



Veazie Town Council

Regular Meeting

February 26th, 2018

6:30pm

AGENDA

- ITEM 1:** Call to Order
- ITEM 2:** Secretary to do the Roll Call
- ITEM 3:** Pledge of Allegiance
- ITEM 4:** Consideration of the Agenda
- ITEM 5:** Approval of the February 12th, 2018 Regular Council Meeting Minutes
- ITEM 6:** Comments from the Public

New Business:

- ITEM 7:** Audit Presentation
- ITEM 8:** March Meeting Dates Discussion

Old Business:

- ITEM 9:** Manager's Report
- ITEM 10:** Comments from the Public
- ITEM 11:** Requests for information and Town Council Comments
- ITEM 12:** Review & Sign of AP Town Warrant #15 and Town Payroll #17, School Payroll Warrant #17, AP School Warrant #17.
- ITEM 13:** Adjournment

Chris Bagley
16 Silver Ridge
cbagley@veazie.net

Paul Messer
1010 School St
249-1361

Michael Reid
14 Prouty Dr.
573-1300

Aaron Turcotte
14 Silver Ridge
578-0750

Jeff Manter
3 Prouty Dr.
991-7612

Agenda Items For February 26, 2018 Council Meeting

The following are brief explanations of some of the items on the agenda:

ITEM 5: Minutes from the previous meeting will be reviewed.

Suggested Motion- I motion we approve the minutes as presented.

ITEM 7: Representatives from Brantner, Thibodeau and Associates will present the annual financial statements with required and other supplementary information for year ended June 30, 2017.

ITEM 8: The March Council meeting dates will be discussed. Manager Leonard will not be present for the March 26, 2018 meeting as he will be on vacation.

Suggested Motion: I motion we only hold one Council meeting in March on March 19, 2018 at 630PM unless and emergent situation dictates otherwise.

Veazie Town Council Meeting
February 12th, 2018

Members Present: Chairman Chris Bagley, Councilor Paul Messer, Councilor Michael Reid, Councilor Jeff Manter, Town Manager Mark Leonard, Council Secretary Julie Strout, Assessor Ben Birch, Jim Dunning and various members of the public.

ITEM 1: Call to order

Chairman Bagley called the meeting to order at 6:30 pm.

ITEM 2: Secretary to do the roll call:

Councilor Aaron Turcotte was absent and excused.

ITEM 3: Pledge of Allegiance

ITEM 4: Consideration of the Agenda

None

ITEM 5: Approval of the January 22nd, 2018 Regular Council Meeting Minutes.

Councilor Paul Messer made a motion, seconded by Councilor Jeff Manter to approve the January 22nd, 2018 Regular Council Meeting Minutes as written. Voted 4-0-0. Motion carried.

ITEM 6: Comments from the public

None

New Business:

ITEM 7: FY 18/19 Budget Discussion

Members of the Council discussed and provided guidance to the Budget Committee reference the FY 2018/2019 budget. Some topics were to continue to position ourselves for growth, fund our capital accounts, look at salary increases where appropriate, potentially having a mil rate increase, county tax and insurances will be increasing, if public works is something we wanted to bring back to the town in 5 to 10 years, we need to start planning now. The school received the ED279 State funding document which showed a significant decrease. Look for revenue increases. The overall consensus is not to cut services.

ITEM 8: Solid Waste & Recycling Services Contract

Councilor Michael Reid made a motion, seconded by Councilor Paul Messer to authorize Manager Leonard to sign the contract between the Town of Veazie and Pine Tree Waste Inc. as presented. Voted 4-0-0. Motion carried.

ITEM 9: Assessor Update

Assessor Ben Birch reviewed his reports with the Council.

ITEM 10: Executive Session – 1 M.R.S.A. Section 405 (6) (A) – Personnel Matter
Councilor Jeff Manter made a motion, seconded by Councilor Paul Manter to enter into Executive Session – 1 M.R.S.A. Section 405 (6) (A) – Personnel Matter at 7:11pm. Voted 4-0-0. Motion carried.

Councilor Michael Reid made a motion, seconded by Councilor Paul Manter to exit Executive Session at 7:18pm. Voted 4-0-0. Motion carried.

