

**TENTATIVE AGENDA
REGULAR TOWN COUNCIL MEETING
TOWN MANAGER'S OFFICE
THURSDAY, JULY 14, 2016
EXECUTIVE SESSION at 3:00 P.M.**

The Council will reconvene in Council Chambers at 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. ORDER #157-2016 Executive Session to Discuss a Personnel Matter and to Discuss Contract Negotiations
4. Adjustments to the Agenda
5. Approval of Minutes of the Regular Meetings of June 9, 2016 and June 23, 2016 and the Special Meetings of June 21, 2016 and July 7, 2016
6. Special Presentations: John Raymond – Economic Development
7. Town Manager's Report

OLD BUSINESS

Remove from the Table: Order #153-2016 as amended

NEW BUSINESS

8. ORDER #158-2016 Execution of the Warrant for June 30, 2016
9. ORDER #159-2016 Execution of the Warrant for July 14, 2016
10. ORDER #160-2016 Date, Time, Place, Warden for the July 26, 2016 School Budget Validation Referendum
11. ORDER #161-2016 Processing Absentee Ballots for the July 26, 2016 School Budget Validation Referendum
12. ORDER #162-2016 Office Hours of the Registrar for the July 26, 2016 School Budget Validation Referendum
13. ORDER #163-2016 Correction of Order #71-2016
14. ORDER #164-2016 Approval of Recreation Services with East Millinocket
15. ORDER #165-2016 Authorization to Accept FY17 Expenditure and Revenue Changes
16. ORDER #166-2016 Ratification of the Collective Bargaining Agreement with Fire/Ambulance Employees
17. ORDER #167-2016 Ratification of the Collective Bargaining Agreement with Police
18. ORDER #168-2016 Ratification of the Collective Bargaining Agreement with Public Works
19. ORDER #169-2016 Election to the Maine Municipal Association's Legislative Policy Committee
20. ORDER #170-2016 Acceptance of Paving Bid

Reports and Communications: Warrant Committee for the July 28, 2016 Council Meeting will be Chair Angotti and Councilor Stratton

- a. Chair's report back on appointed sub-committees

21. Adjournment

PROVIDING FOR: Executive session to Discuss a Personnel Matter under 1 M.R.S.A. §405 (6)(A) and Contract Negotiations under 1 M.R.S.A. §405 (6) (D)

IT IS ORDERED that the Millinocket Town Council enter into executive session to discuss a Personnel matter under 1 M.R.S.A. §405 (6)(A) and Contract Negotiations under 1 M.R.S.A. §405 (6)(D).

PASSED BY THE COUNCIL _____

ATTEST _____

July 7, 2016

The Special meeting of the FY2017 Municipal and School Budget Adoption was brought to order by Chair Angotti in Council Chambers at 4:30 P.M.

Roll Call:

Town Council Members Present:

Angotti (Chair)

Dumais

Madore

Pelletier

Pray

Sannicandro

Stratton

Also present: Town Manager John Davis, Town Clerk Roxanne Johnson, Treasurer Mary Alice Cullen, Recreation Director Frank Clukey, Deputy Fire Chief Thomas Malcolm and 23 citizens.

Adjustments to the Agenda: None

Chair Angotti called for a public hearing before the reading of the budget orders.

Fiscal Year 2017 EXPENDITURE RESOLVES

Date: July 7, 2016

ORDER # 120-02016

IT IS ORDERED that 4,831,829 hereby raised and appropriated and the Officers are authorize to spend said amount for Municipal Departments of Millinocket as listed below for Fiscal Year 2017.

General Administration	1,447,498
101 General Government	\$ 144,007
102 Tax Collector	\$ 82,383
103 Elections/Registration	\$ 8,250
104 Town Clerk	\$ 42,251
107 Assessing	\$ 32,309
108 Municipal Building	\$ 69,584
109 Audit	\$ 20,000
110 Town Report	\$ 250
111 Legal Services	\$ 95,000
112 Administration	\$ 60,260
814 Human Resources	\$ 23,432
300 Fringe Benefits	\$ 869,772
Community and Economic Development	\$182,730
114 Planning Code/Enforcement	\$ 24,730
115 Economic Development	\$ 6,500
213 Enforcement Officials	\$ 1,500
702 KARE Katahdin Area Recovery & Exp	\$150,000
Public Safety and Protection	\$1,411,806
201 Police	\$354,751

203 Fire	\$204,308
204 Ambulance	\$310,734
206 Community Services	\$433,600
209 Insurances	\$ 91,136
214 Dog Constable	\$ 12,277

Public Works	\$1,241,325
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402 Public Works Administration	\$ 9,063
403 Public Works Garage	\$ 25,650
405 Street Paving	\$175,720
407 Public Works – Summer	\$243,163
408 Public Works – Winter	\$264,820
409 Transfer Site	\$354,253
902 Cemetery	\$ 25,473
1101 Airport	\$143,183

Community and Recreation Services	\$242,568
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501 Library	\$ 25,000
502 Library Gifts and Donations	\$ -
815 General Assistance Aid	\$ 26,800
1002 Recreation	\$119,268
1009 Snowmobile Trail Grant	\$ 71,500

Debt and Interest	\$202,402
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0700 account Debt and Interest	\$202,402
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Capital Expenditures	\$103,500
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9502 Heavy Equipment Reserve	\$50,000
1300 Capital Improvements	\$53,500
a. Snow Blower Attachment - \$20,000	
b. Three storage trailers - \$3,500	
c. Refurbish 140 Cat Grader Loan and Interest - \$30,000	
Based on Town being able to obtain a \$90,000 loan payable over a maximum five-year period.	

Total FY17 Expenditures	\$4,741,829
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Motion - Madore	Second - Pray	Vote 6-1 (Pelletier as amended)
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FISCAL YEAR 2017 MUNICIPAL REVENUES APPROPRIATION

ORDER #121-2016

Anticipated Revenues and Transfers

IT IS ORDERED that overall anticipated Revenues and Transfers, as attached in the Municipal Revenue Detail report, in the estimated amount of \$2,370,890 is approved and to authorize the Officers to spend for Fiscal 2017.

Motion - Angotti

Second - Madore

Vote 6-0-1 abstention (Sannicandro)

ORDER #122-2016

Acceptance of State of Maine Funds

IT IS ORDERED that the Town of Millinocket, Town Finance Director and Town Treasurer is authorized to accept, and such acceptance is deemed to have been appropriated revenues and/ or subsidies for the ensuing fiscal year, such funds as Municipal Revenue Sharing Funds, Local Road Assistance Program, General Purpose Aid to Education, Civil Emergency Funds, Snowmobile Registration Money, Tree Growth Reimbursement, General Assistance Reimbursement, Veteran Exemption Reimbursement, Homestead Act Reimbursement, State and Federal Grants in Aid, and other State of Maine Funds as are available at a future date and to authorize the Officers to spend said sums.

(These monies are currently anticipated in the above revenue order and allows the Town to accept these monies for use with FY 17 proposed budget. Acceptance of any new monies will be authorized only by Council Order.)

Motion - Stratton

Second - Madore

Vote 7-0

ORDER #123-2016

Transfer of Funds from the Designated Dog Fee Revenue Reserve

Account for the Care of Animals

IT IS ORDERED that \$ 5,000 be transferred from the Designated Dog Fee Revenue Reserve Account into the General Fund budget for FY 2017 to provide for eligible costs in the care of animals.

NOTE: These funds are already included in the Order authorizing Anticipated Revenues and Transfers. This Order is offered because the funds will be taken from a Designated Reserve Account, which requires specific Town Council approval.

Motion - Sannicandro

Second - Madore

Vote 7-0

Order # 124-2016

PROVIDING FOR: A Written Policy Concerning Disbursement of State

Fees.

WHEREAS, Title 30-A, Section 5603 requires that the Treasurer disburse money only on the authority of a warrant signed and voted on by a majority of the Council; and

WHEREAS, Chapter 29-A of the Administrative Code provides for warrant review and approval; and

WHEREAS, the Town collects certain fees for the State of Maine; and

WHEREAS, the Council is not able to meet weekly to review, sign and vote on warrants for fees due to the State of Maine; and

WHEREAS, Chapter 29-A of the Administrative Code does not address the need to remit state fees on a weekly basis; and

WHEREAS, Title 30-A Section 5603.3 provides that the Council may adopt a written policy to permit the disbursement of state fees when a disbursement warrant has been signed by one or more designated municipal officers.

NOW THEREFORE, IT IS ORDERED that the following written adopted concerning the disbursement of state fees:

1. The Treasurer shall prepare a warrant weekly to disburse state fees;
2. The weekly warrant for fees shall be reviewed and approved by the Finance Director;
3. Upon approval of the weekly warrant for state fees by the Finance Director, any member of the Ad-Hoc Warrant Subcommittee established pursuant to Chapter 29-A of the Administrative Code

may review and approve the weekly warrant for state fees and document his or her approval by signing the warrant.

4. The Treasurer is authorized to disburse state fees each week upon presentation of a warrant for that purpose which has been approved by the Finance Director and signed by any member of the Ad Hoc Warrant Subcommittee.
5. Any error in any weekly warrant for state fees shall be corrected by the Treasurer on the next weekly warrant for state fees after discovery of the error.
6. Warrants for state fees approved pursuant to this policy are not subject to review and approval pursuant to Chapter 20-A of the Administrative Code.
7. This policy shall be reviewed and voted on annually by the Council.

Motion - Dumais

Second - Madore

Vote 7-0

ORDER #125-2016

Disbursement of Employees Wages and Benefits

WHEREAS, the Town Treasurer may disburse money only on the authority of a warrant voted and signed by a majority of the Council; and

WHEREAS, the Council signs warrants on a bi-weekly basis; and

WHEREAS, employees are paid on a weekly basis,

NOW THEREFORE IT IS ORDERED, pursuant to Title 30-A section 5603.2.A.1., that the Town Treasurer is authorized to disburse wages and withholding required by law on the authority of a warrant signed by the Town Manager.

Motion - Pelletier

Second - Madore

Vote 7-0

ORDER #126-2016

Anticipated Revenues

IT IS ORDERED that overall anticipated Revenues, as attached, in the estimated amount of **\$989,000** is approved for Fiscal 2017 for the Wastewater Department.

1400 Fees	\$810,000
1401 Costs and Interest	\$ 7,000
1402 Investment Interest	\$ 0
1412 Capital Reserve Transfer	\$170,000
1403 Lien Cost Recovery	\$ 2,000
0701 Maine PERS	\$ -
Rate Increase	\$989,000

Motion - Madore

Second - Stratton

Vote 6-0 (approved 06/23/2016)

ORDER #127-2016

Wastewater Department Operations

IT IS ORDERED that **\$837,607** is hereby appropriated for Wastewater Operations Expenditures for Fiscal 2017.

2100 Administration	\$39,970
2200 Protection (Insurance)	\$21,405
2300 Fringe Benefits	\$99,893
2400 Operations of Plant	\$201,063
2500 Pump Stations	\$ 54,000
2600 Collection	\$ 22,500
2700 Debt Service	\$203,776
2800 Capital Expenses	\$195,000

Motion - Pray

Second - Madore

Vote 6-0 (approved 6/23/2016)

ORDER #128-2016

Payment of Property Taxes for Multiple Years

We, the Municipal Officers of the Town of Millinocket upon request of the Tax Collector and Town Treasurer of said Town, hereby authorize and direct said Tax Collector and Town Treasurer pursuant to Title 36, MRSA, Section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest

unpaid tax bill, provided, however, that no such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

Motion - Pray

Second - Madore

Vote 6-0 (approved 6/23/2016)

ORDER #129-2016

County Tax

IT IS ORDERED that \$267,482 is hereby raised and appropriated and to authorize the Officers to spend for County Tax Assessment.

