

**TOWN OF ORONO  
COUNCIL MEETING  
COUNCIL CHAMBER - MUNICIPAL BUILDING**

**MONDAY, JUNE 10, 2019 AT 7:00 P.M.**

**MINUTES**

**1. Roll Call**

Present: Council Chair Cindy Mehnert, Tom Perry, Sam Kunz, Meghan Gardner, Laurie Osher, Cheryl Robertson, Terry Greenier and Town Manager Sophie Wilson.

**2. Agenda Review - None**

**3. Approval of Minutes of May 9, 2019 Special Council Meeting and May 13, 2019 Special and Regular Council Meetings**

Moved by Tom Perry and seconded by Sam Kunz. All voted in favor, 7-0.

**4. Public Hearings**

- a. **To consider Victualer's Licenses for: American Legion, Bell's IGA, Burger King, Dysart's Travel Stop, Leadbetter's, The Store/Ampersand, Thai Kitchen and Wendy's.**

Public hearing a. opened at 7:01pm. Community Development Director David Milan reported that all inspections have been completed, sewer and taxes have been paid and staff recommends approval of the licenses, except for conditional approvals (as noted in the orders) for Bell's IGA and Burger King. Ms. Wilson stated that Bell's IGA is conditioned upon the applicant having right, title, or interest in the property and Burger King paying their personal property taxes. No public comments were made. Public hearing a. closed at 7:02pm.

- b. **To discuss the Sewer User Fee Increase for FY2020.**

Public hearing b. opened at 7:03pm. Town Manager Sophie Wilson presented information on the proposed sewer user fee increase of \$0.40/cubic yard, effective January 1, 2020 to support the revenue and to pay for increased electrical costs. She noted that Orono has the lowest sewer user rate in the region. Superintendent Joe Madigan explained the electrical increases. No public comments were made. Public hearing b. closed at 7:10pm.

- c. **To discuss the 2019-2020 Municipal, Capital and WPCF budgets.**

Public hearing c. opened at 7:11pm. Ms. Wilson presented information on the proposed FY20 municipal, capital and WPCF budgets. *(See the PowerPoint presentation.)*

Ms. Wilson noted that Penobscot County, RSU#26 and Town are separate entities that make up the proposed FY20 tax rate. She stated the County assessment has increased \$43,577 over last year (a 7% increase), the RSU assessment has no proposed change over last year and the Town's budget has no proposed increase over FY19.

Ms. Wilson reviewed the proposed budget's revenues and expenses, operational changes, capital improvement plan, and the WPCF budget and capital plan. The projected mil rate of \$27.10 represents \$10.53 for the Town, \$15.07 for the RSU#26, and \$1.50 for the County (a \$0.10 increase over last year). She spoke of Council's desire to provide tax relief, if there is an increase in State Revenue Sharing.

### Public Comments

Dan LaPointe, 201 Kelley Road commented about the struggle each year to pay taxes. He voiced concerns for the average taxpayer to keep up with taxes. He encouraged the Council to reduce the rate.

Stuart Dexter, 3 Fernwood Street, encouraged Council to reduce the proposed tax mil rate from \$27.10 to \$27.00 to remain the same as last year. He asked about the FY18 tax collection rate. Ms. Wilson stated 98% of the taxes were collected (with a current balance due of \$255,000). She explained to Mr. Dexter that uncollected taxes are not written off; they become part of a foreclosure and lien process.

Fredrica Smith thanked the Council and staff for presenting a budget without any waste. She noted that the budget meets the needs of the community and infrastructure. Ms. Smith stated it was impressive to have a zero-increase budget that also did not have an inflationary increase.

Ms. Wilson also reviewed the Wastewater Pollution Control Facility (WPCF) budget which reflects a 2% increase over last year. She noted the Capital budget was up 4.9% for WPCF. She stated that the current service level will be maintained. No Public comments were made. Public hearing c. closed at 7:57pm.

#### **d. To accept comments on the Proposed FY2020 Fee Schedule.**

Public hearing d. opened at 7:58pm. Ms. Wilson reviewed the proposed changes to the FY20 Fee Schedule: She noted the new mailbox replacement/reimbursement rate, the increased sewer user fee and sewer connection fee, and restructuring of the landfill disposal fee, increase in Town Clerk fees and cemetery fees.