Old Business:

ITEM 11: Manager's Report
Manager Leonard reviewed his report with the Councilor's.

ITEM 12: Comments from the Public
Resident Barney Silver shared his opinion on possibly bringing back public works.

ITEM 13: Requests for information and Town Council Comments
Chairman Bagley stated he sent out a certified letter to Mr. Lunt. He mentioned the 2018 Goals and Objectives and that they need to review the Ambulance contract.

ITEM 14: Review & sign of AP Town Warrant #14, Town Payroll #16 School Payroll Warrant #15 & #16 and AP School Warrant #15 & #16.
The warrants were circulated and signed.

ITEM 15: Adjournment
Councilor Paul Messer motioned to adjourn.

Councilor Michael Reid seconded. No discussion. Voted 4-0-0. Motion carried.
Adjourned at 7:34pm

True Copy Attest

Julie Strout
Deputy Clerk

Manager's Report For February 26, 2018 Council Meeting

Since the last council meeting here are some things I've been working on as well as things occurring around Town.

I met with CES to discuss IT needs for the new Police Department location and also for FY18-19 budget items. They will be providing me with the requested quotes as soon as possible.

Construction on the Police Department is going very well. This week installation of the drywall has started and I have been meeting with numerous vendors for the security camera, fire alarm system and furniture sales personnel.

I attended the Chambers business after hours event which was held at the Oriental Jade this month.

I have sent an email to Sewells to schedule a meeting to inquire about services they may be able to help reference broadband and grant funding through the State of Maine's ConnectME program.

A/C Metcalf and I met with Orono Town Manager Wilson and Fire Chief St. Louis to discuss the ambulance contract. Following the discussion A/C Metcalf and Chief St. Louis will be working on updating some language in the contract but overall it will remain the same as what we currently have in place.

I participated in a conference call to discuss the cable contract with legal and other members of the cable consortium. This is in preparation for a meeting scheduled in March where we will be meeting with representatives from Spectrum.

I have received feedback from the State of Maine reference Veazie's comprehensive plan. I have sent the comments to the consultant and requested he schedule a meeting with me so we can discuss the feedback. I have also sent the comments to Don MacKay for review.

We have received a report on our ISO rating for the Town. Our status has remained at a 4 but after reviewing the report we don't feel we were credited for everything so A/C Metcalf and I will be drafting a memo outlining our concerns.

I attended the Region 5 Police Chiefs meeting where we discussed numerous topics to include the impact of the proposed closure of the county jails. If this was to occur it would impact all law enforcement agencies negatively. I will continue to monitor this and report any updates.

I am happy to report after many years the Town's Public Access channel is back on line. This can be found on cable channel 7. I would like to personally thank Rodney Verrill of NESCOM who was instrumental in making this happen. We will begin adding items to the Public Access Channel which is one more way for the Town to communicate with the public.

Manager's Report For February 26, 2018 Council Meeting

Assessor Birch travelled to Augusta and testified on behalf of the Town of Veazie in reference to LD 1629 which is an Act to Protect the Elderly from Tax Lien Foreclosures. I have included his testimony with my attachments.

Attachments:

1. PERC Report
2. Assessor Birches' Testimony on LD 1629
3. Letter concerning ISO rating



Message

Mon, Feb 12, 2018 11:39 AM

From: PERC <thaley@usaegroup.com>
PERC <thaley@usaegroup.com>

To: Mark Leonard

Subject: PERC 2017 Report

PERC works

February 12, 2018



<https://gallery.mailchimp.com/1913845822078275617b5eec8/images/1c1d56b6-5166-46ed-9cf3-6fc7fa7ebb98.jp>

2017 Report from the Plant Manager

Before we get too far along in this new year, I want to take a minute to give you a report on 2017, the most successful year in PERC's three decades of operation.

First, a special thanks to the three groups of people responsible for our success: our municipal partners and customers, who we are proud to serve; our owners, who continue to guide and invest in our facility; and most of all, our employees, many of whom have been with us for 20 years or more, who every day help us process waste and generate renewable power in a safe, efficient and environmentally responsible manner.

Below are a few of the highlights of 2017 I would like to share with you.

