

AMENDMENT TO APPENDIX A COUNCIL-MANAGER CHARTER OF THE TOWN OF BUCKSPORT

Shall an ordinance be introduced titled "Amendment to Appendix A Council-Manager Charter of the Town of Bucksport", such ordinance is for the purpose of amending the language in the Town Charter pertaining to when the Town Manager needs to submit the annual budget to the Town Council, when the Town Council must approve the annual budget, and deleting language that pertains to the change of the town's fiscal year in 1987.

Sec 7.01 Fiscal Year

~~Effective July 1, 1988,~~ The fiscal year of the Town Government shall begin the first day of July and shall end the thirtieth day of June of each year. Such fiscal year shall constitute the budget and accounting year as used in this chapter. The term "budget year" shall mean the fiscal year for which any particular budget is adopted and in which it is administered. ~~For the purpose of changing from a January 1-December 31 to a July 1-June 30 fiscal year, a one time six (6) month fiscal year will occur, such beginning January 1, 1988 and ending June 30, 1988.~~

Sec 7.02 Preparation and Submission of the Budget

The Town Manager, at least ~~eighty (80)~~ one hundred (100) days prior to the beginning of each budget year, shall submit to the Town Council a budget and an explanatory budget message. ~~This amendment to become effective beginning with the July 1, 1988-June 30-1989 fiscal year and to continue thereafter.~~ The budget authority of the Council shall not be limited to the final determination of the total appropriation to be made to each of the several offices, departments and agencies of the Town, including the department of education. This budget shall be compiled from detailed information furnished by the administrative officers and boards on forms which shall be designated by the Manager, and shall contain

1. Exact statement of the financial condition of the Town
2. An itemized statement of appropriations recommended for current expenses, and for permanent improvements; with comparative statement in parallel columns of estimated expenditures for the current year and actual expenditures for the next preceding fiscal year. An increase or decrease in any item shall be indicated.
3. An itemized statement of estimated revenue from all sources other than taxation; and a statement of taxes required, comparative figures from current and next preceding year.
4. Such other information as required by the Council.

The proposed budget prepared by the Manager shall be reviewed by the Council, which shall approve the budget with or without amendment. The Council shall fix the time and place for holding a public hearing on such budget and shall give a public notice of such hearing. The Council shall thereafter review the budget and adopt it with or without

change no later than ~~thirty (30)~~ seven (7) days prior to the beginning of the fiscal year. ~~This amendment to become effective beginning with the July 1, 1988 — June 30, 1989 fiscal year and to continue thereafter.~~

In the period from the first day of the fiscal year until the budget for the current fiscal year has been adopted, the budget for the prior fiscal year shall be deemed to have been adopted, on a month to month basis, with all items in it appropriated accordingly.

Sec. 7.10 Capital Program

The Manager shall prepare and submit to the Town Council a five (5) year Capital Program at least three months prior to the beginning of each budget year. ~~This amendment to become effective beginning with the July 1, 1988 — June 30, 1989 fiscal year and to continue thereafter.~~ The Capital program shall include:

- 1 A clear general summary of its contents;
- 2 A list of all capital improvements which are proposed to be undertaken during the five (5) fiscal years next ensuing, with appropriate supporting information as to the necessities for such improvements;
- 3 Cost estimates, method of financing and recommended time schedules for each improvement; and,
- 4 The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Acted on July 14, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-1 AUTHORIZING TRANSFERS AND EXPENDITURES TO
VARIOUS RESERVES AND OPERATING ACCOUNTS FOR YEAREND**

Be it resolved by the Bucksport Town Council in town council assembled that the following transfers be authorized for fiscal year ending 6-30-2011:

Legal Cost-	Account #501-95	\$ 7,233.40	Tree Growth penalty to Overlay Account
Salt and Sand	Account# 521-93	\$17,712.62	Winter Sand to Overlay Account
Vehicle Fuel	Account #521-72	\$14,138.06	Fuel Vehicles to Overlay Account
2011 Abatements to Overly Account \$4,253.44			
Painting Restoration to Overlay Account \$35.00			
Veterans Walkway to TIF Revenue Account \$622.80			
Nason House Purchase Deposit to TIF Revenue Account \$1,000			
Bangor Gas Litigation Fees to Undesignated Fund Balance \$33,352.76			
Emergency Generator to School Designated Fund Balance \$1,225.00			
Mooring and Docking Fees #7007 \$2,921.61 to Waterfront Reserve Account			

Be it further resolved that the following expenditures be charged to the following reserve accounts:

Police Equipment Reserve Account – new cruiser and expenses \$51.06
repair to transmission \$2,022.84

Highway Equipment Reserve Account- new chipper \$138.00

School Street Station Reserve Account- station repairs \$344.25

Recreation Facility Reserve Account- replace skating rink pump \$256.09
Junior High Dugout Roof Repair \$1,060.37

Public Safety Building Reserve Account- smart meter \$241.00
new furnace \$2,269.00

Chamber Building Reserve Account- replace back door stairs, repair vent pipe leak and broken wall \$1,147.51

Silver Lake Reserve Account- boat landing survey, deed & permitting \$2,978.53

Highway Improvements –guardrail \$1,128.99

Industrial Park Reserve Account- permitting \$475.00

Concession Stand Reserve Account- fencing and loam \$4,133.99

Acted on July 14, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-2 AUTHORIZING WRITE-OFFS FOR THE AMBULANCE SERVICE

Be it resolved by the Bucksport Town Council in town council assembled that the Finance Director be authorized to write-off uncollectible ambulance receivables for the period April 2010 to June 2010 in the amount of \$5,324.00.

Acted on July 14, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-3 AUTHORIZING EXPENDITURE FOR PAPER TALKS
MAGAZINE**

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of \$850 be authorized for the purchase of an ad in Paper Talks Magazine for a one-half page and 180 copies of the magazine once printed.

Be it further resolved that the expenditure be charged to Overlay Account.

Acted on July 14, 2011

Yes 4 (Michael Ormsby, David Kee, David Keene, Jeffrey Robinson)

No 3 (Byron Vinton, Brian Leeman, Robert Howard)

Abstained _____

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-4 AUTHORIZING REQUEST FOR FUNDS FROM MDOT FOR IMPROVEMENTS ALONG ROUTE 46

Whereas, the Town of Bucksport would like to have more improvements completed to Route 46 than proposed in the 2012-2013 Biennium Transportation Improvement Plan (BTIP); and,

Whereas, Route 46 is an important transportation route serving the businesses and citizens of Bucksport; and,

Whereas, it has been stated by MDOT representatives that the only improvements proposed for Route 46 in Bucksport for the next ten years is what is proposed in the 2012-2013 BTIP; and,

Whereas, there will continue to be major vertical and horizontal alignment issues with certain sections of the road that create serious safety and maintenance issues; and,

Whereas, the members of the Street and Road Committee have identified seven areas of concern; and,

Whereas, the MDOT has offered the Town of Bucksport the opportunity to partner with them and request funds from the MDOT's Municipal Partnership Initiative to address some of the areas of concern; and,

Whereas, the maximum amount that can be requested is \$500,000; and,

Whereas, generally, Maine DOT's share will be capped at 50% or less; and,

Whereas, any capital improvement project exceeding \$250,000 of local funds requires the ordinance to be ratified by the citizens of Bucksport; and,

Whereas, initially the Street and Road Committee is recommending that the Town apply for the maximum amount of \$500,000 to complete realignment improvements to a section of Route 46 beginning at the intersection of the Church Road and extending approximately 2,000' in a northerly direction:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Council authorize the Town Manager to submit an application to the Maine Department of Transportation for funds, \$500,000, from the MaineDOT's Municipal Partnership Initiative to complete realignment improvements to a section of Route 46 commencing at the intersection of the Church Road and extending approximately 2,000' in a northerly direction.

Be it further resolved, should the application be approved, such will require approval of an ordinance by the Town Council to fund the Town's share (50%) of the project and ratification by the citizens of Bucksport at a local election.

Acted on July 14, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-5 REGARDING BANGOR GAS COMPANY'S OFFER TO
EXTEND NATURAL GAS INTO THE COMPACT AREA**

Whereas, the Bucksport Town Council has requested that Bangor Gas Company consider extending natural gas into the compact area; and,

Whereas, Bangor Gas Company has requested that the town provide \$240,000 in contribution in aid for the project; and,

Whereas, the anticipated start date for the expansion project would be late Spring 2012; and,

Whereas, the initial expansion project will consist of 12,400' in length of predominately 4" pipe:

Be it resolved by the Bucksport Town Council in town council assembled that the matter of installing natural gas in the compact area by Bangor Gas Company be referred to the Finance Committee and a recommendation be forwarded to the Town Council for final consideration.

Acted on July 14, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-6 REFERRING TOWN MANAGER APPOINTMENT TO
THE APPOINTMENT COMMITTEE**

Whereas, Roger Raymond has submitted his resignation as town manager effective January 6, 2012; and,

Whereas, the Town Council wants to proceed with the appointment of a new town manager as soon as possible; and,

Whereas, all members of the Town Council want to participate with the selection of a new town manager; and,

Whereas, outlined are some of the issues that need to be addressed:

- a notice must be prepared announcing the availability of the position
- a decision needs to be made who will prepare the notice
- a decision needs to be made where the notice will be advertised
- a decision must be made who will receive the resumes
- a decision must be made who will review the resumes received and decide who will be interviewed
- a decision must be made where resumes will be filed and reviewed
- a list of questions must be prepared for the interviews
- a decision must be made who will prepare the list
- a decision where interviews will be held
- a decision needs to be made who and what process will be used to complete background checks
- a decision needs to be made how the selection process will proceed
- a draft employment contract should be prepared and approved by the council
- a decision must be made who will prepare the draft employment agreement
- other items the town council may feel needs to be addressed

Be it resolved by the Bucksport Town Council in town council assembled that a town council workshop be scheduled on July 18, 2011 at 6:30 p.m. at the Bucksport Town Office to discuss the process to be used to select a new town manager.

Acted on July 14, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-7 REFERRING MATTER PERTAINING TO AMBULANCE STAFFING TO THE FINANCE COMMITTEE

Whereas, the issue of staffing for the ambulance service and the level of pay for call personnel are issues of concern; and,

Whereas, it is important to have available adequate numbers of trained call personnel to respond to calls; and,

Whereas, it is imperative that the level of staffing is adequate to provide good care but also must be cost effective; and,

Whereas, it is important that all work shifts be adequately staffed with call personnel as required; and,

Whereas, the financial challenges will increase during the next few years due to the poor economy resulting in lower property values and loss of revenues, subsequently requiring that all resources be managed effectively; and,

Whereas, there is a need to review existing protocol to determine whether they should continue as is or be changed:

Be it resolved by the Bucksport Town Council in town council assembled that the matters that pertain to the staffing levels, scheduling and pay for call personnel for the ambulance service be referred to the Finance Committee and recommendation(s) of the committee be returned to the Town Council for final approval.

Acted on July 14, 2011

Yes 6 No 0 Abstained (Michael Ormsby-Unavailable)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-8 AUTHORIZING EXPENDITURES FROM THE
HIGHWAY EQUIPMENT RESERVE ACCOUNT**

Whereas, the 2011-2012 Capital Improvement Plan calls for the purchase of a fully equipped one ton truck and 12 cubic yard wheeler to plow snow and sand; and,

Whereas, quotes were requested and received as follows:

Wheeler 2012 model year	Model	Price	Dealer
	Int. 7400 SFA	\$79,814.43	C B Kenworth
	Peterbilt 348	\$86,537.00	Whited Truck Center
	Freightliner 114 SD	\$97,558.00	Freightliner of ME
	Volvo 64F200	\$100,599.00	Bangor Truck
Snow Equipment		\$57,914.00	Tenco N. E.
		\$52,547.00	H. P Fairfield
1- ton	Ford F550 (gas)	\$45,265.00	Whited Truck Center
	Dodge 5500 (diesel)	\$48,189.00	Quirk Dodge
Snow Equipment (1- ton)			
	Fisher XL plow	\$5,605.00	Bangor Truck
	Fisher Hopper Sander	\$4,700.00	Bangor Truck

Whereas, the Public Works Director recommends that the wheeler be purchased from C. B. Kenworth in the amount of \$79,814.43; the equipment for the wheeler be purchased from H. P. Fairfield for \$52,547.00; the 1-ton truck be purchased from Quirk Dodge in the amount of \$48,189.00 and the equipment and hopper for the ton truck from Bangor Truck Equipment in the amount of \$10,305:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for purchase of a new wheeler plow truck be awarded to C. B. Kenworth in the amount of \$79,814.43; the contract for the plow equipment to H. P. Fairfield in the amount of \$52,547.00; the contract for the new ton truck with a diesel engine to Quirk Dodge of Bangor in the amount of \$48,189 and the plow equipment and hopper for the ton truck to Bangor Truck Company in the total amount of \$10,305.

Be it further resolved that all cost approved for the purchase of the two trucks and equipment be charged to the Highway Equipment Reserve Account.

Acted on the above Resolve #R-2012-8 on July 14, 2011 with the exception of the purchase of the ton truck with diesel engine to Quirk Dodge. Some Council members indicated Dodge trucks in the past had problems with the front end of the vehicle, and asked that the Public Works Director check further into this problem, and bring back his recommendation to the Council.

Acted on July 14, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-9 AUTHORIZING EXPENDITURE FROM THE ANIMAL
SHELTER RESERVE ACCOUNT**

Whereas, the Bucksport Town Council approved completing improvements to the Animal Shelter that had been recommended by the Animal Shelter Study Committee; and,

Whereas, some of the improvements and estimated cost include:

Upgrade to electrical system and lighting \$2,500
Water pump and hookup \$1,500
Wash sink and hot water heater \$1,500
Hookup to the leachfield \$600
Stall fencing installation and repair \$1,600
Interior improvements \$8,000

Whereas, other improvements completed to date and approved by the Town Council include the new well and floor repairs totaling \$5,000; and,

Whereas, unexpected conditions required having to remove all of the insulation and interior finish throughout the building in order to correct the unsuitable condition; and,

Whereas, the estimated cost for all of the repairs was \$22,500 and the total expensed cost to date is \$20,700; and,

Whereas, the only remaining improvement will be to expand the leachfield as required which will be completed by the Highway Department:

Be it resolved by the Bucksport Town Council in town council assembled that the expenses outlined above as incurred be charged to the Animal Shelter Reserve Account but such charges not to exceed \$22,500 unless approved by the Town Council.

Be it further resolved that the Town Manager will provide a report of the final cost once the project has been completed

Acted on July 14, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-10 AUTHORIZING PURCHASE FROM OFFICE
EQUIPMENT RESERVE**

Whereas, it is proposed to purchase a scanner to scan town records specifically town council meeting records to provide more record storage space and to make it easier to search the records; and,

Whereas, the cost of a scanner is \$900

Be it resolved bY the Bucksport Town Council in town council assembled that the purchase of a scanner in the amount of \$900 be approved.

Be it further resolved that the cost be charged to Town Office Equipment Reserve.

Acted on July 14, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-11 AUTHORIZING EXPENDITURE FROM HIGHWAY
IMPROVEMENT RESERVE ACCOUNT**

Whereas, the Bucksport Town Council approved the following road and street projects for the 2011-2012 fiscal year:

Name of Road or Street	Estimated Cost
400' on Bridge Street	\$42,195.00
600' on Church Road	\$35,387.00
400' on Russell Hill Road	\$26,213.00
1,050' on Silver Lake Road	\$45,513.00
2,640' on Upper Long Pond Road	\$30,700.00

Whereas, cost will be incurred for each of the projects at different times during the fiscal year:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures be authorized for the road and street projects listed above.

Be it further resolved that the cost of the projects be charged to the Highway Improvement Reserve Account but not to exceed the estimated cost amount unless approved by the Town Council.

Acted on July 14, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Highway Improvements- I completed negotiations with Darrold Mitchell for the realignment project proposed for a section of the Church Road. I hope to have the surveyor complete the deed description within the next two weeks so that the agreement can be signed and we can begin with the project. I also met with other property owners adjacent to the project and received good support for the project. The highway crew will be starting on Silver Lake Road next week and on Bridge Street by the first week of August. I do not believe they will be starting on the Church Road until mid September.

Jed Prouty- I have a meeting on July 19 with a potential developer who has an interest to purchase the Jed Prouty and develop the building into assisted living units. He is meeting with me to discuss potential support from the Town should he pursue the project. I will keep you posted.

Silver Lake Boat Landing- The Town has received all required state permits. Millett Associates will be submitting an application to the Bucksport Planning Board by next week. This will complete all of the necessary permits required. It is still my plan to start this project in December.

Wilson Hall- Attached is an email from our attorney regarding the status of the town's efforts to cure the title for Wilson Hall. We are almost there.

Nason Property- The Town now owns the property. I will be contacting in the next few weeks certified firms to complete an asbestos study. I should have the results by the end of August.

Miles Lane Trail- The highway crew will be working for the next few days on the trail extension. The plan is to get it completed before school starts this fall.

**RESOLVE #R-2012-12 APPROVING PURCHASE FROM THE HIGHWAY
EQUIPMENT RESERVE**

Whereas, the Town Council chose not to approve purchase of a new one ton Dodge truck because of some knowledge by some members of the Town Council of problems in the past with the front end of the vehicle (steering); and,

Whereas, the matter has been invested in more depth by the Public Works Director and he has found that this problem has been addressed with recent year vehicles; and,

Whereas, the Public Works Director recommends that the Town Council consider authorizing the purchase with the new information:

Be it resolved by the Bucksport Town Council in town council assembled that the purchase of a new one-ton truck be awarded to Quirk Dodge for a new Dodge 5500 diesel one-ton pickup in the amount of \$48,189.00.

Be it further resolved that the cost be charged to the Highway Equipment Reserve.

Acted on July 18, 2011

Yes 6 **No** 0 **Abstained** **(Absent: Michael Ormsby)**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-13 AWARDING CONTRACT FOR PROFESSIONAL
SERIVCES TO ASSIST WITH THE RECRUITMENT AND HIRING OF A NEW
TOWN MANAGER**

Whereas, the Bucksport Town Council is in the process of selecting a new town manager;
and,

Whereas, the Bucksport Town Council is seeking the professional service of a qualified
individual or firm to assist them with the selection of a new town manager; and,

Whereas, Easton Peabody Consulting Group (EPGG) provides this service and has
offered to assist the town council with its endeavors; and,

Whereas, the cost of providing this service is \$4,500 plus reimbursement of direct
expenses such as mileage, printing and collateral/educational material production, and
advertising expense; and,

Whereas, the services are outlined by a proposal dated July 19, 2011, of which a copy has
been provided to the members of the town council for review:

Be it resolved by the Bucksport Town Council in town council assembled that Eaton
Peabody Consulting Group be retained by the Town of Bucksport to assist the Bucksport
Town Council to recruit and hire a new town manager at a cost of \$4,500 plus direct
expenses.

Be it further resolved that the cost of the service be paid for from Town Council Expense
Account and an amount equal to the total cost of the service be transferred from Overlay
Account upon completion of the selection process.

Acted on July 25, 2011

Yes 6 No 0 Abstained (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-14 REGARDING ACCEPTANCE OF LAND TO EXTEND
POWERLINE DRIVE**

Whereas, several years ago the Town of Bucksport reconstructed Powerline Drive located off Silver Lake Road, and,

Whereas, the Town Council had agreed to extend Powerline Drive by 350' to include a turnaround; and,

Whereas, the owners of the property had agreed to transfer the land to the Town; and,

Whereas, documents were submitted to the owners for signature, however, the documents were not executed; and,

Whereas, the owners recently approached the Town and inquired whether the Town is still interested to extend Powerline Drive in order to have access to a turnaround:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to pursue obtaining the right to property to extend Powerline Drive 350' to provide a turnaround for Town maintenance equipment.

Be it further resolved that approval of this resolve does not infer approval of this section of road as a public way. This matter will be considered at a future meeting once title to the property is provided to the Town.

Acted on July 28, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-15 AUTHORIZING EXPENDITURE TO BE CHARGED TO THE
RECREATION FACILITY RESERVE ACCOUNT**

Whereas, the 2011-2012 Capital Improvement Plan calls for surface upgrade to Miles Lane Field #3; and,

Whereas, this improvement has been completed in the amount of \$3,388.00:

Be it resolved by the Bucksport Town Council in town council assembled that the cost of improving the grass surface at Miles Lane Field #3 in the amount of \$3,388.00 be charged to the Recreation Facility Reserve.