Public Works Director Rob Yerxa explained the new landfill fees. He noted there will be an annual landfill permit and tickets to purchase based on each cubic yard of materials. Mr. Yerxa noted there will be no charge for leaves/brush disposal and scrap metal.

Judy Sullivan asked for an explanation of the mailbox replacement fee. Ms. Wilson stated that it was not a fee to the resident, but a reimbursement rate for damaged mailboxes due to Town snowplowing.

Dan LaPointe asked about the cemetery fees. Ms. Wilson explained the increase is due to increased labor costs. Public hearing d. closed at 8:16pm.

**e. To review the Orono Village Center District Development Program.**

**Boundaries of District: Said District shall include real and personal property located on land shown on Orono tax maps as follows: Tax Map 019-004, Lots 061, 062, 063, 065, 066, 067; Map 027-002, Lots 017, 018, 019, 020, 021, 022, 023, 024, 025, 047, 048, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 062, 063, 119, 120, 121, 122, 123, 124, 125, 126, 139, 140, 141, 142, 143, 144, 145, 146; Map 027-12, Lots 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035 (maps on file in the Assessor's Office at the Municipal Building, 59 Main Street, Orono, ME 04473). The preceding map and lot numbers encompass an area generally described as follows: most properties abutting Route 2 from Harmaney Realty Limited Partnership occupied by Peoples United Bank to Murray's Campus Service, 5 properties on Forest Avenue, properties abutting Canal, Oak and Summer Streets, most properties abutting Mill Street from Route 2 to Byer Manufacturing, properties abutting the West side of Pleasant Street, most properties abutting Pine Street from Route 2 to Birch Street and 6 Myrtle Street.**

Public hearing e. opened at 7:58pm. Community Development Director Dave Milan stated the Town is proposing a zero rate again this year for the Orono Village Center District. He presented the proposed project for FY20: North Main Avenue reconstruction; improved lighting across the Stillwater River bridge; continue the free shuttle bus service; fund summer concerts/events and develop and implement a strategy to integrate all businesses throughout the town to work together. Ms. Wilson noted the free shuttle bus costs the town \$95,000.

Ms. Osher asked about the Village Board structure. Ms. Wilson explained that as long as Council keeps an active Village Center District, it also needs to keep the board member structure; however, Mr. Milan is working on a new town-wide business structure. Dan LaPointe expressed concerns about the Village Commercial District receiving TIF funds. Public hearing e. closed at 8:28pm.

**f. Implementation assessments to be assessed against real and personal property for the municipal development district located in the downtown area, known as the Village Center Tax District.**

**Maximum Rate of Assessments to be Extended in Any One Year: \$0.50 per thousand dollars of assessed value as of April 1, 2019. The assessment proposed to be levied for a one-year program commencing on July 1, 2019 and ending on June 30, 2020 is \$0.00 per thousand dollars of assessed value.**

Public hearing f. opened at 8:29pm. Ms. Wilson stated the downtown projects are being funded through the Downtown Transit-Oriented TIF District versus assessing a Downtown Village tax.

Dan LaPointe expressed concern about tax funds going to businesses through the TIF. Public hearing f. closed at 8:31pm.

## **5. Acknowledgments by Council Members**

Terry Greenier acknowledged the amazing kids involved in Special Olympics and the Town staff involved in this great community service. Mr. Greenier also acknowledged the Orono High School athletes for their accomplishments.

Cheryl Robertson acknowledged the Boys Tennis Team for their recent win.

Meghan Gardner encouraged residents to vote at the Election tomorrow; the two issues are the RSU26 budget and bond question. The election will be held from 7am-8pm.

Ms. Gardner reminded residents of the Hazardous Waste Collection Day to be held June 22<sup>nd</sup> with information on the Town's website.

Ms. Gardiner acknowledged Code Enforcement Officer Bill Murphy for earning an Honorary Code Enforcement Certification; one of only ten Code Enforcement Officers in the State to hold that distinction.

Tom Perry acknowledged the Orono High School Graduation Class of 2019.

Laurie Osher also acknowledged the OHS Graduating Class, which included her two sons.

