

Town Council Meeting
October 27, 2009

COUNCIL PRESENT: Audrey Wilcox, Fred Gifford, Nicholas Wood. Town Office staff present, Lillian Coulter, Oscar Emerson, excused. Municipal staff present is Town Manager Melissa Doane

REVIEW OF MINUTES: Councilor Gifford made a motion to accept the October 12, 2009 minutes as presented, seconded by Councilor Wilcox, Councilor Wilcox noted a change needed when referencing Councilor Emerson vote 3/0.

CITIZENS REQUEST: Steve Bodge from the Maine Department of Transportation informed the Town Council that the department will be replacing the bridge on Cram Street know as Jenkins Street Bridge. During the construction it will be necessary to create a detour. Mr. Bodge explained that there are two options. The first option would be to create a temporary bridge on site. The estimated cost of this is in the \$300,000 range. The second option is to build the private road of Cross Road up for adequate and safe travel. This cost is estimated to be around \$100,000. Because of the cost savings this is the option the department would like to explore. There will be a public meeting at the Bradley Municipal Building on December 2, 2009. The department will take all public comment and concerns regarding the project before making any decision. Mr. Bodge added that the department did a traffic count, which recorded 690 vehicles traveling over the bridge in one day. The construction would be likely start in June with the detour to begin in July and August, therefore school traffic would not be an issue. Eric Gifford from the audience asked if there would be continued maintenance on Cross Road should that option be chosen. Mr. Bodge stated that it would be monitored regularly either by the Department or the contractor hired to complete the project.

MANAGERS REPORT:

Manager Doane placed an advertisement in Penobscot Times regarding the fire station lot clearing. There has not been an overwhelming response; therefore she will be placing an advertisement in the Bangor Daily News. The deadline will remain the same which is November 10.

Manager Doane met with Russell Smith of Eddington to discuss the possibility of a regional Code Enforcement Officer. The hope would obviously be that the two Towns combined would offer greater service for lower tax dollars. There was also discussion to include the Town of Milford; however they are not interested in the proposal at this time. Manager believes that sharing the position with the Town of Eddington will provide in essence a "full time" code enforcement officer that is in two different offices, the estimated cost for providing this service @ 40 hours per week shared would be an between \$24,000 to \$26,000. This proposal includes offering the position health and dental insurance. She added that the current budget is roughly \$23,000 for 20 hours. Manager Doane added that this is in the preliminary stages and there will be no decisions made until discussing it in full with the Town Council.

Manager Doane was approached by Peggy Daigle, City Manager for the City of Old Town regarding the Town of Bradley participating in a feasibility study for a regional assessor. The City of Old Town has put together a RFP for the study; the towns included are Old Town, Orono, Bradley, Milford and Veazie. At this time there is no long term commitment from the Town of Bradley simply an interest to see if services can be provided at a higher level however at a cost savings. Manager Doane added that this too is in the preliminary stages and there will be decisions made until discussing it in full with the Town Council.

Manager Doane spoke with Troy Morin of the Penobscot County Sheriff's Department. The Department sent the Jeff Morin complaint against Mark Gibson to the district attorney's office and they did not find that Mr. Gibson entrance was a criminal matter.

The Cemetery Committee had a meeting on Tuesday October 20, 2009. The committee has decided to wait until the spring to address the needs of a cemetery superintendent.

Manager Doane attended a luncheon on October 22 with Old Town Fuel and Fiber; they are celebrating one year of operations with the new owner Lynn Tilton of Patriarch Partners. Ms. Tilton explained that it has been a successful year and that the ongoing goal is that the facility will operate "green", continue to see profits and add more jobs. The mill currently is using the bio-mass boiler however they are not burning construction debris.

Manager Doane met with Brent Folster on October 21, 2009 the loan regarding the fire station has been finalized and is ready to use.

Manager Doane stated that Maine Municipal Association is hosting an Elected Officials Workshop on December 2 at Spectacular Events in Bangor. She asked that if any member of Council is interested in attending please let her know before or at the November 10, 2009 Town Council Meeting.

