

**TENTATIVE AGENDA**  
**REGULAR TOWN COUNCIL MEETING IN COUNCIL CHAMBERS**  
**THURSDAY, MAY 9, 2019**  
**4:30 PM**

**‘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. Roll Call
2. Pledge of Allegiance
3. Nominations for Chair Pro Tem
4. Adjustments to the Agenda
5. Approval of the Minutes of the April 25, 2019 Regular Town Council Meeting

**OLD BUSINESS:**

**NEW BUSINESS:**

**6. SPECIAL PRESENTATIONS:**

- a) Resolve #11-2019 Proclamation Honoring the Anniversary of Municipal Clerk’s Week May 5-11, 2019
- b) Swearing in of Police Officer – Michael Winslow

**7. Town Manager’s Report**

**8. ORDER #85-2019 Execution of the Warrant for May 9, 2019**

**9. ORDER #86-2019 Approval of Victualer License Application (FSC Subway LLC)**

**10. ORDER #87-2019 Approval of Victualer License Application (Daigle’s Soft Serve)**

**11. ORDER #88-2019 Approval of Abatement of Sewer Fees (472 Aroostook Ave)**

**12. ORDER #89-2019 Approval of Amendment to the General Obligation Note**

**13. Reports and Communications:**

- a) Warrant Committee for May 23, 2019 Council Meeting: Councilor Golieb and Councilor Jackson.
- b) Chair’s Committees Reports
- c) Two Minute Public Comment

**14. Adjournment:**

April 25, 2019

The Regular meeting of the Millinocket Town Council was brought to order by Chair McEwen in Council Chambers office at 4:30pm.

Roll Call:

Town Council Members Present:

Pelletier Pray -excused until 5:25pm  
Jackson Stratton  
Madore Golieb - Excused  
McEwen

Also present were: Town Manager John Davis, Town Clerk Diana M. Lakeman, Fire Chief Thomas Malcolm, Police Chief Craig Worster, Waste Water Director Jim Charette, Code Endorser Richard Angotti, Treasurer Mary Alice Cullen, GA/Personnel Lori Santerre, Jane Danforth, Ian Shearer, Jamie Brundrett of KACC, Media Ben Barr and 1 in the public.

Pledge of Allegiance

Adjustments to the Agenda: None

Approval of the Minutes for April 11, 2019 Regular Town Council meeting.

Motion-Stratton Second- Madore Vote 6-0

**OLD BUSINESS**

**NEW BUSINESS**

**SPECIAL PRESENTAIONS:**

- a) Jon Perkins – Maine Technology Group representative, John Perkins, expresses concept of company proposing management of electronic equipment as well as providing services, upgrades and security with additional monthly fees.  
The Town Council share their concerns inquiring costs, coverage and employee training.  
Ian Shearer inquires who owns the equipment when the contract expires in 4 years without renewal, MTG informs the company will own the equipment purchased within the four-year contract, clarifying not the town.  
Jim Charette, Waste Water Director, inquires if his department is included in this proposal, Chair McEwen anticipates reevaluation of the proposal.
- b) Ian Shearer – Notification of Community Prayer to be held for the Katahdin Region on April 28 at 3pm at the substation in Little Italy (old Mill site), and May 5<sup>th</sup> at 3pm outside the East Millinocket Town office.  
Council share in appreciation of Ian’s services and dedication to the wellbeing of the communities.
- c) Jamie Brundrett – Katahdin Area Chamber of Commerce’s president, presents connectivity to the community being under new management sharing support in collaboration in community events.  
Chair McEwen shares inquiries within the new management of intensions for future involvement with community and government communications.

Town Manager’s Report: April 25, 2019

\*Next Meetings Regular Council Meetings to be held in Council Chambers at 4:30 p.m.

May 9, 2019

May 23, 2019

\*Meeting with Lincoln and East Millinocket Police Depts. – Hope to have more information on this subject at the Council meeting on Thursday.

\*Memorial Tree – I received an email from Wendy Gallant expressing her desire to fulfill a wish of her late mother, Jane Gagnier, to have a tree planted in her memory somewhere in Millinocket. I believe this is a worthy cause and would like the Council’s thoughts. If in favor, offer some recommendations as to where to plant the tree. Some suggestions are Veterans Memorial Park, Crandall Park, and Peddlers Hill.

\*Solar Farm – Waiting to hear back from Andrew Kahrl about some further engineering models. It is my understanding that the area by the shooting range would suffice but the project may have to be scaled down.