Henry Lang

Plant Manager

A record-setting year for power generation

PERC achieved the highest capacity factor for electricity generation in its 30-year history. Capacity factor is how we measure output – it's the average of power generated, divided by the peak capacity rating for the

facility. For 2017, PERC produced 169,324 megawatts (MW) out of a maximum possible 185,362 MW, for a capacity factor of 91.35 %!

According to the U.S. Energy Information Administration, in 2016 (the most recent full year for which data is available) the annual capacity factor for utility-scale generators using municipal solid waste (MSW), like PERC, was 69.7%, so our performance was significantly above the national average.

The most MSW ever processed

We processed more MSW in 2017 than any other year in our 30-year history – more than 315,000 tons, surpassing the old record of 313,645 tons processed in 2011.



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A stellar environmental record

We had no environmental exceedances for the entire year, which means we operated in full compliance with all our permits and all applicable environmental laws and regulations.



<https://gallery.mailchimp.com/1913845822078275617b5eec8/images/3d3e660e-a4>

The Terminator, a game-changer

In 2017, we purchased the “Terminator”, a KOMPTECH 6000s slow-speed grinder. The Terminator has allowed us to access much more diverse waste sources for fuel, such as carpet and oversized bulky waste (OBW). It also helps us size waste better for our boilers and recover more metals.



<https://gallery.mailchimp.com/1913845822078275617b5eec8/images/a0278941-ffcd-4eaf-86d0-94aed4b134>

A new system to recover more metals

We invested in a new recycling system to recover more metals – both ferrous and non-ferrous – from the ash left in our boilers after MSW incineration. The recovered material represents nearly 25% of our total ash disposal weight and an even higher percentage of ash by volume. This mean less ash going to the landfill and increased revenue from recovering a valuable resource.

Achieving negative wastewater discharge

We also invested in a system that allows us to use rinse water from a local manufacturing business in our anti-slugging system. Because this rinse water was previously discharged as wastewater, we are making the PERC plant better than a zero-discharge facility – it has actually become a negative-discharge facility, which is quite an accomplishment!

Open house and tours



<https://gallery.mailchimp.com/1913845822078275617b5eec8/images/4071eae2-a623-4f82-9d52-3062b805a>

We held our second successful annual open house last summer to give our communities and the public a better

Testimony of the Towns of Eddington, Orrington and Veazie Maine

In Opposition to

LD 1629, An Act to Protect the Elderly from Tax Lien Foreclosures

February 15, 2018

Senator Dow, Representative Tipping and members of the Taxation Committee. My name is Benjamin F. Birch Jr., I am the Tax Assessor for the Towns of Orrington and Veazie and the Assessor's Agent for the Town of Eddington. I am providing testimony in opposition to LD1629 on behalf of the Towns of Eddington, Orrington and Veazie.

Eddington, Orrington and Veazie Municipal officials strongly oppose LD 1629. As proposed, the bill amends the existing pre-foreclosure and post-foreclosure process for property taxpayers 65 years of age and older in the manner that makes the foreclosure process far more complicated and administratively burdensome, increases the chances of errors and results in the unfortunate consequence of shifting greater property tax burdens on all other property owners in the municipality.

Municipal officials believe the existing foreclosure process is appropriate and fair. The current process requires municipal officials to notify and work with delinquent property taxpayers for 18 months before deciding whether or not to acquire property for the nonpayment of taxes. The goal is to keep residents in their homes and the property on the tax rolls, with the action of last resort resulting in the sale of tax acquire property.

Municipal officials object to this legislation based on the following:

- Requires the municipal officials to initiate the process by which the owner applies for tax abatement pursuant to section 841, which is clearly not in the best interest of the municipality.

- Requires the municipal officials to offer financial advice to the property owner, whether they have the professional expertise to do so or not.
- Requires the municipal officials to incur the expense of employing a mediator if a repayment agreement cannot be reached. Even at 50% possible reimbursement, this is a cost municipalities will have to budget for.
- Requires the municipal officials to hold the property in tax lien/foreclosed status until the value of the liens is 50% of the appraised value of the property.
- Requires the municipal officials to employ a real estate agent for the sale of any foreclosed property, which adds additional costs to the foreclosure process. It also could potentially delay the sale of the property, resulting in a delay to return the property to a tax producing status.
- Requires the municipality to “refund” to the former property owner any amount made through the sale of the property over the amount owed to the town in taxes and associated expenses. Our opinion is that the property owner can sell his/her own property if he/she is interested in making a profit on it.
- Requires municipal officials to determine the age of the property owner, which violates anti-discrimination laws.

