

Town Council Meeting

December 06, 2022

Open Town Council Meeting: Council Chair Mark Ketch opened the Town Council meeting; all Town Council members were present. Also present was Town Manager Melissa Doane.

Review of Minutes: Councilor Ketch made a motion to accept the Town Council minutes from November 22, 2022, seconded by Councilor Wade, vote 5/0.

Citizens Request: None

Managers' Report: Town Manager Melissa Doane provided to the Town Council a draft stipulated judgment regarding the property of 114 Cram Street. The procedure is exactly the same as what was done in 2017. The hearing date is tentatively set for Monday February 6, 2023. At this hearing the Town will present to the judge a stipulated judgment asking for the court assistance in getting Mr. Wing to correct and abate all violations by a specific date; which is to be determined. Mr. Wing shall pay attorney fees and a suggested fine of \$500. If Mr. Wing fails to correct and abate the violations the Town can then file a motion seeking fines of \$100 per day from September 30, 2022 until corrected. Manager Doane requested that further language be added that if he violates the ordinance in the future the waived fines will be imposed. Manager Doane also requested language regarding jail time, however it was Mr. Hamer's opinion that the court would not agree to the provision, however did add that if he simply refuses to correct the violation it is possible that a court could order jail time. Town Manager Melissa Doane added that she has a vacation tentatively scheduled for February 6, 2023, however, Code Enforcement Officer Dean Bennett is available to represent the Town of Bradley if she should be away. Councilor Lugdon asked what are the benefits for stipulating the agreement? Manager Doane responded that it cost less, we would not have to pay the attorney to go to another court date, that could result in the same outcome. If we went to court, the judge could impose more fines, but we already have a total of almost \$33,000 on the property now, so she feels they really won't do anything. Manager Doane stated that the agreement would be explained to Mr. Wing by the judge and he would know what was expected from him. This same process was done in 2017, it was effective until he paid off the fines, then he started back up again. Councilor Lugdon asked if it was beneficial in the attorney's opinion or if it was Manager Doane's opinion to get it into the courtroom, and perhaps keep it in the public eye to some degree. Manager Doane responded to Councilor Lugdon, yes, she feels that it is beneficial. Manager Doane continued by stating that if the town does not succeed with the stipulated judgment on that date, the February 6 date will simply be his first appearance. If Mr. Wing does not agree then the Town will have to wait for another court date in which the Town of Bradley would submit their evidence and if Mr. Wing has an attorney, they would submit the evidence. It would prolong the process if Mr. Wing does not accept the judgment... Councilor

Lugdon replied that if he was one of Mr. Wing's neighbors, he would like for the Town to do whatever they can do. Councilor Lugdon also asked Town Manager Doane, what is more beneficial, doing the stipulation agreement or getting it in front of the Bench? Town Manager Melissa Doane stated that regardless there is going to be a final judgment, it is coming to an agreement on that judgment. In previous years, the judge gave Mr. Wing and his partner had 30 days to clean up the property and if they did not comply, then the Town could forcibly go in and clean the property themselves. Mr. Wing and his partner did not comply with that judgment so the Town did the clean-up and ended up finding them \$33,000. This fine has since resulted in a non-foreclosable lien on the property. What the Town can do, is make him clean the property and with the stipulation judgment there is the possibility to make him do it quicker. Councilor Ketch asked if there was a chance that the stipulation judgment may not work? Town Manager Doane stated that Mr. Wing may not agree to the stipulation judgment at the court date. Councilor Lugdon asked if the agreement would be put in front of him before the court date? Manager Doane stated he would be served with the court date and the agreement will be brought to court on that date to have a judge and Mr. Wing approves, this will avoid future court hearings. Councilor Clemons asked Manager Doane if she thinks Mr. Wing will say yes to the judgment. Manger Doane responded that she does believe he will agree to the judgment as that is what he has done in previous years. Councilor Wade asked Town Manager Melissa Doane about Mr. Wings track record on payment to the Town. Manager Doane stated that Mr. Wing paid what she believed close to \$3000 over 5 years. Mr. Wing would pay \$25 a month until the fine was paid. Also, at that time he did clean up his property. The first time he was taken to court was when the Town had to do the clean-up. Councilor Wade asked Manager Doane, since Mr. Wing's behavior has changed since the last time, does she believe he will do the clean-up this time around. Manager Doane states that she is unable to answer that, as she does not know. Councilor Delaware made the motion to move forward with the stipulated judgment, seconded by Councilor Clemons, vote 5/0.

Town Manager Melissa Doane provided to the Town Council the updated contract with Penobscot County regarding Regional Animal Control. The only change was an hourly rate increase to \$16.50, the contract requires Town Council approval and signature. Councilor Ketch asked Manager Doane, how long is the agreement good for? Town Manager Doane replied that it would need to be done every year. Motion was made by Councilor Lugdon to accept the contract, seconded by Councilor Delaware, vote 5/0.

The Penobscot County draft budget for 2023-2024 was received last week, it appears to have an increase of 8%-9%. Councilor Ketch asked if that increase was for each Town, in which Manager Doane responded with yes, the increase is for each Town in Penobscot County.

The final meeting of the Blue-Ribbon Commission to study EMS was yesterday December 5, 2022. It is anticipated that another commission will be formed as much work is needed. The findings that will be submitted to legislatures includes a 70 million in funding for the next 5 years to support EMS all over the State of Maine, creation of a work group with the Community

College System and the University of Maine to explore EMS career pathways, facilitate the growth of paramedicine, and creation of a survey in which all EMS providers can participate to provide the feedback needed to create an effective EMS system.