\*Shared Code Enforcement Services with East Millinocket & Medway – The current agreement expires in June 2019. Presently the contract calls for Code Enforcement and Assessing duties with the Town of Medway and just Code Enforcement with East Millinocket. I suggest that we allow the contract to terminate and let East Millinocket and Medway consult with Lorna and Dick to determine if they are interested in an agreement with the two towns.

\*Property on Hemlock Street - Dean has been in contact with Fred Pasquine Jr.'s attorney and it looks like Fred wants to do the right thing and get the mess cleaned up. I have attached some emails that Dean has exchanged with Attorney Locke and the Director of Public Works.

\*Floor Drains in Cellars – The Public Works Director, Wastewater Treatment Supervisor, and I recommend that the town no longer incurs the cost to clean up a homeowner's cellar that has suffered a sewer backup and has a floor drain with no backflow converter. The town ordinance has language that reflects this and therefore our insurance will not cover it. I have attached an email and an invoice from the Public Works Director in which the town will be responsible for a bill exceeding \$3,000 for such an occurrence. The funds to pay for this project will be taken from the Wastewater Slow Runners Account which has an unexpended balance of \$108,659.57.

\*Event in Memory of Detective Campbell – I received a phone call from Amanda Emerson, a lady from the Damariscotta area that would like to stage an event in Millinocket on May 19 in memory of Detective Ben Campbell. She has contacted the Chamber of Commerce for a list of businesses where gift cards may be purchased to help the family through these trying times.

\*Adjacency Rule Update - I have attached correspondence from the Northern Resource Council of Maine (NRCM) and the Land Use Planning Commission (LUPC) to initiate Council discussion on the LUPC's recommendation for the Adjacency Rule and LD 1561, a bill that would amend the proposal that is supported by the NRCM.

\*Department Updates

#### Public Works

Working on spring cleanup. Sweeping Streets, grading dirt roads, patching holes, flushing slow runners, and manhole inspections. Sent out bids for street line painting.

#### Transfer Station

Fiberight began accepting Municipal Solid Waste (MSW) on Monday, April 22, which happens to be Earth Day. Recycle prices have bottomed out. Most communities are paying double the tipping fee for recyclables as opposed to MSW.

#### Airport

Received bids from four vendors for new snow blower equipment. Ralph is going over the bids and will prepare a recommendation.

#### Airport

Gate still closed due to soft roads.

#### Wastewater Treatment Plant

Busy with testing and regular maintenance.

Working on FY20 budget.

Resumed work on RV dumping station. Will order new signs and a camera system. Hope to have this completed in the next two weeks.

#### Police Department

Responded to 210 incidents from April 5 to April 20.

High rollers included 18 citizen/agency assists, 12 medical calls, 10 information complaints, 5 welfare checks, 4 PD accidents, 3 disorderly conducts, 1 wanted out, 3 9-11 hang ups, and 5 family fights.

The Chief is getting versed on the details of the budget to present to the Council.

Met East Millinocket and Lincoln Police Chiefs and will start monthly meetings.

Met with Penobscot Regional Communication and discussed the terms for replacement radios. The Director and Assistant Director will be coming to the Police Department to assess the department's needs and capabilities.

Officer Bickford and Officer Gamble represented the Millinocket Police Department at Detective Campbell's funeral in Portland.

Four shoplifting arrests have been made at Hannaford's as a result of three investigations.

Have increased police presence at both schools.

Had to rescind Samantha Rockwell's conditional offer due to the inability to pass the agility test. Interviewed three other candidates, two for full-time positions and one for reserve. One is a blue pin and the other two are green pins. Responded to a gun incident involving a five-year-old and a loaded shotgun. The gun discharged and nearly struck the grandmother. An investigation is pending.

#### Health Officer

Assisted two citizens with mole problems. Put them in contact with someone that will try to alleviate this situation. Met with tenant and landlord about storing possible health hazard items. The problem has been resolved to the satisfaction of both parties.

Dealt with and settled an issue of trash being stored in a homeowner's garage.

Had a conversation with a citizen about the debris from the fire on Hemlock Street.

#### Fire & Ambulance

Conducted EMS and Firefighter training.

One FF/Paramedic out due to injury.

Continued installation of smoke alarms through the American Red Cross Program.

Conducted fire drills at both schools.

In the process of putting the new ambulance in service.

Attended a rally for a Stearns Jr/Sr High School student that received an award for saving his mother's life during a medical emergency.

Attended budget workshops and a one-day Maine Emergency Management Conference.

#### Recreation

Working on summer brochures, basketball and soccer camp.

#### \*Administration

##### Treasurer

Attached financial report.

FY19 tax collection at 90%. Leaves an unpaid balance of \$514,160.

