

Former Millinocket Mill Wastewater Treatment Plant

Dear Mr. Charette:

In follow up our recent discussions, GNP West, Inc. is providing this letter to establish an agreement with the Town of Millinocket to provide wastewater sampling support services for the former Millinocket Mill's Wastewater Treatment Plant (WWTP). As you know, there are no active wastewater discharges to the WWTP, nor are there any active treatment operations. Discharge only occurs under significant rain events sufficient to raise the water level in the lagoon above the invert of the single outfall. Under the facility's MEPDES permit, an inspection must be conducted during such events and samples collected for analysis if there is a discharge.

The services that we are seeking from the Town are as follows:

- 1. At least once per month, during or immediately following a rain event, visit the WWTP during normal business hours to conduct a general inspection of the lagoon area, and collect appropriate grab samples from the lagoon outfall if there is a discharge. The facility's MEPDES permit requires sampling and analysis for the following parameters: BOD<sub>5</sub>, TSS, Total Phosphorous, pH, and temperature. Sampling must be conducted by a Grade 1 or higher licensed Wastewater Treatment Plant Operator. Sampling is only required during the months of May through November.
- In the event that a discharge is observed during a site visit and samples are collected, properly label the sample containers, complete a Chain of Custody (CoC) form, provide a copy of the CoC form to Dammon Frecker, and package the samples for shipment.
- 3. If there is no discharge, simply document that in an email to Dammon Frecker.

GNP will provide all necessary materials including sampling equipment (at the WWTP), sample containers (new containers will be shipped to the Town's WWTF following each sampling event so they will always be available), and a cooler for shipping samples to the laboratory.

A GNP representative will escort Town personnel during each visit to provide access to the WWTP, secure the facility's gates following completion of each visit, collect the packaged samples and ship to the laboratory. Town personnel will need to contact GNP at least one day in advance of the planned date for each monthly visit, based on projected weather forecasts, to assure that a representative will be available.

GNP will establish a contract for services with Katahdin Analytical to provide sample containers, conduct analyses, and provide the required analytical reports. The Town will bear no responsibilities for these tasks or costs.

We understand that the Town is willing to enter into this agreement and provide the requested services for a monthly fee \$200, payable in advance. GNP agrees to the proposed fee and payment structure.

Please confirm the Town's acceptance of this agreement by signing in the block provided below and return copy to me.

We appreciate the Town's assistance in this matter and look forward to working with you.

Sincerely,

**Robert Desrosiers** 

Managing Director of Its Manager

Cc: John Davis, Town Manager

TOWN OF MILLINOCKET

Seen and Accepted:

Name:

Title:

**PROVIDING FOR:** The election of the following Maine Municipal Association Vice President and Executive Committee Members.

IT IS ORDERED that the Millinocket Town Council votes to elect the following Maine Municipal Association members for Vice President and Executive Committee Members:

- Vice-President 1 Year Term
   Proposed by the MMA Nominating Committee:
   Linda Cohen, Councilor, City of South Portland
- Directors 3 Year Term
   <u>Proposed by the MMA Nominating Committee:</u>
   James Gardner, Jr., Town Manager, Town of Easton

   Christine Landes, Town Manager, Town of Bethel

Mary Sabins, Town Manager, Town of Vassalboro

NOTE: No other candidates were on the ballot.

	PASSED BY THE COUNCIL:	PASSED BY THE COUNCIL:		
ATTEST:				



# MAINE MUNICIPAL ASSOCIATION **VOTING BALLOT**

**Election of Vice President and Executive Committee Members** Deadline for Receipt of Voting Ballots - 12:00 noon on Friday, August 12, 2016

VICE-PRESIDENT - 1 YEAR TERM	ICE-PRESIDENT - 1 YEAR TERM		
Proposed by MMA Nominating Commi	ttee:		
Linda Cohen, Councilor, City of South			
DIRECTORS - 3 YEAR TERM		Vote for Three	
Proposed by MMA Nominating Commi	ttee:		
James Gardner, Jr., Town Manager, To	own of Easton		
Christine Landes, Town Manager, Tow	Christine Landes, Town Manager, Town of Bethel		
Mary Sabins, Town Manager, Town of	Vassalboro		
The Voting Ballot may be cast by a majority of the majority of the municipal officers of each Municipal  Date:	member.	or a municipal official designated by a	
Signed by a Municipal Official designated by a maj	jority of Municip	al Officers:	
Print Name:	Signature:		
Print Name: Position:			
OR Signed by a Majority of Municipal Officers	Current # of N	Iunicipal Officers:	
Print Names:	Signatures:		
Retu	ırn To:		

our

MMA Annual Election Maine Municipal Association 60 Community Drive Augusta, Maine 04330 FAX: (207) 626-3358 or 626-5947

