Veazie Town Council Meeting

 October 19th, 2015

**Members Present**: Chairman Tammy Perry, Councilor Robert Rice, Councilor Chris Bagley, Councilor Karen Walker, Manager Mark Leonard, Secretary Julie Strout and various members of the public.

**Members Absent**:

Councilor David King

**ITEM 1: Call to order**

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

**ITEM 2: Secretary to do the roll call:**

Councilor David King was absent and excused.

**ITEM 3: Pledge of Allegiance**

**ITEM 4: Consideration** **of the Agenda**

Chairman Perry would like to change the order under new business to Item #7, #9, #11, #8 and #10. Add #12a as a brief discussion on the Community Centers front porch, which will make the Manager’s Report #12b.

**ITEM 5: Approval of the September 28th Regular Council Meeting Minutes**

Councilor Robert Rice made a motion, seconded by Councilor Karen Walker to approve the September 28th, 2015 regular Council Meeting Minutes as amended. Voted 4-0-0. Motion carried.

**ITEM 6: Comments from the public**

Citizen Judy Horten shared her concerns.

**New Business:**

**ITEM 7: Local Health Officer Re-Appointment**

Councilor Robert Rice made a motion, seconded by Councilor Karen Walker to appoint Manager Mark Leonard as the Town’s local Health Officer for a three year term. Voted 4-0-0. Motion carried.

**ITEM 9: Poverty Abatement – Executive Session 1 M.R.S.A. 405(6)(F)**

Councilor Robert Rice made a motion, seconded by Councilor Chris Bagley to enter into Executive Session 1 M.R.S.A. 405(6)(F) discussing Confidential Records at 6:36pm Voted 4-0-0. Motion carried.

Councilor Robert Rice made a motion, seconded by Councilor Karen Walker to exit Executive Session 1 M.R.S.A. 405(6)(F) discussing Confidential Records at 7:06pm Voted 4-0-0. Motion carried.

**ITEM 11: Mutton Lane Discussion**

Attorney Russell discussed his findings with the Council and citizens. Here is his conclusion:

The Town is not legally obligated to maintain Mutton Lane. In addition, it would be unconstitutional for the Town to maintain Mutton Lane for the benefit of the owners of the three dominant estate properties, as such action would violate the public purpose requirement of the Maine Constitution. It is permissible for the Town to maintain Mutton Lane for the purpose of providing public access to the Buck Hill Conservation Area, as that Area is used for public outdoor recreation activities, and enhancing access to this public facility would qualify as a public purpose. [See: 30-A M.R.S. §5723(1) and §5726(9)]

Councilor Chris Bagley made a motion to have the town put $500.00 towards the quote of $4,320 for fixing Mutton Lane. No second. Motion denied.

Councilor Robert Rice made a motion, seconded by Chairman Tammy Perry to spend no more than $1080.00 to fill and grade Mutton Lane. Chairman Perry amended the motion to state $1080.00 not to be exceeded, to be only in the stipulation that the road is fixed, not just $1080.00 grade it and not fix the problems, for now this would be a onetime thing while we explore other options with the parking lot. Councilor Rice withdrew this motion. Motion failed.

Councilor Rice made a motion to spend for regrading and refurbishing Mutton Lane up to but not exceeding $1080.00 which is 25% of the existing quote provided the 3 other residents of that area agree to contribute the remaining 75% $3,240.00. This is a onetime deal. Authorize Manager Leonard and Attorney Russell to execute a written agreement per the council wishes, if it falls through because the homeowners don’t agree then it falls through, either way Chairman Perry seconded the motion.

Chairman Perry amended the motion to have the road repaired in accordance with the May 7th 2015 estimate from Lou Silver Inc.

Chairman Perry amended the motion to state the Town will contribute 25% up to but not to exceed $1080.00 to repair in accordance with the quote provided by Lou Silver Inc. dated May 7th 2015. With the instructions that all three property owners, Manager Leonard and Farrell, Rosenblatt & Russell will execute a written agreement. This is a onetime event. Voted 2-1-1. Motion carried. Councilor Chris Bagley opposed and Councilor Karen Walker abstained.

**ITEM 8: Generate questions for Nov. 9th meeting with the Sewer District**

The Council came up with some questions for the Sewer District to discuss at the Nov. 9th Council Meeting:

1. What are you projecting the Town's Assessment to be for next year and when do you anticipate that it will be eliminated?

2. What do you project future rates for customers to be?

3. When do you expect the $16.00/ quarter to be eliminated that was added for sludge removal, ect....

4. Any violations for last 2 years?

5. Is the District in Compliance and/or have any outstanding citations?

6. What are the current staffing levels?

7. Is lab testing being completed in house and if not, who is completing it?

8. Do you have any future project plans?

9. What is being done to address recent pump station(s) issue near the Penobscot River Restoration Project?

10. Does the sewer district have any outstanding fiscal liabilities to former employees?

They have also requested current fund balances along with a copy of the audit.

**TEM 10: Municipal Phone Services Contract**

Councilor Robert Rice made a motion, seconded by Councilor Chris Bagley to approve the 60 month Phone Service Contract with OTT Communications and authorized Manager Leonard to sign the contract. Voted 4-0-0. Motion carried.

**Old Business:**

**ITEM 12a: Discussion on Community Center front porch**

Councilor Rice made a motion, seconded by Councilor Karen Walker to accept Mr. Polo’s quote of $4800.00 for the replacement of the front porch on the Community Center Building. Voted 4-0-0. Motion carried.

**ITEM 12b: Manager’s Report**

Manager Leonard reviewed his report with the Councilor’s.

**ITEM 13: Comments from the Public**

None

**ITEM 14: Requests for information and Town Council Comments**

Councilor Walker attended the MMA Convention. She spoke with a gentleman at one of the fire equipment booths that had nothing but praise for Manager Leonard and how he was able to work out a good deal on some air bottles for both Bangor and Veazie Fire Departments. Councilor Walker wanted to thank Manager Leonard for always looking out for the best interest of the town.

Chairman Tammy Perry shared her concerns about the last Orono/Veazie Water District meeting she attended.

**ITEM 15: Review & sign of AP Town Warrant #7, and Town Payroll #7 & #8, School Payroll Warrant #8 and AP School Warrant #8.**

The warrants were circulated and signed.

**ITEM 16: Adjournment**

Councilor Karen Walker motioned to adjourn

Councilor Chris Bagley seconded. No discussion. Voted 4-0-0.Motion carried.

Adjourned at 8:45pm

A True Copy Attest

Julie Strout, Deputy Clerk