Sam Kunz echoed congratulations to the Special Olympics Athletes and the OHS Graduation Class. He encouraged people to attend Artsapalooza, June 15<sup>th</sup> in Downtown Orono.

Mr. Kunz thanked Ms. Wilson and Mr. Stone for assisting a resident to obtain a key to the Keith Anderson Community House late Friday afternoon for a birthday party.

Cindy Mehnert acknowledged the Town staff for their efforts in putting the budget together.

## **6. Unfinished Business - None**

## **7. Consent Agenda**

**Order 19-81 Order, approving a Victualer's License for the American Legion.**

**Order 19-82 Order, approving a Victualer's License for Bell's IGA, conditioned upon the applicant providing satisfactory documentation of right, title, or interest in the property.**

**Order 19-83 Order, approving a Victualer's License for Burger King, conditioned upon the Treasurer's receipt of payment of outstanding personal property taxes**

and sewer use fees as required by Town of Orono Ordinance Chapter 29, Section 34 (b).

**Order 19-84** Order, approving a Victualer's License for Dysart's Travel Stop.

**Order 19-85** Order, approving a Victualer's License for Leadbetter's, 232 Main Street.

**Order 19-86** Order, approving a Victualer's License for The Store/Ampersand.

**Order 19-87** Order, approving a Victualer's License for Thai Kitchen.

**Order 19-88** Order, approving a Victualer's License for Wendy's.

**Order 19-89** Order, accepting a grant of \$15,000 from the State of Maine to complete a Sanitary Sewer Evaluation Study (SSES) of the University of Maine campus as a condition of the Town's CSO Master Plan approved by the Maine Department of Environmental Protection; and, further to authorize the Town Manager to expend up to a total of \$65,000 from the WPCF Sewer Replacement Reserve in accordance with an executed agreement between the Town and the University of Maine for this project.

**Order 19-90** Order, authorizing the Council Chair to execute an employment contract with Sophia L. Wilson continuing her employment as Orono Town Manager for the period July 1, 2019 - June 30, 2024.

**Order 19-91** Order, approving the updated Town of Orono Internal Controls Manual effective for FY19.

**Order 19-92** Order, authorizing the Town Manager to execute an agreement renewing its partnership with the University of Maine to provide recreation programming July 1, 2019 - June 30, 2021.

Moved by Sam Kunz and seconded by Cheryl Robertson to approve the consent agenda. All voted in favor, 7-0.

## **8. New Business**

**Order 19-93** Order, authorizing the creation of an Assessing Revaluation Project Reserve funded through the assignment of \$135,000 of Unassigned Fund Balance along with \$40,000 carried forward from the FY2019 Assessing Department Budget; and further, authorizing the Town Manager to execute an agreement with Vision Government Solutions, Inc of Hudson, Massachusetts in an amount not to exceed \$125,300 with funds drawn from the Assessing Revaluation Project Reserve.

Moved by Tom Perry and seconded by Sam Kunz. All voted in favor, 7-0.

Assessor Mike Noble explained the need for assessing assistance due to records being

incomplete, the in-house revaluation moving too slowly and the need for consistency in gathering the data. He stated that two bids were received and he recommended the low bid from Vision Government Solutions at a price of \$125,300.

Ms. Wilson explained the creation of an Assessing Revaluation Project Reserve to be funded through the assignment of \$135,000 from Undesignated Fund Balance and \$40,000 carried forward from the FY2019 Assessing Department budget.

Mr. Noble described the company's input/export software to address bridging into the Town's TRIO software.

**Order 19-94 Order, authorizing the Town Manager to execute a Memorandum of Understanding with the Maine State Library and Maine InfoNet to allow the Orono Public Library to participate in the Maine Reciprocal Borrowing Pilot Program from September 1, 2019 through August 30, 2020.**

Moved by Tom Perry and seconded by Sam Kunz. All voted in favor, 7-0.

Library Director Laurie Carpenter explained that the Maine State Library is launching a 1-year pilot Reciprocal Borrowing Program. She stated that Orono residents (with OPL cards) would be able to check books out from any participating library and return them to the Orono Public Library and those who hold library cards from other participating libraries can check books out from OPL and return them at their home library. Staff recommends participating in this program.