Motion - Sannicandro

Second - Madore

Vote 6-0 (approved 6/23/2016)

Line Item Articles for Approval of the
Millinocket School Department Budget
2016-2017

ORDER #130-2016

PROVIDING FOR: Appropriation for System Administration (School)

IT IS ORDERED that \$873,103 is hereby raised and appropriated for School System Administration for Fiscal 2017.

Recommended: \$873,103

Motion - Pray

Second - Stratton

Vote 6-1 (Pelletier)

ORDER #131-2016

PROVIDING FOR: Appropriation for School Administration

IT IS ORDERED that \$332,225 is hereby raised and appropriated for School Administration for Fiscal 2017.

Recommended: \$332,225

Motion - Madore

Second - Pray

Vote 6-1 (Pelletier)

ORDER #132-2016

PROVIDING FOR: Appropriation for Regular Instruction

IT IS ORDERED that \$1,777,711 is hereby raised and appropriated for Regular Instruction for Fiscal 2017

Recommended: \$1,777,711

Motion - Angotti

Second - Madore

Vote 6-1 (Pelletier)

ORDER #133-2016

PROVIDING FOR: Appropriation for Special Education

IT IS ORDERED that \$739,874 is hereby raised and appropriated for Special Education for Fiscal 2017.

Recommended: \$739,874

Motion - Stratton

Second - Madore

Vote 6-1 (Pelletier)

ORDER #134-2016

PROVIDING FOR: Appropriation for Student and Staff Support

IT IS ORDERED that \$359,081 is hereby raised and appropriated for Student and Staff Support for Fiscal 2017.

Recommended: \$359,081

Motion - Sannicandro

Second - Pray

Vote 6-1 (Pelletier)

ORDER #135-2016

PROVIDING FOR: Appropriation for Other Instruction

IT IS ORDERED that \$196,241 is hereby raised and appropriated for Other Instruction for Fiscal 2017.

Recommended: \$196,241

Motion - Pray

Second - Madore

Vote 4-2

ORDER #136-2016

PROVIDING FOR: Appropriation for Career and Technical Education

IT IS ORDERED that \$329,111 is hereby raised and appropriated for Career and Technical Education for Fiscal 2017.

Recommended: \$329,111

Motion - Pelletier

Second - Madore

Vote 6-1 (Pelletier)

IT IS ORDERED that \$853,507 is hereby raised and appropriated for Facilities Maintenance for Fiscal 2017.

Motion - Pray

Second - Madore

ORDER #143-2016 IT IS ORDERED that \$691,753 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$24,046 as required to fund the budget recommended by the School Committee.

The School Committee recommends \$691,753 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$24,046: The EPS formula does not reflect the actual cost of funding education in rural areas where education may cost more because of its smaller size as compared to larger city schools. Therefore, monies will provide revenues to fully fund programs and operate schools, as well as, contractual obligations, areas excluded under EPS such as 504 programs, extra and co-curricular activities, capital improvements and repairs, etc.

Explanation: The additional local funds are those locally raised funds over and above the Town's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the Town's budget for educational programs.

Total Budget Article for Funding K-12 Education

Motion - Pelletier

Second - Madore

Vote 6-1 (Pelletier)

ORDER #144-2016 IT IS ORDERED that the School Committee be authorized to expend \$6,195,452 for the fiscal year beginning July 1, 2016 and ending June 30, 2017 from the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

The School Committee Recommends \$6,195,452

Motion - Pray

Second - Madore

Vote 6-1 (Pelletier)

ORDER #145-2016 IT IS ORDERED that the municipality/district/unit will raise and to appropriate \$15,000 in additional local dollars in support of the food service program.

The School Committee Recommends \$ 15,000

Motion - Madore

Second - Pray

Vote 7-0

ORDER #146-2016 IT IS ORDERED that \$ 6,045 be appropriated for Adult Education and that \$6,045 be raised as the local share; with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

The School Committee recommends a "Yes" vote.

Motion - Angotti

Second - Madore

Vote 7-0

ORDER #147-2016 IT IS ORDERED that the Regional Vocational Operating Budget, as approved by the Cooperative Board, for the period July 1, 2016 through June 30, 2017 be approved in the amount of \$1,836,972 (Millinocket's share is \$329,111) with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well-being of the vocational programs

The School Committee recommends a "Yes" vote.

Motion - Stratton

Second - Madore

Vote 6-1 (Pelletier)

ORDER #148-2016 IT IS ORDERED that the Regional Vocational Adult Education Operating Budget, as approved by the Cooperative Board for the period July 1, 2016 through June 30, 2017, be approved in the amount of \$98,628 (Millinocket's share is \$6,045), with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well-being of the Adult Education vocation programs.

The School Committee Recommends a "Yes" vote.

Motion - Sannicandro

Second - Stratton

Vote 7-0

ORDER #149-2016 PROVIDING FOR: Acceptance of State, Federal, or Other Sources of Funds
IT IS ORDERED that the Town of Millinocket Town Treasurer is authorized to accept and expend grants, including carryover amounts, from State, Federal or other Sources for the interest of education. Special dedicated revenue budget amounts to be in addition to the amounts appropriated and raised in the general budget (\$6,195,452) and the clearing account budget. Amount unknown but estimated to be \$1,550,000. Sources include: Title 1-A, Title II-A, PreK, Local Entitlement, TIF 4, and others. (Some of these monies are now included in the new EPS funding model adopted in 2005 by the Maine State Legislature.
The School Committee Recommends a "Yes" vote.

Motion - Dumais

Second - Stratton

Vote 7-0

ORDER #150-2016 PROVIDING FOR: Acceptance of Enterprise and Agency Funds
IT IS ORDERED that the Town of Millinocket Town Treasurer is authorized to accept and expend enterprise and agency funds, including any carryover funds, on behalf of the following: with any amounts to be expended in the clearing account budget in addition to amounts appropriated and raised for the general education budget (\$6,220,364) and the special revenue budget (\$1,550,000). Amount unknown but estimated to be \$475,000. Sources include: Millinocket School Lunch Program, and any others. (Some of these monies are now included in the new EPS funding model adopted in 2005 by the Maine State Legislature).

The School Committee Recommends a "Yes" vote.

BE IT ORDERED, THAT In addition to the amount approved for the total school budget for next fiscal year, the school committee is authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, including the foreign student tuition program and the dual diploma program, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated.

Motion - Madore

Second - Pray

Vote 7-0

Adjournment:

Motion to adjourn at 7:09 p.m. – Angotti

Second – Madore

Vote 7-0

June 23, 2016

The Regular meeting and the FY2017 Municipal, Wastewater and School Budgets Adoption of the Millinocket Town Council were brought to order by Chair Angotti in Council Chambers at 4:30 P.M.

Roll Call:

Town Council Members Present:

Angotti (Chair)

Dumais (absent)

Madore

Pelletier

Pray

Sannicandro

Stratton

Also present: Town Manager John Davis, Town Clerk Roxanne Johnson, Deputy Town Clerk/Deputy Tax Collector Diana Campbell, Treasurer Mary Alice Cullen, GA/Personnel Lori Santerre, Public Works Director Ralph Soucier, Recreation Director Frank Clukey, Wastewater Plant Operator Jim Charette, Deputy Fire Chief Thomas Malcolm and 23 citizens.

Adjustments to the Agenda: Addition of Order #157-2016 to the Agenda

Special Presentations:

- a. **Resolve #10-2016 RECOGNITION OF THE LADY MINUTEMEN PVC ALL-STARs**
WHEREAS, Senior Lauren Jamo was chosen as the PVC All-Stars first team first baseman; and,
WHEREAS, Senior Jessica Girsa was chosen as the PVC All-Stars first team pitcher; and,
WHEREAS, Junior Audrey Dunstan was chosen as the PVC All-Stars first team shortstop; and,
WHEREAS, Junior Emma Alley was chosen as the PVC All-Stars first team outfielder; and,
WHEREAS, Cassidy Jo McLeod was chosen as the PVC All-Stars first team second baseman; and,
WHEREAS, Junior Madeline Morrison was chosen as a PVC All-Star honorable mention third baseman;
NOW, THEREFORE, BE IT RESOLVED, that the Millinocket Town Council, in Council assembled on June 23, 2016, does hereby recognize, honor, and congratulate these six outstanding athletes for their exceptional performance as members of the Lady Minutemen Softball Team and PVC All-Stars.
Motion – Pray Second – Madore Vote 6-0

- b. **Resolve #11-2016 RECOGNITION OF THE STEARNS HIGH SCHOOL BASEBALL ALL-STARs**
WHEREAS, Senior Zack Bouchard was chosen as the PVC first team third baseman; and,
WHEREAS, Senior Devin Whitney was chosen as the PVC first team outfielder; and
WHEREAS, Sophomore Seth Garvin was chosen as the PVC first team shortstop;
NOW, THEREFORE, BE IT RESOLVED that the Millinocket Town Council, in Council assembled on June 23, 2016, does hereby recognize, honor, and congratulate these three outstanding athletes for their exceptional performance as members of Stearns High School Baseball Team and PVC All-Stars.
Motion – Madore Second – Stratton Vote 6-0

- c. **Resolve #12-2016 A PROCLAMATION HONORING JESSICA GIRSA FOR BEING SELECTED AS THE CLASS D SOFTBALL PITCHER OF THE YEAR**
WHEREAS, Jessica Girsa has been a four-year member of the Lady Minutemen Softball Team; and,
WHEREAS, Jessica is a highly accomplished and respected athlete on and off the field; and,
WHEREAS, Jessica was selected to the PVC All-Stars first team pitcher; and,
WHEREAS, Jessica was also selected the Class D Softball Pitcher of the Year;
NOW THEREFORE, BE IT RESOLVED, that the Millinocket Town Council, in Council assembled on June 23, 2016, does hereby recognize, honor, and congratulate Jessica Girsa for her achievement and performance as the Class D Softball Pitcher of the Year.
Motion – Stratton Second – Madore Vote – 6-0

d. **Resolve #13-2016 A PROCLAMATION HONORING CASSIDY JO MCLEOD FOR BEING SELECTED AS AS THE CLASS D SOFTBALL PLAYER OF THE YEAR**

WHEREAS, Cassidy Jo McLeod is a three-year player for the Lady Minutemen Softball team; and,
WHEREAS, Cassidy Jo is a highly accomplished and respected athlete on and off the field; and,
WHEREAS, Cassidy Jo was selected to the PVC All-Stars first team second baseman; and,
WHEREAS, Cassidy Jo was also selected as the Class D Softball Player of the Year;

NOW THEREFORE, BE IT RESOLVED, that the Millinocket Town Council, in Council assembled on June 23, 2016, does hereby recognize, honor, and congratulate Cassidy Jo McLeod for her achievement and performance as the Class D Softball Player of the Year.

Motion – Sannicandro

Second – Madore

Vote 6-0

e. **Resolve #14-2016 RECOGNITION OF NICK CULLEN AS CLASS D SOFTBALL COACH OF THE YEAR**

WHEREAS, Nick Cullen has been Head Coach of the Lady Minutemen Softball team for five years; and,
WHEREAS, Nick led the Lady Minutemen to the top seed in Class D North with a 14-2 record in 2016; and,
WHEREAS, Nick has guided the Lady Minutemen to two consecutive Eastern Maine Class D Championships in his five years of coaching; and,

WHEREAS, Nick has had a positive influence on the lives of many young individuals;

NOW, THEREFORE, BE IT RESOLVED, that the Millinocket Town Council, in Council assembled on June 23, 2016 does hereby recognize, honor, and congratulate Nick Cullen for his outstanding performance as Coach of the Lady Minutemen Softball Team.