FY18 unpaid lien balance is \$153,303.

Municipal expenses at \$8.7 million which is 69% of the total budget.

Town taxes have paid for \$283,976 of other school programs outside of tax commitment. Driven by a timing issue.

Ambulance revenues of \$259,014 are 74% of budget and \$32,218 favorable to last year at this time.

The General Account's available cash is \$442,000 lower than last year at this time.

Wastewater Department available cash is \$433,000 favorable to last year's balance at this time. Accounts and Lien receivable balances are \$5,000 higher than last year.

##### Tax Collector

Working on sewer billing.

Assorting mail.

Performing regular office functions.

##### Tax Assessor

Continuing to prepare data on real estate and personal property to be entered into TRIO.

Working with the public on assessing and code enforcement issues.

Preparing FY20 budget.

##### Code Enforcement Officer

Assisting Assessor with FY20 budget.

In the process of purchasing a laptop and software that will modernize the code enforcement process.

Enjoying a vacation in Las Vegas.

##### Town Clerk

Daily reconciliations for state reporting.

Finalized minutes for the 4-11-19 Council meeting.

Processing requests for Victualer License applications.

Updating & filing cemetery cards, reconciling with cemetery map, and inputting electronically.

Central Voter Registration (CVR) updates, filing accordingly.  
Processing customer transactions/inquiries via window, phone, email, and fax.  
Fulfilling tax/sewer requests for lien and/or foreclosure amounts & dates.

#### Human Resource/Welfare Director

Working on FY20 budget.  
Attended two-day training session for GA in Augusta.  
Prepared warrants.  
Executing every day office duties.

#### Manager

Attending budget hearings.  
Working on tax acquired property list.  
Preparing letters to mail to tax exempt organizations asking for a payment in lieu of taxes.  
Participated in a phone conference with Eaton Peabody, Our Katahdin, Dean Beaupain, and Chair McEwen about the status of the IRS lien on the mill site property.  
Working with public on various issues.  
Chair McEwen added of interest of proposed bill for recommendation for recognition of Indigenous People's Day to replace Columbus Day in Millinocket proceeding to referendum for vote.  
\*Town Manager shares appreciation to the new Health Officer, Thomas Malcolm, noting job well done.  
Councilor Pelletier: no objection to memorial trees, in support of solar farm proceeding, no need for CEO shared contract, informs property owner responsible for backflow, appreciates updates to adjacency rule, agree budget line for application for donation process, concerns with recycle costs.  
Councilor Jackson: concerns with moving the proposed location of Solar farm inquiring another location for PD gun range, inquiries of backflow converters, supports the superb rewrite of the adjacency rule.  
Councilor Golieb: supports planting of memorial trees, supports largest site for solar farm, suggests revising application process and accounts for donations for budgeting, expresses he is not sensitive to political correctness however supports the holiday name change from Columbus Day to Indigenous People's Day, informs separating recyclables monetarily still benefits the Town, inquiries of the agility test to Chief Worster, guidelines based on age and sex.  
Councilor Stratton: in favor of memorial trees, supports recommendations of east mill contract to terminate for CEO, suggests looking into backflow converter.  
Councilor Madore: suggests reestablishing certain trees for memorial dedications in the downtown area, supports the current proposed size for housing the solar farm, offer for CEO no longer needed, good to see property issues at Hemlock St. being addressed, suggests to all to maintain or update backflow converters being homeowner's responsibility, suggests verify with Campbell family to approve event for donations before proceeding seeing no need of approval from the Town, supports the updates to the adjacency rule, suggests community vote through referendum process through the public hearing process for changes to Columbus holiday name, suggests applications for donations have a process with timeline with a set due date in February for budgeting purposes, good to see RV station being addressed, shares Police Department dialog between departments are necessary, shares appreciation for officers representation in services for Det. Campbell with recognition to the new hires, inquires location of trash issue being stored in a garage, HO\*location beyond the "tracks", inquiries to Treasurer with the lower balance in General account than this time last year, Treasurer\*informs more out of reserve being spent, shares appreciation for HO Tom Malcolm with the amount of issues handled in this short period of time.  
Councilor Pray: expresses Police department being advantageous having communications with other communities, shares concerns with proposed location for planting of memorial trees with potential issues over time, supports current proposal for solar farm project, agrees CEO share contract is not needed, appreciate efforts with issues on Hemlock Street, advises community the backflow drain is the homeowners responsibility, agrees the Campbell family should be involved approving the community's fundraising efforts, informs his late presence was due to bill hearing for Adjacency Rule, shares his appreciation to department heads with updates and notifications of the Town's progress.  
Chair McEwen: POLLS- Memorial Tree Location: majority shares no specific desired location with suggestion of least impact of infrastructure and future maintenance.  
-Shared Code Enforcement Officer: all in favor allow to expire  
-Letter of support for Adjacency Rule Update: Even Split, Chair suggests submitting personal letters of own individual perspective.  
-Application process for request of donation: majority in favor drafting application with timeline for policy adoption