**Order 19-95 Order, authorizing the reallocation \$155,000 of funds raised and appropriated in the FY19 Capital Infrastructure from the Route 2 Culvert Project to the North Main Avenue Project.**

Moved by Tom Perry and seconded by Sam Kunz. All voted in favor, 7-0.

Public Works Director Rob Yerxa stated the bids for the North Main Avenue project were \$150,000 over budget. He explained that staff identified the option shortening the project scope to fit the budget or reallocating existing funds. Staff proposed reallocating funds (\$155,000) from the Route 2 Culvert Replacement to this project. Mr. Yerxa noted the Route 2 project has been moved forward to FY22 by the State. Mr. Yerxa reviewed details of the project.

**Order 19-96 Order, authorizing the Town Manager to sign and execute an agreement with Hughes Bros In. of Hampden, Maine for the North Main Avenue Infrastructure Project in the amount of \$644,355 with funds drawn from the FY19 Town Capital Infrastructure Budget and WPCF Sewer Replacement Reserve; and, further to authorize the Town Manager to accept the alternate bid, as negotiated between the contractor and Orono-Veazie Water District (OVWD), in an amount not to exceed \$281,750, accept funds totaling the contract price from the OVWD, and make payments to the contractor from these funds on behalf of the OVWD.**

Moved by Sam Kunz and seconded by Cheryl Robertson. All voted in favor, 7-0.

Ms. Wilson explained that the infrastructure needs along North Main Avenue exceed the budget and staff is approaching this as a phased project. Phase 1 addresses the North Maine/College Ave intersection and continues down through the intersection at Peters Street. The reconstruction includes roadway, sidewalk and drainage improvements as well as addressing sewer manholes and the water main.

Ms. Wilson stated that the Town and OVWD jointly bid this project as one contract to find cost savings and operational efficiencies. The Town will be responsible for the total contract amount; however, OVWD will deposit its portion into an escrow account from which the Town will pay out expenses.

## **9. Council Committee/Representative Reports**

**Community Development Committee** – Mr. Kunz reported that the Committee met on May 16<sup>th</sup> and discussed a citizen’s request to consider a resolution to reduce our carbon footprint. Regulations regarding lunch wagons/food trucks were also discussed.

**Finance and Operations Committee** – Mr. Perry reported that the Committee met on May 21<sup>st</sup> and most of the items were brought forward to this meeting for Council action. He noted the audit would be discussed at the next meeting.

**Comp Plan Implementation Committee** – Ms. Gardner reported that the Committee met on May 5<sup>th</sup> to discuss an Unruly Gathering Ordinance or Mass Gathering Ordinance; Fire Protection; short-term rentals; and a Vernal Pool Overlay District.

**Orono Historical Society (OHS)**– Ms. Gardner reported that OHS will not meet in July and that fall events will be forthcoming. She noted copies of the Old Orono Oddments are available for sale through the Orono Historical Society.

## **10. Future Agenda Items/Items of Concern**

Meghan Gardner spoke of the flyers from Coastal Resources regarding the recycling changes. She commented on the importance of recycling cleanliness to keep the costs down. She noted the importance of educational opportunity through social media.

## **11. Public Petitions - None**

## **12. Public Comments**

Dan LaPointe stated that culverts and drainage ditches need to be trimmed/maintained. He also commented that climate change issues exceed Council’s mandate. Ms. Wilson stated she would pass Mr. LaPointe’s drainage ditch concerns to Maine DOT, due to it being outside the Town’s jurisdiction.

Judy Sullivan asked about the balance of the Undesignated Fund Balance. Ms. Wilson stated it was \$2.6M.

Ms. Sullivan commented she could not find information about the school budget on the internet. Ms. Wilson commented that Ms. Sullivan should discuss it with the school board.

Sophie Wilson stated there will be a Special Council Budget Workshop on June 17<sup>th</sup> at 6pm to discuss what to do with additional State funding. She noted that Council will meet on June 20<sup>th</sup> at 6pm to discuss marijuana regulations. The public is encouraged to attend.

### **13. Adjournment**

At 9:28 p.m., Tom Perry moved and Sam Kunz seconded to adjourn. All voted in favor, 7-0.

Minutes are not verbatim. A video-recorded version is available on the Town's website at [www.orono.org](http://www.orono.org).

Respectfully submitted,

Nancy W. Ward  
Executive Assistant