Motion – Pelletier

Second – Madore

Vote 6-0

f. **Resolve #15-2016 RECOGNITION OF THE 2016 EASTERN MAINE CLASS D SOFTBALL CHAMPIONS AND MAINE CLASS D STATE RUNNER UP CHAMPIONS**

WHEREAS, the 2016 Stearns High School Softball team represented the Town of Millinocket and Stearns High School with enthusiasm, passion, and honor; and,

WHEREAS, the citizens of Millinocket and the fans of the Lady Minutemen are proud of their accomplishments; and,

WHEREAS, the Lady Minutemen captured the Class D Eastern Maine Championship for the second straight year, defeating Madawaska 12 to 1; and,

WHEREAS, The Stearns girls finished runner up in the Class D State Championship in a hard fought 15 to 6 loss to defending Class D Champion Richmond Bobcats;

NOW THEREFORE, BE IT RESOLVED, that the Millinocket Town Council, in Council assembled on June 23, 2016, does hereby recognize, honor and congratulate the Stearns Lady Minutemen for its 2016 CLASS D EASTERN MAINE CHAMPIONSHIP AND FOR ITS FINE PERFORMANCE IN FINISHING SECOND IN THE 2016 CLASS D STATE FINAL.

Motion – Angotti

Second – Madore

Vote 6-0

g. **Resolve #16-2016 MILLINOCKET TOWN COUNCIL RESOLUTION June 23, 2016**

Authorizing Execution of Municipal Joinder Agreement with the Municipal Review Committee

RESOLVED, by the Town Council of Millinocket, Maine, that:

(i) the Town shall continue as a member of the Municipal Review Committee, Inc. ("MRC"), organized as a Maine nonprofit corporation and acting as a regional association pursuant to Title 13B and Title 38 of the Maine Revised Statutes, as amended (and specifically Section 1304-13(5-A) of Title 38) for the purposes of managing and facilitating solid waste disposal;

(ii) the Town hereby adopts, ratifies and confirms the Restated Articles of Incorporation and the Restated Bylaws of the MRC in substantially the form on file with the Town Clerk and attached to this Resolution;

(iii) the Town Manager hereby is authorized to execute and deliver a Municipal Joinder Agreement with the MRC in substantially the form on file with the Town Clerk and attached to this Resolution (the "Municipal Joinder Agreement") pursuant to which the Town will be a Joining Member of the MRC (as defined therein) and deliver its municipal solid waste for disposal to a waste management

facility being developed by Fiberight, LLC and/or its affiliates (collectively, "Fiberight") in Hampden, Maine, or other waste disposal facility; and

(iv) the Town hereby authorizes the MRC to take certain actions on behalf of the Town as set forth in the municipal Joinder Agreement.

FURTHER RESOLVED that: The Town Manager or his or her designee or designees is authorized as a representative of the Town to execute and deliver the Municipal Joinder Agreement on behalf of the Town and to execute and deliver on behalf of the Town in conjunction therewith such other documents and to take such further actions as they may deem necessary or appropriate in order to effect the transactions contemplated by the Municipal Joinder Agreement.

MILLINOCKET TOWN COUNCIL RESOLUTION

June 23, 2016

I certify that I am the duly qualified Clerk of the Town of Millinocket, Maine, and that the foregoing resolves were adopted by the Millinocket Town Council at a meeting of said Council duly called and legally held in accordance with the laws of Maine on June 23, 2016, that the meeting was open to the public and that adequate and proper notice thereof was given in accordance with the laws of Maine, and that such votes have been entered into and become a part of the permanent records of the Town and remain in full force and effect and have not been rescinded or amended.
Town of Millinocket

Roxanne Johnson, Town Clerk

Dated at Millinocket, Maine _____, 2016

Motion – Madore

Second - Stratton

Vote 5-1 (Stratton)

Resolve #17-2016 Authorizing Execution of Waste Disposal Agreement with Penobscot Energy Recovery Company
RESOLVE #17-2016 WAS CANCELLED.

Town Manager's Report:

- *Spraying for grubs was done at the Cemetery, and the results should be seen next year.
- *Councilor Pray has been nominated as a candidate for the Legislative Policy Committee from this district.
- *The Elks will be celebrating their 90th Anniversary on July 16th.
- *There is a question of interest in a municipal owned electricity provider.
- *There has been nothing as yet from Dean on the livestock ordinance.
- *Payport should be up and running soon.

ORDER #151-2016 PROVIDING FOR: Execution of the Warrant for June 16, 2016

IT IS ORDERED that the Warrant for June 16, 2016 in the amount of \$41,450.05 is hereby approved.

Motion – Madore

Second – Stratton

Vote 6-0

ORDER #152-2016 PROVIDING FOR: Execution of the Warrant for June 23, 2016

IT IS ORDERED that the Warrant for June 23, 2016 in the amount of \$56,390.69 is hereby approved.

Motion – Madore

Second – Stratton

Vote 6-0

ORDER #153-2016 PROVIDING FOR: Reappointment of the Code Enforcement Officer, and Licensed Plumbing Inspector

IT IS ORDERED that Michael Noble is reappointed to serve as Code Enforcement Officer and Licensed Plumbing Inspector for a one year term effective from July 1, 2016 to June 30, 2017.

Motion – Pray

Second – Madore

Vote 5-1 (Pray) to Table

ORDER #154-2016 PROVIDING FOR: Write Off of Certain Personal Property Tax Accounts
IT IS ORDERED that selected Personal Property Tax accounts deemed as uncollectible by the Tax Collector with recommendation from the Tax Assessor from the years of 2011 through 2016 and totaling \$25,094.63 from principle and interest as of May 25, 2016 are hereby written off.

NOTE: Over the years, a number of personal property taxes were assessed, but not paid. The reasons for non-payment vary, but most are due to either the business going out of business, people moving away with no forwarding address, or tax commitment errors.

Motion – Pelletier Second – Madore Vote 6-0

ORDER #155-2016 PROVIDING FOR: Approval of an Application for a Victualer's License for Mai York
IT IS ORDERED that the attached application for a Victualer's License is hereby approved for:

Mai York, 35 Pine St, East Millinocket

d/b/a

Mai Take Out, Mobile Food Cart

Motion – Sannicandro Second - Stratton Vote 6-0

ORDER #156-2016 PROVIDING FOR: Reappointment to the Cemetery Committee

IT IS ORDERED that David E. Manzo is reappointed to serve as a member of the Cemetery Committee for a 5 year term to June 2021.

Motion – Stratton Second -- Madore Vote 6-0

PUBLIC HEARING FOR THE FY2017 MUNICIPAL, WASTEWATER AND SCHOOL BUDGET ADOPTION

Fiscal Year 2017 EXPENDITURE RESOLVES

Date: June 23, 2016

ORDER # 120-02016

IT IS ORDERED that 4,776,109 hereby raised and appropriated and the Officers are authorize to spend said amount for Municipal Departments of Millinocket as listed below for Fiscal Year 2017.

General Administration	1,447,498
-------------------------------	------------------

101 General Government	\$ 144,007
102 Tax Collector	\$ 82,383
103 Elections/Registration	\$ 8,250
104 Town Clerk	\$ 42,251
107 Assessing	\$ 32,309
108 Municipal Building	\$ 69,584
109 Audit	\$ 20,000
110 Town Report	\$ 250
111 Legal Services	\$ 95,000
112 Administration	\$ 60,260
814 Human Resources	\$ 23,432
300 Fringe Benefits	\$ 869,772

Community and Economic Development	\$182,730
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114 Planning Code/Enforcement	\$ 24,730
115 Economic Development	\$ 6,500
213 Enforcement Officials	\$ 1,500

Public Safety and Protection**\$1,411,806**

201 Police	\$354,751
202 DARE	\$ 5,000
203 Fire	\$204,308
204 Ambulance	\$310,734
206 Community Services	\$433,600
209 Insurances	\$ 91,136
214 Dog Constable	\$ 12,277

Public Works**\$1,185,605**

402 Public Works Administration	\$ 9,063
403 Public Works Garage	\$ 25,650
405 Street Paving	\$120,000
407 Public Works – Summer	\$243,163
408 Public Works – Winter	\$264,820
409 Transfer Site	\$354,253
902 Cemetery	\$ 25,473
1101 Airport	\$143,183

Community and Recreation Services**\$242,568**

501 Library	\$ 25,000
502 Library Gifts and Donations	\$ -
815 General Assistance Aid	\$ 26,800
1002 Recreation	\$119,268
1009 Snowmobile Trail Grant	\$ 71,500

Debt and Interest**\$202,402**

0700 account Debt and Interest	\$202,402
--------------------------------	-----------

Capital Expenditures**\$103,500**

1300 Capital Improvements	\$50,000	
1301 Special Capital Improvements	\$53,500	
Motion - Madore	Second - Stratton	Vote 3 -3

FISCAL YEAR 2017 MUNICIPAL REVENUES APPROPRIATION

ORDER #121-2016

Anticipated Revenues and Transfers

IT IS ORDERED that overall anticipated Revenues and Transfers, as attached in the Municipal Revenue Detail report, in the estimated amount of **\$2,315,170** is approved and to authorize the Officers to spend for Fiscal 2017.

Motion - Pray

Second - Madore

Vote 5-1

ORDER #122-2016

Acceptance of State of Maine Funds

IT IS ORDERED that the Town of Millinocket, Town Finance Director and Town Treasurer is authorized to accept, and such acceptance is deemed to have been appropriated revenues and/ or subsidies for the ensuing fiscal year, such funds as Municipal Revenue Sharing Funds, Local Road Assistance Program, General Purpose Aid to Education, Civil Emergency Funds, Snowmobile Registration Money, Tree Growth Reimbursement, General Assistance Reimbursement, Veteran Exemption Reimbursement, Homestead Act Reimbursement, State and Federal Grants in Aid, and other State of Maine Funds as are available at a future date and to authorize the Officers to spend said sums.

(These monies are currently anticipated in the above revenue order and allows the Town to accept these monies for use with FY 17 proposed budget. Acceptance of any new monies will be authorized only by Council Order.)

Motion - Pelletier

Second - Madore

Vote 6-0

ORDER #123-2016

Transfer of Funds from the Designated Dog Fee Revenue Reserve

Account for the Care of Animals

IT IS ORDERED that **\$ 5,000** be transferred from the Designated Dog Fee Revenue Reserve Account into the General Fund budget for FY 2017 to provide for eligible costs in the care of animals.

NOTE: These funds are already included in the Order authorizing Anticipated Revenues and Transfers. This Order is offered because the funds will be taken from a Designated Reserve Account, which requires specific Town Council approval.

Motion - Sannicandro

Second - Madore

Vote 6-0

Order # 124-2016

PROVIDING FOR: A Written Policy Concerning Disbursement of State

Fees.

WHEREAS, Title 30-A, Section 5603 requires that the Treasurer disburse money only on the authority of a warrant signed and voted on by a majority of the Council; and

WHEREAS, Chapter 29-A of the Administrative Code provides for warrant review and approval; and

WHEREAS, the Town collects certain fees for the State of Maine; and

WHEREAS, the Council is not able to meet weekly to review, sign and vote on warrants for fees due to the State of Maine; and

WHEREAS, Chapter 29-A of the Administrative Code does not address the need to remit state fees on a weekly basis; and

WHEREAS, Title 30-A Section 5603.3 provides that the Council may adopt a written policy to permit the disbursement of state fees when a disbursement warrant has been signed by one or more designated municipal officers.