-Indigenous People's Day-recommendation to establish public hearing date process for referendum: Majority in favor

Public Comment: None

ORDER #71-2019 PROVIDING FOR: Execution of the Warrant for April 18, 2019

IT IS ORDERED that the Warrant for April 18, 2019 in the amount of \$5252.00 is hereby approved.

Motion-Madore                      Second-Stratton                      Vote 7-0

ORDER #72-2019 PROVIDING FOR: Execution of the Warrant for April 25, 2019

IT IS ORDERED that the Warrant for April 25, 2019 in the amount of \$57,286.72 is hereby approved.

Motion-Madore                      Second-Golieb                      Vote 7-0

ORDER #73-2019 PROVIDING FOR: Appointment of the Code Enforcement Officer

IT IS ORDERED that Richard Angotti is appointed to serve as Code Enforcement Officer for a one year term effective April 1, 2019 to April 30, 2020.

Motion-Pelletier                      Second-Madore Vote 7-0

ORDER #74-2019 PROVIDING FOR: Approval of an Application for a Victualer's License for Hotel Terrace.

IT IS ORDERED that the attached application for a Victualer's License is hereby approved for:

Brent Cole/Katahdin Property Investments LLC, Manchester, NH

d/b/a

Hotel Terrace, 52 Medway Road

Motion-Jackson                      Second-Madore                      Vote 7-0

ORDER #75-2019 PROVIDING FOR: Approval of an Application for a Victualer's License for Mac's Convenience Stores LLC.

IT IS ORDERED that the attached application for a Victualer's License is hereby approved for:

Mac's Convenience Stores LLC, PO Box 347, Columbus, IN 47202

d/b/a

Circle K 7113, 719 Central Street

Motion-Stratton                      Second-Golieb                      Vote 7 -0

ORDER #76-2019 PROVIDING FOR: Approval of an Application for a Victualer's License for Barbecue House.

IT IS ORDERED that the attached application for a Victualer's License is hereby approved for:

Lian Ai Hui, 10 Balsam Drive

d/b/a

Barbecue House, 10 Balsam Drive

Motion-Golieb                      Second-Stratton                      Vote 7-0

ORDER #77-2019 PROVIDING FOR: Approval of an Application for a Victualer's License for Scootic In Inc.

IT IS ORDERED that the attached application for a Victualer's License is hereby approved for:

Scootic In Inc, 70 Penobscot Avenue

d/b/a

Scootic In Restaurant, 70 Penobscot Avenue

Motion- Madore                      Second- Golieb                      Vote 7-0

ORDER#78-2019 PROVIDING FOR: Approval of an Application for a Victualer's License for Hang Hong Yang Corporation.

IT IS ORDERED that the attached application for a Victualer's License is hereby approved for:

Yang Deng Xiu, 27 Pamola Park

d/b/a



Councilor Madore verifies the content of the amendment \*up to \$1890.00 at the discretion of the Town Manager.

**Reports and Communications:**

- a) The Warrant Committee for the May 9, 2019 Council Meeting will be Councilor Pelletier and Councilor Stratton.
- b) Chair's Committees Reports: Chair McEwen informs he will be absent next council meeting due to training needing a chair pro tem.
  - Councilor Jackson informs: Mental Health and wellness committee will meet 4/26/19 at 4:30pm in Council Chambers.
  - Councilor Stratton informs: Events Committee will meet at 3pm in the Town Manager's office May 1, 2019.
- c) Two Minute Public Comment: None
- d) Motion to adjourn at 6:15 p.m. –Stratton Second –Madore Vote 7-0



TOWN COUNCIL

AN ORDER PROVIDING FOR: Amendment to General Obligation Notes for replacement of sanitary sewers.

IT IS ORDERED, by the Town Council of the Town of Millinocket that an amendment to the \$2,200,000 General Obligation Note dated May 16, 2018, and awarded to Maine Municipal Bond Bank, Augusta, Maine, by changing the maturity date to May 16, 2020, as shown on the attached Allonge, which is hereby adopted as if fully stated herein, and further to authorize the Treasurer and Chair of the Town Council to execute said Allonge and all other documents necessary to complete said amendment. All other terms and conditions as stated in said General Obligation Note will remain the same.