Email: tchavarie@memun.org

# MAINE MUNICIPAL ASSOCIATION EXECUTIVE COMMITTEE

#### BIOGRAPHICAL SKETCH OF PROPOSED SLATE OF NOMINEES FOR 2017

# MMA VICE PRESIDENT (1-Year Term)

# LINDA COHEN, COUNCILOR, CITY OF SOUTH PORTLAND

#### Professional & Municipal Experience:

- City of South Portland, Maine City Council (December 2012 present; Mayor 2014-2015)
- City of Portland, Maine City Clerk (June 2001 January 2011)
- City of South Portland, Maine City Clerk (January 1989 June 2001)
- Cross Country Mortgage, Mortgage Loan Originator (PT) (January 2016 present)
- Bangor Savings Bank, Assistant Vice President (December 2014 January 2016)
- Learning Works, Director of Development (January 2013 December 2014)
- PMAC Lending Services, Mortgage Loan Originator (PT) (August 2011 December 2014)
- City of Auburn, Consultant/City Clerk Hiring Committee (October 2011 July 2012)

#### **Education:**

- University of Southern Maine BS, Business Administration
- Southern Maine Vocational Technical Institute, Associate Degree, Law Enforcement
- Master Municipal Clerk International Institute of Municipal Clerks
- Certified Clerk of Maine Maine Town & City Clerks Association
- Maine Notary Public
- Maine Dedimus Justice
- Licensed Maine Mortgage Loan Originator

#### Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Executive Committee (April 2013 present)
   Member, Maine Municipal Association Property & Casualty Pool Board of Directors (2013 present)
- Member, Maine Municipal Association Workers Compensation Board of Trustees, (2013 present)
- Member, MMA Nominating Committee (2013)
- Member or Alternate, Maine Municipal Association Legislative Policy Committee (1989 2011)
- Member, Maine Town & City Clerks Association (Served as President two terms and as Chair of the Legislative Policy Committee) (January 1989 – present)
- Member, New England Association of City & Town Clerks (Former President; served on Budget Committee, Legislative Committee, Two New England Conference Planning Committees) (1989 – 2015)

#### Awards and Certifications:

- Maine Town & City Clerks Association, Ethelyn Stuart Marthia Award 2011
- Maine Legislative Sentiment 1999 and 2011
- Maine Town & City Clerks Association, Maine Clerk of the Year 1999
- Maine Town & City Clerks Association, Lorraine Fleury Award 1995

### Other Experience, Committees and Affiliations:

- Member, Oxford County Emergency Communications Governing Board
- Member, International City Management Association
- Member, Maine Town, City & County Management Association
- Member, Alder River Grange in East Bethel
- Ex-Officio Member, Mahoosuc Pathways Board of Directors
- Manager, Bethel Regional Airport

# MARY SABINS, TOWN MANAGER, TOWN OF VASSALBORO

#### Professional & Municipal Experience:

- Town of Vassalboro, Maine Town Manager/Treasurer/Tax Collector (June 2008 present)
- Town of Chelsea, Maine Town Manager/ Treasurer/Tax Collector/General Assistance Administrator/Road Commissioner (July 2006 – June 2007)
- Maine School Administrative District #40, Warren, Maine Facilities Director/Food Service Director (March 2005 – June 2006)
- Town of Windsor, Maine Town Manager/Treasurer/Tax Collector/General Assistance Administrator (April 2001 – March 2005)
- Town of Hope, Maine Town Administrator/Treasurer/General Assistance Administrator (July 1997 - April 2001)

#### Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Executive Committee (2014 present)
- Member, Maine Municipal Association Strategic & Finance Committee (2014 present)
- Chairperson, Maine Municipal Association Strategic & Finance Committee (2016)
- Member, Maine Municipal Association Property & Casualty Pool Board of Directors (2014 present)
- Member, Maine Municipal Association Workers Compensation Fund Board of Trustees, (2014 present)
- Member, Appointed by MMA Executive Committee to serve on MMEHT Selection Committee (2015-2016)
- Member, Maine Town, City & County Municipal Management Association
- Member of Communications Committee, Maine Town, City & County Municipal Management Association (2015)
- Director, Board of Kennebec Valley Council of Government
- City of Augusta, Maine Internship with City Manager (September 2000 December 2000)
- Town of Union, Maine Certified Town Clerk/Tax Collector/Occasional Acting Town Manager (May 1988 - June 1997)
- As the wife of a volunteer firefighter and EMS worker, I have volunteered often in support of our hometown fire and ambulance services.

#### **Education:**

BS in Business Administration with Management Major from University of Maine at Augusta.

#### **Awards and Certifications:**

 Qualified as a Certified Public Manager, Maine Town, City & County Management Association (2016)



60 COMMUNITY DRIVE AUGUSTA, MAINE 04330-9486 (207) 623-8428 www.memun.org

TO:

Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM:

Stephen W. Gove, MMA Executive Director

DATE:

July 5, 2016

SUBJECT:

MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 12, 2016 by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying and interested in serving as the MMA Vice President and Executive Committee. The MMA Nominating Committee completed its task in May and put forth a Proposed Slate of Nominees for 2017 to member municipalities.

<u>Petition Process</u> – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 1, by 4:30 pm. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

<u>Election Process</u> – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers <u>or</u> a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 12. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Stephan Bunker.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at <a href="https://www.memun.org">www.memun.org</a> on Friday, August 12, after 4:00 p.m. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held <a href="https://www.memun.org">Wednesday</a>, October 5, at the Bangor Cross Insurance Center. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon and Annual Business Meeting and officially take office on January 1, 2017.

If you have any questions on the Election Process, please contact Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at <a href="mailto:tchavarie@memun.org">tchavarie@memun.org</a>. Thank you.