NO THEREFORE, IT IS ORDERED that the following written adopted concerning the disbursement of state fees:

1. The Treasurer shall prepare a warrant weekly to disburse state fees;
2. The weekly warrant for fees shall be reviewed and approved by the Finance Director;
3. Upon approval of the weekly warrant for state fees by the Finance Director, any member of the Ad-Hoc Warrant Subcommittee established pursuant to Chapter 29-A of the Administrative Code

may review and approve the weekly warrant for state fees and document his or her approval by signing the warrant.

4. The Treasurer is authorized to disburse state fees each week upon presentation of a warrant for that purpose which has been approved by the Finance Director and signed by any member of the Ad Hoc Warrant Subcommittee.
5. Any error in any weekly warrant for state fees shall be corrected by the Treasurer on the next weekly warrant for state fees after discovery of the error.
6. Warrants for state fees approved pursuant to this policy are not subject to review and approval pursuant to Chapter 20-A of the Administrative Code.
7. This policy shall be reviewed and voted on annually by the Council.

Motion - Stratton

Second - Madore

Vote 6-0

ORDER #125-2016 **Disbursement of Employees Wages and Benefits**

WHEREAS, the Town Treasurer may disburse money only on the authority of a warrant voted and signed by a majority of the Council; and

WHEREAS, the Council signs warrants on a bi-weekly basis; and

WHEREAS, employees are paid on a weekly basis,

NOW THEREFORE IT IS ORDERED, pursuant to Title 30-A section 5603.2.A.1., that the Town Treasurer is authorized to disburse wages and withholding required by law on the authority of a warrant signed by the Town Manager.

Motion - Angotti

Second - Madore

Vote 6-0

ORDER #126-2016 **Anticipated Revenues**

IT IS ORDERED that overall anticipated Revenues, as attached, in the estimated amount of **\$989,000** is approved for Fiscal 2017 for the Wastewater Department.

1400 Fees	\$810,000
1401 Costs and Interest	\$ 7,000
1402 Investment Interest	\$ 0
1412 Capital Reserve Transfer	\$170,000
1403 Lien Cost Recovery	\$ 2,000
0701 Maine PERS	\$ -
Rate Increase	\$989,000

Motion - Madore

Second - Stratton

Vote 6-0

ORDER #127-2016 **Wastewater Department Operations**

IT IS ORDERED that **\$837,607** is hereby appropriated for Wastewater Operations Expenditures for Fiscal 2017.

2100 Administration	\$39,970
2200 Protection (Insurance)	\$21,405
2300 Fringe Benefits	\$99,893
2400 Operations of Plant	\$201,063
2500 Pump Stations	\$ 54,000
2600 Collection	\$ 22,500
2700 Debt Service	\$203,776
2800 Capital Expenses	\$195,000

Motion - Pray

Second - Madore

Vote 6-0

ORDER #128-2016 **Payment of Property Taxes for Multiple Years**

We, the Municipal Officers of the Town of Millinocket upon request of the Tax Collector and Town Treasurer of said Town, hereby authorize and direct said Tax Collector and Town Treasurer pursuant to Title 36, MRSA, Section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest

unpaid tax bill, provided, however, that no such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

Motion - Pelletier

Second - Madore

Vote 6-0

ORDER #129-2016

County Tax

IT IS ORDERED that \$267,482 is hereby raised and appropriated and to authorize the Officers to spend for County Tax Assessment.

Motion - Sannicandro

Second - Madore

Vote 6-0

Line Item Articles for Approval of the
Millinocket School Department Budget
2016-2017

ORDER #130-2016

PROVIDING FOR: Appropriation for System Administration (School)

IT IS ORDERED that \$873,103 is hereby raised and appropriated for School System Administration for Fiscal 2017.

Recommended: \$873,103

Motion - Madore

Second - Stratton

Vote 3-2

ORDER #131-2016

PROVIDING FOR: Appropriation for School Administration

IT IS ORDERED that \$332,225 is hereby raised and appropriated for School Administration for Fiscal 2017.

Recommended: \$332,225

Motion - Angotti

Second - Madore

Vote 3-2

ORDER #132-2016

PROVIDING FOR: Appropriation for Regular Instruction

IT IS ORDERED that \$1,777,711 is hereby raised and appropriated for Regular Instruction for Fiscal 2017

Recommended: \$1,777,711

Motion - Stratton

Second - Madore

Vote 3-2

ORDER #133-2016

PROVIDING FOR: Appropriation for Special Education

IT IS ORDERED that \$739,874 is hereby raised and appropriated for Special Education for Fiscal 2017.

Recommended: \$739,874

Motion - Sannicandro

Second - Madore

Vote 4-2

ORDER #134-2016

PROVIDING FOR: Appropriation for Student and Staff Support

IT IS ORDERED that \$366,356 is hereby raised and appropriated for Student and Staff Support for Fiscal 2017.

Recommended: \$366,356

Motion - Pelletier

Second - Madore

Vote 4-2

ORDER #135-2016

PROVIDING FOR: Appropriation for Other Instruction

IT IS ORDERED that \$196,241 is hereby raised and appropriated for Other Instruction for Fiscal 2017.

Recommended: \$196,241

Motion - Pray

Second - Madore

Vote 4-2

ORDER #136-2016

PROVIDING FOR: Appropriation for Career and Technical

Education

IT IS ORDERED that \$329,111 is hereby raised and appropriated for Career and Technical Education for Fiscal 2017.

Recommended: \$329,111

Motion - Madore

Second - Stratton

Vote 3-3

ORDER #137-2016

PROVIDING FOR: Appropriation for Facilities Maintenance

IT IS ORDERED that \$871,144 is hereby raised and appropriated for Facilities Maintenance for Fiscal 2017.
Recommended: \$871,144

Motion - Angotti

Second - Stratton

Vote 2-4

ORDER #138-2016 PROVIDING FOR: Appropriation for Transportation and Busses
IT IS ORDERED that \$252,795 is hereby raised and appropriated for Transportation and Busses for Fiscal 2017.

Recommended: \$252,795

Motion - Stratton

Second - Madore

Vote 4-2

ORDER #139-2016 PROVIDING FOR: Appropriation for Debt Services and Other Commitments

IT IS ORDERED that \$460,759 is hereby raised and appropriated for Debt Services and Other Commitments for Fiscal 2017.

Recommended: \$460,759

Motion - Sannicandro

Second - Madore

Vote 5-0-1

ORDER #140-2016 PROVIDING FOR: Appropriation for All Other Expenditures
IT IS ORDERED that \$21,045 is hereby raised and appropriated for All Other Expenditures for Fiscal 2017.
Recommended: \$21,045

Motion - Pelletier

Second - Madore

Vote 4-2

Summary Articles

ORDER #141-2016 IT IS ORDERED that \$4,647,020 be appropriated for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$1,547,812 be raised as the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs, and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.
The School Committee Recommends \$1,547,812.

Explanation: The Municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

Motion - Pray

Second - Madore

Vote 4-2

ORDER #142-2016 IT IS ORDERED that \$460,759 be raised and appropriated for the annual payments on debt service previously approved by the municipality's legislative body for non-state-funded school construction projects, on-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the municipality's contribution to the total cost of funding public education from kindergarten to grade 12.

The School Committee Recommends \$460,759

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.

Motion - Madore

Second - Pray

Vote 4-1-1

Article for Additional Local Funds requires approval by a majority of the entire school committee membership and approval by a majority of the entire council membership.

ORDER #143-2016 IT IS ORDERED that \$716,665 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$99,046 as required to fund the budget recommended by the School Committee.

The School Committee recommends \$716,665 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$99,046: The EPS formula does not reflect the actual cost of funding education in rural areas where education may cost more because of its smaller size as compared to larger city schools. Therefore, monies will provide revenues to fully fund programs and operate schools, as well as, contractual obligations, areas excluded under EPS such as 504 programs, extra and co-curricular activities, capital improvements and repairs, etc.

Explanation: The additional local funds are those locally raised funds over and above the Town's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the Town's budget for educational programs.

Total Budget Article for Funding K-12 Education

Motion - Angotti

Second - Madore

Vote 3-3

ORDER #144-2016 IT IS ORDERED that the School Committee be authorized to expend \$6,220,364 for the fiscal year beginning July 1, 2016 and ending June 30, 2017 from the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

The School Committee Recommends \$6,220,364

Motion - Stratton

Second - Madore

Vote 3-3

ORDER #145-2016 IT IS ORDERED that the municipality/district/unit will raise and to appropriate \$15,000 in additional local dollars in support of the food service program.

The School Committee Recommends \$ 15,000

Motion - Sannicandro

Second - Madore

Vote 6-0

ORDER #146-2016 IT IS ORDERED that \$ 6,045 be appropriated for Adult Education and that \$6,045 be raised as the local share; with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

The School Committee recommends a "Yes" vote.

Motion - Pelletier

Second - Madore

Vote 6-0

ORDER #147-2016 IT IS ORDERED that the Regional Vocational Operating Budget, as approved by the Cooperative Board, for the period July 1, 2016 through June 30, 2017 be approved in the amount of \$1,836,972 (Millinocket's share is \$311,360) with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well-being of the vocational programs

The School Committee recommends a "Yes" vote.

Motion - Pray

Second - Madore

Vote 4-2

ORDER #148-2016 IT IS ORDERED that the Regional Vocational Adult Education Operating Budget, as approved by the Cooperative Board for the period July 1, 2016 through June 30, 2017, be approved in the amount of \$98,628 (Millinocket's share is \$6,045), with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well-being of the Adult Education vocation programs.

The School Committee Recommends a "Yes" vote.

Motion - Madore

Second - Stratton

Vote 5-1

ORDER #149-2016 PROVIDING FOR: Acceptance of State, Federal, or Other Sources of Funds

IT IS ORDERED that the Town of Millinocket Town Treasurer is authorized to accept and expend grants, including carryover amounts, from State, Federal or other Sources for the interest of education. Special dedicated revenue budget amounts to be in addition to the amounts appropriated and raised in the general budget (\$6,220,364) and the clearing account budget. Amount unknown but estimated to be \$475,000. Sources include: Title 1-A, Title II-A, PreK, Local Entitlement, TIF 4, and others. (Some of these monies are now included in the new EPS funding model adopted in 2005 by the Maine State Legislature.)
The School Committee Recommends a "Yes" vote.

Motion - Stratton

Second - Sannicandro

Vote 3-3

ORDER #150-2016 PROVIDING FOR: Acceptance of Enterprise and Agency Funds

IT IS ORDERED that the Town of Millinocket Town Treasurer is authorized to accept and expend enterprise and agency funds, including any carryover funds, on behalf of the following: with any amounts to be expended in the clearing account budget in addition to amounts appropriated and raised for the general education budget (\$6,220,364) and the special revenue budget (\$1,550,000).

Amount unknown but estimated to be \$475,000. Sources include: Millinocket School Lunch Program, and any others. (Some of these monies are now included in the new EPS funding model adopted in 2005 by the Maine State Legislature).

The School Committee Recommends a "Yes" vote.

BE IT ORDERED, THAT In addition to the amount approved for the total school budget for next fiscal year, the school committee is authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, including the foreign student tuition program and the dual diploma program, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated.