IT IS ORDERED, by the Town Council of the Town of Millinocket that an amendment to the \$805,000 General Obligation Note dated May 16, 2018, and awarded to Maine Municipal Bond Bank, Augusta, Maine, by changing the maturity date to May 16, 2020, as shown on the attached Allonge, which is hereby adopted as if fully stated herein, and further to authorize the Treasurer and Chair of the Town Council to execute said Allonge and all other documents necessary to complete said amendment. All other terms and conditions as stated in said General Obligation Note will remain the same.

IT IS FURTHER ORDERED that the Town hereby irrevocably pledges the user fees, rates, assessments and other charges of the Town for the payment of the debt service on the Bond.

IT IS FURTHER ORDERED, that the Town hereby makes a general obligation pledge of its property tax revenues to be used in the event that the sewer and storm water rates, user fees, assessments and other charges levied on, and paid by ratepayers are not sufficient to meet the annual payments of principal and the semi-annual payments of interest on said securities until the debt created by the issuance and sale of said securities is extinguished.

IN THE TOWN COUNCIL.

Read and Adopted:

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

\_\_\_\_\_  
Chair

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Diana Lakeman

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**From:** Mary Alice Cullen  
**Sent:** Wednesday, May 08, 2019 10:57 AM  
**To:** Diana Lakeman; John Davis  
**Subject:** FW: Council Meeting  
**Attachments:** Proposed Allonge Order.DOC

As noted below by Gina, this order must be approved and returned to here on Friday in order to make the deadline.

Thanks  
mac

**From:** Mary Alice Cullen  
**Sent:** Friday, May 03, 2019 3:47 PM  
**To:** Diana Lakeman <townclerk@millinocket.org>  
**Subject:** FW: Council Meeting

Please make sure that this order is included in the 5/9 meeting. John was copied on Ginny's e-mail.

Thanks

**From:** Ginny Dufour <gdufour@bernsteinshur.com>  
**Sent:** Friday, May 03, 2019 11:05 AM  
**To:** Mary Alice Cullen <treasurer@millinocket.org>  
**Cc:** John Davis <manager@millinocket.org>  
**Subject:** RE: Council Meeting

Hi Mary Alice:

Attached is the proposed vote for the Council to adopt on the 9<sup>th</sup>. I will also mail out by Priority Mail the documents that will need to be executed. I'll just need them back by May 15, which gives us a fair amount of time.

Thank you, and I hope you have a nice few days off.

Ginny

**Ginny Dufour**  
**BERNSTEINSHUR - Paralegal**  
**207 629-6224 direct**

**Confidentiality notice:** If you are not the person intended to receive this email, please notify us and please do not make use of this email for any purpose. Thank you.

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**From:** Mary Alice Cullen [<mailto:treasurer@millinocket.org>]  
**Sent:** Friday, May 03, 2019 10:16 AM  
**To:** Ginny Dufour  
**Cc:** John Davis  
**Subject:** RE: Council Meeting

Good morning,

## Diana Lakeman

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**BERNSTEIN SHUR - Paralegal**  
**207 629-6224 direct**

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**Sent:** Friday, May 03, 2019 10:16 AM  
**To:** Ginny Dufour  
**Cc:** John Davis  
**Subject:** RE: Council Meeting

Good morning,

The council will meet on 5/9. I will be away until some time Wednesday Morning next week, so please include John Davis, the Town Manager, on any emails if something needs immediate attention before then.

Thank you

Mary Alice Cullen  
Treasurer, Town of Millinocket  
197 Penobscot Avenue  
Millinocket, ME 04462  
(207)723-7000 Ext. 4

**From:** Ginny Dufour <[gdufour@bernsteinshur.com](mailto:gdufour@bernsteinshur.com)>  
**Sent:** Friday, May 03, 2019 10:04 AM  
**To:** Mary Alice Cullen <[treasurer@millinocket.org](mailto:treasurer@millinocket.org)>  
**Subject:** Council Meeting

Good morning Mary Alice:

I understand from Greg Connors at the Bond Bank that the Town will need to allonge their notes totaling \$3,000,005 for an additional year. Could you please confirm that the Council will be meeting again on May 9? I will plan to email you a vote for the Council to adopt, as well as forward by mail documents that will need to be executed to complete this process.

Thank you.

Ginny

**Ginny Dufour**  
**Paralegal**  
207 629-6224 direct  
207 623-1596 main  
207 770-2522 fax  
[LinkedIn](#) | [Twitter](#)

**BERNSTEINSHUR**

146 Capitol Street [Augusta, ME 04330](#) | [Portland, ME](#) | [Manchester, NH](#)

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