Acted on July 28, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-16 AUTHORIZING EXPENDITURE TO BE CHARGED TO THE
HIGHWAY IMPROVEMENT RESERVE**

Whereas, the 2010-2011 and 2011-2012 Highway Improvement Plans included funds to improve Spofford Avenue and a portion of Bridge Street; and,

Whereas, the final coat of pavement was recently applied to Spofford Avenue at a cost of \$8,167.00; and,

Whereas, the cost of paving a portion of Bridge Street, the area from the driveway entrance to the Jewett School to Broadway is \$3,080.00:

Be it resolved by the Bucksport Town Council in town council assembled that the cost for applying the final coat of pavement to Spofford Avenue in the amount of \$8,167.00 be charged to the Highway Improvement Account.

Be it further resolved that the cost of paving the upper portion of Bridge Street be charged to Highway Improvement Account in the amount of \$3,080.00.

Acted on July 28, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-17 ACCEPTING 2011 HIGH VISIBILITY IMPAIRED DRIVING
ENFORCEMENT GRANT FROM DEPARTMENT OF PUBLIC SAFETY**

Whereas, the Town has received a grant in the amount of \$1,215.00 from the Bureau of Highway Safety to provide a High Visibility Impaired Driving Enforcement Program designed to reduce incidence of impaired driving and alcohol/drug related fatalities; and,

Whereas, the local match is derived from using of OUI's produced by the details valued at \$600 each:

Be it resolved by the Bucksport Town Council in town council assembled that a grant in the amount of \$1,215.00 from the Bureau of Highway Safety be accepted to provide a High Visibility Impaired Driving Enforcement Program designed to reduce incidence of impaired driving and alcohol/drug related fatalities.

Be it further resolved that the local share will be derived from in-kind services.

Acted on July 28, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**TOWN COUNCIL GOALS FOR THE
PERIOD 8-1-2011 TO 6-30-2012**

1. Pursue installation of natural gas in the compact area of Bucksport and the industrial park **(ongoing)**
2. Explore the feasibility of a biomass facility to support the energy needs of RSU#25 or businesses in the industrial park **(no progress)**
3. Explore the option of providing financial support for energy improvements for property owners (The PACE Program) **(completed)**
4. Review and approve a five year Capital Improvement Plan for the period 7-1-2011 to 6-30-2016 **(completed)**
5. Participate in the negotiation of employment contracts for all bargaining units and non-contractual employees **(ongoing)**
6. Pursue redevelopment and use of the Jed Prouty Inn including ownership by the town if the private sector does not respond in time **(ongoing)**
7. Explore the feasibility of burying the overhead lines in the downtown area **(ongoing)**
8. Consider applying for an Enterprise Grant to complete improvements in the Downtown area as identified in the Downtown Plan **(pending)**
9. Pursue funding to reconstruct Route 46 from Route 1A to an area one-half mile north of Hancock Pond **(pending)**
11. Pursue repairs and renovations to the School St. Fire Station **(completed)**
12. Select an engineer to begin the preliminary plans for secondary treatment **(ongoing)**
13. Continue to work towards the development of phase two of the industrial park **(completed)**
14. Pursue plans to improve and expand the Miles Lane Trail and to connect the trail system with the waterfront walkway **(completed)**
15. Consider applying to Department of Conservation for funds to improve and expand the Miles Lane Trail **(completed)**
16. Consider applying for a CDBG to address storm drain issues in the Miles Lane drainage area **(on going)**
17. Continue to pursue plans for improvements to the Silver Lake Boat Landing and to obtain a forest management plan for all Silver Lake property owned by the Town of Bucksport **(completed)**
18. Explore the feasibility of establishing a work program for the elderly in lieu of property taxes **(completed)**
19. Consider applying for a 2011 Housing Assistance CDBG to provide financial assistance for housing improvements for low and moderate income families and rental properties located in the compact area for owners and landlords, particularly energy related **(completed)**
20. Continue to pursue development of housing opportunities with services for elderly regardless of income **(ongoing)**
21. Pursue installing pooper scooper bag dispensers along Main Street and waterfront **(completed)**

22. Pursue installation of a traffic light at Hannaford's exit **(on going)**
23. Pursue funding for a part-time programmer for Bucksport Performing Arts Center **(no progress)**
24. Pursue funding for improvements to the Bucksport Performing Arts Center **(completed)**
25. Encourage apartment living downtown **(on going)**
26. Pursue development of a TIF District to encourage development in the downtown **(completed)**
27. Pursue development of a Historic District to encourage improvements to historic buildings or buildings of historic value located in the compact area **(no progress)**
28. Pursue an onsite meals program for the elderly **(completed)**
29. Pursue Co-Operative Associations with surrounding communities, RSU #25 and agencies **(on going)**
30. Explore the feasibility of developing of a comprehensive early childhood education and day care program **(completed)**
31. Participate in the RSU #25 Facility Study Committee **(completed)**
32. Revise Town Council rules to reflect town committee structure and review Town Council by-laws **(completed)**
33. Pursue opportunity for citizens to pay for some municipal services electronically **(completed)**
34. Explore assistance for the aging population enabling them to stay in their own homes/assisted living/nursing home **(ongoing)**
35. Continue to have discussion with Verso how the town may assist to maintain the Bucksport operation as a viable operation for future years **(completed)**
36. Explore the feasibility with the Recreation Committee of an after school program **(no progress)**
37. Pursue extension of town float by 60'. **(on going)**

TOWN MANAGER'S REPORT

SHIP Grant- The new paint on the five fender piles is peeling in some areas. An inspection was conducted on July 20 by the town's engineer, representative from the paint company and contractor. It was determined that the paint is peeling due to inappropriate preparation techniques. The contractor has agreed to return to the site and to correct the problem.

Miles Lane Trail- The Highway Department has completed the base on ½ mile of the new trail extension. It will take an additional two days of work by the Highway crew to finish the base and drainage. The crusher dust will not be applied until later this fall.

Townsite Drainage- The contractor will be completing the additional drainage work that was authorized by the town behind two of the homes located on the lower end of Thomas Street. They had to return due to the poor quality of the final ground work and the system's failure to collect the storm water run-off. They should have the entire project completed by early next week.

Animal Shelter- Work has progressed slowly with this project since more problems were uncovered during construction. As of the date of this report the hot water heater, sink and water pump have been installed. All of the animal stalls have been reconstructed and the interior walls refinished and painted or covered with a waterproof product. The building has been hooked up to the new nearby sewer system. The Town crew will be returning to extend the leachfield in compliance with the plumbing code. In addition, windows have been installed to provide ventilation and bring natural light into the building. A new electrical service has been installed and an isolation pen constructed. All of the building deficiencies identified by the committee have been addressed.

Transfer Station- The contractor will be retuning next week to complete pouring the new floor in the truck loading bay. This will complete the contract.

Road Program- All of the scheduled surface pavement has been applied and came in \$8,000 below estimates. The crew has started with the project on Bridge Street and Russell Hill Road. They expect to have both of these project completed by the third week in August.

Union Negotiations- The Highway Department has ratified the Negotiation Committee's tentative offer while the Fire and Police Departments want to continue to discuss their proposals with the committee. The committee will be meeting on August 4. Once final offers have been ratified by the union the offers will be returned to the town council for ratification.

Bangor Gas- I have made contact with Bangor Gas to see if they could meet with the Finance Committee to discuss their offer. We played telephone tag on two occasions and since then my calls have not been returned. I will keep trying.

Assessor Position- Carol has informed me she will not continue as assessor after December 31, 2011. I will begin to advertise for a replacement next week.

TRANSFER OF PROPERTY TO DARROLD AND BARBARA MITCHELL

Shall an ordinance be introduced titled "Chapter 11, of the Bucksport Town Code Section 11-145 Conveyance of Property to Darrold and Barbara Mitchell such ordinance being for the purpose of authorizing the Bucksport Town Council to transfer property to Darrold and Barbara Mitchell resulting from the realignment of the Church Road. The ordinance reads as follows:

Shall a certain parcel of land located in Bucksport be conveyed to Darrold and Barbara Mitchell further described as Area 3 on Exhibit A prepared by Plisga & Day titled Relocation of a Portion of Church Road Across Land of Darrold & Barbara Mitchell, Bucksport Maine and such being a portion of the existing Church Road right of way, being such conveyance will be pursuant to the following conditions:

1. That Area 1 as identified on Exhibit A titled Relocation of a Portion of Church Road Across Land of Darrold & Barabara Mitchell will be conveyed by the Mitchells to the Town of Bucksport.
2. The purchase price shall be \$1.00.
3. The project to realign the road has been completed.
4. All costs associated with the transfer will be paid by the town.
5. The area to be conveyed will be loamed and seeded.

Acted on August 11, 2011

Yes 6 No 0 Abstained (Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-18 REFERRING PROPOSALS FOR
ENGINEERING SERVICES TO THE SEWER COMMITTEE FOR A
RECOMMENDATION**

Whereas, proposals were requested for engineering services to upgrade or construct a new secondary wastewater treatment facility; and,

Whereas, proposals were received from four firms including:

Wright - Pierce
Woodard and Curren
Oliver Associates
Weston & Sampson

Be it resolved by the Bucksport Town Council in town council assembled that the matter of selecting an engineering firm to provide engineering services to upgrade or construct a new secondary wastewater treatment facility be referred to the Sewer Committee for a recommendation.

Acted on August 11, 2011

Yes 6 No 0 Abstained _____ (Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-19 AUTHORIZING EXPENDITURE FROM THE
AMBULANCE EQUIPMENT RESERVE ACCOUNT**

Whereas, Maine Emergency Medical Services has offered to provide the Bucksport Ambulance Service two laptop computers and necessary software to be used to submit electronic run reports to the Maine EMS Run Reporting Systems; and,

Whereas, the Town will pay EMS a match of \$2,170.33 which represents 33% of the cost of the laptop computers and associated software; and,

Whereas, the new computers will replace two older computers that are reaching expected life; and,

Whereas, \$5,000 was included in the five year capital improvement plan for upgrade of mobile computers; and,

Whereas, the Bucksport Ambulance Service is also requesting that an additional \$310 be included to upgrade the Microsoft Office version and allow \$100 for miscellaneous equipment that might be needed to complete the installation:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not to exceed \$2,580.33 be authorized from the Ambulance Equipment Reserve Account to be used as the Town's share for the purchase of two laptops, updated Microsoft Office software and \$100 for miscellaneous purchases that might be required.

Acted on August 11, 2011

Yes 6 No 0 Abstained _____ (Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-20 SETTING TOWN COUNCIL GOALS FOR FISCAL
YEAR 2012**

Whereas, the Bucksport Town Council chooses to set goals for the 2012 fiscal year;
and,

Whereas, the goals set include:

1. Continue to pursue with Bangor Gas expanding natural gas service in Bucksport to serve portions of the compact area.
2. Continue to pursue rehabilitation and redevelopment of the Jed Prouty.
3. Continue to pursue funding for the reconstruction of Route 46.
4. Continue to pursue implementation of goals identified by the Downtown Plan.
5. Continue to pursue funding for a Housing Assistance Program.
6. Continue to pursue development of housing opportunities with services for elderly regardless of income.
7. Continue to pursue extension of town float by 60'.
8. Pursue funding to continue activities of Bucksport Healthy Communities Coalition as outlined by the Health Plan.
9. Complete redevelopment of the boat landing and new construction of a canoe and kayak ramp at Silver Lake.
10. Fill the position of town manger.
11. Fill the position of assessor.
12. Select an engineering firm to complete design for a new wastewater treatment facility.
13. Select a treatment process and develop preliminary plans for a new wastewater treatment facility.
14. Adopt a Mineral Extraction Ordinance.
15. Pursue in partnership with Aqua Maine Inc, funding for a new standpipe.
16. Implement, in conjunction with the Economic Development Committee, goals identified by the Economic Development Plan including the development of a papermaker training course.
17. Review staffing for ambulance runs and station coverage.
18. Develop new Comprehensive Plan
19. Develop ordinance governing sale of fireworks

Be it resolved by the Bucksport Town Council in town council assembled that the town council goals for the 2012 fiscal year be as listed above.

Acted on August 25, 2011

Yes 6 No 0 Abstained _____ (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-21 APPROVING HEALTH INSURANCE CORE PLAN AND
EMPLOYEE PARTICIPATION**

Whereas, the Bucksport Town Council chooses to change the town's Health Insurance Plan provided by Maine Municipal Association from POS-C to POS-200; and,

Whereas, POS-200 would become the town's Core Plan and establish the basis for the town's share of health insurance premiums for employee, dependent and family coverage; and,

Whereas, employees who do not want to choose the Core Plan will be given the opportunity to either select the POS-C or POS-1500 plan but will realize the differential in cost; and,

Whereas, the savings in premium cost from the current Core Plan POS-C to POS-200 is approximately 15%; and,

Whereas, the employees' current weekly share of the premiums is as follows:

Single coverage \$27.00
Employee and Dependent coverage \$40.00
Family coverage \$43.00

Whereas, it is proposed that the employee weekly share remain the same for 1-1-2012 and increases on 1-1-2013 to:

Single coverage \$27.00
Employee and Dependent coverage \$43.00
Family coverage \$49.00

Be it resolved by the Bucksport Town Council in town council assembled that the Core Plan for the Town's Health Insurance Plan be changed from Maine Municipal Association POS-C to POS-200 effective 1-1-2012.

Be it further resolved that the employee share be set at the levels noted above.

Acted on August 11, 2011

Yes 5 No 1 (Robert Howard) Abstained (Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-22 ESTABLISHING A HEALTH REIMBURSEMENT
ACCOUNT (HRA) FOR EMPLOYEE USE**

Whereas, it is proposed that the Town's Core Plan for health insurance for employees be changed from POS-C to POS-200 in order to reduce premium cost; and,

Whereas, the change in Core Plan may result in higher out-of-pocket cost for employees and their families; and,

Whereas, the Bucksport Town Council chooses to establish a Health Reimbursement Account (HRA) to help offset the higher cost for employees; and,

Whereas, the Bucksport Town Council chooses to make a onetime only contribution of \$300 for each employee to be used to offset the higher out-of-pocket cost for medical services; and,

Whereas, the health reimbursement plan year will commence on January 1, 2012 and extend through December 31, 2012; and,

Whereas, funds that are contributed by the Town into the plan are not taxable to the employees and can be used to offset deductibles, co-payments, co-insurance, prescription medications, vision and dental expenses and other out-of-pocket health related expenses; and,

Whereas, unused fund balances will be forfeited at the close of the plan year:

Be it resolved by the Bucksport Town Council in town council assembled that a Health Reimbursement Account (HRA) be established effective for the period 1-1-2012 through 12-31-2012 and a one-time only contribution of \$300 be made to the accounts of all town employees who participate in the Maine Municipal Health Trust Health Insurance Program.

Be it further resolved that funds deposited in these accounts can be used by participating employees to offset deductibles, co-payments, co-insurance, prescription medications, vision and dental expenses and other out-of-pocket health related expenses, and any unused fund balance will be forfeited at the close of the plan year.

Acted on August 11, 2011

Yes 6 No 0 Abstained (Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-23 AUTHORIZING CONTRACT FOR ROAD SIDE
MOWING**

Whereas, Atwell Edgecomb dba Cabin Garden Inc. has been mowing the shoulders along Bucksport roads for the last five years; and,

Whereas, Mr. Edgecomb has requested that the Town consider extending the contract for two additional years; and,

Whereas, the contract cost for 2011 was \$3,200 which included \$300 for mowing the landfill; and,

Whereas, Mr. Edgecomb has requested that the contract cost be adjusted by an annual cost-of-living increase as reported by Department of Labor for the Northeast Region for all items as of June 30th of each year:

Be it resolved by the Bucksport Town Council in town council assembled that the contract with Atwell Edgecomb dba Cabin Garden Inc. to mow the shoulders along Bucksport roads and landfill be extended for two additional years (2012 and 2013) pursuant to the same contract conditions for 2011 except the contract amount be adjusted annually by the cost of living as determined by the Department of Labor, Northeast Region for all items.

Acted on August 11, 2011

Yes 6 No 0 Abstained (Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-24 RATIFYING LABOR CONTRACTS FOR THE HIGHWAY,
FIRE AND POLICE DEPARTMENTS**

Whereas, the Negotiations Committee has completed negotiations with Teamsters Union Local 340 for the Public Works Department, Fire Department and Police Department; and,

Whereas, all three tentative offers include:

1. The term of the contracts is two years 7-1-2011 to 6-30-2013
2. No cost of living adjustment is proposed for 2011 (7-1-2011 to 6-30-2012 but a 3% adjustment is proposed for 2012 (7-1-2012 to 6-30-2013)
3. The Core Plan for health insurance will be changed from POS-C to POS-200 effective 1-1-2012
4. A Health Reimbursement Account will be established and a one-time-only contribution of \$300 will be made to the account for all employees that qualify for health insurance as of January 1, 2012
5. Employee share of health insurance premiums will be increased 1-1-2013 by \$6.00 weekly for employees with family coverage and \$3.00 per week for employees with dependent coverage
6. The Highway Department will be allowed to earn no more than 40 hours of compensatory time in any one contract year
7. The pay classification for Level II Wastewater Treatment Plant Operator will be increased from \$17.46 to \$18.00 per hour effective 7-1-2012

Be it resolved by the Bucksport Town Council in town council assembled that the proposed changes to the labor contracts with Teamsters Union Local 340 for the Public Works Department, Fire Department and Police Department be accepted as outlined above.

Acted on August 11, 2011

Yes 6 No 0 Abstained (Absent: David Kee)

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Assessor Position- I have advertised the position and will be accepting applications until August 31. Once I have reviewed all applications I will meet with the Appointments Committee to set times for interviews.

Interceptor Sewer- The interceptor sewer from the town dock to Peary's landing has been televised and cleaned. There were no structural deficiencies identified but there was a substantial volume of sand accumulated in the area from Ken Foster's Office to the Jed Prouty. The company had to make a second visit in order to clean the debris from the pipe.

Bangor Gas- The Finance Committee will be meeting with Bangor Gas on Wednesday, August 16 at 6:30 p.m. to discuss the details of their proposal.

Mineral Extraction Ordinance- The members of the Ordinance Committee have scheduled a public hearing on the proposed Mineral Extraction Ordinance for Wednesday, August 17 at 6:30 p.m. at the Town Office to receive comments from interested citizens and developers.

Silver Lake Boat Landing Improvements- The Planning Board approved the Land Use Permit for the proposed improvements at the Silver Lake Boat Landing at their August 2nd meeting. Mike Millett is finalizing discussions with Department of Conservation since they will be providing some of the funding for the project.

Townsite Drainage Project- This project has finally been completed. This includes a new drain installed along the backyard of several properties located along Thomas Street. This improvement will really benefit these several property owners. The project budget will be exceeded by approximately \$4,000. I plan to charge the overage to Highway Improvement Reserve Account.

Silver Lake Properties Forest Management Plan- Jake Maier is continuing to work on completing a forest management plan for both Silver Lake properties that are owned by the Town. The members of the Conservation Committee met recently to discuss goals for the properties that will be included as part of the plan. A meeting of the committee will be held at the properties on Saturday, August 27 at which time members will be discussing the goals in greater detail. The plan should be completed by the end of November 2011.

AMENDMENT TO APPENDIX A COUNCIL-MANAGER CHARTER OF THE TOWN OF BUCKSPORT

Shall an ordinance be adopted titled "Amendment to Appendix A Council-Manager Charter of the Town of Bucksport", such ordinance is for the purpose of amending the language in the Town Charter pertaining to when the Town Manager needs to submit the annual budget to the Town Council, when the Town Council must approve the annual budget, and deleting language that pertains to the change of the town's fiscal year in 1987.

Sec 7.01 Fiscal Year

~~Effective July 1, 1988,~~ The fiscal year of the Town Government shall begin the first day of July and shall end the thirtieth day of June of each year. Such fiscal year shall constitute the budget and accounting year as used in this chapter. The term "budget year" shall mean the fiscal year for which any particular budget is adopted and in which it is administered. ~~For the purpose of changing from a January 1 December 31 to a July 1 June 30 fiscal year, a one time six (6) month fiscal year will occur, such beginning January 1, 1988 and ending June 30, 1988.~~

Sec 7.02 Preparation and Submission of the Budget

The Town Manager, at least ~~eighty (80)~~ one hundred (100) days prior to the beginning of each budget year, shall submit to the Town Council a budget and an explanatory budget message. ~~This amendment to become effective beginning with the July 1, 1988 June 30 1989 fiscal year and to continue thereafter.~~ The budget authority of the Council shall not be limited to the final determination of the total appropriation to be made to each of the several offices, departments and agencies of the Town, including the department of education. This budget shall be compiled from detailed information furnished by the administrative officers and boards on forms which shall be designated by the Manager, and shall contain

1. Exact statement of the financial condition of the Town
2. An itemized statement of appropriations recommended for current expenses, and for permanent improvements; with comparative statement in parallel columns of estimated expenditures for the current year and actual expenditures for the next preceding fiscal year. An increase or decrease in any item shall be indicated.
3. An itemized statement of estimated revenue from all sources other than taxation; and a statement of taxes required, comparative figures from current and next preceding year.
4. Such other information as required by the Council.