Fire Chief Gifford and Town Manager Doane attended a meeting in Orono to discuss the delivery of regional EMS. This first meeting was informational only and to see if municipalities and the County are interested in researching a regional system. The consensus of those that attended was that it would be a great undertaking, however, if the service can be improved and is cost effective it would certainly be beneficial.

Manager Doane provided to the Town Council a draft RFP for roof replacement on the Municipal Building and the Post Office, as well as a draft RFP for the Town line sign design and replacement. Town Manager Doane is unsure which roof is worse, the Municipal Building or the Post Office, during wind storms there are shingles in the parking lot and lawn. There is no sign of water damage to the roof. The buildings are 23-year-old, even though their shingles are supposed to be good for 30 years, they do not seem to hold up that long. Manager Doane mentioned that the Town line signs have not been done since 2005 and they are starting to fade. Town Manager Doane would like to find out how much updated signs will cost. Town Manager Doane would like to have Town Council's feedback; Manager Doane would anticipate advertising the RFP in January or February of 2023. The receipt of the proposals will allow the Town Council to move forward with the project and determine how to fund them with the next budget process. Councilor Lugdon asked Manager Doane; he has not gotten a chance to look at the draft RFP in great detail, but he wondered if there was a change for a metal roof. Town Manager Melissa Doane responded by saying she did not put anything in the draft RFP about a metal roof, but always puts in for the contractor to give us additional options if they feel it is the best to be used. Manager Doane added that the reason she did not ask about a metal roof is because she simply is not a fan of them, but did apply additional content with the contractor. If the contractor looks at the roofs and feels that a metal roof is a more viable option then they would hopefully provide it to us. Councilor Wade made a comment that there are new types of shingles that are not asphalt and appear to be very, very good quality. Councilor Ketch asked Manager Doane if she was looking into getting 2 signs, one on each side of Bradley. Manager Doane responded that yes, she would get one for each side. Manager Doane said she kind of left the Town line design and installation. She has seen Town Line signs with more graphic design to them than the traditional signs we have now, they also seem to last longer. Councilor Wade asked Manager Doane if Maine Forest and Logging is helping to contribute to the new signs? Town Manager Melissa Doane replied that no, they will not contribute to the new signs.

Manager Doane and Councilor Chair Mark Ketch participated in a zoom meeting December 6, 2022 regarding the RSU #34 facilities planning recommendations. Manager Doane provided the short – term proposal; this includes changing the use of the Viola Rand School to a central administrative office and a larger RSU #34 wide Pre- Kindergarten program. Mr. Cyr and Mr. Doty will be having open sessions with the educators on December 9, 2022, that will be held at

Viola Rand School as well as on December 15, 2022, at Old Town Elementary School. On December 21, 2022 they will be presenting the plan to the school board. These changes are due to decreased enrollment, budget changes created by funding changes such as grants or specialty fund ending, and overall price increases. It was also noted that they do not anticipate doing major changes to Viola Rand School at this time. They would like to keep the option for classroom use. There was conversation around doing more work to promote RSU #34 as 25% of students come from outside schools, possibly from Milford and Greenbush. Town Manager Melissa Doane requested that data be provided on how much school choice cost the RSU #34. Though the RSU Board is not likely to support Bradley phasing out of School choice due to legalities. Manager Doane believes it would be helpful to the board to see some of the true cost of school choice. Councilor Chair Mark Ketch also commented about the meeting stating, they do plan on increasing the pre-Kindergarten program throughout RSU #34, they are doing road shows to help strengthen other Towns to do their tuition in RSU #34, which in the end could help. There has been 1.25 million dollar increases due to reduced funding and reduced tuition. RSU #34 are going to look into not filling any positions from any teacher that retires as well as considering offering stipends for teachers that may want to take early retirement. The RSU staff stated they are trying to choose a path down the cliff, rather than falling off the cliff. Councilor Ketch also added that it was good to hear that they had a plan for the Viola Rand School and liked that they are not going to make big changes to the school so if they ever decide to have classes held back there, they can.

Town Manager Melissa Doane would like to have Town Council's authorization to issue a check on Friday December 9, 2022 without a signature to cover the cost of the 2020 real estate tax foreclosure notice mailings. Motion to make the authorization to issue the check was made by Councilor Wade, seconded by Councilor Lugdon, vote 5/0.

The Town of Bradley received full reimbursement in the amount of \$278,486.40 from the State of Maine today, for funds expended in regards to the Blackman Stream Restoration Program. The additional money needed to complete the project will be held with the State rather than the Town.

New Business: Councilor Lugdon asked to make a motion to have year-end bonuses issued, and be the same as last year, the motion was seconded by Councilor Delaware, vote 5/0.

Unfinished Business: Councilor Clemons mentioned that there is a light out in which he believes is facing the Town Office, and Town Manager Doane is going to look into it.

Councilor Ketch was wondering if anything was done with the part of a tree which was laying on a wire on Bullen Street and Route 178. Manager Doane said she did contact Bangor Hydro and had not heard anything back but will call again tomorrow 12/07/2022 to see if she can get someone to take a look at it. Councilor Ketch added he was surprised it had not fallen yet with

the wind, Manager Doane agreed, the wind had been strong and was also surprised it had not fallen down.

Municipal Warrants: Councilor Ketch made a motion to accept municipal warrants as presented, seconded by Councilor Clemons, vote 5/0.

Next Meeting: The next meeting is set for December 20, 2022. Councilor Delaware will be absent, as she is out of Town, however, asked if she could join by zoom.

Motion to adjourn: Councilor Lugdon made motion to adjourn, seconded by Councilor Clemons, vote 5/0.