Motion - Stratton

Second - Sannicandro

Vote 3-3

ORDER #157-2016 PROVIDING FOR: To take \$5,385.25 from the Capital Project Fund. (approximately \$30,885 remaining) to support an improvement to the technical network at Granite Street School as the school share of the project is \$21,541.00 total. The remainder \$16,155.75 to be funded from the e-rate grant.

Motion - Angotti

Second - Stratton

Vote 4-2

Reports and Communications:

- a. Warrant Committee for the July 14, 2016 Council Meeting is Councilor Pray and Councilor Sannicandro
- b. Chair's Committees Reports:
- c. Adjournment: Motion to adjourn at 8:16 p.m. – Madore

Second – Stratton

Vote 6-0

June 21, 2016

The Special meeting for the first public hearing of the Millinocket FY2017 Municipal, Wastewater and School Budgets was brought to order by Chair Angotti in Council Chambers at 4:30 p.m.

Roll Call:

Town Council Members Present:

Angotti (Chair)	Pray
Dumais (excused)	Sannicandro (excused)
Madore	Stratton
Pelletier	

Also present: Town Manager John Davis, Town Clerk Roxanne Johnson, Treasurer Mary Alice Cullen, Recreation Director Frank Clukey, GA/Personnel Lori Santerre, Wastewater Plant Operator Jim Charette, Police/Fire Chief Kenyon, Library Representatives and 19 citizens.

Adjustments to the Agenda: None

Chair Angotti went over the totals of the budget.

Chair Angotti opened a public hearing on the FY2017 budgets.

Don Nodine, coordinator of the cross country skiing trails expressed his appreciation for the donation of \$500.00 that is in the recreation budget.

Rick Rideout stated that the Recreation budget needs to be looked at as economic development for the town.

Tom Malcolm, chair of the Recreation Committee asked the Council to look at the recreation side.

There was some discussion among councilors concerning cuts in the budget.

Reports and Communications:

- a. Adjournment: Motion to adjourn at 5:14 p.m. – Stratton
Second - Madore
Vote 5-0

June 9, 2016

The Regular meeting of the Millinocket Town Council was brought to order by Chair Angotti in the Town Manager's office at 3:30 p.m.

Roll Call:

Town Council Members Present:

Angotti (Chair)

Dumais

Madore

Pelletier

Pray (arrived @ 4:20)

Sannicandro

Stratton

ORDER #118-2016 Executive Session to Discuss Design Lab Contract

IT IS ORDERED that the Millinocket Town Council enter into Executive Session to discuss Design Lab Contract per 1 M.R.S.A. §405 (6)(C).

Motion – Madore

Second – Stratton

Vote 5-0-1 abstention (Pelletier)

Council reconvened in Council Chambers at 4:30.

Also present: Town Manager John Davis, Deputy Town Clerk Diana Campbell, Public Works Director Ralph Soucier, Recreation Director Frank Clukey, Deputy Fire Chief Thomas Malcolm and 10 citizens.

Adjustments to the Agenda:

Approval of Minutes of the May 26, 2016 Regular Town Council Meeting

Motion - Stratton

Second - Madore

Vote 7-0

Special Presentations:

Town Manager's Report:

- Spoke on citizen complaints about grub issues at the cemetery. There is an order on the agenda tonight to allow spraying at the cemetery.
- The manager of the Nature Conservancy Northern Maine Program would like to talk to the Council about a business deal that the Nature Conservancy is involved in at a later date after the deal is completed.
- Over four hundred thirty day tax lien notices were mailed out last week.
- The Manager asked for direction on whether to go with MRC or PERC?

ORDER #108-2016 PROVIDING FOR: Amendment to Order #17-2016

IT IS ORDERED that Order #17-2016 is amended to include the following verbiage:

“IT IS ORDERED that the town manager is authorized to sign the municipal release deed and real estate transfer tax declaration referenced in said Order #17-2016 and said authorization shall be retroactive to the passing of said Order #17-2016 on 2/11/2016.”

Motion – Pray

Second – Madore

Vote 7-0

ORDER #109-2016 PROVIDING FOR: Amendment to Order #22-2016

IT IS ORDERED that Order #22-2016 is amended to include the following verbiage:

“IT IS ORDERED that the town manager is authorized to sign the municipal release deed and real estate transfer tax declaration referenced in said Order #22-2016 and said authorization shall be retroactive to the passing of said Order #22-2016 on 2/11/2016.”

Motion – Madore

Second – Stratton

Vote 7-0

ORDER #110-2016 PROVIDING FOR: Amendment to Order #23-2016

IT IS ORDERED that Order #23-2016 is amended to include the following verbiage:

"IT IS ORDERED that the town manager is authorized to sign the municipal release deed and real estate transfer tax declaration referenced in said Order #23-2016 and said authorization shall be retroactive to the passing of said Order #23-2016 on 2/11/2016."

Motion – Stratton

Second – Madore

Vote 7-0

ORDER #111-2016 PROVIDING FOR: Amendment to Order #73-2016

IT IS ORDERED that Order #73-2016 is amended to include the following verbiage:

"IT IS ORDERED that the town manager is authorized to sign the municipal release deed and real estate transfer tax declaration referenced in said Order #73-2016 and said authorization shall be retroactive to the passing of said Order #73-2016 on 4/14/2016."

Motion – Sannicandro

Second – Madore

Vote 7-0

ORDER #112-2016 PROVIDING FOR: Execution of the Warrant for June 2, 2016

IT IS ORDERED that the Warrant for June 2, 2016 in the amount of \$32,103.04 is hereby approved.

Motion – Dumais

Second – Stratton

Vote 7-0

ORDER #113-2016 PROVIDING FOR: Execution of the Warrant for June 9, 2016

IT IS ORDERED that the Warrant for June 9, 2016 in the amount of \$100,654.39 is hereby approved.

Motion – Dumais

Second – Stratton

Vote 7-0

ORDER #114-2016 PROVIDING FOR: Approval of a Request by Scootic In Restaurant to have a Beer Tent

IT IS ORDERED that the Town Council approve a request by Scootic In Restaurant to allow a Beer Tent on July 3, 2016 on their outside premises.

Motion – Pelletier

Second – Stratton

Vote 7-0

ORDER #115-2016 PROVIDING FOR: The awarding of a bid for GreenThumb to spray for Spring Grub Control at the Millinocket cemetery.

IT IS ORDERED that the Millinocket Town Council award the bid for Spring Grub Control to GreenThumb at a total cost of \$5,400.00.

IT IS FURTHERED ORDERED that the \$5,000.00 be expended from the Cemetery Reserve Account which currently has a balance of \$7,556.95.

NOTE: Two quotes were received:

1. Natural Lawn of America - \$6,500.00

2. Green Thumb - \$5,400.00

Motion – Pray

Second – Stratton

Vote 7-0

ORDER #116-2016 PROVIDING FOR: Award of Airport Consulting Services to Hoyle Tanner and Associates.

IT IS ORDERED that the Airport Consulting Services agreement is awarded to Hoyle Tanner and Associates, Inc. This award is the result of FAA and MDOT requirements to periodically put such services out to Request for Qualifications.

NOTE: The following consulting firms submitted RFQ's to the Town of Millinocket for review: Hoyle Tanner, Stantec, Jacobs and McFarland Johnson. The firms were scored by a ranking process taking into account Experience in the area of Expertise, Ability to Perform, Key Staff Members, Local Knowledge, Company Background, and References.

Motion – Madore

Second – Sannicandro

Vote 6-1 (Pray)

ORDER #117-2016 PROVIDING FOR: Approval of Renewal of 3 Year Hangar Lease

IT IS ORDERED for the Town to enter into a three year lease renewal with Stephen Noyes, d/b/a Noyes Enterprises for use of Hangar 14 to conduct said business. This lease shall run from July 1, 2016 and end on June 30, 2019.

Motion – Stratton

Second – Madore

Vote 6-1 (Pray)

ORDER #119-2016 PROVIDING FOR: Allocation of Sewer Payments to Oldest Bill

WHEREAS, the Town has experienced an increase in past due sewer assessments; and

WHEREAS, for the convenience of administration of the Town's financial affairs, the Tax Collector and Town Treasurer request that sewer payments be credited to accounts in the same manner as real estate tax payments; and

WHEREAS, real estate tax payments are allocated to the oldest outstanding tax bill; and

WHEREAS, the statutory reference in section 104-16 of the Sewer Ordinance has not been updated to reflect repeal of Title 30 MRSA and enactment of Title 30-A;

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

The Tax Collector and Town Treasurer are hereby directed to credit payments for sewer system use charges in chronological order beginning with the oldest unpaid sewer system use charge, provided however, that no such payment may be applied to any charge for which an abatement application or appeal is pending unless approved in writing by the sewer fee payer.

IT IS FURTHER ORDERED THAT sewage system rates, fees or user charges not paid with 90 days of when due shall be collected in accordance with Chapter 104, section 104-16 of the Millinocket Code and Title 30-A MRSA Section 3406.

Motion – Sannicandro

Second – Stratton

Vote 7-0

Reports and Communications:

- a. Warrant Committee for the June 23, 2016 Council Meeting is Councilor Pray and Councilor Sannicandro
- b. Chair's Committees Reports:
- c. Adjournment: Motion to adjourn at 5:30 p.m. – Madore Second – Stratton

Vote 7-0

Council Meeting Schedule-Council Chambers

Thursday July 28, 2016

4:30 p.m.

Regular Meeting

Thursday Aug> 28, 2016

4:30 p.m.

Regular Meeting

Payport Status

The Town is now equipped to receive payment via credit card. Taxes and sewer fees can be paid at the Town Office at this time. Taxes can also be paid online and we are waiting to complete the test to be able to pay sewer fees online also. The staff in the Clerk's office will decide whether or not having a swipe machine will make this process more convenient.

Bid to Demolish Buildings on 100 Katahdin and 62 Katahdin

I have attached a copy of the bid to demolish these properties to this report.

Demolition Quote From Maine Heritage Timber

A copy of the quote is attached to this report.

Revised Tax Acquired Property Policy

I have attached a copy of the revised proposals for Council discussion.

Smith Brook Interceptor Project

Work began July 11th. Final completion expected to be December 8th, 2016.

Maine HeritageTimber
PO BOX 778
MILLINOCKET, ME 04462
(207)723-9200
jamie@maineheritagetimber.com

ESTIMATE

ADDRESS

Town of Millinocket.

SHIP TO

Town of Millinocket.

ESTIMATE # 1198**DATE 07/06/2016**

ACTIVITY	QTY	RATE	AMOUNT
Misc 100 Katahdin Ave Tear Down- Excavator and Crane, Roll Off Containers and Container Truck	40	250.00	10,000.00
Misc 100 Katahdin Ave Haul Out to Juniper Ridge 15 loads, 7 tons per Load \$76 a ton, 3 hours travel time per load	15	640.00	9,600.00
Misc 100 Katahdin Ave Clean up and Landscaping 20 hours @ \$150 (2 men and bobcat)	20	150.00	3,000.00
Misc 100 Katahdin Ave Fill 15 loads at 16 yards per load \$6/yard	15	96.00	1,440.00
Misc 100 Katahdin Ave Trucking 1.5 hours x 15 loads @ \$60 an hour	15	90.00	1,350.00
Misc 62 Katahdin Ave Tear Down- Excavator and Crane, Roll Off Containers and Container Truck	40	250.00	10,000.00
Misc 62 Katahdin Ave Haul Out to Juniper Ridge 15 loads, 7 tons per Load \$76 a ton, 3 hours travel time per load	15	640.00	9,600.00
Misc 62 Katahdin Ave Clean up and Landscaping 20 hours @ \$150 (2 men and bobcat)	20	150.00	3,000.00
Misc 62 Katahdin Ave Fill 15 loads at 16 yards per load \$6/yard	15	96.00	1,440.00
Misc 62 Katahdin Ave Trucking 1.5 hours x 15 loads @ \$60 an hour	15	90.00	1,350.00
Misc 62 Katahdin Ave- Removal of 3 trees	1	500.00	500.00

All appliances will go to the dump- which the town will pay for. No construction debris in basement. Power and Water to be disconnected by Emera and Maine Water, paid for and arranged by Town of Millinocket.