On October 23, Manager Doane placed a memo in Town Council boxes with two possible resolves regarding the two ballot questions on the November 3, 2009 ballot. As Manager Doane explained in the memo, several Maine Town and Cities have passed resolves to oppose question 2 and question 4. Manager Doane added that she wanted to at least have a discussion regarding the two ballot questions and how it may affect the Town of Bradley. She further explained that question 2 is asking if voters would like to cut the rate of municipal excise tax, if approved the loss of revenue from excise tax collection is estimated to be \$100,681 which is a 1.21 mill rate increase. Manager Doane stated that the initiative will benefit people who own newer cars, hybrid type cars and motorcycles. According to BMV 70% of registered cars in Maine don't qualify for a benefit under the proposal as the initiative offers lower excise tax collection for vehicles 6 years or newer. In addition the initiative exempts hybrid vehicles, regardless of size. Question 4 asks voters to change the existing formulas on state and local government spending. She explained that this question requires governments to operate under a growth factor based on inflation and population. The Town of Bradley currently operates under a self imposed budget cap, which is more stringent than the proposed growth factor. Manager Doane stated

her concern is regarding the State operating under this premise, therefore being forced to reduce School funding, therefore requiring more local dollars to fund education. Question #4 also requires that any increase of budget over the growth factor be sent to the voters in referendum. She explained that Bradley has referendum style voting, therefore the municipal budget would not be any different, however if there is an increase in County or State budgets, a referendum is needed. The cost of this election would be paid for by the Town, the average election is approximately \$500-\$800. Councilor Gifford made a motion to approve the resolve that opposes both Question #2 and Question #4, seconded by Councilor Wilcox. Councilor Wilcox noted that several towns have addressed the issue and feels Bradley should as well, pointing out that the election is next week, no further discussion, vote 3/0.

NEW BUSINESS: Manager Doane requested that Town Council sign the return of notice, which states that the Town Council held a public hearing on October 12, 2009 to discuss the 2009-2010 General Assistance Appendix and Winter Parking Regulations.

UNFINISHED BUSINESS: Manager Doane stated that neither Sunrise nor Thibodeau's are able to complete the paving by October 31, therefore the projects of Penney Lane and Broad Street will have to wait until the spring. Thibodeau's stated they would honor the price given to us. She further stated she will have to have something done temporarily to an area at Penny Lane. Councilor Gifford asked why the Town always seems to address road projects so late in the year. Manager Doane stated it is because of the budget cycle, as when the budget is approved it is July, when the pavement plan is received it is September.

Manager Doane stated that the Town has received a check in the amount of \$126.95 from Viola Rand School. This amount represents what RSU 34 was able to collect for outstanding hot lunch debt, which was originally 300.02. Manager Doane sent letters to the parents whom still owe; she received a payment of 18.41, therefore leaving the total balance uncollected of \$154.66. This amount has been presented in tonight's warrant, payable to the Town of Milford for the outstanding debt for the 2008-2009 hot lunch program.

Councilor Wilcox asked if the Town had heard from the residents of 114 Cram Street. Manager Doane stated she had not heard from them at this time. She added that she had received a phone call from Penobscot Times because they had received notice that the Town was harassing them. Manager Doane asked what the harassment was, the residents explained that the Town was going to take their cats away and that the town is stating that they have a junkyard. Manager Doane explained to Penobscot Times that there was a cat colony on Cram Street; the Town was trapping the wild cats to take to the Human Society to be spade/neutered and to be placed for adoption. To protect household pets, the Town asked residents to place a collar or identifiable object on their cat, so if they were mistakenly caught in a trap they could be released to the owner. In regards to their junk yard, there have been several complaints from the neighbors regarding their junk and messy yard, as with all complaints regarding land use nuisances the Town asked they remove junk and clean their yard. Manager Doane stated that likely the issue will be turned over to Edmond Bearor, Town Attorney.

Councilor Gifford asked what the status was regarding the removal of two beaver dams on Otter Stream. Manager Doane stated she has contacted the warden service and Maine DOT about getting the dams removed.

MUNICIPAL WARRANTS: Councilor Wilcox made a motion to accept warrant 34 the amount of \$4,192.25 and warrant #35 in the amount of \$15,074.49, seconded by Councilor Gifford no discussion, vote 3/0.

NEXT MEETING: The next meeting is set for November 10, 2009 at 6:30 pm.

ADJOURN: Motion made Councilor Wilcox to adjourn, seconded by Councilor Gifford, no discussion, Vote 3/0.