The proposed budget prepared by the Manager shall be reviewed by the Council, which shall approve the budget with or without amendment. The Council shall fix the time and place for holding a public hearing on such budget and shall give a public notice of such hearing. The Council shall thereafter review the budget and adopt it with or without change no later than ~~thirty (30)~~ seven (7) days prior to the beginning of the fiscal year. ~~This amendment to become effective beginning with the July 1, 1988 June 30 1989 fiscal year and to continue thereafter.~~

In the period from the first day of the fiscal year until the budget for the current fiscal year has been adopted, the budget for the prior fiscal year shall be deemed to have been adopted, on a month to month basis, with all items in it appropriated accordingly.

Sec. 7.10 Capital Program

The Manager shall prepare and submit to the Town Council a five (5) year Capital Program at least three months prior to the beginning of each budget year. ~~This amendment to become effective beginning with the July 1, 1988 — June 30, 1989 fiscal year and to continue thereafter.~~ The Capital program shall include:

- 1 A clear general summary of its contents;
- 2 A list of all capital improvements which are proposed to be undertaken during the five (5) fiscal years next ensuing, with appropriate supporting information as to the necessities for such improvements;
- 3 Cost estimates, method of financing and recommended time schedules for each improvement; and,
- 4 The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Acted on August 25, 2011

Yes 6 No 0 Abstained (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-25 AUTHORIZING EXPENDITURE FROM THE RECREATION FACILITY
RESERVE**

Whereas, the Capital Improvement Plan for the period 7-1-2011 to 6-30-2012 (2011CIP) calls for installation of fencing at the Elm Street Playground and baseball field (Junior High Field); and,

Whereas, the cost of installing an 8' high chainlink fence 21' to the right of the backstop, a 6' fence 140' long on the first base side and a 8' fence 100' long along the northwesterly side of the of the playground is \$7,155; and,

Whereas, the new fencing is proposed in order to address safety concerns that were received from parents and spectators:

Be it resolved by the Bucksport Town Council in town council assembled that an expenditure not exceeding \$7,155 to install chainlink fencing at the Junior High Baseball Field and at the playground located of Elm Street be approved and such cost be paid for from the Recreation Facility Reserve Account.

Acted on August 25, 2011

Yes 6 No 0 Abstained (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-26 AUTHORIZING EXPENDITURE FOR IMPROVEMENTS TO THE SEPTIC SYSTEM AT THE TRANSFER STATION

Whereas, improvements had to be completed to the septic disposal field serving the transfer station because of the need to hook up the animal shelter to the system as well as the malfunctioning of the existing system; and,

Whereas, the total cost of the expansion and replacement of the existing field was \$4,977;

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of \$4,977 be approved for the replacement and expansion of the septic disposal field at the transfer station.

Be it further resolved that the cost for the improvement be paid for in the amount of \$2,488.50 from the Transfer Station Reserve Account and \$2,488.50 from the Animal Shelter Reserve Account.

Acted on August 25, 2011

Yes 6 No 0 Abstained (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-27 AUTHORIZING EXPENDITURES FROM THE HIGHWAY
IMPROVEMENT ACCOUNT**

Whereas, the Town of Bucksport has completed the storm drainage improvements for the Town Site area;
and,

Whereas, the total cost of the project exceeded the budgeted amount by \$3,000.24, due to the need to
address several drainage issues along Thomas Street:

Be it resolved by the Bucksport Town Council in town council assembled that the cost overrun for the
Townsite drainage project in the amount of \$3,000.24 be charged to the Highway Improvement Account.

Acted on August 25, 2011

Yes 6 No 0 Abstained (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-28 DEDICATING AND ACCEPTING DEED FOR EXTENSION OF
POWERLINE ROAD**

That the Bucksport Town Council will vote to accept the dedication made by Joseph H. Berry and Rayleen J. Berry of title in fee simple in a strip of land bounded and described as follows, such to establish an extension of the Powerline Road, as a public town way.

The property is described as follows: A certain lot or parcel of land with a portion of a traveled way and other improvements thereon situated in the Town of Bucksport, County of Hancock, State of Maine, being generally located in an easterly direction, 875', more or less, from the intersection of the easterly sideline of Silver lake Road, so-called with the northerly sideline of the current portion of Power Line Road, so-called, being more particularly bounded and described as beginning at a ¾ inch iron rebar affixed with a plastic cap stamped "PLISGA & DAY P.L.S. 1211" set in the year 2008 on the easterly line of land described in a deed from Thomas L. and Jeanne Coleman to Central Maine Power Company recorded at the Hancock County Registry of Deeds in Volume 1005, Page 331, said rebar also being located on a tie bearing of N75degree 35' 20" W, and a tie distance of 348.9 feet from a ¾ inch iron rebar affixed with an unreadable plastic cap found in the year 2008 at the southerly corner of land described in a deed from United Companies Lending Corporation to Jalane G. Woodman recorded at said registry in Vol. 3522, Page 314;

thence by and along the easterly line of land of said Central Maine Power, S 24 degree 17' 30" W., a distance of 51.0 feet to a ¾ inch rebar similarly marked and set in the year 2008;

thence S 54 degree 26' 50" E, a distance of 82.5 feet to a ¾ inch iron rebar similarly marked and set in the year 2008;

thence S 35 degree 33' 10" W, a distance of 50.0 feet to a ¾ inch iron rebar similarly marked and set in the year 2008;

thence S 54 degree 26' 50" E, a distance of 66.0 feet to a ¾ inch iron rebar similarly marked and set in the year 2008;

thence N 35 degree 33' 10" E, a distance of 100.0 feet to a ¾ inch iron rebar similarly marked and set in the year 2008;

thence N 54 degree 26' 50" W, a distance of 158.5 feet to the point of beginning.

The above-described parcel encompasses 0.252 acres.

Bearings referenced herein are oriented to Grid North, Maine State Coordinate System of 1927, East Zone, as determined by a survey conducted by Plisga & Day, Land Surveyors, Bangor, Maine

Acted on August 25, 2011

Yes 6 No 0 Abstained (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-29 ACCEPTING 2011 JAG GRANT FOR THE BUCKSPORT POLICE
DEPARTMENT**

Whereas, the Bucksport Police Department has been selected to receive \$5,649 from the 2011 Maine Justice Assistance Grant Program; and,

Whereas, the grant will be managed by the Ellsworth Police Department for a fee of 10% of the grant; and,

Whereas, the funding agency requires one Memorandum of Understanding for each county and the City of Ellsworth has agreed to continue to administer this grant for Hancock County agencies; and,

Whereas, it is proposed to use the funds to purchase equipment including new computer stands, hand free phone receivers and evidence cameras for the cruisers; warning lights for the radar board; one new bullet vest; new camera with a built in microphone for the booking room; security lock system for the lobby door; new four way switch system and monitoring stands for the dispatch office and upgrade of the Spillman mobile system for the cruisers:

Be it resolved by the Bucksport Town Council in town council assembled that the 2011 JAG Grant for the Bucksport Police Department be accepted and the funds used for the purchase of equipment as outlined above.

Acted on August 25, 2011

Yes 6 No 0 Abstained _____ (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-30 APPROVING USE AGREEMENT WITH THE PENOBSCOT BAY ROD
AND GUN CLUB**

Whereas, the Bucksport Police Department proposes to have a safe and acceptable area to train its authorized personnel with the discharge of firearms used for law enforcement purposes; and,

Whereas, the Penobscot Bay Rod and Gun Club proposes to provide that facility to the Bucksport Police Department pursuant to conditions outlined by a Use Agreement, a copy of which is attached; and,

Whereas, the agreement is for a term of four years and can be renewed thereafter if mutually agreed upon:

Be it resolved by the Bucksport Town Council in town council assembled that the Use Agreement with the Penobscot Bay Rod and Gun Club and the Bucksport Police Department for use of the shooting range be approved pursuant to conditions outlined by the Use Agreement, a copy of which has been attached.

Acted on August 25, 2011

Yes 6 No 0 Abstained (Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Bangor Gas

Church Road

Secondary Treatment

Assessor Position

Mineral Extraction

CHAPTER 11, OF BUCKSPORT TOWN CODE CONVEYANCE OF PROPERTY TO DARROLD AND BARBARA MITCHELL

Shall an ordinance be introduced titled "Chapter 11, of the Bucksport Town Code Section 11-145 Conveyance of Property to Darrold and Barbara Mitchell such ordinance being for the purpose of authorizing the Bucksport Town Council to transfer property to Darrold and Barbara Mitchell resulting from the realignment of the Church Road. The ordinance reads as follows:

Shall a certain parcel of land located in Bucksport be conveyed to Darrold and Barbara Mitchell further described as Area 3 on Exhibit A prepared by Plisga & Day titled Relocation of a Portion of Church Road Across Land of Darrold & Barbara Mitchell, Bucksport Maine and such being a portion of the existing Church Road right of way, being such conveyance will be pursuant to the following conditions:

1. That Area 1 as identified on Exhibit A titled Relocation of a Portion of Church Road Across Land of Darrold & Barbara Mitchell will be conveyed by the Mitchells to the Town of Bucksport.
2. The purchase price shall be \$1.00.
3. The project to realign the road has been completed.
4. All costs associated with the transfer will be paid by the town.
5. The area to be conveyed will be loamed and seeded.

Acted on September 8, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

Amendment to Chapter 2 Administration, Article 2 Personnel Rules and Regulations

Shall an ordinance be introduced titled “Amendment to Chapter 2 Administration Article 2 Personnel Rules and Regulations” such ordinance being for the purpose of updating the town’s statement regarding discrimination and amending language to the town’s Harassment Policy prohibiting retaliation against any employee who may or has filed or reported a harassment complaint and how to contact the Maine Human Rights Commission.

Amend Article 2 Personnel Rules & Regulations, Section 1 General Provisions, Subsection 1.7 Nondiscrimination and Affirmative Action to read:

1.7 NON-DISCRIMINATION AND AFFIRMATIVE ACTION

The town shall administer and implement these Rules and Regulations in a manner that shall not discriminate unlawfully against any person because of race, color, religion, sex, national origin, age, sexual orientation, **genetic information**, or physical or mental disability. Furthermore, the Town shall take affirmative action to enhance the opportunities for minority group members, where they may be underutilized.

Amend Section 2 Benefits, Subsection 2.17 Policy on Harassment to read:

2.17 POLICY ON HARASSMENT

It is the policy of the Town of Bucksport that all our employees should be able to work in an environment free from all forms of harassment. Harassment, as defined by this policy, is prohibited. This policy refers not only to supervisor-subordinate actions, but also to actions between co-workers. Any complaints of harassment will be investigated promptly. ~~There will be no intimidation, discrimination, or retaliation against any employee who makes a report of harassment.~~

2.17.1 Definition

1. Sexual harassment is the attempt to control, influence, or affect the career, salary, or job of an individual in exchange for sexual favors. Sexual harassment can also be conducted which creates a hostile or offensive work environment, or unreasonably interferes with a person's ability to perform his/her job. Sexual harassment is an extremely serious matter. It is prohibited in the workplace by any person, and in any form.

Specific conduct which is prohibited includes, but is not limited to:

- a. Threats or insinuations, implicit or explicit, that any employee's refusal to submit to sexual advances will adversely affect the employee's retention, evaluation, wages, promotion, duties, or any other condition of employment;
- b. Unwelcome sexual flirtations, advances or propositions;
- c. Verbal or written abuse of a sexual nature;
- d. Graphic verbal comments about an individual's body;
- e. Sexually degrading words used to describe an individual; or
- f. The display in the workplace of sexually suggestive objects or pictures.

~~Any employee who believes he/she has been the subject of sexual harassment should report all alleged acts to their department head or the Town Manager. Any department head or employee~~

~~who is found after appropriate investigation to have engaged in sexual harassment will be subject to discipline, up to and including discharge.~~

2. Verbal Harassment is derogatory or vulgar comments regarding a person's sex, religion, age, ethnic origins, physical appearance, or the distribution of written or graphic materials having such an effect, are prohibited. Any employee who believes he/she has been the subject of such harassment should report the alleged conduct to their department head or the Town Manager. Any department head or employee who is found, after appropriate investigation, to have engaged in any harassment will be subject to discipline, including discharge.

2.17.2 Notification

The employer will provide, annually, a copy of the Town's policy regarding ~~sexual~~ harassment to all employees, provide training to all new employees on ~~sexual~~ harassment before their first anniversary of employment, and provide training to all supervisors on their responsibility to take immediate and corrective action in addressing sexual harassment complaints.

2.17.3 Anti-retaliation Statement

Under the law, you may not be punished or penalized in any way for reporting, complaining about, or filing a claim concerning unlawful harassment, regardless of the nature or category, or for cooperating with or testifying in any proceeding brought by anyone else. An employee who believes has been retaliated against for opposing or reporting what he/she reasonably believes to be unlawful harassment, or cooperating in any investigation or the same, may follow the same Internal Complaint Procedure set forth below. The Town will not tolerate any act of unlawful retaliation against employees who have reported, complained about, or filed a complaint of unlawful harassment.

2.17.4 Reporting a Complaint

Any employee who believes he/she has been the subject of ~~sexual~~ harassment should report all alleged acts to their department head or the Town Manager. Any department head or employee who is found after appropriate investigation to have engaged in ~~sexual~~ harassment will be subject to discipline, up to and including discharge. **An employee may also file a complaint with the Maine Human Rights Commission. The commission may be contacted at 51 State House Station, Augusta, Maine 04333-0051. The contact phone number and website address for the Commission may be referenced from notices that are posted on the employee bulletin boards located at the Bucksport Public Safety Building, Bucksport Town Office, Bucksport Town Garage, Bucksport Wastewater Facility, and Bucksport Transfer Station.**

Acted on September 8, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

Amendment to Chapter 12 Article 5 Parking Regulations

Shall an ordinance be introduced titled “Amendment to Chapter 12 Article 5 Parking Regulations” for the purpose of prohibiting parking along a section of Bridge Street beginning at the intersection of Broadway and extending to the property now owned by Joseph and Carol Sheehan at Map 30 Lot 43.

Amend Sec. 12-501 as follows:

SEC. 12-501 Limited Parking Areas

1. Parking in allowed areas for the following streets shall be limited to two (2) hours, between 7:00 A.M. and 5:00 P.M.:
 - a. Bagley Avenue - from Franklin Street to the Northerly end of Bagley Avenue.
 - b. Thomas Street - entire length.
 - c. Spring Street - entire length.
 - d. Silver Street - entire length.
 - e. Spofford Avenue - entire length.
 - f. Franklin Street - from Spofford Avenue to Third Street.
 - g. Main Street - from Mill Street to McDonald Street.
 - h. Elm Street - from Main Street to Franklin Street.
2. No automobiles or other motorized carriers shall be parked on Monday through Friday during the months of September through June from 8:00 A.M. to 4:00 P.M. in the following areas:
 - a. On either side of Nicholson Avenue
 - b. On either side of Broadway as said Broadway extends from the intersection of Central Street to Nicholson Avenue, except that a pedestrian unloading zone will be permitted on the Southerly Side of Broadway, extending from Bridge Street intersection to the Jewett School playground entrance.
 - c. On either side of Elm Street as it extends from Summer Street intersection to the American Legion Building.
3. Parking along the Westerly side of Bagley Avenue, in front of the Timberland Building, during the hours of 7:00 A.M. to 5:00 P.M. will be restricted only to visitors to the Timberland Building.
4. Parking in permitted areas along Main Street/Route 15 from the North Gate of International Paper to the intersection of First Street will not be permitted from midnight to 6:00 A.M.

SEC. 12-502 No Parking - Northerly Side of Street

There shall be no parking at any time on the Northerly side of the following streets except any vehicle parked outside the curbed area in such a manner that will not hamper the free flow of traffic in either direction or parked in a designated public parking space.

1. Franklin Street
 - a. From Federal Street to Central Street
 - b. From the flagpole in front of the Public Safety Building to Mechanic Street
 - c. From Spofford Avenue to Bagley Avenue
 - d. From Bagley Avenue to Main Street.
 - e. From the intersection radius of Mill Street and extending 150' in a westerly direction.
2. Main Street/Route 15
 - a. From the intersection of Route 1/Route 15 to the North gate of International Paper Mill
3. Route 1
 - a. From Route 15/Route 1 intersection to the Bucksport/Orland Town Line

SEC. 12-503 No Parking Area - Southerly Side of Street

There shall be no parking at any time on the Southerly side of the following streets except any vehicle parked outside the curbed area in such a manner that will not hamper the free flow of traffic in either direction or parked in a designated public parking space:

1. Franklin Street
 - a. From Bagley Avenue to Spofford Avenue
 - b. From Mechanic Street to School Street.
2. Main Street/Route 15
 - a. From the North Gate of International Paper Company to the intersection of Route 15/Route 1
3. Route 1
From Route 15/Route 1 intersection to easterly property line of the Town of Bucksport Wastewater Treatment Plant.

SEC. 12-504 No Parking Areas - Easterly Side of Street

There shall be no parking at any time on the Easterly side of the following streets in the areas designated as follows:

1. Elm Street - from Main Street to Franklin Street
2. Central Street - from Main Street to Broadway
3. Federal Street - from Franklin Street to Main Street
4. Bagley Avenue from Main Street to Franklin Street.
5. School Street - from the Southerly edge of Buck Street intersection to the intersection of Silver Lake Road.
6. Mill Street - from Main Street to Franklin St.
7. **Bridge Street- from the intersection of Broadway to the southerly side of the rear entrance to the Jewett School.**

SEC. 12-505 No Parking Areas - Westerly Side of Street

There shall be no parking at any time on the Westerly side of the following streets in the areas designated as follows:

1. Bagley Avenue - from Main Street to Franklin Street

2. Mill Street - from Main Street to Franklin Street
3. Central Street - from Main Street to Broadway
4. Federal Street - from the Northerly edge of the driveway leading to the Catholic Church rectory to Franklin Street
5. School Street - from Main Street to the Southerly side of Buck Street intersection
6. School Street - from Central Street intersection to the intersection of Silver Lake Road.
7. Miles Lane between the two entrances-exits leading to and from Miles Lane School
8. **Bridge Street- from the intersection of Broadway to the northerly property line of Map 30 Lot 43 now owned by Joseph and Carol Sheehan.**

SEC. 12-506 Angle and Parallel Parking Areas

1. Parallel Parking: All vehicles will be parked parallel to the curb or ditch, within a stall designated by white lines or a white line and a yellow line, in the areas designated as follows:
 - a. North side of Main Street from Mill Street to First Street
 - b. South side of Main Street from Key Bank to First Street.
2. Angle Parking: All vehicles will be parked on an angle to the curb or ditch within a stall designated by white lines or a white line and a yellow line in the areas designated as follows:
 - a. South side of Main Street from School Street to Key Bank.

SEC. 12-507 Stopping, Standing, or Parking Prohibited in Specified Places

No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer, in any of the following places:

1. On a sidewalk
2. Within ten (10) feet of any entrance
3. Within twenty-five (25) feet of corner radius of any intersection
4. On or within yellow markings
5. Within twenty (20) feet of any crosswalk
6. Alongside or opposite a street or highway excavation.
7. On the roadway side of any vehicle stopped or parked parallel to the curb or ditch
8. Upon a bridge
9. Within fifteen (15) feet of any hydrant
10. Upon any place where official signs or markings prohibit stopping or parking
11. Within fifteen (15) feet of a street intersection unless otherwise marked
12. On or straddling a curb.

SEC. 12-508 Miscellaneous Parking Regulations

1. No vehicle shall be parked at any time on a public way in a manner that will interfere with snow plowing or snow removal.

2. No vehicle shall be parked on any way or street in the Town of Bucksport between the hours of twelve o'clock, midnight, and seven o'clock in the morning, from November fifteenth (15th) to April fifteenth (15th) inclusive. This regulation shall not apply to physicians or professional calls.
3. The driver of a bus or taxicab shall not park on any street at any place other than a bus stop or taxicab stand except that this provision shall not prevent the driver of any such vehicle from stopping temporarily to load or unload passengers.
4. No person shall stop, stand or park a vehicle other than a bus in a bus stop or a taxicab in a taxicab stand when any such stop has been officially designated and marked by property signs, except to temporarily stop therein when such stopping does not interfere with any bus or taxicab waiting or about to enter such zone, and no vehicle stopping therein by virtue of this section shall be left unattended while so stopped.
5. No person shall stop, stand or park any vehicle on any street within Town limits of Bucksport so as to be facing oncoming traffic or the travel lane opposite its own direction of travel.
6. No person shall stop, stand, or park a vehicle so as to occupy more than one (1) designated parking stall or space, except for delivery vehicles making deliveries.