TOTAL**\$51,280.00**

Manager

From: Madore, Michael <mmadore@millinocketschools.org>
Sent: Friday, July 08, 2016 1:47 PM
To: Louis Pelletier; Paul Sannicandro; Charles Pray; Jesse Dumais; Michael Madore; manager@millinocket.org; Dick Angotti
Subject: Revised Tax acquired property policy John please make a hard copy for Glida. Thanks

Tax- Acquired Property Revised 7/8/2016

Section 1. Title

Section2. Purpose.

Section3. Definitions.

Section4. Management and Administration.

Section5. Disposition of Tax-Acquired Property.

Section6. Applicability.

Section 1. Title.

This chapter shall be known as and may be cited as the Policy for Tax-Acquired Property for the Town of Millinocket, Maine and shall be referred to herein as “this chapter”

Section 2. Purpose.

The purpose of this chapter is to establish a policy procedure whereby real estate property acquired in accordance with M.R.S.A. (sub-section) 942 and 943, as amended shall be managed, administered and disposed of by the Town of Millinocket. This is a policy and not an ordinance.

Section 3. Definitions.

For the purpose of this chapter the following definitions shall be observed in the construction of this chapter:

Foreclosed Tax Lien –A tax lien mortgage that has automatically foreclosed pursuant to 36 M.R.S.A. (subsection) 942 and 943.

Just Value For The Current Year Taxes Not Assessed.- The amount of taxes that would have been assessed to the property had it not been owned by the municipality on April 1 of the year in which it is sold by the municipality. (Note: The purpose of this definition is to recover for the municipality those taxes which have been assessed to the municipality if it had been privately owned on April 1 in the year it is sold. These taxes would be lost under current law if the municipality sells tax-acquired property after April 1.)

Land or Lands- That portion of the physical surface of the earth either natural or modified by man to permanent or semi- permanent site and all natural or man-made resources therein and thereon. For the purpose of this chapter “land” shall be commonly referred to as” real estate property, “as cited below

Mail, - Regular, first-class mail posted at any United States Post Office, Postage prepaid.

Manufactured Real Estate Property – Any structure, building, or dwelling including mobile home, the same being constructed or fabricated elsewhere and transported, in whole or in parts, to and placed, set or installed permanently or temporarily upon land within the municipality. For the purpose of this chapter, "manufactured real estate property" shall be commonly referred to as "real estate property" as cited below.

Municipality –The Town of Millinocket Maine.

Municipal officers – The Town Council of the town of Millinocket, Maine.

Prior-Existing Owner- the person or persons, entity or entities, heirs or assigns to whom the property was most recently assessed for municipal taxes.

Quitclaim Deed- A signed legal instrument (a quitclaim deed without covenants) releasing the municipality's right, title or interest in real estate property, acquired by virtue of fore-closed tax liens, to an individual or individuals, entity or entities, without providing a guarantee or warranty of title to the same.

Real Estate Property – That real estate property tax-acquired by the municipality by virtue of a foreclosed tax lien as cited above.

Tax Lien – The statutory lien created by M.R.S.A. (subsection) 552.

Section 4. Management and Administration.

Following statutory foreclosure of a tax lien mortgage, title to the real estate property automatically passes to the municipality. The management of this property rests exclusively with the municipal officers, subject to the provisions of state statutes and local municipal ordinances and regulations.

The municipal officers shall determine whether a tax-acquired property and tax-acquired mobile homes:

A. The municipal officers shall determine whether a tax-acquired property is to be retained for municipal use or disposed of in accordance with provisions of this policy. The municipal officers shall determine which lots, if any, shall be appraised prior to sale.

B. The municipal officers ~~may obtain fire loss insurance for~~ will provide liability coverage for tax acquired property to cover any injuries on said property while in the towns possession under the towns current municipal policy.

~~C. In the event the town determines that the property is to be retained by the town, then the occupants thereof should be evicted shall be evicted. If the property is to be returned to the Prior owner, arrangements can be made for the payback to the town, but not on a landlord-tenant relationship.~~ But not if the tenant seeks to make restitution for the landlord in order to retain residence in the property.

D. The Municipal officers may pursue action for equitable relief in accordance with the provisions of 36 M.R.S.A. (subsection) 946 as amended as a means of securing clear title (barring any mortgage or other collateral liens) of any tax-acquired property, when the municipal officers decide to retain the property.

E. The municipal officers may obtain general liability insurance coverage for the Tax-acquired property.

Section 5. Disposition of tax-acquired property.

A. Within ~~seven (7) days~~ seven business days following the date of foreclosure, or if no foreclosure occurs within ~~seven (7) days~~ seven business days of the date foreclosure occurs, the Treasurer shall provide the municipal officers with an inventory of all tax-acquired property. The inventory shall include all tax-acquired real estate property. From prior years in which the municipality continues to retain an interest.

B. Within ~~twenty-one (21) days~~ twenty-one business days of receipt of the inventory list from the Treasurer the municipal officers shall determine which, if any property shall be offered for sale to the immediate prior owner for all past due taxes, accrued interest and costs, and ~~a \$450.00 cost~~ a \$500.00 cost to cover administrative costs associated with the tax lien foreclosure process. The Town Council may, at its sole discretion, waive the ~~\$450.00~~ \$500.00 cost to cover administrative, legal and recording costs. The Treasurer shall notify the delinquent taxpayer at his or her last named address, according to the Town tax Assessor's records, and the current occupant, if applicable both the delinquent taxpayer and any occupant with a copy of this policy as well a notice to vacate the premises if all past due taxes, accrued interest and costs associated with the tax lien foreclosure process including just value for the current year not assessed, if applicable, are not paid in full within ~~thirty (30) Days~~ thirty business days from the date of the "notice to vacate". Following acceptance of payment in full, the municipality shall deliver a municipal quitclaim deed without covenants to the immediate prior owner releasing the municipality's interest in the property.

C. The municipal officers shall by majority vote, decide the appropriate disposition of all other tax-acquired property that is not sold to the immediate prior owner.

D. The municipal officers shall cause a public notice of an impending public sale of tax-acquired property to be posted within the Town Hall and be advertised for two (2) successive weeks in those newspapers generally used by the town for legal advertisements. The notice shall be published at least ~~five (5) days~~ five business days prior to the advertised sale date. The Municipal Officers shall require the following for proper submission.

- a. A bid sheet containing a full description of the property being bid upon and the bid price in United States currency.
- b. The minimum bid shall be ~~\$450.00~~ \$1000.00 plus any and all accrued outstanding taxes, interest and lien costs.
- c. A certified cashier's check or postal money order in the amount not less than ten percent (10%) of the bid price, to be included as a deposit on the bid. Failure to submit a deposit shall cause the bid to be automatically rejected.
- d. All sale process shall be handled individually. One property at a time shall be brought forth to allow discussions to occur freely.
- e. All bids are to be treated equally. No special treatment shall be given to abutters.
- f. A copy of a plan of usage shall accompany all orders by each bidder so that the council may make a more informed decision in case of bid amounts relatively close in amounts occurs.
- g. The council may accept or reject any and all bids and repost the property at their digression.

- h. If a bidder is in the audience, he or she should be given the right to make a statement and field questions from the council members. If the bidder cannot appear in person then the bidder may send a letter to be read by the manager prior to any final action of the council.
- i. A bid action can be tabled anytime during the discussion to request more information from the manager.
- j. Reclaimed property no matter how it is used should come with an expectation of providing some form of tax revenue. This does not exclude non-profits from bidding on properties, but in such a case, an arrangement for some form of annual payment in lieu of taxes should be addressed, and a mutual agreement arranged before the deed is transferred.
- k. A background check for delinquent taxes owed to the town on any existing properties owned by the bidder by certification of primary ownership.
- l. A request for a time line as to either demolition or restoration should be provided at the time of the initial bid.
- m. A 10% deposit of the bid amount must accompany the formal bid (which should be a minimum of \$1000.00 as referenced in article b.) 10% at 1000.00 – \$100.00. If not the winning bid then the deposit will be returned.
- n. Demolition of a property must commence no later than one (1) year from purchase if that is the buyer's intent for the property.
- o. Specific deed requirements must be abided by the bidder for intent.
- p. Any previous property that has been condemned prior to the bid process must be removed by the winning bidder before any new construction can be preformed.
- q. The municipal officers shall notify, via mail any successful bidder.
- r. The municipal officers shall require payment in full from any successful bidder within 30 calendar days following the date when bids are opened and read. Should the bidder fail to pay the balance, the municipality shall retain the bid price deposit and title to the property.
- s. The municipal officers shall issue only a quitclaim deed which may or may not contain covenants to convey title to the tax-acquired property.

Section 6. Applicability:

This is a policy and not an ordinance which is intended as a guideline with regard to tax-acquired property. The municipal officers may vote to take action different from the guidelines set forth in this chapter; it is in the best interest of the Town of Millinocket.

ORDER #153-2016 AS AMENDED

PROVIDING FOR: Reappointment of the Code Enforcement Officer, and Licensed Plumbing Inspector

IT IS ORDERED that Michael Noble is reappointed to serve as Code Enforcement Officer and Licensed Plumbing Inspector for a one year term retroactive from July 1, 2016 to June 30, 2017 or until his successor is appointed.

Passed by the Town Council _____

Attest: _____

ORDER #158-2016

PROVIDING FOR: Execution of the Warrant for June 30, 2016

IT IS ORDERED that the Warrant for June 30, 2016 in the amount of \$_____ is hereby approved.

Passed by the Town Council_____

Attest: _____

ORDER #159-2016

PROVIDING FOR: Execution of the Warrant for July 14, 2016

IT IS ORDERED that the Warrant for July 14, 2016 in the amount of \$_____ is hereby approved.

Passed by the Town Council_____

Attest:_____

ORDER #160-2016

PROVIDING FOR: Date, Time, Place, Warden for the July 26, 2016 School Budget Validation Referendum

IT IS ORDERED that School Budget Validation Referendum will be held on Tuesday, July 26, 2016 from 8:00 a.m. to 8:00 p.m. at the Stearns High School Gymnasium.; and

IT IS FURTHER ORDERED that Diana Campbell shall be Warden of said election.

Passed by the Town Council _____

Attest: _____

ORDER #161-2016

PROVIDING FOR: Processing Absentee Ballots for the July 26, 2016 School Budget Validation Referendum

WHEREAS, Title 21-A MRSA Section 759.7 allows the Election Warden to process absentee ballots while the polls are open; and

WHEREAS, processing such ballots will assist the Election Clerks and result in an expedited process after the polls are closed; and

WHEREAS, expediting the process after the polls are closed will result in some savings to the Town of Millinocket;

NOW THEREFORE IT IS ORDERED that the Election Warden is authorized to process absentee ballots at 10:00 A.M., 2:00 P.M., 4:00 P.M., 6:00 P.M. and 8:00 P.M. during the July 26, 2016 School Budget Validation Referendum.