Most, if not all, municipalities have procedures in place that protect all their property owners, not only the elderly, from tax liens foreclosure. It is our belief that to protect only the elderly is clearly discrimination against the younger property owners who may or may not have better financial resources than the elderly property owners. It potentially places a tremendous burden on those taxpayers who are under 65, who must make up the taxes lost to the municipality through this legislation.

The process of foreclosure as required by this proposed legislation makes the foreclosure process more difficult, lengthy, and very complicated. It places additional administrative burdens on the municipal officials, requiring additional hours and funding to accommodate. We request that you vote against this legislation.



1000 Bishops Gate Blvd. Ste 300
Mt. Laurel, NJ 08054-5404

t1.800.444.4554 Opt.2
f1.800.777.3929

February 19, 2018

Mr. Mark Leonard, Manager
Veazie
1084 Main Street
Veazie, Maine, 04401

RE: Veazie, Penobscot County, Maine
Public Protection Classification: 04/4Y
Effective Date: June 01, 2018

Dear Mr. Mark Leonard,

We wish to thank you and Chief Peter Metcalf for your cooperation during our recent Public Protection Classification (PPC) survey. ISO has completed its analysis of the structural fire suppression delivery system provided in your community. The resulting classification is indicated above.

If you would like to know more about your community's PPC classification, or if you would like to learn about the potential effect of proposed changes to your fire suppression delivery system, please call us at the phone number listed below.

ISO's Public Protection Classification Program (PPC) plays an important role in the underwriting process at insurance companies. In fact, most U.S. insurers – including the largest ones – use PPC information as part of their decision-making when deciding what business to write, coverage's to offer or prices to charge for personal or commercial property insurance.

Each insurance company independently determines the premiums it charges its policyholders. The way an insurer uses ISO's information on public fire protection may depend on several things – the company's fire-loss experience, ratemaking methodology, underwriting guidelines, and its marketing strategy.

Through ongoing research and loss experience analysis, we identified additional differentiation in fire loss experience within our PPC program, which resulted in the revised classifications. We based the differing fire loss experience on the fire suppression capabilities of each community. The new classifications will improve the predictive value for insurers while benefiting both commercial and residential property owners. We've published the new classifications as "X" and "Y" – formerly the "9" and "8B" portion of the split classification, respectively. For example:

- A community currently graded as a split 6/9 classification will now be a split 6/6X classification; with the "6X" denoting what was formerly classified as "9."
- Similarly, a community currently graded as a split 6/8B classification will now be a split 6/6Y classification, the "6Y" denoting what was formerly classified as "8B."

- Communities graded with single "9" or "8B" classifications will remain intact.
- Properties over 5 road miles from a recognized fire station would receive a class 10.

PPC is important to communities and fire departments as well. Communities whose PPC improves may get lower insurance prices. PPC also provides fire departments with a valuable benchmark, and is used by many departments as a valuable tool when planning, budgeting and justifying fire protection improvements.

ISO appreciates the high level of cooperation extended by local officials during the entire PPC survey process. The community protection baseline information gathered by ISO is an essential foundation upon which determination of the relative level of fire protection is made using the Fire Suppression Rating Schedule.

The classification is a direct result of the information gathered, and is dependent on the resource levels devoted to fire protection in existence at the time of survey. Material changes in those resources that occur after the survey is completed may affect the classification. Although ISO maintains a pro-active process to keep baseline information as current as possible, in the event of changes please call us at 1-800-444-4554, option 2 to expedite the update activity.

ISO is the leading supplier of data and analytics for the property/casualty insurance industry. Most insurers use PPC classifications for underwriting and calculating premiums for residential, commercial and industrial properties. The PPC program is not intended to analyze all aspects of a comprehensive structural fire suppression delivery system program. It is not for purposes of determining compliance with any state or local law, nor is it for making loss prevention or life safety recommendations.