SEC. 12-509 Observance of Regulations Required

No person shall allow any vehicle registered in his name to stand, stop or park in any street or highway in violation of any of the provisions of these traffic regulations or any amendment thereof.

SEC. 12-510 Official Signs and Markings

When official signs are erected, or markings placed, on any street or way, no person shall stop, stand, park or operate a vehicle in any such designated place in violation of such signs or markings.

SEC. 12-511 Exceptions to Parking Restrictions

At the discretion and direction of the Police Department, certain parking restrictions may be lifted during periods of church services or other church functions, during funeral services, or during other events of a public nature, to the extent that any such lifting of restrictions does not seriously threaten the safety of others or impose undue inconvenience upon other motorists or pedestrians.

SEC. 12-512 Parking Lot Regulations

1. No overnight parking will be permitted in the following parking lots:
 - a. Ben Franklin Parking lot, spaces located along the so-called Ben Franklin Building and along the easterly side of the parking lot, that area being owned by Alfred Brown except for residents living in the adjacent apartment building owned by Alfred Brown.
 - b. Buck Cemetery Parking lot
 - c. Colby Wharf Parking Lot

- d. Town Dock Parking Lot
- 2. The following parking lots will be restricted to two hour parking:
 - a. Ben Franklin Parking lot, those spaces located along the so called Ben Franklin Building
 - b. Buck Cemetery Parking Lot
- 5. Parking of unregistered or uninspected vehicles will not be permitted in any public parking lot.
- 6. No vehicle will be parked or abandoned in any public parking lot where overnight parking is permitted for a period to exceed (7) consecutive days without the vehicle being moved except when required by the Highway Department for purpose of maintaining the parking lot(s).

Acted on September 8, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-31 AUTHORIZING EXPENDITURE FOR A NEW POLICE CRUISER FROM THE POLICE EQUIPMENT RESERVE ACCOUNT

Whereas, the Bucksport Police Department requested bids for a new 2011 police cruiser; and,

Whereas, one bid was received from Quirks Ford of Augusta in the amount of \$23,126 less \$1,650 allowed for trade-in for the 2006 Crown Victoria or a net bid of \$21,476; and,

Whereas, additional expenditures totaling \$3,200 are necessary for the purchase and installation of new equipment and transferring of old equipment to the new cruiser which includes \$350.00 for striping the new cruiser, \$1,200 for removal and installation of existing equipment, \$150.00 for purchase of a new console and \$1,500 for a new light bar, siren box, and switch panel: and,

Whereas, the total cost of the new vehicle less trade-in, purchase and installation of new equipment and installation of existing equipment totals \$24,676; and,

Whereas, the 2011 Capital Improvement Plan identified \$28,000 towards the purchase of a new cruiser:

Be it resolved by the Bucksport Town Council in town council assembled that the purchase of a new 2011 Ford Crown Victoria police cruiser be authorized from Quirk Ford of Augusta in the amount of \$21,476 including the trade in value of \$1,650 for the 2006 Ford Crown Victoria, such cost to be charged to Police Equipment Reserve Account.

Br it further resolved that the Bucksport Police Department be authorized to expend an amount not to exceed \$3,200 for the purchase and installation of new equipment and to transfer old equipment to the new cruiser and to charge such to the Police Equipment Reserve Account.

Acted on September 8, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-32 AUTHORIZING EXPENDITURE FROM THE POOL
RESERVE ACCOUNT**

Whereas, the 2011 Capital Improvement Plan called for purchasing a new pump for the pool; and,

Whereas, the cost of the pump including installation is \$4,864.00; and,

Whereas, \$6,000.00 was included in the 2011 Capital Improvement Plan for this purchase:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of \$4,864.00 to purchase and install a new pump at the pool be authorized and cost be charged to the Pool House Reserve Account.

Acted on September 8, 2011

Yes 7 **No** 0 **Abstained** _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-33 SETTING FEES FOR THE USE OF THE BUCKSPORT
ANIMAL SHELTER**

Whereas, the current fees paid by communities using the Bucksport Animal Shelter is an annual charge of \$200 plus the daily boarding fees of \$7.00 per cat and \$10 per dog; and,

Whereas, the current daily fee charged to Bucksport residents whose cats or dogs are sheltered at the Bucksport Animal Shelter are \$7.00 for cats and \$10.00 per dog; and,

Whereas, it has been determined that these fees are not adequate to cover the cost that is realized by the Town of Bucksport to maintain the shelter; and,

Whereas, it is proposed that the annual fee for communities allowed use of the facility should be set at \$1.00 per capita for the participating community plus \$9.00 per day for cats and \$12.00 per day for dogs; and,

Whereas, it is proposed that the daily fee to be charged to Bucksport residents whose cats or dogs are sheltered at the Bucksport Animal Shelter is \$9.00 for cats and \$12.00 for dogs; and,

Whereas, it is recommended that the daily boarding fees of \$9.00 for cats and \$12.00 for dogs become effective immediately for all users and the annual subsidy for participating communities become effective 7-1-2012:

Be it resolved by the Bucksport Town Council in town council assembled that the daily boarding fee at the Bucksport Animal Shelter be set at \$9.00 for cats and \$12.00 for dogs that are boarded from contracting communities such fees to become effective upon approval of this resolve; and the daily boarding fee for dogs and cats from Bucksport residents stay at the current rates of \$7.00 for cats and \$10.00 for dogs.

Be it further resolved that the fee for communities that have contracted to have access to the facility to board cats and dogs be charged in addition to the daily boarding fees an annual charge of \$1.00 per capita, such to be effective 7-1-2012.

Acted on September 8, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-34 REGARDING THE JED PROUTY

Whereas, the Bucksport Town Council had set as a goal for 2011 to support efforts to rehabilitate and develop the Jed Prouty Building; and,

Whereas, the Bucksport Town Council had set as a goal for 2011 to support development of assisted living for elderly regardless of income; and,

Whereas, there is now an opportunity to see developed and used as an assisted living facility the Jed Prouty Building; and,

Whereas, the Town of Bucksport has been asked to provide financial support to help rehabilitate the building for use as an assisted living facility; and,

Whereas, the Bucksport Town Council would like to obtain public input from the citizens of Bucksport prior to considering the request to financially participate:

Be it resolved by the Bucksport Town Council in town council assembled that a public hearing be scheduled for Thursday, September 29, 2011 at 7:00 p.m. at the Bucksport Town Office/Town Council Chamber to receive comments from interested citizens of Bucksport whether or not the Bucksport Town Council should consider financially participating in the redevelopment of the Jed Prouty as an assisted living facility.

Acted on September 8, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Bangor Gas's Extension of Natural Gas Into the Compact Area-

Dave Milan, Byron Vinton, Mike Ormsby and I met with representatives from the Maine Public Advocacy's Office on September 1 to discuss Bangor Gas's conditions of offer to extend natural gas to certain portions of the compact area. The agency was quite helpful identifying Bangor Gas's obligations and the town's options. I will be meeting with the Finance Committee prior to the next town council meeting to discuss their final recommendation to the Town council including a copy of the Letter of Intent to be filed with Bangor Gas.

Bucksport Wastewater Facility-

I provided you with a copy of the letter received from Maine Department of Environmental Protection outlining the options for implementing regulatory schedule for construction of secondary wastewater treatment facility in lieu of the town loss of its 301h Waiver. I will be sharing a copy of the letter with the Town's attorney for legal advice and discussing the matter in greater detail with the members of the sewer committee for their final recommendation for the council. I expect to present the committee's recommendation at the next council meeting. The members of the committee have also been busy interviewing firms that have an interest to provide engineering services to design the upgrade at the treatment plant. The committee interviewed four firms and has made their selection. References will be checked out by both Dave Michaud and I. Assuming the references are good, the committee will be rendering their recommendation at the next town council meeting.

Wilson Hall-

The Town's attorney reported this week that she is still waiting for the Judge or Clerk to sign the Summary Judgment. She hopes to receive it within the next few weeks.

Assessor's Position-

Ten applications were received for the position. I have reviewed all of the applications and scheduled interviews during the week of September 12th. Once I have completed my review, I will ask the members of the Appointments Committee to hold interviews with the top three candidates. We should have a recommendation for the Town Council by the last town council meeting in September or the first meeting in October.

Mineral Extraction Ordinance-

I am hopeful the Ordinance Committee will have their recommendation for the Town Council for the next town council meeting or the first meeting in October. The committee has responded to the comments received at a public hearing held to receive comments from interested citizens. We have provided you with a copy this evening of the draft you will be asked to introduce.

Miles Lane Walking Trail-

The Highway Department has finished applying the surface to the Miles Lane Trail extension which is .6 mile. Many favorable comments regarding the project have been received.

Amendment to Chapter 2 Administration, Article 2 Personnel Rules and Regulations

Shall an ordinance be adopted titled “Amendment to Chapter 2 Administration Article 2 Personnel Rules and Regulations” such ordinance being for the purpose of updating the town’s statement regarding discrimination and amending language to the town’s Harassment Policy prohibiting retaliation against any employee who may or has filed or reported a harassment complaint and how to contact the Maine Human Rights Commission.

Amend Article 2 Personnel Rules & Regulations, Section 1 General Provisions, Subsection 1.7 Nondiscrimination and Affirmative Action to read:

1.7 NON-DISCRIMINATION AND AFFIRMATIVE ACTION

The town shall administer and implement these Rules and Regulations in a manner that shall not discriminate unlawfully against any person because of race, color, religion, sex, national origin, age, sexual orientation, **genetic information**, or physical or mental disability. Furthermore, the Town shall take affirmative action to enhance the opportunities for minority group members, where they may be underutilized.

Amend Section 2 Benefits, Subsection 2.17 Policy on Harassment to read:

2.17 POLICY ON HARASSMENT

It is the policy of the Town of Bucksport that all our employees should be able to work in an environment free from all forms of harassment. Harassment, as defined by this policy, is prohibited. This policy refers not only to supervisor-subordinate actions, but also to actions between co-workers. Any complaints of harassment will be investigated promptly. ~~There will be no intimidation, discrimination, or retaliation against any employee who makes a report of harassment.~~

2.17.1 Definition

1. Sexual harassment is the attempt to control, influence, or affect the career, salary, or job of an individual in exchange for sexual favors. Sexual harassment can also be conducted which creates a hostile or offensive work environment, or unreasonably interferes with a person's ability to perform his/her job. Sexual harassment is an extremely serious matter. It is prohibited in the workplace by any person, and in any form.

Specific conduct which is prohibited includes, but is not limited to:

- a. Threats or insinuations, implicit or explicit, that any employee's refusal to submit to sexual advances will adversely affect the employee's retention, evaluation, wages, promotion, duties, or any other condition of employment;
- b. Unwelcome sexual flirtations, advances or propositions;
- c. Verbal or written abuse of a sexual nature;
- d. Graphic verbal comments about an individual's body;
- e. Sexually degrading words used to describe an individual; or
- f. The display in the workplace of sexually suggestive objects or pictures.

~~Any employee who believes he/she has been the subject of sexual harassment should report all alleged acts to their department head or the Town Manager. Any department head or employee~~

~~who is found after appropriate investigation to have engaged in sexual harassment will be subject to discipline, up to and including discharge.~~

2. Verbal Harassment is derogatory or vulgar comments regarding a person's sex, religion, age, ethnic origins, physical appearance, or the distribution of written or graphic materials having such an effect, are prohibited. Any employee who believes he/she has been the subject of such harassment should report the alleged conduct to their department head or the Town Manager. Any department head or employee who is found, after appropriate investigation, to have engaged in any harassment will be subject to discipline, including discharge.

2.17.2 Notification

The employer will provide, annually, a copy of the Town's policy regarding ~~sexual~~ harassment to all employees, provide training to all new employees on ~~sexual~~ harassment before their first anniversary of employment, and provide training to all supervisors on their responsibility to take immediate and corrective action in addressing sexual harassment complaints.

2.17.3 Anti-retaliation Statement

Under the law, you may not be punished or penalized in any way for reporting, complaining about, or filing a claim concerning unlawful harassment, regardless of the nature or category, or for cooperating with or testifying in any proceeding brought by anyone else. An employee who believes has been retaliated against for opposing or reporting what he/she reasonably believes to be unlawful harassment, or cooperating in any investigation or the same, may follow the same Internal Complaint Procedure set forth below. The Town will not tolerate any act of unlawful retaliation against employees who have reported, complained about, or filed a complaint of unlawful harassment.

2.17.4 Reporting a Complaint

Any employee who believes he/she has been the subject of ~~sexual~~ harassment should report all alleged acts to their department head or the Town Manager. Any department head or employee who is found after appropriate investigation to have engaged in ~~sexual~~ harassment will be subject to discipline, up to and including discharge. **An employee may also file a complaint with the Maine Human Rights Commission. The commission may be contacted at 51 State House Station, Augusta, Maine 04333-0051. The contact phone number and website address for the Commission may be referenced from notices that are posted on the employee bulletin boards located at the Bucksport Public Safety Building, Bucksport Town Office, Bucksport Town Garage, Bucksport Wastewater Facility, and Bucksport Transfer Station**

Acted on September 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

Amendment to Chapter 12 Article 5 Parking Regulations

Shall an ordinance be adopted titled “Amendment to Chapter 12 Article 5 Parking Regulations” for the purpose of prohibiting parking along a section of Bridge Street beginning at the intersection of Broadway and extending to the property now owned by Joseph and Carol Sheehan at Map 30 Lot 43.

Amend Sec. 12-501 as follows:

SEC. 12-501 Limited Parking Areas

1. Parking in allowed areas for the following streets shall be limited to two (2) hours, between 7:00 A.M. and 5:00 P.M.:
 - a. Bagley Avenue - from Franklin Street to the Northerly end of Bagley Avenue.
 - b. Thomas Street - entire length.
 - c. Spring Street - entire length.
 - d. Silver Street - entire length.
 - e. Spofford Avenue - entire length.
 - f. Franklin Street - from Spofford Avenue to Third Street.
 - g. Main Street - from Mill Street to McDonald Street.
 - h. Elm Street - from Main Street to Franklin Street.
2. No automobiles or other motorized carriers shall be parked on Monday through Friday during the months of September through June from 8:00 A.M. to 4:00 P.M. in the following areas:
 - a. On either side of Nicholson Avenue
 - b. On either side of Broadway as said Broadway extends from the intersection of Central Street to Nicholson Avenue, except that a pedestrian unloading zone will be permitted on the Southerly Side of Broadway, extending from Bridge Street intersection to the Jewett School playground entrance.
 - c. On either side of Elm Street as it extends from Summer Street intersection to the American Legion Building.
3. Parking along the Westerly side of Bagley Avenue, in front of the Timberland Building, during the hours of 7:00 A.M. to 5:00 P.M. will be restricted only to visitors to the Timberland Building.
4. Parking in permitted areas along Main Street/Route 15 from the North Gate of International Paper to the intersection of First Street will not be permitted from midnight to 6:00 A.M.

SEC. 12-502 No Parking - Northerly Side of Street

There shall be no parking at any time on the Northerly side of the following streets except any vehicle parked outside the curbed area in such a manner that will not hamper the free flow of traffic in either direction or parked in a designated public parking space.

1. Franklin Street

- a. From Federal Street to Central Street
- b. From the flagpole in front of the Public Safety Building to Mechanic Street
- c. From Spofford Avenue to Bagley Avenue
- d. From Bagley Avenue to Main Street.
- e. From the intersection radius of Mill Street and extending 150' in a westerly direction.
2. Main Street/Route 15
 - a. From the intersection of Route 1/Route 15 to the North gate of International Paper Mill
3. Route 1
 - a. From Route 15/Route 1 intersection to the Bucksport/Orland Town Line

SEC. 12-503 No Parking Area - Southerly Side of Street

There shall be no parking at any time on the Southerly side of the following streets except any vehicle parked outside the curbed area in such a manner that will not hamper the free flow of traffic in either direction or parked in a designated public parking space:

1. Franklin Street
 - a. From Bagley Avenue to Spofford Avenue
 - b. From Mechanic Street to School Street.
2. Main Street/Route 15
 - a. From the North Gate of International Paper Company to the intersection of Route 15/Route 1
3. Route 1
 - a. From Route 15/Route 1 intersection to easterly property line of the Town of Bucksport Wastewater Treatment Plant.

SEC. 12-504 No Parking Areas - Easterly Side of Street

There shall be no parking at any time on the Easterly side of the following streets in the areas designated as follows:

1. Elm Street - from Main Street to Franklin Street
2. Central Street - from Main Street to Broadway
3. Federal Street - from Franklin Street to Main Street
4. Bagley Avenue from Main Street to Franklin Street.
5. School Street - from the Southerly edge of Buck Street intersection to the intersection of Silver Lake Road.
6. Mill Street - from Main Street to Franklin St.
7. **Bridge Street- from the intersection of Broadway to the southerly side of the rear entrance to the Jewett School.**

SEC. 12-505 No Parking Areas - Westerly Side of Street

There shall be no parking at any time on the Westerly side of the following streets in the areas designated as follows:

1. Bagley Avenue - from Main Street to Franklin Street
2. Mill Street - from Main Street to Franklin Street

3. Central Street - from Main Street to Broadway
4. Federal Street - from the Northerly edge of the driveway leading to the Catholic Church rectory to Franklin Street
5. School Street - from Main Street to the Southerly side of Buck Street intersection
6. School Street - from Central Street intersection to the intersection of Silver Lake Road.
7. Miles Lane between the two entrances-exits leading to and from Miles Lane School
8. **Bridge Street- from the intersection of Broadway to the northerly property line of Map 30 Lot 43 now owned by Joseph and Carol Sheehan.**

SEC. 12-506 Angle and Parallel Parking Areas

1. Parallel Parking: All vehicles will be parked parallel to the curb or ditch, within a stall designated by white lines or a white line and a yellow line, in the areas designated as follows:
 - a. North side of Main Street from Mill Street to First Street
 - b. South side of Main Street from Key Bank to First Street.
2. Angle Parking: All vehicles will be parked on an angle to the curb or ditch within a stall designated by white lines or a white line and a yellow line in the areas designated as follows:
 - a. South side of Main Street from School Street to Key Bank.

SEC. 12-507 Stopping, Standing, or Parking Prohibited in Specified Places

No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer, in any of the following places:

1. On a sidewalk
2. Within ten (10) feet of any entrance
3. Within twenty-five (25) feet of corner radius of any intersection
4. On or within yellow markings
5. Within twenty (20) feet of any crosswalk
6. Alongside or opposite a street or highway excavation.
7. On the roadway side of any vehicle stopped or parked parallel to the curb or ditch
8. Upon a bridge
9. Within fifteen (15) feet of any hydrant
10. Upon any place where official signs or markings prohibit stopping or parking
11. Within fifteen (15) feet of a street intersection unless otherwise marked
12. On or straddling a curb.

SEC. 12-508 Miscellaneous Parking Regulations

1. No vehicle shall be parked at any time on a public way in a manner that will interfere with snow plowing or snow removal.
2. No vehicle shall be parked on any way or street in the Town of Bucksport between the hours of twelve o'clock, midnight, and seven o'clock in the

morning, from November fifteenth (15th) to April fifteenth (15th) inclusive.
This regulation shall not apply to physicians or professional calls.

3. The driver of a bus or taxicab shall not park on any street at any place other than a bus stop or taxicab stand except that this provision shall not prevent the driver of any such vehicle from stopping temporarily to load or unload passengers.
4. No person shall stop, stand or park a vehicle other than a bus in a bus stop or a taxicab in a taxicab stand when any such stop has been officially designated and marked by property signs, except to temporarily stop therein when such stopping does not interfere with any bus or taxicab waiting or about to enter such zone, and no vehicle stopping therein by virtue of this section shall be left unattended while so stopped.
5. No person shall stop, stand or park any vehicle on any street within Town limits of Bucksport so as to be facing oncoming traffic or the travel lane opposite its own direction of travel.
6. No person shall stop, stand, or park a vehicle so as to occupy more than one (1) designated parking stall or space, except for delivery vehicles making deliveries.

SEC. 12-509 Observance of Regulations Required

No person shall allow any vehicle registered in his name to stand, stop or park in any street or highway in violation of any of the provisions of these traffic regulations or any amendment thereof.

SEC. 12-510 Official Signs and Markings

When official signs are erected, or markings placed, on any street or way, no person shall stop, stand, park or operate a vehicle in any such designated place in violation of such signs or markings.

SEC. 12-511 Exceptions to Parking Restrictions

At the discretion and direction of the Police Department, certain parking restrictions may be lifted during periods of church services or other church functions, during funeral services, or during other events of a public nature, to the extent that any such lifting of restrictions does not seriously threaten the safety of others or impose undue inconvenience upon other motorists or pedestrians.