Passed by the Town Council _____

Attest: _____

ORDER #162-2016

PROVIDING FOR: Office Hours of the Registrar for the July 26, 2016 School Budget Validation Referendum

WHEREAS, Title 21-A MRSA Section 122(6) specifies the process that the Registrar must follow in registering voters; and

WHEREAS, The Town Clerk also serves as Registrar; and

WHEREAS, the Town Clerk has regular hours on four business days before election day to register voters; and

WHEREAS, being open evening hours as required by law to receive voter registrations will be an added cost to the municipality;

NOW THEREFORE IT IS ORDERED that it is not necessary that the Registrar be open to accept voter registrations for two hours in the evening between 5 P.M. and 9 P.M. on at least three days before election day.

Passed by the Town Council _____

Attest: _____

ORDER #163-2016

Order #71-2016 passed by the Council on April 14, 2016 is hereby ratified and confirmed.

IT IS ORDERED that the Town Manager is authorized to execute and file all necessary paperwork, including signing a municipal release deed to complete the sale of the tax acquired property referenced below to abutting landowners Roger W. Buzby and Sarah L. Buzby for the sum of \$2,802.63:

<u>Address</u>	<u>Map and Lot</u>	<u>Delinquent Taxpayer</u>	<u>Amount Owed</u>
56 Aroostook Ave	(May U05 Lot 182)	Paul E. Blanchette Sandra Blanchette (deceased)	\$2,752.72

This Order shall be retroactive to the passing of said Order #71-2016 on April 14, 2016.

Passed by the Town Council _____

Attest: _____

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Attest: _____

PROVIDING FOR: Approval of Agreement with the Town of East Millinocket to provide recreation services to the Town of Millinocket.

IT IS ORDERED that the Millinocket Town Council approves entering into an Agreement with the Town of East Millinocket to provide management services for the Millinocket Recreation Department, with said agreement to be effective July 1, 2016, and remain in effect for a period of one (1) year, at a contracted cost of \$38,803.00.

PASSED BY THE COUNCIL: _____

ATTEST: _____

RECREATION SERVICES AGREEMENT

THIS AGREEMENT, made as of the 1st day of July, 2016,
by and between the towns of MILLINOCKET and EAST MILLINOCKET, municipal
corporations organized and existing under and by virtue of Maine law,

WITNESSETH:

Recitals:

1. East Millinocket currently provides a recreation services program for its municipal residents and employs a full-time Recreation Department Director for that purpose.
2. Millinocket wishes to expand recreation services for its residents, in the most cost-effective and efficient manner.
3. For the purpose of expanding recreation program services available to their respective residents and to achieve a mutual cost savings, and in consideration of the respective payment obligation and undertakings set forth below, Millinocket and East Millinocket hereby agree as follows:

Agreement

1. **Services.** East Millinocket hereby agrees to provide the services of its Recreation Director (incumbent Frank Clukey) (hereinafter "Director"), together with the services of the Town of Medway's recreation staff employee as provided under a separate agreement between those parties as Assistant Recreation Director (hereinafter "Assistant"), to plan, implement, administer and oversee a program of recreation services in the Town of Millinocket, during the term of this Agreement. Subject to the additional specific

provisions below, duties to be performed by the Director and Assistant shall include the following:

- Program design and planning
- Program scheduling and record-keeping
- Staff Training
- Volunteer recruitment and training
- Staff and volunteer oversight and supervision
- Program fee collection and accounting
- Joint purchasing

2. Effective Date and Term of Agreement; Renewal. Subject to prior approval by the parties' respective boards of selectmen and budget authorization by the two towns, this Agreement shall take effect July 1st, 2016 and shall remain in effect for a period of one (1) years thereafter. Either party may withdraw from the agreement at anytime with a given notice in writing at least (3) months in advance.

3. Annual Fee. For all services to be provided under this Agreement, Millinocket shall pay an annual fee to East Millinocket. The fee for the this year of this agreement is \$38,803.00 increased by the aggregate dollar increase, if any, in the salary and benefits of the Director and Assistant Director . The annual fee shall be paid in two equal installments, one each, on the semi-annual fee payments dates of September 15th and March 15th of each year. The annual fee shall be subject to review and amendment as provided in section 5 of this Agreement relating to annual review.

4. Annual Review. Unless a notice of termination has been given as provided in section 2 above, the parties, by their respective recreation committees, shall meet in May and annually thereafter, for the purpose of reviewing operations under this

Agreement and recommending any necessary changes hereto to their respective boards of selectman.

5. Operational Provisions.

a. *Office Equipment.* Millinocket shall make its existing recreation office equipment available for use by East Millinocket at the Director's office in East Millinocket. Such equipment shall be used in connection with Millinocket recreation programs or common recreation programs of Millinocket, East Millinocket, and Medway. In the event it becomes necessary during the term of this Agreement (including extensions hereof) to replace any such equipment or other office equipment used for Millinocket or common recreation program purposes, Millinocket agrees to pay 59.1% of the cost of such replacements.

b. *Office Location and Schedule.* All recreation programs to be provided under this Agreement shall be administered from the Director's existing recreation office in East Millinocket. The Director shall establish additional office hours in Millinocket, at a location agreeable to the parties, as needed.

c. *Programs.* The Director shall meet with the Millinocket recreation advisory committee on a monthly basis to review program operations. The Director shall consult with the Millinocket recreation advisory committee prior to establishing or implementing new recreation programs in Millinocket. However, in the event of a disagreement, the Director shall have final authority with respect to design and implementation of new programs.

d. *Program Locations.* All recreation programs to be provided to Millinocket under this Agreement shall be conducted on municipal property of the Town of Millinocket, and not on private property, unless special permission is given by Millinocket's recreation advisory committee. All recreation programs involving travel to locations outside of Millinocket must be approved in advance by the Millinocket recreation advisory committee.

e. Program Fees. It is the parties' intention that recreation programs to be conducted in Millinocket, East Millinocket and Medway during the term of this Agreement (including extensions hereof) shall be open to residents of all three municipalities, without payment of a fee. While this Agreement and a related agreement between East Millinocket and Medway shall both remain in effect, neither party shall charge any non-resident or additional program fee to residents of Millinocket, East Millinocket, or Medway participating in such programs. From time to time, special programs may be established that require payment of a fee to cover that program's special or additional cost. All such special program fees shall be collected by the Director and paid over to the municipality in which the programs concerned originates or is being conducted.

f. Program Expenses. All recreation programs expenses including recreation equipment purchases, athletic field maintenance, etc., except compensation and benefit expenses for the Director and Assistant, shall be billed to and paid directly by the municipality where the recreation program is conducted. When the recreation program concerned consists of a team activity with games in multiple municipalities, the municipalities where the "home" field for a team is located shall be responsible for payment of that team's program expenses.

In the event the Director determines that certain equipment or supplies (e.g. pool chemicals) may be purchased more conveniently or at a lower price in bulk, the Director may make such purchases and prorate the cost between the parties, based on their respective percentage utilization of the equipment or supplies concerned.

g. Staff and Volunteer Selection and Training. The Director, following the policies of the three communities will have authority to recruit, select, train, supervise and terminate all recreation program staff and volunteers. The Director shall develop written policies as needed for this purpose. Prior to beginning duties involving direct contact with recreation programs participant, all recreation staff and volunteers must successfully complete a criminal background check. Criminal background checks for this purpose shall be conducted by the police department of the municipality in which the staff member or volunteer resides. If a prospective staff member or volunteer

resides outside of the area, the Police Department of the prospective town shall conduct the criminal background check. If a fee is charged for the background check the municipality which has requested the background check shall be responsible for paying the fee.

6. Insurance and Indemnification. During the term of this Agreement (including any extensions hereof), Millinocket and East Millinocket shall each maintain in force comprehensive general liability insurance in a minimum coverage amount of \$1 million per occurrence / annual aggregate combined single limit, to insure against all claims of any person for personal injury or property damage arising out of operation of recreation programs within that municipality. Each municipality shall defend, indemnify and hold harmless the other party to this Agreement against all such claims arising within the indemnifying municipality.

7. Legal Provisions.

a. *Choice of Law; Venue for Suits.* This Agreement is made under and shall be construed and enforced in accordance with the laws of the State of Maine. No action between the parties to this Agreement to construe or enforce its terms shall be valid unless filed in the District or Superior Courts of Penobscot County, Maine, and otherwise shall be barred.

b. *No Waiver of Immunities.* Except as expressly provided herein, nothing in this Agreement shall be deemed to waive or modify any immunity from judgment or suit, including limitations on damages, enjoyed by the respective parties under provisions of the Maine Tort Claims Act, 14 MRSA sec. 8101 et seq. or other provisions of law.

c. *No Private Benefit.* Nothing in this Agreement shall be construed as creating any private right, benefit, claim or cause of action on the part of any private person or organization, it being the parties' intention that this Agreement is for the sole and

exclusive benefit of the parties hereto.

d. *Status of Director and Assistant.* Throughout the term of this Agreement (including extensions hereof), except as to the parties' respective indemnification obligations under section 7 above, the Director shall for all purposes be deemed to be an employee of East Millinocket, which shall be solely responsible for selection, hiring, compensation, evaluation, promotion, disciplining, and termination of the Director. Throughout the term of this Agreement (including extensions hereof, the Assistant, insofar as performing recreation duties for Millinocket or East Millinocket under the supervision of the Director, shall be deemed to be an employee of the Town of Medway for administrative and compensation purposes, and to be under the supervision of the Director for the purpose of work assignments and oversight.

e. *Status of Agreement.* This Agreement shall be deemed to be a contractual agreement for the purchase and provision of municipal recreation services between the respective parties hereto. This Agreement shall not be deemed to constitute a joint exercise of powers agreement under 30-A MRSA sec. 2101 et seq. or to constitute a delegation of governmental powers between parties. Notwithstanding provisions in this Agreement regarding consultation for various purposes, East Millinocket, as the services provider, shall have final authority in the event of any dispute to determine all operational questions related to the provisions of services contemplated herein.

8. Amendments. This Agreement may be amended only in writing, approved by majority vote of each of the parties' respective town council and board of selectmen, and duly executed on their respective behalves.

WITNESS THE FOLLOWING SIGNATURES:

TOWN OF MILLINOCKET:

Witness

Richard Angotti
Chair, Town Council
Duly Authorized

TOWN OF EAST MILLINOCKET:

Witness

Mark Scally
Chair, Board of Selectmen
Duly Authorized

ORDER #165-2016

PROVIDING FOR: Authorization to accept the FY17 Expenditure and Revenue changes.

IT IS ORDERED that the Millinocket Town Council accept the following proposed Expenditure changes:

Account # 0420 Part Time –	Addition: \$2,725
Account # 0410 Overtime -	Addition: \$1,150
Account # 1101 Airport Overtime -	Addition: \$3,000
Account # 300 Fringe Benefits -	Addition: <u>\$920.00</u>
TOTAL:	\$7,795

IT IS FURTHER ORDERED That the Millinocket Town Council accept the following proposed FY17 Revenue changes:

Account # 0122 Wastewater Admin. Fee -	Addition: \$12,000
Account # 0800 UNUM Workers Comp Reimbursement -	Addition: <u>\$4,285</u>
Total:	\$16,285

NOTE: The net result of this order is an increase in Revenue of \$8,490 which will be used to offset other Administrative costs associated with supporting the Wastewater Treatment function.