If you have any questions about your classification, please let us know.

Sincerely,

Alex Shubert

Alex Shubert

Manager -National Processing Center

cc: Chief Peter Metcalf, Assistant Chief, Veazie Fire Department
Mr. Dennis Cross, Water Superintendent, Orono and Veazie Water District
Mr. James Ryan, Director, Penobscot County Regional Communications Center

Municipal Point of View Needed on the Elderly Foreclosure Bill

Gov. LePage addressed the Taxation Committee in person on Tuesday as it held its first work session on LD 1629, *An Act To Protect the Elderly from Tax Lien Foreclosures*. The bill, sponsored by Rep. Ellie Espling of New Gloucester on behalf of the governor, proposes several changes to the tax lien foreclosure process. Articles printed in the Jan. 12 and Jan. 26 editions of the *Legislative Bulletin* describe LD 1629 and provide a summary of the bill's public hearing.

In his remarks, the governor called on the committee to work with him and his staff to adopt an amended version of the bill that would accomplish two important goals: First, to require municipal officials, particularly elected officers, to work with delinquent senior property taxpayers in the 18 months between the filing of the lien and the foreclosure to ensure that every potential resource and program available to assist a senior homeowner is explored. Second, to amend state statutes to require that a home acquired by municipalities through the foreclosure process is sold at its fair market value with all proceeds in excess of back taxes, interest and other costs accrued by the municipality returned to the previous homeowner.

Gov. LePage believes these changes are necessary to end a practice that allows communities to evict delinquent property taxpayers from their homes. In the last year alone, he claims to have been made aware of 12 cases where senior homeowners found themselves out on the streets. Although he promised to provide the committee with information on the 12 cases, at Tuesday's work session he once again zeroed in on a foreclosure

that occurred in the Town of Albion two years ago, resulting in a senior couple being evicted from their home after the tax acquired property was sold.

Unfortunately, the community's efforts to work with these homeowners were not mentioned at the work session. According to the Albion officials directly involved in this case, the town took great strides to keep the couple in their home. In 2011 and 2012, the town paid the property taxes owed using revenues from

two community funded special purpose accounts. The community sent a letter to the homeowners asking them to come to the town office to work out a payment plan. Additionally, one member of the select board met with the couple at their home to discuss the consequences associated with failing to make agreed upon installment payments.

Yet, the governor took the opportunity to describe municipal officials who
(continued on page 2)

Home Rule for Online Burn Permits?

On Thursday, the Agriculture, Conservation and Forestry Committee met to hold a public hearing on LD 1809, *An Act to Amend the Laws Governing the Issuance of Burn Permits*. As drafted, the bill would give municipalities the ability to use state approved third-party software for the purpose of issuing burn permits electronically. Under the terms of the bill, the authority is accompanied by the condition that the municipality does not assess a fee for the issued permit.

The bill's sponsor, Sen. Tom Saviello of Franklin County, joined a throng of proponent voices in championing local decision making authority over the issuance of permits and the ease of an online system to meet the needs of small rural fire departments. Eleven other interested parties offered testimony in support of LD 1809, including legislators, fire chiefs, and software designers.

In addition to convenience, the proponents testified that the use of third party online burn permit programs increases

public safety and access to information. An online application for a permit triggers an immediate notification to the town fire warden, dispatch service and anyone else the town adds to their designation list, supplying the location of the permit, the type of burn permit requested and the permit holder's contact information. This seamless communication is being credited for reducing the number of suspicious smoke related service calls when the town fire warden and fire department members have immediate notice that the permit has been issued. Hand written permits may be issued by several delegated town officials to facilitate the same 24/7 in person availability, making communicating that issuance an additional and easily fallible process. Proponents of the bill stated that online access permitting software has increased compliance with the state law requiring burn permits.

While the use of online programs has reduced the amount of time spent
(continued on page 2)

Municipal Point of View Needed on the Elderly Foreclosure Bill (cont'd)

foreclose and sell tax acquired property as “scammers,” drawing a comparison between the act to foreclose on a home for the nonpayment of property taxes to those of swindlers who intentionally prey on and exploit the state’s elderly residents.