SEC. 12-512 Parking Lot Regulations

1. No overnight parking will be permitted in the following parking lots:
 - a. Ben Franklin Parking lot, spaces located along the so-called Ben Franklin Building and along the easterly side of the parking lot, that area being owned by Alfred Brown except for residents living in the adjacent apartment building owned by Alfred Brown.
 - b. Buck Cemetery Parking lot
 - c. Colby Wharf Parking Lot
 - d. Town Dock Parking Lot
2. The following parking lots will be restricted to two hour parking:

- a. Ben Franklin Parking lot, those spaces located along the so called Ben Franklin Building
 - b. Buck Cemetery Parking Lot
- 5. Parking of unregistered or uninspected vehicles will not be permitted in any public parking lot.
- 7. No vehicle will be parked or abandoned in any public parking lot where overnight parking is permitted for a period to exceed (7) consecutive days without the vehicle being moved except when required by the Highway Department for purpose of maintaining the parking lot(s).

Acted on September 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-35 REGARDING TOWN'S PARTICIPATION WITH THE
REHABILITATION OF THE JED PROUTY BUILDING**

Whereas, the Jed Prouty Inn also known as the Robinson House is currently for sale; and,

Whereas, the Jed Prouty Inn is on the National Register of Historic Buildings; and,

Whereas, the Bucksport Downtown Plan, includes as one goal, the need for the Town to support redevelopment of the building so that it can become once again a focal point in the downtown area; and,

Whereas, in recent months the Town has been approached by several developers who requested assistance from the Town to assist with the rehabilitation of the building; and,

Whereas, the Town Council sanctioned Lewis and Malm Architectures to complete a condition assessment report of the Jed Prouty Inn to determine the cost of rehabilitating the building; and,

Whereas, the estimated cost of completing the improvements is \$300,000; and,

Whereas, the Town Council has had several discussions regarding the matter; and,

Whereas, the Town Council has held a public hearing on the matter to receive comments from the public; and,

Whereas, the hearing was scheduled on September 29, 2011:

Whereas, the Town Council agrees that if there is any participation on the part of the Town it should be in accordance with the following conditions:

1. the proposed development will provide a public need that is not being provided by another agency or business located in the community
2. the developer will demonstrate that the proposed project will provide the necessary revenues that will provide for the maintenance of the building on a long term basis
3. the developer will demonstrate the financial capacity to address the deficiencies that are noted by the report prepared by Lewis and Malm and titled Jed Prouty Inn Condition Assessment Report dated February 17, 2011
4. the developer will demonstrate that the proposed project has a reasonable chance of long term financial success
5. if funding is provided, it will be in the form of a deferred loan that would be forgiven over time if all development conditions set by the town council are met
6. the developer will provide substantial investment into the proposed project
7. the historic integrity of the building will be maintained during its rehabilitation
8. any funding provided by the town must be deemed "constitutional" by the town's legal counsel

Be it resolved by the Bucksport Town Council in town council assembled that the Town should consider participating in the redevelopment of the Jed Prouty pursuant to the conditions outlined above.

Acted on September 29, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE#R-2012-36 REGARDING FUNDING TO MAINTAIN BUCKSPORT
HEALTHY COMMUNITIES COALITION TO 6-30-2012**

Whereas, the Bucksport Bay Healthy Communities Coalition (BBHCC) was not successful in securing funding through the Healthy Maine Partnership Program for the period 7-1-2011 to 6-30-2012; and,

Whereas, the projected deficit to maintain the program to June 30, 2012 is \$46,211; and,

Whereas, BBHCC is requesting that the Town of Bucksport provide 50% (\$23,105) of the deficit amount while the group will draw the remaining balance from the Sawyer Fund; and,

Whereas, BBHCC is developing a funding plan that will help ensure that the coalition can continue its work in the future:

Be it resolved by the Bucksport Town Council in town council assembled that the municipal budget for the period 7-1-2011 to 6-30-2012 be amended by increasing the appropriation for account number #542-91 (Bucksport Health Advisory) from \$7,600 to \$23,705 and the additional funds of \$16,105 be transferred from Undesignated Fund Balance.

Acted on September 29, 2011

Yes 6 No 1 (Robert Howard) Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-37 REGARDING OPTIONS RELATED TO THE
DISPOSITION OF THE EPA ON BUCKSPORT'S SECTION 301H WAIVER**

Whereas, the Town of Bucksport was notified in 2007 by Maine Department of Environmental Protection (MDEP) that U. S. Environmental Protection Agency (U.S.E.P.A) would be rescinding the Town's 301h Waiver which allows the Town to treat the sanitary waste received at the Bucksport Wastewater Treatment Facility to primary level; and,

Whereas, the lost of the waiver will require the Town to provide a secondary wastewater treatment facility; and,

Whereas, in the interim period before secondary treatment facility is built, the Town will incur violations for the new secondary limits; and,

Whereas, MDEP has proposed an Administrative Consent Agreement to establish a schedule for construction of a new secondary treatment facility as a corrective action for these violations; and,

Whereas, because concern was voiced about the perception these violations may create in the public record, MDEP offered the following options:

Option 1 DEP Administrative Consent Agreement (ACA)

- This is an agreement between the Town and the DEP that is negotiated by DEP staff.
- The ACA will establish a mutually agreeable schedule for construction of a new secondary treatment facility.
- The ACA will include language that allows the Town to request an amendment to the schedule should the Town be unable to secure adequate funding for construction of the secondary treatment facility.
- The ACA will suspend any monetary penalties.
- Violations of new secondary limits will appear in the public record. However, an explanatory statement will be posted with the violations to explain the circumstances and the Town's plan for resolving them.

Option 2 EPA Administrative Order (AO)

- This is a unilateral order issued by EPA to the Town. DEP would not have any decision making authority on the language of the AO.
- The AO would establish a schedule for construction of a new secondary treatment facility. EPA has indicated that they will most likely accept the draft schedule that has been negotiated by the Town and DEP.
- EPA has indicated they would not include language in the AO that allows the Town to request an amendment to the schedule should the Town be unable to secure adequate funding for construction of the secondary treatment facility.
- The AO would likely suspend any monetary penalties.

- Violations of new secondary limits would not appear in the public record. EPA has authority to establish interim limits that would be in effect during the time when the facility is being constructed. These limits would be based on a statistical evaluation of the plant's historical performance and would be less stringent than secondary limits

Whereas, the matter was reviewed by the Town's attorney Katherine Joyce, with the firm Bernstein Shur and recommended that "barring any significant adverse impact on the Town's finances due to the multiple reported violations that will be incurred over the course of the Schedule of Compliance, the preferable route is to enter into an Agreement with the MEDEP (Option 1) to allow the Town the most flexibility in pursuing a reasonable financial package for the construction of the secondary treatment"; and,

Whereas, the members of the Sewer Committee have reviewed the issue as directed by the Town Council and offer the following recommendation:

That the Town Council considers accepting Option 1 DEP Administrative Consent Agreement for the following reasons:

1. MEDEP will allow the Town the ability to amend the schedule for good cause.
2. MEDEP is more local in turn more invested in the Town's success and has expressed an interest to work with the Town.
3. MEDEP provides options to help fund the project since they allocate EPA funds provided to the State of Maine.
4. MEDEP has been involved with the development of the Bucksport Wastewater Treatment Facility since its inception.
5. MEDEP, during the development phase for the existing treatment plant, denied the Town's request to build a secondary treatment plant because the Town had access to a 301h Waiver; therefore, allowing the Town to discharge at primary level.

Be it resolved by the Bucksport Town Council in town council assembled that the recommendation of the Sewer Committee be accepted which includes the selection of Option 1 DEP Administrative Consent Agreement for implementing regulatory schedule for construction of a secondary wastewater treatment facility.

Be it further resolved that the Town Manager is authorized to relay the Town Council's decision to MEDEP.

Acted on September 29, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-38 AWARDING CONTRACT FOR ENGINEERING
SERVICES FOR THE UPGRADE OF THE WASTEWATER TREATMENT
FACILITY**

Whereas, the Town has the need to obtain the services of an engineering firm to assist the town identify the best alternative for secondary treatment at the Bucksport Wastewater Treatment Facility and to provide design, permitting, bidding, construction administration and resident inspector services; and,

Whereas, the Town requested proposals and received four responses; and,

Whereas, the proposals were as follows:

ENGINEERING COST-BUCKSPORT WASTEWATER TREATMENT FACILITY

	Woodard & Curran	Wright- Pierce	Olver Associate s	Weston & Sampson
Preliminary Engineering Report	\$63,000.00		\$64,000.00	\$133,094.00
Design & Permitting		\$375,000.00	\$227,640.00	\$251,695.00
Geotechnical Report	\$15,000.00			
Assist with Funding Package				\$16,425.00
Survey	\$9,000.00			
Design and Bidding Phase	\$330,000.00			
Bidding Phase		\$15,000.00	\$9,000.00	\$14,308.00
Construction Administration	\$245,000.00	\$200,000.00	\$62,000.00	\$138,550.00
Resident Inspector		\$145,000.00	\$250,000.00	\$175,344.00
Record Drawings		\$15,000.00		
Start-up		\$50,000.00		
O & M Manual		\$25,000.00		\$15,501.00
Total	\$662,000.00	\$825,000.00	\$612,640.00	\$744,917.00
	Does not include inspection cost.			

Whereas, after interviewing all of the four firms and checking references the committee recommends that the firm Olver Associates of Winterport, Maine be engaged to provide the necessary engineering services to upgrade the existing treatment plant to secondary level for the following reasons:

1. No travel time will be charged to the Town since the office is located 20 minutes away from Bucksport. This made a significant impact on the fee charged.
2. Stability of the fee structure since Olver Associates will not modify its lump sum fees during the extended project time or for design of cost overruns.
3. No affiliation or bias towards specific process or treatment equipment.
4. The firm maintains a conservative design approach using proven equipment endorsed by operator references and the firm's experience operating treatment plants.
5. Senior partners actually design projects, not just manage the team.
6. The firm's partners have large firm experience, but have small firm personnel.
7. The firm proposed an extensive training program that will be offered to Bucksport operators during construction of the project.

Be it resolved by the Bucksport Town Council in town council assembled that the firm Olver Associates of Winterport, Maine be engaged to provide the necessary engineering services to upgrade the existing treatment plant to secondary level.

Be it further resolved that the contract be structured so the initial services contracted for will be for the preliminary study in the amount of \$64,000 to be paid from the Sewer Reserve Account and the remaining services will be contracted for only if the citizens of Bucksport by referendum approve the expenditures and authorize raising the funds.

Acted on September 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-39 REGARDING THE ISSUANCE OF A LETTER OF
INTENT TO BANGOR GAS**

Whereas, the Bucksport Town Council has requested that Bangor Gas extend natural gas into the compact area, more specifically to provide natural gas to heat the Bucksport schools and public safety building and to businesses located in the downtown area for purposes of economic development; and,

Whereas, several meetings were held with Bangor Gas to discuss the request; and,

Whereas, Bangor Gas in a letter dated June 30 outlined conditions by which they would consider the extension; and,

Whereas, at a meeting on August 16, Bangor Gas requested a Letter of Intent from the Town to continue to proceed with the project; and,

Whereas, the members of the Finance Committee have reviewed a proposed Letter of Intent which outlines the conditions that would lead to Bangor Gas extending gas to the area noted above and reviewed by the Town's attorney; and,

Whereas, the members of the Finance Committee recommend an unsigned draft of the Letter of Intent be shared with Bangor Gas to see if it is acceptable for them to move on with the project and if so, a final signed Letter of Intent would be forwarded to Bangor Gas; and,

Whereas, a draft copy of the proposed Letter of Intent is attached; and,

Whereas, if Bangor Gas chooses to make changes to the Letter of Intent, these changes will be brought to the Town Council for final approval and a final Letter of Intent would be forwarded to Bangor Gas outlining the conditions required for Bangor Gas to proceed with the preliminary study to determine interest in the project and what the Town's Contribution in Aid of Construction will be:

Be it resolved by the members of the Bucksport Town Council in town council assembled that a draft copy of the Letter of Intent which outlines the conditions by which Bangor Gas will extend natural gas into the compact area and as recommended by the Finance Committee be forwarded to Bangor Gas for their comments.

Be it further resolved, if Bangor Gas proposes no changes to the draft Letter of Intent, the final draft is to be signed and forwarded to Bangor Gas. If Bangor Gas requests changes to the draft, those changes will be forwarded to the Bucksport Town Council for approval prior to the final Letter of Intent being forwarded to Bangor Gas.

Acted on September 29, 2011

Yes 7 **No** 0 **Abstained** _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-40 APPROVING AQUA MAINE TO CONTINUE TO
OPERATE THE BUCKSPORT WASTEWATER TREATMENT FACILITIES**

Whereas, Aqua Maine, Inc. proposes an extension of the agreement from July 1, 2011 through June 30, 2012 for the operation of the town's wastewater treatment facilities; and,

Whereas, Aqua Maine proposes to provide the routine services for a monthly fee in the amount of \$6,650; and,

Whereas, the monthly fee reflects an increase of \$233 per month due to labor and benefit increases over the past year:

Be it resolved by the Bucksport Town Council in town council assembled that the Operations and Maintenance Agreement with Aqua Maine, Inc. and the Town of Bucksport for operation of the Bucksport Wastewater Treatment Facility be extended for the period 7-1-2011 to 6-30-2012 for the updated monthly fee of \$6,650.00.

Acted on September 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-41 AUTHORIZING CONTRACT TO COMPLETE AN
ASBESTOS IMPACT SURVEY AT 67 MAIN STREET**

Whereas, the Town of Bucksport recently acquired the former Nason House located at 67 Main Street; and,

Whereas, the purpose of the purchase is to remove the building and expand the Central Street Parking Lot once grant funds become available; and,

Whereas, prior to demolition of the building, it is required that an asbestos impact study be completed; and,

Whereas, a quote has been received from Eastern Skies Environmental Services in the amount of \$1,700; and,

Whereas, the fee will cover the cost of 50 samples @ \$25.00 per sample and a lump sum fee of \$450 for the time onsite and report:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to complete an asbestos impact study in the amount of \$1,700 be awarded to Eastern Skies Environmental Services and such cost is to be paid for from TIF Revenues.

Acted on September 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**CONSIDER RESOLVE #R-2012-42 AUTHORIZING EXPENDITURE FROM
THE WATERFRONT RESERVE**

Whereas, the 2011 Capital Improvement Plan (CIP) calls for the toilet in the women's bathroom on the waterfront to be equipped with an automatic flushing device; and,

Whereas, Osborne's Plumbing & Heating, Inc. has proposed to complete the work for a sum of \$1,525.93; and,

Whereas, \$2,500 was budgeted in the CIP for the project:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to install an automatic flushing device in the women's bathroom on the waterfront be awarded to Osborne's Plumbing & Heating, Inc. in the amount of \$1,525.93.

Be it further resolved that the cost for the improvement be paid for from the Waterfront Reserve Account

Acted on September 29, 2011

Yes 7 **No** 0 **Abstained**

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-43 APPROVING PRIVACY POLICY FOR THE BUCKSPORT WEBSITE

Whereas, the Town of Bucksport has developed and implemented a new website; and,

Whereas, it is an industry best practice to include a statement regarding the privacy of information gathered through the website; and,

Whereas, privacy policies from several communities were examined and used to develop a policy specific to the Town of Bucksport and its website; and,

Whereas, the policy is proposed as follows:

PRIVACY POLICY-TOWN OF BUCKSPORT

We do not capture personal information about our visitor without permission. We endeavor to collect only the minimum amount of information needed to meet the purposes for which the website was created.

Public Disclosure

All information collected will be treated the same as any written communication and is subject to the confidentiality and public disclosure of 1 M.R.S.A. Chapter 14-A.

Privacy Statement

We may collect some or all of the following information about visitors who view information from our website:

Information	Definition
Date	Date the visit occurred.
Time	Time the visit occurred.
Client IP	Unique Internet Protocol (IP) address of the website visitor. The IP address recorded is normally that of the visitor's Internet service provider, e.g., aol.com if the visitor connects from an America Online account.
Server IP	Unique Internet Protocol (IP) address of the State of Maine web server accessed.
HTTP Status	Hyper Text Transfer Protocol (HTTP) error code, e.g. "404 Requested Page Not Found."
HTTP Request URL	Identifies the web page or file requested by the website visitor during connection.
Bytes Sent	Amount of data sent from the web server to website visitor during that connection.

Bytes Received	Amount of data sent from website visitor to the web server.
User Agent	Type of web browser to other client software that made request to the web server.
Referrer	Uniform Resource Locator (URL) that referred to the requested file.
Protocol Version	Version of HTTP used by the visitor's web browser software.

The information collected is used to improve the content of our web services and help us understand how people are using our services. We analyze our website logs to continually improve the value of the materials available on our site. The information in our website logs is not personally identifiable, and we make no attempt to link it with the individuals that browse our website.

Some of this statistical information, such as a running count of the number of visitors, may be displayed on the website or shared with other town agencies to aid in the provision of better service to the public.

Personally Identifiable Information

"Personally identifiable information" is information about a person that is readily identifiable to that specific individual. It includes, for example, an individual's name, street address, e-mail address, or phone number.

Personally identifiable information will not be collected unless you voluntarily send an e-mail message, fill out and send an online form, or fill out personal information and send in a survey. Your choice not to participate in these activities will not impair your ability to access certain information or obtain a service online.

Unless specifically protected under state law, any information provided may be inspected by the public or disclosed in a legal proceeding.

E-mail Addresses

E-mail messages, sent to the Town of Bucksport will be treated the same as any other written communication. They may be subject to public inspection or legal disclosure and may be saved for a period of time before they are destroyed. E-mail or other information requests sent to this website may be maintained in order to respond to the request, forward that request to the appropriate individual, or to provide the web designer with valuable customer feedback to assist in improving the site. E-mail addresses obtained through the website will not be sold or given to private companies for marketing purposes.

Cookies

Occasionally the town may have a survey on the web site that only allows a visitor to vote only once. In order to keep track of whether you have voted, a cookie (a simple text file) will be created and stored on your computer. This cookie is created on your computer by voting on the survey. It will not contain personally identifying information and will not compromise your privacy or security. The only information that will be contained is the name of the survey and how you voted. This cookie will remain on your compute for the duration of the survey. The cookie has an expiration date. When the date occurs it will be deleted from your computer.

Surveys

Surveys will be used for the purpose stated. If personally identifiable information is collected it may be subject to public inspection and legal disclosure and may be saved for a period of time before it is destroyed.

Disclaimer

Neither the Town of Bucksport, nor any agency, officer, or employee of the Town of Bucksport endorses any product or services linked from this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this system does so at his or her own risk.

Be it resolved by the Bucksport Town Council in town council assembled that the proposed Privacy Policy for the Town of Bucksport website be adopted as outlined above and displayed on the town's website.

Acted on September 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**AMENDMENT TO APPENDIX M GENERAL ASSISTANCE ORDINANCE
APPENDICES A, B, AND C FOR 2011-2012**

Shall an ordinance be introduced titled "Amendment to Appendix M General Assistance Ordinance Appendices A, B and C for 2011-2012". The purpose of the proposed ordinance is to adopt various maximum levels of General Assistance set forth in Appendices A-C for the period 10-1-2011 to 10-1-2012 as established as a matter of state law based on certain federal values. The ordinance will read as follows:

Amend Appendix M of the Bucksport Town Code titled "General Assistance Ordinance by replacing Appendices A, B, and C adopted for the period 10-1-2010 to 10-1-2011 with new Appendices A, B and C for the period 10-1-2011 to 10-1-2012 which are attached and are part of this ordinance.

Acted on October 13, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

AMENDMENT TO APPENDIX K LAND USE

Shall an ordinance be introduced titled "Amendment to Appendix K Land Use" such ordinance being for the purpose of adding Addendum 1, which contains illustrations of the Official Zoning Maps, and for the purpose of adding Addendum 2, which contains performance standards for mineral extraction operations that are to be reviewed in lieu of the performance standards in Section 12 and 14 of Appendix K. The ordinance shall read as follows: See attached document.

Acted on October 13, 2011

Yes 7 **No** 0 **Abstained** _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-44 REFERRING CITIZEN'S CONCERN REGARDING
IMPROVEMENTS ON THE CHURCH ROAD TO THE ROAD AND STREET
COMMITTEE**

Whereas, improvements were approved for a section of the Church Road for the 2011 construction season; and,

Whereas, concern has been shared by a property owner regarding the safety of the connecting access from Wights Lane to the Church Road; and,

Whereas, the property owner has requested that an access be provided at a new location; and,

Whereas, the project engineer at Plymouth Engineering, has shared concerns regarding the relocation of the entrance; and,

Whereas, the plans were approved by the Road and Street Committee as well as the Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that the matter regarding the access road connecting Wights Lane and Church Road be referred to the Road and Street Committee for a recommendation.