PASSED BY THE COUNCIL: _____

ATTEST: _____

MUNICIPAL FY17 CHANGES - 7/7/16

Proposed FY17 Expenditures Changes			
Tax Collector and Town Clerk			
0420 - Part Time	Addition	2,725	Tax Collector #102 Budget
0410 - Overtime	Addition	1,150	Town Clerk #104 Budget
1101 - Airport - Overtime	Addition	3,000	Represents overtime for plowing, which will be paid to the Airport Director. Effective 12/1/16, overtime pay eligibility has been extended to white collar workers earning less than \$913/week or \$47,476 yearly.
300 - Fringe	Addition	920	Overtime pay incremental benefits
Total Proposed FY17 Expend Change		7,795	Net Increase in Budget

Proposed FY17 Revenues Changes			
<u>Tax Collector</u>			
0122 - WWT Admin Fees	Addition	12,000	Increase from \$18,400 to \$30,400. Rate has not changed for a number of years. There is considerable work involved with this function as the billing and collections is quarterly, also the present lien process volume involves hundreds of accounts.
0800 - UNUM WC Reimb	Carry Fwd	4,285	This will be used for overtime and increase part time line in Tax Collector/Clerk budget
Total Proposed FY17 Revenue Change		16,285	Net Increase in Budget

Total Proposed FY17 Budget Changes		8,490	Net decrease in budget to offset other Admin Costs related to supporting WWT function
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ORDER #166-2016

PROVIDING FOR: Ratification of the Collective Bargaining Agreement with Fire/Ambulance employees.

IT IS ORDERED that the Collective Bargaining Agreement with the Fire/Ambulance Employees as negotiated with AFSCME Council #93 is hereby ratified for the period of January 31, 2016 to December 31, 2017.

PASSED BY THE COUNCIL: _____

ATTEST: _____

ORDER #167-2016

PROVIDING FOR: Ratification of the Collective Bargaining Agreement with the Millinocket Police Department Employees.

IT IS ORDERED that the Collective Bargaining Agreement with the Millinocket Police Department Employees as negotiated with Teamsters Local Union #340 is hereby ratified for the period of January 1, 2016, to December 31, 2017.

PASSED BY THE COUNCIL: _____

ATTEST: _____

ORDER #168-2016

PROVIDING FOR: Ratification of the Collective Bargaining Agreement with the Public Works employees.

IT IS ORDERED that the Collective Bargaining Agreement with the Millinocket Public Works Employees as negotiated with Teamsters Local Union #340 is hereby ratified for the period January 1, 2016, to December 31, 2017.

PASSED BY THE COUNCIL: _____

ATTEST: _____

ORDER #169-2016

PROVIDING FOR: Election of Charles Pray and Thomas Perry to the Maine Municipal Association's Legislative Policy Committee.

IT IS ORDERED that the Millinocket Town Council elect Charles Pray, Millinocket Town Councilor, and Thomas Perry, Orono Town Councilor, to serve on the 2016-2018 Maine Municipal Association's Legislative Policy Committee.

PASSED BY THE COUNCIL: _____

ATTEST: _____



Maine Municipal Association

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

Memorandum

To: Key Municipal Officials of MMA's Member Municipalities
From: Stephan Bunker, President, Maine Municipal Association
Date: June 23, 2016
Re: Ballots for Election to MMA'S Legislative Policy Committee



MMA's member municipalities have made their nominations for the 2016-2018 Legislative Policy Committee (LPC). It is now time to elect your representatives to serve on the Committee. The election ballot is enclosed. The ballot must be completed by the Board of Selectmen or Town or City Council of your municipality.

Number of votes

Most municipalities are asked to vote for two candidates, because there are two elected LPC members for most districts. Some municipalities only vote for one candidate, because the other LPC member in that district is appointed. ***You are instructed on the ballot (above the list of candidates) whether to vote for two candidates or just one.***

Candidate profiles

If you are not familiar with any of the candidates, please review the Candidate Profiles on the back of the ballot. Feel free, also, to contact the candidates directly.

Write-in candidates

In addition to the candidates listed on the ballot, you may vote for a candidate whose name you write in. The write-in candidate need not be from your municipality, but must be an elected or appointed official from a municipality in your Senate/LPC district. ***Check to be sure the write-in candidate is willing to serve if elected!*** Write-in candidates should be communicating their interest in serving among the municipal officers within their district.

If you are instructed to vote for two candidates and only one candidate is on the ballot, please use the "write-in" line for your second vote if you know of someone who is willing to serve.

Deadline for returning ballot

Return ballot by 5:00 p.m. on August 5, 2016 to:

State and Federal Relations Dept.
Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Your participation is important – Thank You!

LPC Senate District 5

Chester
East Millinocket
Edinburg
Enfield
Greenbush
Howland
Mattawamkeag

Maxfield
Medway
Milford
Millinocket
Old Town
Orono
Passadumkeag

*Penobscot Indian
Nation
Seboies Ph.
Veazie
Woodville

Candidate Profile:

Thomas Perry has served as a member of the Orono Town Council for ten years. Prior to that he chaired the Town Finance Committee, served on the Orono Library Foundation, was a member of the Orono Economic Development Committee, served on the Planning Board, as Council Representative on the Regional Planning Committee for School Consolidation and served as School Superintendent for seven years. As a former School Administrator for 33 years he has served on state, regional and national committees, including President of the Maine Principals' Association. He has served on the LPC since 2010 and would like to serve again because he enjoys participating in a process that takes positions and sets priorities on issues of importance to municipalities. A high priority for Mr. Perry would be to pressure the state to meet its financial obligations regarding municipal revenue sharing and general purpose aid to education.

Charles Pray has served as Councilor in the Town of Millinocket for the past year and prior to that served as Acting Town Manager for six months. Mr. Pray has served his region for years and would like the opportunity to serve the communities in his District on the LPC, highlighting his 18 years of experience in the legislature, 14 years of federal service and six years of state service.

OFFICIAL BALLOT — District 5

Maine Municipal Association's Legislative Policy Committee

July 1, 2016 — June 30, 2018

VOTE FOR TWO:

☐

Thomas Perry, Councilor, Town of Orono

☐

Charles Bray, Councilor, Town of Millinocket

☐

_____ (name) _____ (position) _____ (municipality) (write in)

Candidate Profiles Are On Reverse Side

MUNICIPALITY: _____ DATE: _____



BY SELECTMEN/COUNCILORS:

signature

print name

signature

print name

signature

print name

signature

print name

signature

print name

Return by 5:00 p.m., August 5, 2016 to:

Laura Ellis, Maine Municipal Association

60 Community Drive, Augusta, ME 04330

Fax: 624-0129

(over)

PROVIDING FOR: Authorization to pave the following streets and sidewalks.

Streets:

1. York Street – from Hemlock intersection to Dead End intersection.
2. Penobscot – from Birch to Katahdin.
3. Aroostook – from Birch to Summer intersection.
4. Central – from Penobscot to Katahdin intersection.
5. Summer – from Penobscot to Aroostook (side street downtown).

Sidewalks:

1. Penobscot – from Bandstand to Katahdin Point
2. Congress – from Central to Spring
3. Central – from Katahdin to Penobscot (south side)
4. Central – from Highland to Penobscot (north side)
5. Katahdin – from Elm to Cherry (east side)
6. Bates – from Station Road to Rush Blvd entrance

IT IS FURTHERED ORDERED that the Town Council accept the bid of B&B Paving to do the work at a price of \$67/Ton Machine Placed for streets and \$140/ton sidewalk hand work and overlay.

NOTE: Three other bids were received:

1. Roundry's Paving - \$62/Ton for streets, \$150/ton for sidewalks.
2. Steel Stone - \$81.15/Ton for streets, \$165/Ton for sidewalks.
3. Cameron Paving - \$81.15/Ton for streets, \$200/Ton for sidewalks.

PASSED BY THE COUNCIL: _____

ATTEST: _____

*Millinocket Public Works
20 Cedar Street
Millinocket, Maine 04462
(207) 723-7030*

June 30, 2016

To: Harold Davis, Town Manager

From: Ralph Soucier, Public Works Director

RE: Paving Bid Results FY 2017

Paving Bids were opened Tuesday June 21, 2016 and two bid packages were received by B+B Paving in Hermon Maine, and Roundy's Paving in Newport Maine.

1. B+B Paving is \$67/Ton Machine Placed for streets, and \$140/Ton for sidewalk hand work and overlay.
2. Roundy's Paving is \$62/Ton Machine Placed for streets, and \$150/Ton for sidewalk hand work and overlay.

Note: The following bids came in late on Monday.

3. Steel Stone Industries in Houlton Maine is \$81.15/Ton for streets and \$165/Ton for sidewalks.
4. Cameron Paving in Jackson Maine is \$80/Ton Machine Placed and \$200/Ton for sidewalks.

I recommend B+B Paving as they have paved for us before and have done an excellent job, at a low cost and timely manner to finish the job.

Thank you,
Ralph Soucier



Paving FY 2017 Budget

Streets:

Shim and Overlay

\$67/Ton
B&B Pave
1/2" shim
1" Overlay
Tons:

Per Road:

1 York Street - from Hemlock intersection to Dead End intersection.	1900' x 26'	\$ 30,887	461	X	
2 Penobscot- from Birch to Katahdin	425' x 32'	\$ 8,375	125	X	
3 Aroostook- from Birch to Summer intersection	1000' x 36'	\$ 22,110	330	X	
4 Central- from Penobscot to Katahdin intersection	850' x 26'	\$ 13,601	203	X	
5 Summer- from Penobscot to Aroostook (side street downtown)	225' x 30'	\$ 4,154	62	X	79,310
6 Minuteman- from Rhode Island to Heritage intersection	1800' x 38'	\$ 42,000	626		
7 Golf Course Entrance-	75' x 24'	\$ 1,105	17		
8 Elm- from Katahdin to Somerset	1300' x 34'	\$ 26,800	400		
9 Station Road- <u>shim only</u> from B+A building to Dirt Road	1000' 24'	\$ 14,750	220		
10 Bowdin- from Bates to DE	1000' x 32'	\$ 21,550	321		
11 Oxford- Popular to Spruce	600' x 28'	\$ 11,323	169		
12 Prospect- from Granite to Hemlock	1000' x 32'	\$ 21,550	321		

Total = \$ 218,205

Sidewalks:

Overlay

\$140/Ton

Curb:

1 Penobscot- from Bandstand to Katahdin Point	425' x 8.5'	\$ 4,620	33	X	
2 Congress -from Central to Spring both sides	650' x 5'	\$ 4,200	30	X	
3 Central -from Katahdin to Penobscot (south side)	*Plus Cement Curbing	1000' x 5'	\$ 6,405	46	\$ 20,000 X
4 Central- from Highland to Penobscot (North side)	*Plus Cement Curbing	150' x 5'	\$ 1,120	8	\$ 3,000 X
5 Katahdin- from Elm to Cherry (east side)		450' x 5'	\$ 2,882	21	\$ 9,000 X
6 Bates- from Station Road to Rush Blvd entrance	*plus cement curbing	600' x 5'	\$ 3,900	28	\$ 12,000
7 School Street- from Katahdin to Dead End		600' x 5'	\$ 3,900		
8 Bowdin Extension- from Bates to the Dead End		750' x 4'	\$ 3,000		
9 Katahdin- from Colby to Central		300' x 8'	\$ 3,100		

*Requires curbing removal
Requires Traffic Control
Requires tack coat

Total = \$ 33,127 Total= \$ 44,000 134,310

Total Cost