Raising concerns with the governor’s disparaging remarks about municipal officials dedicated to public service, Rep. Gay Grant of Gardiner asked for information on the 12 other cases that resulted in the acquisition and sale of senior homeowners’ property. Although he promised to provide the information, the governor added that one example should be enough to end the “unconscionable” practice. Rep. Matthew Pouliot of Augusta asked whether a state agency, rather than the municipal officers, might be better suited to help seniors access available programs. Gov. LePage responded that he has no preference with respect to who is targeted to provide the assistance only that during the 18 months prior to the foreclosure someone gets involved. He believes that there are “a million different no cost ways” to get the job done.

The decision to foreclose and sell an owner occupied home is never easy. While these decisions are difficult and politically unpopular, municipal officials have a fiduciary responsibility to consider the burdens placed on all other property taxpayers when residents are unwilling to work with the community to get outstanding property tax obligations resolved. Taking and selling occupied property is the option of last resort.

Although MMA finds it unfortunate that municipal officials were described as scammers, the association remains committed to working with the committee, the governor’s staff and others in drafting an amended version of the bill that meets the needs of all the interested parties.

Municipal officials agree that the burdens placed on the property taxpayers must be addressed. However, municipal officials do not believe that simply shifting burdens from one category of property owners, in the case of LD 1629 senior homeowners, to all other property owners in the community, including young families and businesses, is a workable solution. A more comprehensive approach

is necessary. Municipal leaders ask that through this process legislators also work on efforts to restore funding for municipal revenue sharing, fund a greater share of the \$20,000 Homestead Exemption and restore the state administered and funded elderly property tax deferral program.

During his comments on Tuesday, the governor also informed the committee that this issue, generally, and the Albion case, specifically, will be featured in both his radio address on Saturday and in the

State of the State address on Feb. 13.

For this reason MMA is strongly encouraging municipal officials to contact members of the Legislature to discuss the impacts of LD 1629 and the practices and services established in your communities to keep residents in their homes. Your stories are vital to our efforts to ensure that all sides are represented when the Taxation Committee resumes its work on this bill at another work session yet to be scheduled.

Home Rule for Online Burn Permits? (cont'd)

issuing permits, the proponents assured the committee that fire wardens are not relieved of their duties. One software provider makes fire warden approval a mandated part of the process by issuing the electronic permit only after the designated local administrator approves the application.

Two software service creators also provided testimony in support of LD 1809, stating the systems they designed not only improve public safety and communication between burn permit holders and municipal fire officials, but also allow communities to tailor the program to meet local ordinance requirements, in addition to state standards. Each service offers notifications through text messaging and email, allowing notifications to reach town wardens at any time. The “real time” notification process provides an added safety feature allowing fire wardens to prevent the issuance of a permit on high risk burning days, as local conditions often differ from statewide forecasts.

Even though the town fire warden will receive all the information pertaining to the burn electronically, as required by law the end user must still be in possession of the printed permit. Two proponents testified that the paper copy requirement is a barrier in an increasingly paperless world, advocating for a change in current law to allow the burn permit to be available on the permitted party’s mobile device.

Opponents of the bill included Sen. Scott Cyrway of Kennebec County, Maine Forest Services Director, William Hamilton, and the Maine Forest Products

Council.

Forest Service Director Hamilton testified in opposition to LD 1809 for a variety of safety and software related reasons. He believes that online systems should be uniform and centralized and cautioned that the face-to-face conversations between permit holders and fire officials should not be sacrificed for convenience. The loss of the opportunity to provide safety information to a permit applicant was a universally shared concern among the opponents.

Director Hamilton also expressed concern with an element of the bill providing Maine Forest Service only 10 days to review and approve the software to be used by a community, with the failure to act within the time allotted resulting in the automatic approval of the permitting program. He believes it would be too difficult to meet this deadline if they received a flood of new applications. He was also concerned that the bill did not include a penalty provision to address circumstances where the software is deemed approved, but failed to meet appropriate standards.

MMA testified neither for nor against LD 1809, questioning why municipalities pursuing such services could not be empowered to make fee decisions at the local level. Should such software services charge a fee in the future, or should a municipality pursue a higher priced option, the flexibility to pass that cost onto the user should also remain at the local level.

A work session is scheduled for Feb. 20.