Be it further resolved that the committee should meet as soon as possible to consider the matter.

Acted on October 13, 2011

Yes 7 **No** 0 **Abstained**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-45 AUTHORIZING EXPENDITURE FROM THE PUBLIC
SAFETY BUILDING RESERVE ACCOUNT**

Whereas, the 2011 Capital Improvement Plan (CIP) included funds to install new electrical and air drop lines for apparatus; and,

Whereas, \$8,500 was included in the CIP to complete these improvements:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of an amount not to exceed \$8,500 be authorized to install new electrical and air drop lines for apparatus stored at the Bucksport Public Safety Building and such cost is to be charged to the Public Safety Building Reserve Account.

Be it further resolved that three quotes be obtained when possible from local contractors for the work and such is to be submitted for the Town Manager's approval prior to the work commencing.

Acted on October 13, 2011

Yes 7 **No** 0 **Abstained** _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-46 AUTHORIZING EXPENDITURE FROM THE SCHOOL
STREET FIRE HOUSE RESERVE ACCOUNT**

Whereas, the 2011 Capital Improvement Plan includes funds totaling \$8,900 for purchase of materials to complete improvements to the School Street Fire House; and,

Whereas, the funding was ear marked for purchase of materials and the work is to be completed by volunteers; and,

Whereas, the improvements include repair to the slab and sills and new siding, windows and door:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures totaling \$8,900 for purchase of materials to repair the slab and sills and to purchase a new door, windows and siding for the School Street Fire House be approved.

Be it further resolved that the School Street Fire House Reserve Account be charged for the expenditures.

Acted on October 13, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-47 AUTHORIZING EXPENDITURE FROM FIRE
EQUIPMENT RESERVE ACCOUNT**

Whereas, the extension cylinders on the outriggers for the ladder truck are leaking; and,

Whereas, the leaks must be repaired prior to a scheduled NFPA annual inspection; and,

Whereas, Freightliner who is certified to complete this work has provided an estimate of \$2,050 to do the repairs; and,

Whereas, this is an unexpected expense that was not included in the annual equipment maintenance and repair account:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of \$2,050 to repair the leaking cylinders on the ladder truck be authorized and such cost be charged to the Fire Equipment Reserve Account.

Acted on October 13, 2011

Yes 7 **No** 0 **Abstained**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-48 AUTHORIZING EXPENDITURE FROM THE
TRANSFER STATION RESERVE ACCOUNT**

Whereas, the 2011 Capital Improvement Plan (CIP) includes funds to install new lights on the lower level of the transfer station and to modify and pave the rear access road to eliminate a drainage problem; and,

Whereas, \$1,000 was budgeted for the new lights and \$3,000 for repairs to the rear access road and to pave around the new concrete pads; and,

Whereas, a quote in the amount of \$875 has been received from Electrical Services Inc. to install two new flood lights in the area of the trailer; and,

Whereas, the estimate to repave the new improved access road and to pave around the concrete pads is estimated at \$3,500.00:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not to exceed \$4,375.00 be authorized to install new lights on the lower level of the transfer station and to repave the rear access road.

Be it further resolved that the cost of the above improvements be charged to the Transfer Station Reserve Account.

Acted on October 13, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-49 AUTHORIZING EXPENDITURE FROM THE
HIGHWAY IMPROVEMENT RESERVE ACCOUNT**

Whereas, it is recommended by the Public Works Director that 5,400 linear feet of sidewalks be repaved for the 2011 construction season; and,

Whereas, the budget includes \$7,500 available for paving sidewalks at 2011 pavement prices, approximately paving 2,800 linear feet; and,

Whereas, the additional cost for paving the full amount (5,400 linear feet) proposed by the Public Works Director is \$6,800.00:

Be it resolved by the Bucksport Town Council in town council assembled that an additional \$6,800 be authorized from the balance in the Highway Improvement Reserve Account to pave sidewalks as identified by the Public Works Director.

Acted on October 13, 2011

Yes 7 **No** 0 **Abstained** _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-50 AUTHORIZING CONTRACTS FOR PURCHASE OF
WINTER SAND AND ROAD SALT**

Whereas, quotes were received as a result of the 2011-2012 road salt joint purchase program sponsored by the Hancock County Planning Commission as follows:

Company	Per Ton
Harcros	\$66.00
International Salt	\$57.34
Cargill	\$59.75
New England Salt	\$63.20

Whereas, a quote was received from Pike Industry in the amount of \$3.50 per cubic yard for 6,000 yards of winter sand located in their Frankfort quarry:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for road salt be awarded to International Salt in the amount of \$57.34 per ton.

Be it further resolved that the contract for 6,000 cubic yards of winter sand be awarded to Pike Industry in the amount of \$3.50 per cubic yard

Acted on October 13, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012- 51 AUTHORIZING SUBMITTAL OF A LETTER OF
INTENT TO THE OFFICE OF ECONOMIC AND COMMUNITY
DEVELOPMENT FOR A CDBG PUBLIC INFRASTRUCTURE GRANT TO
CONSTRUCT A WATER STORAGE TANK**

Whereas, Aqua Maine Inc. Bucksport Division proposes to construct a new 600,000 gallon water storage tank at an estimated cost of \$803,100 to replace the existing tank located off McDonald Street; and,

Whereas, Aqua Maine has requested that the Town of Bucksport consider partnering with Aqua Maine to finance the construction of the tank by agreeing to seek CDBG funds from the Office of Economic and Community Development; and,

Whereas, these funds are needed in order to limit the amount of debt service Aqua Maine will incur for the project; therefore, reducing the amount of increase that will be required from the water users particularly low to moderate income households; and,

Whereas, the Office of Community Development has notified municipalities that CDBG funds may be applied for up to \$500,000 for primary water storage facility; and,

Whereas, the Letter of Intent based on the program's Proposed Statement must be filed by January 20, 2012; and;

Whereas, the local match will be provided by Aqua Maine Inc.; and,

Whereas, it will be necessary to conduct an income survey of the target area to determine whether the proposed facility will benefit 51% low to moderate income households:

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport partner with Aqua Maine Inc. Bucksport Division to submit a Letter of Intent to the Office of Community Development to seek authorization to apply for a 2012 Public Infrastructure Community Development Block Grant to assist with the financing of a new 600,000 gallon water storage tank to replace the existing tank located off McDonald Street.

Acted on October 13, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-52 APPOINTING AN ASSESSOR

Whereas, the current assessor Carol Oliver will be retiring on December 31, 2011; and,

Whereas, the Appointment Committee has nominated James Jeffrey Fitzgerald to replace her; and,

Whereas, the conditions of employment are proposed as follows:

1. Your first day of employment will be Monday, December 19, 2011 and your appointment will be effective 1-2-2012.
2. Your annual salary will be \$48,000. After the first year of employment and upon favorable performance, your base salary will be increased by \$1,000. This does not include any cost of living adjustment that may be granted by the Bucksport Town Council for administrative employees.
3. Your duties are as outlined by the job description titled "Assessor", a copy of which has been attached to this Letter of Offer.
4. Your conditions of employment are as outlined by Chapter 2, Article 2, Personnel Rules and Regulations, a copy of which has been attached to this Letter of Offer.
5. The position of Assessor is classified as a full-time salaried position.
6. Your regular work hours will be from 8:00 a.m. to 4:30 p.m., Monday thru Friday with one hour off for lunch.
7. Your worksite will be at the Bucksport Town Office.
8. You are to return to the Bucksport Town Office your acceptance of this Letter of Offer by October 18, 2011.

Be it resolved by the Bucksport Town Council in town council assembled that James Jeffrey Fitzgerald be selected for the position of Assessor pursuant to the conditions outlined above.

Acted on October 13, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-53 REGARDING THE DISPOSITION OF PROPERTY
LOCATED ALONG LONG POND AND OFF ROUTE 46**

Whereas, Marc and Rosemary Bamford requested that the Town Council agree to sell them property, Lots 13 and 28 of Map 1, located off Long Pond and Route 46, formerly owned by Newill (Skip) Willins; and,

Whereas, the matter was referred to the Finance Committee for a recommendation; and,

Whereas, the Finance Committee recommends that the property be sold as follows:

1. Upon adoption of an ordinance and a valued placed on the properties by the Town's assessor, 100' of frontage is to be sold from Lot 13 to Robert Downes and an easement be provided to Marc and Rosemary Bamford to access their well with equipment should their well fail.
2. The remaining Lot 13 is to be sold to Marc and Rosemary Bamford.
3. Lot 28 is to be sold to Marc and Rosemary Bamford.
4. That no building(s) can be located on any of the three lots.

Be it resolved by the Bucksport Town Council in town council assembled that the recommendation of the Finance Committee be accepted.

Be it further resolved that the Town Manager be charged with preparing an ordinance to be introduced at the next town council meeting reflecting the conditions of sale outlined by the Finance Committee.

Acted on October 13, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-55 AUTHORIZING SUBMITTAL OF A GRANT
APPLICATION TO THE MAINE STATE PLANNING OFFICE**

Whereas, the Maine Coastal Program announces the availability of funds to help research forgotten or overlooked rights-of-way and to provide funding to help defray the cost; and,

Whereas, the Town of Bucksport needs to identify the location of a right of way from Main Street to Flag Point in order to construct a connector walkway leading to the Penobscot River; and,

Whereas, Plisga and Day has provided an estimate of \$3,000 to complete the work; and,

Whereas, an individual grant can be for up to \$2,500:

Be it resolved by the Bucksport Town Council in town council assembled that authorization is granted for an application to be submitted to the Maine State Planning Office for a grant pursuant to the Maine Coastal Program Right of Way Discovery in the amount of \$2,500 to research the location of a right of way from Main Street to Flag Point.

Be it further resolved that the additional \$500 is to be paid for from the Waterfront Reserve Account.

Acted on October 13, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**DUCK COVE COMMUNITY CLUB
LITTLE YELLOW SCHOOL HOUSE**

1. Club conveys the property to the Town of Bucksport by quitclaim deed
2. Town conveys an interest back to the Club by lease highlighting the following:
 1. the Club will continue using the facility as they have since ownership
 2. the Club will continue to pay for routine maintenance of the building
 3. the Club will continue to pay for operating cost
 4. the Club will continue to hold fundraisers to help defray the cost of long term maintenance
 5. the Club will utilized existing funds to reshingle the roof
 6. once the Club no longer has use for the building, it will be turned over to the Bucksport Historical Society
 7. the Club will be responsible to provide liability coverage for activities not listed as an annual activity on the Town's liability insurance application
 8. the Town will list the building as part of its property and casualty building schedule
 9. the Town will be responsible for long term maintenance of the building
 10. the Town will be responsible for plowing the yard during the winter months
 11. the term of the lease is proposed for 99 years at \$1.00
3. If the Town agrees to accept the conveyance, an ordinance would have to be adopted that would authorize the Town to convey by lease an interest back to the Club.

Shall an ordinance be adopted titled “Amendment to Appendix M General Assistance Ordinance Appendices A, B and C for 2011-2012”? The purpose of the proposed ordinance is to adopt various maximum levels of General Assistance set forth in Appendices A-C for the period 10-1-2011 to 10-1-2012 as established as a matter of state law based on certain federal values. The ordinance reads as follows:

Amend Appendix M of the Bucksport Town Code titled “General Assistance Ordinance” by replacing Appendices A, B, and C adopted for the period 10-1-2010 to 10-1-2011 with new Appendices A, B and C for the period 10-1-2011 to 10-1-2012 which are attached and are part of this ordinance.

Acted on October 27, 2011

Yes 6 No 0 Abstained _____ (Member Absent: Brian Leeman)

Attested by Kathy Downes, Town Clerk

Shall an ordinance be introduced titled “Chapter 11 of the Bucksport Town Code Section 11-146 Conveyance of Use of The Yellow School House by Lease to Duck Cove Community Club”? The purpose of the ordinance is to authorize the Bucksport Town Council to convey by lease to Duck Cove Community Club the use of The Yellow School House property, with conditions, once the property is deeded to the Town. The ordinance reads as follows:

Section 11-146 Conveyance of Use of The Yellow School House to Duck Cove Community Club

Shall property deeded to the Town (Map 3 Lot 33) and known as The Yellow School House be leased back to the Duck Cove Community Club (Club)? The conditions will be as follows:

1. the Club will be allowed to continue using the facility as they have in the past
2. the Club will continue to pay for routine maintenance of the building
3. the Club will continue to pay for operating costs
4. the Club will continue to hold fundraisers to help defray the cost of long term maintenance of the building
5. the Club will utilize existing funds to reshingle the roof
6. the Club will be responsible to provide liability coverage for activities not listed as an annual activity on the Town’s liability insurance application
7. the Town will list the building on its property and casualty building schedule
8. the Town will be responsible for long term maintenance of the building
9. the Town will be responsible for plowing the yard during the winter months
10. the town, upon receipt of the deed for the property, will lease back to the Club for 99 years and for one payment of \$1.00, the use of the property as the club used it prior to the transfer of the property to the Town
11. the Town, once the Club no longer has use for the property, will turn over the property by lease to Bucksport Historical Society but will continue to be responsible for the long term maintenance of the building
12. the Town will pay for the cost of preparing the lease to Duck Cove Community Club

Acted on October 27, 2011

Yes 6 **No** 0 **Abstained** _____ **(Member Absent: Brian Leeman)**

Attested by Kathy Downes, Town Clerk

Shall an ordinance be introduced titled “Chapter 11 of the Bucksport Town Code, Section 11-147 Conveyance of Property to Robert Downes”? The purpose of the ordinance is to authorize the Bucksport Town Council to convey to Robert Downes a portion of Map 52 Lot 13 located off Route 46 and Long Pond and acquired from Newell Willins for expired tax liens. The ordinance reads as follows:

Section 11-147 Conveyance of Property to Robert Downes

Shall a portion of Map 52 Lot 13 (.21 acres) located off Route 46 and Long Pond be conveyed by quitclaim deed to Robert Downes? The conditions will be as follows:

1. the purchase price for Lot 13 will be \$6,200
2. all legal fees pertaining to the conveyance will be paid by the grantee
3. no buildings will be constructed on the property
4. an easement will be provided to Mark and Rosemary Bamford across the property to service their well

Acted on October 27, 2011

Yes 6 No 0 Abstained _____ (Member Absent: Brian Leeman)

Attested by Kathy Downes, Town Clerk

Shall an ordinance be introduced titled “Chapter 11 of the Bucksport Town Code, Section 11-148 Conveyance of property to Mark and Rosemary Bamford”? The purpose of the ordinance is to authorize the Bucksport Town Council to convey to Mark and Rosemary Bamford a portion of Map 52 Lot 13 located off Upper Long Pond Road and acquired from Newell Willins for expired tax liens and all of Map 52 Lot 20. The ordinance reads as follows:

Section 11-148 Conveyance of Property to Mark and Rosemary Bamford

Shall a portion of Map 52 Lot 13 (.17 acres) and Map 52 Lot 20 (.50 acres) located off Route 46 be conveyed by quitclaim deed to Mark and Rosemary Bamford, pursuant to the following conditions:

1. the purchase price for Lot 13 will be \$5,200 and for Lot 28, \$6,750
2. all legal fees pertaining to the conveyance will be paid by the grantee
3. no buildings will be constructed on the properties

Acted on October 27, 2011

Yes 6 **No** 0 **Abstained** _____ **(Member Absent: Brian Leeman)**

Attested by Kathy Downes, Town Clerk

Shall an ordinance be introduced titled “Amendment to Chapter 2 Personnel Rules and Regulations of the Bucksport Town Code”? The purpose of the ordinance is to amend the existing ordinance to include language that will extend the requirement to all users of the system, establish rules for the use of a password and when to delete or store an email message, and to identify who will be responsible for overseeing the implementation of the policy.

The proposed ordinance reads as follows:

ARTICLE 17 ELECTRONIC COMMUNICATION POLICIES

The Town of Bucksport (“the Town”), in an age of growing technology and electronic communication, is implementing a policy to clearly define ~~employee~~ expectations and responsibilities that apply to all employees, contractors, part-time employees, volunteers and other individuals who are provided access to the e-mail system. Third parties will only be provided access to the e-mail system as necessary for their business purpose with the Town, and only if they abide by all applicable rules.

“**System**” means all telephones, computers, facsimile machines, voicemail, e-mail, and other electronic communication, copying or data storage systems or equipment leased, owned or in the possession of the Town, including, but not limited to, any computer, computer system, or any storage device or medium that the Town provides to an employee or that is physically or electronically connected to any other part of the System. “**Electronic Communication**” means all electronic communications, data, software, files, and other information created, modified, located upon, received or transmitted by, or stored upon, and part of the System, including, but not limited to e-mail, voicemail, and internet usage.

All parts of the System are owned by the Town and/or are provided solely for use in the Town’s business activities. All Electronic Communications are the Town’s property. The Town has the right and the ability to monitor and review all Electronic Communications at any time without notice to its employees or any other party and for any purpose whatsoever. Under certain circumstances, e-mail messages have been found to be public record and may be subject to right-to-know laws, depending on their content.

While users may have a confidential password, users should be aware that this does not mean that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the user. The use of the e-mail system is for Town business. Passwords should be periodically changed to ensure security of the System. Users should not share passwords with anyone else, other than his or her supervisor or as applicable state and federal laws may require. A computer user who has been authorized to use a password-protected account may be subject to civil and criminal liability if the user discloses their password or otherwise makes the account available to others without express permission of the Town Manager.

~~Town employees~~ Users may not ~~use~~ utilize the System, or send, receive, create or store Electronic Communications upon the System, in a manner that is illegal, disruptive to others, or that interferes with the Town's business activities. All ~~Town employees~~ users are prohibited from ~~using~~ utilizing any part of the System to harass others, or to download, obtain, display, store, receive or transmit: (a) any information that is sexually explicit, obscene, or of a sexual nature, that contain libelous or defamatory material, or that would not be permitted on any bulletin located on Town property; (b) any ethnic, racial or religious slurs, or anything that is, or may be construed as, disparagement of others based on race, color, national origin, ancestry, gender, sexual orientation, age, disability, religious or political beliefs, or any other basis prohibited by law; or (c) any communications that are derogatory of fellow ~~employee-users~~ (except as may be required as part of the Town's business activities). The System may also not be used to solicit anyone for any commercial, religious, charitable, or political causes, or for outside organizations. Except as otherwise provided below, the System may not be used for any purpose that is not related to Town business.

E-mail is used to transmit and receive messages internally and externally on matters of business connected to the Town. The occasional ~~employee-use~~ of e-mail with permissible content for personal matters is not prohibited, but is discouraged. Voicemail is used to leave messages for employees regarding matters of a business nature. Voicemail boxes will occasionally be emptied to free up System space. Internet usage is to be limited to matters of business connected to the Town. The occasional use of the Internet for otherwise permissible personal matters is not prohibited, but is discouraged. Any downloading of materials or loading of programs/software onto any part of the System without permission from the Town Manager is prohibited.

In addition, e-mail messages are intended to be temporary communications that are non-vital and may be discarded routinely. However, depending on the content of the e-mail message, it may be considered a more formal record and should be retained pursuant to the Town's record retention schedule. As such, these e-mail messages are similar to printed communication and should be written with the same care.

Users should also be aware that when they delete a message from their workstation mailbox it might not have been deleted from the System. The message may reside in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system for an indefinite period. Again, note that e-mail has been classified as a public document, i.e., available to the media, in at least one state. Keep this in mind when you create or store e-mail.

Users should store and/or delete e-mail messages as soon as possible after reading, as System disk space is limited. The Town Manager or his/her designee will automatically delete all messages after 60 days, unless archived by the user. Contact the Town Manager if you are unsure as to how to archive messages.

The workplace activities of ~~Town employees~~ System users reflect upon, and may create liability for, the Town. The person signing as ~~an employee~~ a System user below,

acknowledges receiving a copy of this policy and understands that the Town may take disciplinary action, up to and including termination of employment, against ~~and employee~~ a user who violates the terms of this policy as those terms may be changed and/or supplemented from time to time by the Town.

The Town Manager will be responsible for overseeing the implementation of this policy and the accompanying rules, and for advising the Town Council of the need for any future amendments or revisions to the policy. The Town Manager may develop procedures governing the day-to-day management and operations of the Town's System as long as they are consistent with the Council's policy. The Town manager may delegate specific responsibilities to others as deemed appropriate.

Acted on October 27, 2011

Yes 6 No 0 Abstained _____ (Member Absent: Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-56 AUTHORIZING CONTRACT FOR
ENGINEERING SERVICES TO COMPLETE DESIGN OF
PROJECTS ALONG THE WATERFRONT**

Whereas, the Town Council authorized the services of an engineer to complete preliminary plans for improvements to a portion of the west end of the waterfront walkway and in the vicinity of the Town Dock and Historical Society Building; and,

Whereas, Pine Tree Engineering was engaged to provide this service which has now been completed; and,

Whereas, the intent is to apply for a Community Enterprise Grant to pay for a portion of these improvements; and,

Whereas, it is necessary to be competitive to have the design completed and all necessary permits obtained for the project; and,

Whereas, Pine Tree Engineering previously had provided a proposal to provide all engineering services for the project; and,

Whereas, the proposed cost is as follows:

	Design	Permits
Historical Society	\$900	\$0
West End	<u>\$1,500</u>	<u>\$450</u>
Total	\$2,400	\$450

Be it resolved by the Bucksport Town Council in town council assembled that Pine Tree Engineering be engaged to proceed with the design and permitting for proposed improvements to the West end of the waterfront and in the vicinity of the Historical Society building for a cost not to exceed \$2,850.

Be it further resolved that the cost of the contract be charged to the Waterfront Reserve Account.

Acted on October 27, 2011

Yes 6 No 0 Abstained _____ (Member Absent: **Brian Leeman**)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-57 AUTHORIZING REQUEST FOR
PROPOSAL FOR REDEVELOPMENT OF WILSON HALL**

Whereas, the Town of Bucksport has acquired Wilson Hall located at Map 32 Lot 289; and,

Whereas, Wilson Hall is listed on the National Register of Historic Buildings; and,

Whereas, over the years the property has deteriorated significantly to a point that the roof is in jeopardy of falling in which is resulting in having an unsafe building; and,

Whereas, the town's first priority is to try to salvage the building by offering it for development to a private developer; and,

Whereas, if the Town is unsuccessful identifying a qualified developer, it will be necessary to demolish the building; and,

Whereas, the Town Council's authorization is to seek proposals from interested and qualified developers who want to develop the property; and,

Whereas, the Town Council is being asked to appropriate an amount not to exceed \$2,500 from Undesignated Fund Balance to advertise the availability of the building for development; and,

Whereas, all proposals received will be forwarded to the Town Council for consideration:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to seek proposals from interested developers for the redevelopment of Wilson Hall.

Be it further resolved that an amount not to exceed \$2,500 be authorized from Undesignated Fund Balance to pay for the cost of advertising the Request for Proposals.

Acted on October 27, 2011

Yes 6 No 0 Abstained (Member Absent: Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-58 REFERRING FIREWORKS ORDINANCE TO THE
ORDINANCE COMMITTEE**

Whereas, during the first regular session of the 125th Maine Legislature, LD 83 was passed which removes the prohibition on the sale and use of consumer fireworks and establishes a licensing protocol for sellers of consumer fireworks; and,

Whereas, a seller of consumer fireworks must have a federal and state license and a permit from a municipality; and,

Whereas, a municipality may adopt an ordinance that allows or prohibits the sale, use or possession of consumer fireworks; and,

Whereas, a municipal ordinance allowing sale of consumer fireworks must provide for the issuance of a permit to a person the municipality approves to sell consumer fireworks:

Be it resolved by the Bucksport Town Council in town council assembled that the matter of adopting a Fireworks Ordinance be referred to the Ordinance Committee for a recommendation.

Acted on October 27, 2011

Yes 6 **No** 0 **Abstained** _____ **(Member Absent: Brian Leeman)**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-59 AUTHORIZING EXPENDITURE FROM THE TOWN
GARAGE RESERVE ACCOUNT**

Whereas, it has been proposed in the 2012 CIP to replace the mechanical fuel dispensing system at the town garage with a new computerized system upgrade; and,

Whereas, it is proposed to accelerate this improvement because of recent failures with the existing dispensers and key guard and the lack of ample keys due to the use of the facility by RSU # 25; and,

Whereas, quotes were obtained from the following:

S& J Fuel Services	\$11,822.50	Gaftek Petroleum	\$12,690.00
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Whereas, the Public Works Director has checked vendor references and recommends awarding the contract for installation of a Petrovend K800 OPW/FWS automated fuel dispensing system to Gaftek for the price of \$12,690; and,

Whereas, \$10,000 was included in the 2012 CIP to replace the diesel dispenser and key guard and \$4,000 in 2014 to replace the gas dispenser; and,

Whereas, the proposal submitted by Gaftek will replace both units:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to replace the mechanical fuel dispensing system at the town garage with a new Petrovend K800 OPW/FWS automated fuel dispensing system be award to Gaftek Petroleum in the amount of \$12,690.00.

Be it further resolved that the cost of the upgrade be charged to the Town Garage Reserve Account.

Acted on October 27, 2011

Yes 6 **No** 0 **Abstained** _____ **(Member Absent: Brian Leeman)**

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Town Dock- Pine Tree Engineering has continued their effort to have the contractor return to address the painting deficiencies with the four pylongs. It seems that the contractor is pointing the figure at the paint company and the paint company at the contractor. If the matter is not resolved within the next few weeks, I will have Pine Tree Engineering file a claim with the bonding company.

Leaf Pickup Day- The Highway Department will be picking bagged leaves within the compact area on Monday, November 14 beginning at 7:00 a.m. A public notice has been filed with the local paper.

Repaving Sidewalks- The contractor has two days left to complete paving the sidewalks that were approved by the Town Council at the last town council meeting. It looks like the tonnage will be exceeded by 20 to 25 tons due to the poor condition of the walks. Unless I hear differently this evening, I will allow the Highway Department to proceed with the full list and ask the Town Council to approve the additional funds from the Highway Improvement Reserve Account.

Road and Street Projects- After next week, all road and street projects proposed for the 2011 construction season will have been completed except for the project planned for the intersection of Mast Hill Road and Route 46. I do not expect to see this project completed until improvements are made to Route 46 in 2013. The Commissioner for MDOT stopped in the office today to confirm that the Town's request for \$500,000 to complete improvements on Route 46 has been approved by the Department. The contract should be forthcoming in the next few weeks.

Treatment Plant Improvements and Licensing- I have provided you this evening with a draft copy of the proposed treatment discharge license. The proposed draft includes a number of significant changes that were submitted by Dave Michaud, Superintendent for the treatment plant, Olver Associates and I. The most significant changes proposed by the Town include:

1. eliminate the need to expend funds to reduce ground water entering the system since Bucksport has met all requirements of its CSO Master Plan
2. keep CSO # 13 as an emergency outflow
3. add language which states for the record that DEP is issuing a secondary license for what remains a primary plant as a result of the 301(h) waiver revocation and it is understood that compliance with the secondary permit will require a secondary upgrade of the present plant subject to terms and conditions negotiated between the Town and DEP
4. a Grade III certificate will not be required for operators until the secondary treatment plant is constructed.
5. extend the date to submit an updated CSO Master Plan to December 31, 2013
6. modify the monitoring requirement for CSO #13
7. include language from the correspondence to Bucksport from DEP in the license

The engineering contract was also signed with Olver Associates. They are beginning the process of identifying the different types of treatment available and implementing the training program for operators.

Meeting with Verso Bucksport- I have set up a meeting with Verso representatives to discuss economic development issues pertaining to the mill. The meeting will be held in executive session on November 10 at 6:00 p.m. at the Town Office. This will require the Finance Committee to reschedule its meeting to discuss staffing issues for the Ambulance Service.

Nason House- The asbestos study for the Nason House has been completed. Request for Proposals from qualified firms have been sent out to remove the identified asbestos. The results of the Request for Proposals will be brought to the Town Council to act on at the November 10th town council meeting.

Silver Lake Forest Management Plan- The members of the Conservation Committee have received a draft copy of the Forest Management Plan which was prepared for the Silver Lake properties and owned by the Town. The committee will be meeting on November 1 at 6:30 p.m. to issue their comments. If any member of the Town Council wants to attend, you are welcome to.

Aqua Maine CDBG Application- Rick Knowlton and I met with a representative at the Office of Community Development to discuss the Town's application for a \$500,000 Public Infrastructure Grant to help finance the construction of a new standpipe to replace the unit located off McDonald Street. It was confirmed that the Town can apply for these funds as long as the Town can provide sufficient proof that the facility will serve the public and the water company will not benefit financially from the grant. We discussed several alternatives how that can be accomplished and I see no problems resolving that issue. The Planning Commission has been extended a contract to complete the income survey. During the next week I will be putting together the Citizens Participation Plan.

Jed Prouty Building - The Town continues to work with the Chambers to redevelop the Jed Prouty into 16 units of assisted living. I believe if everything works as we plan, Mr. Chambers should be able to meet the standard set by the Town Council for assistance from the Town to redevelop the Jed Prouty. I am confident the town council will be voting on the issue no later than the next town council meeting.

Bangor Gas- The final Letter of Interest was delivered to Bangor Gas this past Monday. Bangor Gas informed the Town they will begin to do a door to door study along the proposed route in December to determine interest and will be working with the Town to identify the final location for the pipeline extending to the school properties and downtown. The Town was also informed by the General Manager for the Bangor Office; he was including a request to his board to fund the Bucksport extension as part of his 2012 construction budget.

Shall an ordinance be adopted titled “Amendment to Appendix K Land Use”, such ordinance being for the purpose of adding Addendum 1, which contains illustrations of the Official Zoning Maps, and for the purpose of adding Addendum 2, which contains performance standards for mineral extraction operations that are to be reviewed in lieu of the performance standards in Sections 12 and 14 of Appendix K. The ordinance shall read as follows: *(See attached document)*

Acted on November 10, 2011

Yes 4 No 1 Abstained _____ Opposed 1 (Robert Howard)
(Members Absent: Michael Ormsby & David Kee)

Attested by Kathy Downes, Town Clerk

Shall an ordinance be adopted titled “Chapter 11 of the Bucksport Town Code Section 11-146 Conveyance of Use of The Yellow School House by Lease to Duck Cove Community Club?” The purpose of the ordinance is to authorize the Bucksport Town Council to convey by lease to Duck Cove Community Club the use of The Yellow School House property, with conditions, once the property is deeded to the Town. The ordinance reads as follows:

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5. the Club will utilize existing funds to reshingle the roof
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7. the Town will list the building on its property and casualty building schedule
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10. the town, upon receipt of the deed for the property, will lease back to the Club for 99 years and for one payment of \$1.00, the use of the property as the club used it prior to the transfer of the property to the Town
11. the Town, once the Club no longer has use for the property, will turn over the property by lease to Bucksport Historical Society but will continue to be responsible for the long term maintenance of the building
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Acted on November 10, 2011

Yes 5 **No** 0 **Abstained**

(Members Absent: Michael Ormsby & David Kee)

Attested by Kathy Downes, Town Clerk

Shall an ordinance be adopted titled “Chapter 11 of the Bucksport Town Code, Section 11-148 Conveyance of property to Mark and Rosemary Bamford?” The purpose of the ordinance is to authorize the Bucksport Town Council to convey to Mark and Rosemary Bamford a portion of Map 52 Lot 13 located off Upper Long Pond Road and acquired from Newell Willins for expired tax liens and all of Map 52 Lot 28. The ordinance reads as follows:

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Shall a portion of Map 52 Lot 13 (.17 acres) and Map 52 Lot 28 (.50 acres) located off Route 46 be conveyed by quitclaim deed to Mark and Rosemary Bamford, pursuant to the following conditions:

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2. all legal fees pertaining to the conveyance will be paid by the grantee
3. no buildings will be constructed on the properties

Acted on November 10, 2011

Yes 5 **No** 0 **Abstained**

(Members Absent: Michael Ormsby & David Kee)

Attested by Kathy Downes, Town Clerk

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“**System**” means all telephones, computers, facsimile machines, voicemail, e-mail, and other electronic communication, copying or data storage systems or equipment leased, owned or in the possession of the Town, including, but not limited to, any computer, computer system, or any storage device or medium that the Town provides to an employee or that is physically or electronically connected to any other part of the System. “**Electronic Communication**” means all electronic communications, data, software, files, and other information created, modified, located upon, received or transmitted by, or stored upon, and part of the System, including, but not limited to e-mail, voicemail, and internet usage.

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~~Town employees~~ Users may not ~~use~~ utilize the System, or send, receive, create or store Electronic Communications upon the System, in a manner that is illegal, disruptive to others, or that interferes with the Town's business activities. All ~~Town employees~~ users are prohibited from ~~using~~ utilizing any part of the System to harass others, or to download, obtain, display, store, receive or transmit: (a) any information that is sexually explicit, obscene, or of a sexual nature, that contain libelous or defamatory material, or that would not be permitted on any bulletin located on Town property; (b) any ethnic, racial or religious slurs, or anything that is, or may be construed as, disparagement of others based on race, color, national origin, ancestry, gender, sexual orientation, age, disability, religious or political beliefs, or any other basis prohibited by law; or (c) any communications that are derogatory of fellow ~~employee-users~~ (except as may be required as part of the Town's business activities). The System may also not be used to solicit anyone for any commercial, religious, charitable, or political causes, or for outside organizations. Except as otherwise provided below, the System may not be used for any purpose that is not related to Town business.

E-mail is used to transmit and receive messages internally and externally on matters of business connected to the Town. The occasional ~~employee-use~~ of e-mail with permissible content for personal matters is not prohibited, but is discouraged. Voicemail is used to leave messages for employees regarding matters of a business nature. Voicemail boxes will occasionally be emptied to free up System space. Internet usage is to be limited to matters of business connected to the Town. The occasional use of the Internet for otherwise permissible personal matters is not prohibited, but is discouraged. Any downloading of materials or loading of programs/software onto any part of the System without permission from the Town Manager is prohibited.

In addition, e-mail messages are intended to be temporary communications that are non-vital and may be discarded routinely. However, depending on the content of the e-mail message, it may be considered a more formal record and should be retained pursuant to the Town's record retention schedule. As such, these e-mail messages are similar to printed communication and should be written with the same care.

Users should also be aware that when they delete a message from their workstation mailbox it might not have been deleted from the System. The message may reside in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system for an indefinite period. Again, note that e-mail has been classified as a public document, i.e., available to the media, in at least one state. Keep this in mind when you create or store e-mail.

Users should store and/or delete e-mail messages as soon as possible after reading, as System disk space is limited. The Town Manager or his/her designee will automatically delete all messages after 60 days, unless archived by the user. Contact the Town Manager if you are unsure as to how to archive messages.

The workplace activities of ~~Town employees~~ System users reflect upon, and may create liability for, the Town. The person signing as ~~an employee~~ a System user below,

acknowledges receiving a copy of this policy and understands that the Town may take disciplinary action, up to and including termination of employment, against ~~and employee~~ a user who violates the terms of this policy as those terms may be changed and/or supplemented from time to time by the Town.

The Town Manager will be responsible for overseeing the implementation of this policy and the accompanying rules, and for advising the Town Council of the need for any future amendments or revisions to the policy. The Town Manager may develop procedures governing the day-to-day management and operations of the Town's System as long as they are consistent with the Council's policy. The Town manager may delegate specific responsibilities to others as deemed appropriate.

Acted on November 10, 2011

Yes 5 No 0 Abstained

(Members Absent: Michael Ormsby & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-60 APPROVING CAPITAL OUTLAY FOR THE
RENOVATION OF THE JED PROUTY INTO AN ASSISTED LIVING
FACILITY**

Whereas, its has been requested by Chambers Realty LLC, a Maine limited liability company that the Town of Bucksport consider providing financial support in an amount not to exceed \$200,000 to assist with the rehabilitation of the Jed Prouty located at 57 Main Street, in anticipation of reestablishing the building into a 16 unit assisted living facility; and,

Whereas, the Bucksport Town Council adopted Resolve #/R-2012-35 outlining the conditions that have to be met in order for the Town Council to consider such a request; and,

Whereas, the conditions include:

1. The proposed development will provide a public need that is not being provided by another agency or business located in the community.
2. The developer will demonstrate that the proposed project will provide the necessary revenues to properly maintain the building on a long term basis.
3. The developer will demonstrate the financial capacity to address the deficiencies that are noted by the report and prepared by Lewis and Malm and titled Jed Prouty Inn Condition Assessment Report dated February 12, 2011.
4. The developer will demonstrate that the proposed project has a reasonable chance of long term financial success.
5. If funding is provided, it will be in the form of a deferred loan that will be forgiven over a period of time if all of the development conditions set forth by the town are met.
6. The developer will provide substantial investment into the proposed project.
7. The historic integrity of the building will be maintained during its rehabilitation.
8. Any funding from the town must be deemed "constitutional" by the town's legal counsel.

Whereas, the principals for Chambers Realty LLC believe that they can meet the conditions adopted by the Town Council and have included a copy of their response to each condition; and,

Whereas, the Bucksport Town Council has reviewed the information provided by Chambers Realty LLC and decide as follows:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport Town Council fines that Chambers Realty LLC has reasonably met the conditions previously outlined in Resolve #R-2012-35 and approve that the Town participate financially in an amount not to exceed \$200,000 to rehabilitate the Jed Prouty Building located at 57 Main Street into 16 units of assisted living pursuant to the following conditions:

1. Chambers Realty LLC will purchase the building.
2. Chambers Realty LLC will provide the necessary financing to complete the project in addition to the funds provided by the Town.
3. Chambers Realty LLC will obtain a license from Maine DHHS to operate two 8 bed Adult Family Care Home Programs at 57 Main Street in Bucksport.
4. Chambers Realty LLC understands the Town's financial participation will be in the form of a deferred loan which will be forgiven if the property is maintained and operated as an assisted living facility for a minimum of 15 years, with conditions.

5. Chambers Realty LLC will maintain current all DHHS licenses during the 15 year redemption period.
6. Chambers Realty LLC will maintain current all property taxes and municipal utilities charges during the 15 year redemption period.
7. Chambers Realty LLC will maintain current property, liability, casualty and workers compensation insurance during the 15 year redemption period and the Town of Bucksport will be listed as a co-insured party on the policy(s).
8. Chambers Realty LLC will obtain all necessary state, federal or local permits.
9. Chambers Realty LLC will maintain the property in good condition during the 15 year redemption period and will provide access to the Town's representative(s) to complete periodic inspections of the property.
10. Chambers Realty LLC will rehab the facility and address all issues identified in the report prepared by Lewis and Malm and dated February 12, 2011.
11. Chambers Realty LLC will invoice for funds from the Town once improvements have been completed and the work has been approved by Code Enforcement Officer. Request for reimbursement may be made weekly.
12. Chambers Realty LLC will reinvest all net profit into the facility until the building has been completed renovated.
13. Chambers Realty LLC understands that the Town's loan will not be subrogated to reduce equity in the property unless approved by the Town Council.
14. Chambers Realty LLC may redeem the Town's loan upon payment of the balance of the deferred loan prorated on the basis of the years the facility has been operated as an assisted living facility.
15. Chamber Realty LLC will execute a loan agreement prepared by the Town's legal counsel outlining the conditions of the agreement prior to the release of any town funds.

Be it further resolved that \$100,000 will be paid from TIF Revenues while the remaining \$100,000 will be paid from Undesignated Fund Balance.

Acted on November 10, 2011

Yes 5 **No** 0 **Abstained**

(Members Absent: Michael Ormsby & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-61 REGARDING ENGINEER'S RECOMMENDATION FOR
IMPROVEMENTS TO WIGHTS LANE**

Whereas, the Town Council voted to authorize the Town Manager to request the firm, Plymouth Engineering, to review the plans for the entrance to Wights Lane from the Church Road to determine if the radius could be changed to make it safer for motorists turning off the Church Road onto Wights Lane; and,

Whereas, Scott Braley, project engineer, provided a revised plan that widens the intersection on the downhill side; and,

Whereas, the change is from a standard 25-foot radius to a 45-foot radius; therefore, making it easier for drivers leaving the Church Road to turn left onto Wights Lane; and,

Whereas, the engineer does not believe this will create a significant advantage but the change does create a safety issue by likely promoting drivers leaving the Church Road turning left to cut across the exiting lane of Wights Lane; and,

Whereas, the improvement does nothing to increase the sight distance; and,

Whereas, the initial decision of the Road and Street Committee was to wait until next spring to allow drivers to experience the access for the first winter before any decision was made to change the radius:

Be it resolved by the Bucksport Town Council in town council assembled that the standard 25-foot radius on the downhill side of Wights Lane be change to a 45-foot radius as recently designed by Plymouth Engineering and the work is to be done as soon as possible.

Acted on November 10, 2011

**Yes 4 No 1 Abstained _____ Opposed 1 (Byron Vinton)
(Members Absent: Michael Ormsby & David Kee)**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-62 AUTHORIZING WRITING OFF AGED ACCOUNT
RECEIVABLES**

Be it resolved by the Bucksport Town Council in town council assembled that aged account receivables for the Ambulance Service for the period 7-1-2010 to 9-30-2010 in the amount of \$6,604.33 be written off.

Acted on November 10, 2011

Yes 5 **No** 0 **Abstained**

(Members Absent: Michael Ormsby & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012- 63 AUTHORIZING CONTRACT FOR THE REMOVAL OF
ASBESTOS AT THE NASON HOUSE**

Whereas, the Town of Bucksport has requested proposals from three qualified firms to remove the asbestos from the Nason Building before demolition; and,

Whereas, one proposal was received from Statewide Asbestos Removal to complete the work for a lump sum price of \$4,900.00:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to remove the asbestos from the Nason House be awarded to Statewide Asbestos Removal in the amount of \$4,900.00.

Be it further resolved that the cost of the removal be paid for from TIF Revenue Fund Balance.

Acted on November 10, 2011

Yes 5 No 0 Abstained

(Members Absent: Michael Ormsby & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-64 AUTHORIZING CONTRACT TO DO MINOR ROOF
REPAIRS AT WILSON HALL**

Whereas, the Town requested proposals from interested contractors to patch holes in the roof at Wilson Hall to keep water from penetrating into the building; and,

Whereas, two proposals were received as follows:

G.R. Roofing Co. Inc.	\$1,911.00
Dean Hoke Builders	\$2,750.00

Be it resolved by the Bucksport Town Council in town council assembled that the contract to patch holes in the roof at Wilson Hall be awarded to G. R. Roofing Co. Inc. in the amount of \$1,911.00.

Be it further resolved that the cost be charged to Wilson Hall Account.

Acted on November 10, 2011

Yes 4 No 1 Abstained _____ Opposed 1 (Robert Howard)
(Members Absent: Michael Ormsby & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-66 APPROVING EXPENDITURE FROM TIF REVENUES
FOR DOWNTOWN IMPROVEMENTS**

Whereas, the Town of Bucksport entered into an agreement with Robert White to install benches along his property on Main Street (Heywood House) for the public to use who patronize Wahl's Dairy Port; and,

Whereas, the public continues to damage Mr. White's front lawn; and,

Whereas, Mr. White has requested that the lawn be repaired and a fence be installed along the edge of his property to stop the public from entering onto his property and damaging it; and,

Whereas, a fence has been selected by Mr. White that is consistent with the historic nature of his property; and,

Whereas, a quote has been received from Brewer Fence Company for a 3' high black ornamental aluminum fence with a two door swing gate including installation for a cost of \$3,384.64:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to purchase and install a 3' high black ornamental aluminum fence with a two door swing gate at Robert White's property located on Main Street (Heywood House) be awarded to Brewer Fence Company in the amount of \$3,384.64.

Be it further resolved that the cost of the project be charged to the TIF Revenue Account.

Acted on November 29, 2011

Yes 5 No 0 Abstained (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-67 APPROVING EXPENDITURE FROM THE CABLE
EQUIPMENT RESERVE ACCOUNT**

Whereas, the Capital Improvement Plan calls for upgrading the existing public access broadcasting equipment; and,

Whereas, a quote has been prepared by Jon Milan, the system operator, to purchase from various vendors the necessary software and equipment to upgrade the system; and,

Whereas, the new equipment generally includes an Aavelin broadcast system software, 2 monitors, 4, TV LED 19" screens, Apple Mac Pro Two, 2.4 GHz processor, 2 DeskStar 3tb internal hard drives, desk, Viewsonic 27" computer, 1 camcorder, 1 tripod, 1 camcorder cover, 1 hard case cover, 1 battery, 1 final cut Pro X, 1 compressor, 1 weather station, 2 headphones, 1 Mic system, 1 wireless Mic, 1 diffusion kit, 1 speaker with subwoofer, 1 recordable disc, DVD cases 100, inkjet printer, and other miscellaneous items,

Whereas, the total cost of the package installed is \$18,385.56; and,

Whereas, the Town of Bucksport has a balance of \$6,000.00 available for hardware purchase through the Penobscot/Downeast Cable TV Consortium and a balance of \$20,387.00 in the Cable Equipment Reserve Account:

Be it resolved by the Bucksport Town Council in town council assembled that the purchase and installation of equipment to upgrade the Cable TV public access equipment from various vendors and as outlined by Jon Milan be approved in an amount not to exceed \$18,385.56.

Be it further resolved that \$6,000.00 of the cost be paid for from funds available through the Penobscot/Downeast Cable TV Consortium and the balance of \$12,385.56 be paid for from the Cable Equipment Reserve Account.

Acted on November 29, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-68 APPROVING EXPENDITURE FROM THE DISPATCH
EQUIPMENT RESERVE ACCOUNT**

Whereas the 2011-12 CIP calls for the purchase of a new recorder for the dispatch office;
and,

Whereas, quotes were received from two companies that include:

Exacom \$8,635.50 Hindsight-G2 Multi-Media Logging Recorder with a five year
extended warranty, software support and service agreement with upgrade.

Acron \$8,898.00 DSS IN16 DSS Investigator 8 channels with a two year warranty.

Be it resolved by the Bucksport Town Council in town council assembled that the
contract for the purchase of a new recorder and five year extended service agreement for
the dispatch office be awarded to Exacom in the amount of \$8,635.50.

Be it further resolved that the cost for this improvement be charged to the Dispatch
Equipment Reserve Account.

Acted on November 29, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-69 APPROVING EXPENDITURE FROM THE PUBLIC
SAFETY BUILDING RESERVE ACCOUNT**

Whereas, the emergency generator at the Public Safety Building is in need of repairs;
and,

Whereas, the estimated cost of completing the repairs as presented by Bangor Generator
Service Agency is \$2,319.14; and,

Whereas, funds were not included in the building annual operating budget for this
expense:

Be it resolved by the Bucksport Town Council in town council assembled the contract to
service and repair the emergency generator at the Public Safety Building be awarded to
Bangor Generator Service Agency in the amount of \$2,319.14.

Be it further resolved that the cost of completing the repairs be charged to the Public
Safety Reserve Account.

Acted on November 29, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-71 APPOINTING A NEW TOWN COUNCIL MEMBER TO COMPLETE
THE UNEXPIRED TERM OF BRIAN LEEMAN**

Whereas, Brian Leeman has submitted his resignation as a member of the Bucksport Town Council effective 12-8-2011; and,

Whereas, the term expires January 9, 2013; and,

Whereas, a number of individuals have indicated an interest to serve the unexpired term resulting from a notice in the paper; and,

Whereas, these individuals include:

Gary Sawyer, Glen Findlay, Frank Dunbar, Dan Kelley, Harry Rollerson, Sharon Dunbar, Belle Ryder and Linda Fairbrother

Be it resolved by the Bucksport Town Council in town council assembled that
_____ be appointed to the position of Town Councilor for the Town of
Bucksport to fill the unexpired term for Brian Leeman and the term will expire January 9, 2013.

******Motioned by David Keene, seconded by Byron Vinton and unanimously voted to send
Resolve #R-2012-71 to Appointments Committee for consideration and bring back
recommendation to Town Council at the next Council meeting******

Acted on December 8, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

CONTRACT ZONE AGREEMENT

This Contract Zone Agreement (the "Agreement") is made this eighth day of December, 2011, by and between the Town of Bucksport, a municipal corporation (the "Town"), and Lawrence Wahl (the "Owner"), pursuant to the Conditional and Contract Rezoning Provisions set forth in 30-A M.R.S.A. Section 4352(8) and Section 9.2 of the Bucksport Town Code, Appendix K Land Use Ordinance, as amended (the "Zoning Ordinance").

WHEREAS, the property subject to this Agreement consists of a 1.5 +/- acre parcel of real estate with a building thereon located at 155 U.S. Route 1, in the Town of Bucksport, Maine, identified on the Town's Tax Map as Map 28, Lot 28 (the "Property"), which Property is currently owned by the Owner by virtue of a certain Quitclaim Deed dated June 12, 2008, recorded in the Hancock County Registry of Deeds in Book 5010, Page 254;

WHEREAS, the Property is located in the Route 1 Shoreland District (the "R1S District") as provided in Section 7.1.13 of the Zoning Ordinance, and identified on the Official Zoning Map;

WHEREAS, the Owner desires to change the occupancy of an existing principal structure from one-family residential to a commercial mercantile occupancy (the "Project");

WHEREAS, in order for the Project to proceed, a certain amendment with respect to lot frontage of the Zoning Ordinance is required; and

WHEREAS, the parties desire to enter into a Contract Zone Agreement relating to the Property, subject to the terms and conditions set forth herein.

NOW THEREFORE, pursuant to the provisions of 30-A M.R.S.A. § 4352(8) and Section 9.2 of the Zoning Ordinance, the Bucksport Town Council hereby finds that this Contract Zone Agreement:

- 1) is consistent with the Comprehensive Plan duly adopted by the Town of Bucksport on December 11, 2003; and
- 2) provides for a land use that is consistent with existing and permitted uses in the Route 1 Shoreland District; and
- 3) has received planning board approval as a conditional use, and
- 4) includes appropriate conditions and restrictions relating to the physical development and use of the property.

The parties agree as follows:

I. Establishment of the Contract Zone:

The Town hereby agrees that the Property as described herein shall be a contract zone (the "Contract Zone") pursuant to the provisions of 30-A M.R.S.A. § 4352(8) and Section 9.2 of the Zoning Ordinance. This Agreement shall create an overlay zone. Except as expressly modified or otherwise stated herein, the Property shall be subject to the requirements of the underlying R1S District, as the same may be amended from time to time, together with all lot requirements and general requirements not modified herein.

II. Permitted Uses Within the Contract Zone:

The development permitted within the Contract Zone established in paragraph I above shall be as follows:

1. The Project, consisting of an existing 1,088 square foot one-story structure to be occupied with a Class 3 Mercantile land use, with ancillary uses incidental thereto, and six (6) parking spaces, shall be a

permitted use within the Contract Zone. The Project shall be developed substantially in accordance with the plan attached hereto as Exhibit A.

2. All uses currently identified as allowed uses in the R1S District shall have the same identity within the Contract Zone. The occupancy of the existing principal structure may be changed to a different allowed use, with required approvals, and without any further zoning changes.

III. Restrictions and Conditions within the Contract Zone:

1. All requirements of the Bucksport Town Code that are applicable in the R1S District shall be applicable in the Contract Zone, except the minimum shore frontage for a commercial principal structure shall be the existing shore frontage of the Property, which is 194 feet. 200 feet is required in the R1S District for a commercial principal structure.
2. The parking lot must be finished with asphalt no later than December 6, 2013.
3. An MDOT entrance permit must be obtained to convert the residential entrance to a commercial entrance, if such permit is required by MDOT.
4. No more than one principal use may exist on the Premises at any time.
5. The existing lot may not be divided.

IV. Miscellaneous Provisions:

1. Survival Clause: The terms and conditions of this Agreement shall run with the land and be binding upon and shall inure to the benefit of the respective successors, heirs and assigns of the parties hereto except as specifically set forth herein. This Agreement shall not be assignable without the prior approval of the Bucksport Town Council. A true copy of this Agreement shall be recorded in the Hancock County Registry of Deeds.
2. Further Assurances. In order to effectively and properly implement this Agreement, the parties agree to negotiate in good faith the terms and conditions of such further instruments and agreements as may be reasonably necessary from time to time to give effect to this Agreement.
3. Maine Agreement. This contract is a Maine agreement, entered into in the State of Maine and shall be governed by and enforced in accordance with the laws of the State of Maine.
4. Binding Covenants. The above-stated restrictions, provisions, and conditions are an essential part of this contract and shall run with the subject premises, shall bind the parties, their successors and assigns with respect to the Project or any part thereof or any interest therein, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit of and be enforceable by, the Town, by and through its duly authorized representatives. This Agreement may not be amended except by mutual written agreement by the parties.
5. Severability. In the event any one or more clauses of this Agreement shall be held to be void or unenforceable for any reason by any court of competent jurisdiction, such clause or clauses shall be deemed to be severable and of no force or effect in such jurisdiction, and the remainder of this Agreement shall be deemed to be valid and in full force and effect, and the terms of this Agreement shall be equitably adjusted if possible so as to compensate the appropriate party for any consideration lost because of the elimination of such clause or clauses.
6. Enforcement. The Town shall also have the ability to enforce any breach of this Agreement or any other violation of the Bucksport Town Code through the provisions of 30-A M.R.S.A. § 4452.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed as of the day and year first above written.

TOWN OF BUCKSPORT
By Its Municipal Officers

Jeffrey Robinson, Sr., Council Member

David Keene, Council Chair

Robert Howard, Council Member

Michael Ormsby, Council Member

Byron Vinton, Council Member

David Kee, Council Member

PROPERTY OWNER:

Lawrence Wahl

STATE OF MAINE
HANCOCK COUNTY, ss.

_____, 2011

Then personally appeared before me the above named parties, who each acknowledged the foregoing instrument to be his free act and deed.

Notary Public

Be it resolved by the Bucksport Town Council in town council assembled that the Contract Zone Agreement for 155 U. S. Route 1 Tax Map 28 Lot 28 be approved as outlined above and signed by the members of the Bucksport Town Council.

Be it further resolved that a copy of the agreement be filed with the Bucksport Town Clerk and Bucksport Code Enforcement Officer.

Acted on December 8, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-72 APPROVING THE RULES AND REGULATIONS FOR THE OPERATION OF THE BUCKSPORT ANIMAL SHELTER

Whereas, it was recommended by the Animal Shelter Study Committee that rules and regulations be established for the operation and maintenance of the animal shelter; and,

Whereas, the rules and regulations were reviewed by the members of the committee; and,

Whereas, the committee recommends that the Town Council adopt the following Rules and Regulations for the operation of the animal shelter:

BUCKSPORT POLICE DEPARTMENT RULES AND REGULATIONS FOR THE OPERATION OF THE BUCKSPORT ANIMAL SHELTER

I. POLICY:

The Bucksport Police Department/Animal Control Officer (ACO) will abide by the rules and regulations set forward as to the operation of the Bucksport Animal Shelter including State of Maine Chapter 701 Rules Governing Animal Welfare Section 2, Subsection B.

II. PURPOSE:

These policies define the operating procedures to be followed regarding the intake and care of animals (cats and dogs) at the Bucksport Animal Shelter. The Bucksport Animal Shelter will serve only dogs and cats that are strays or have been abandoned. It is not the intent of the Town to provide shelter for dogs or cats that are surrendered by their owners. Access to the shelter may be offered for use to other neighboring communities upon approval by the Bucksport Town Council.

III. RULES AND REGULATIONS:

- A. An approved intake form for each animal that is kept at the Bucksport Animal Shelter will be completed within 24 hours after intake by the ACO. Information on the intake form will include at minimum (1) the name and address of the person from whom the animal was received, (2) the name and address of the person(s) receiving or adopting the animal, (3) records of vaccination or medical treatments given to the animal, (4) mortality records and causes of mortality, (5) records of veterinary services; and (6) records of euthanasia. A monthly report will be provided by the ACO to the Police Chief and Town Manager. The report will include the monthly population count, type of animal boarded, community the animal is from, length of time each animal has been boarded and method of release.
- B. Each animal will be photographed; this photograph will be included on the intake form and placed on the Town's website for public viewing and possible adoption.
- C. Animals shortly after coming to the animal shelter will be assessed and during their entire stay will be observed by the ACO to determine whether there are any common signs of illness that may warrant the services of a licensed veterinarian. If it is determined that the animal requires the services of a licensed veterinarian, those services will be obtained at the Bucksport Veterinarian Clinic. All treatment administered to the animal while at the shelter will be documented. Animals will be held at the shelter for seven days, during which time they will be fed and observed. After

seven days, each animal will be available for adoption unless the ACO determines that the animal is not fit for adoption. If an animal is not adopted within ten working days of being placed on the adoption list, the ACO will begin the process of relocating the animal to a facility licensed by the Maine Department of Agriculture.. An animal may also be returned to its legal owner before or after the ten days have expired. In this event, the owner prior to receiving the animal will be responsible for the cost of boarding and caring for it including any license fee, vaccinations, and veterinarian cost, if applicable.

- D. Any animal that is not suitable for adoption due to illness, injury or temperament will be taken to the Bucksport Veterinary Clinic to be euthanized by a licensed veterinarian. The determination to euthanize an animal will be made by the ACO in consultation with the veterinarian at Bucksport Veterinary Clinic. A record will be maintained of all animals euthanized.
- E. All kennels, cages and runs that are in use shall be cleaned daily and all waste properly disposed of. No rugs, blankets or other items of similar nature (made of cloth) will be kept in the pens or cages that are in use. Litter boxes that have been used will be disposed of properly and replaced with new boxes and/or litter.
- F. Puppies and kittens up to twelve weeks old will be fed twice a day while adults will be fed at least once a day. All food will be stored in air-tight plastic containers to prevent spoilage and to avoid attracting rodents and insects.
- G. Animals that are quarantined must be placed in a segregated pen. No other animals can be placed in that pen or the quarantined animal have contact with other animals at the shelter.
- H. Animals shall not be placed in cages/pens over other animals unless the enclosure is properly constructed to prevent excreta from entering the lower enclosure..
- I. Dogs must be removed from the cage a minimum of twice every twenty-four hour period.
- J. Males and females capable of reproduction shall not be housed together.
- K. The shelter shall be maintained in good repair to protect the animal from injury and to contain the animal.
- L. Dogs and cats shall not be placed in the same cage/pen nor shall dogs or cats be housed in the same cage/pen with other species of animals.
- M. Female with litters shall be housed in an area that would minimize disruption.
- N. Areas housing puppies from birth to two (2) weeks old must be kept at a high enough ambient temperature to maintain their normal internal temperature. Manufactured grids that will not potentially injure the feet a acceptable.
- O. An area shall be provided to bury dead or euthanized animals.

IV. FEES:

- A. Neighboring communities allowed use of the facility will be assessed an annual fee to support the capital needs for the facility and a daily boarding fee, set by the Town Council, will be assessed for each animal. In addition, the contracting community will be required to pay all other cost associated with boarding of the animal at the shelter.
- B. Identified owners from Bucksport will also be assessed a daily boarding fee, set by the Town Council for their animal(s). The fee must be paid prior to the owner retrieving the animal.
- C. The ACO will make every effort to identify and notify the owner of any animal held or housed the Bucksport Animal Shelter from Bucksport. The ACO will inform the owner of pending fees and cost resulting from the keeping of their animal(s) at the shelter.

V. ADOPTION:

The following procedures will be followed for the adoption of animals from the Bucksport Animal Shelter:

- A. An appointment for viewing the animals will be set up by the adopting party through the ACO.
- B. When the adopting party has made a decision which animal they wish to adopt, the ACO will set up an appointment with a licensed veterinarian at the Bucksport Veterinary Clinic to have the animal examined.
- C. The ACO will transport the animal to the Bucksport Veterinary Clinic where the animal will be examined and administered rabies and distemper shots.
- D. The ACO will set up an appointment to meet with the adopting party and to complete the required adoption papers including an approved adoption contract.
- E. A copy of the adoption papers will be provided to the adopting party, a copy forwarded to the Bucksport Town Clerk and accompanied with the required fee and the original retained by the ACO.
- F. All costs associated with the adoption will be the responsibility of the adopting party including an initial \$100 deposit that will be refunded once the animal is spayed or neutered pursuant to the following:
- G. When the animal can be spayed or neutered at time of adoption, the adopting party within 30 days after the adoption will have the animal spayed or neutered by a licensed veterinarian. Once this has been completed a statement shall be forwarded to the (ACO) by the veterinarian that the procedure has been completed and the initial deposit will be refunded to the adopting party.
- H. When the animal cannot be spayed or neutered at the time of the adoption due to the age of the animal, the ACO will obtain a statement from a licensed veterinarian specifying when the animal will be eligible to be spayed or neutered. Once the animal has been spayed or neutered by a licensed veterinarian a certificate will be provided to the ACO and the adopting party will be refunded \$75 of the initial \$100 deposit. The remaining \$25 will be retained by the Town.

- I. The new owner of any adopted pet will be provided with written instructions as to the proper feeding, care, health information, and any special needs associated with the animal adopted or acquired.

V. VOLUNTEERS:

- A. The Town encourages the use of volunteers at the Bucksport Animal Shelter. All volunteers must abide by the Rules and Procedures required by the Bucksport Town Council.
- B. The Rules and Procedures are as follows:
 1. volunteers will complete an application and be approved by the ACO.
 2. volunteers will complete a Volunteer Agreement, if selected.
 3. volunteers will be accompanied by the ACO or designee while at the shelter.
 4. volunteers will abide by the Policies and Regulations adopted by the Bucksport Town Council for the operation of the Bucksport Animal Shelter.
 5. volunteers will not be permitted to solicit funds or items for use at the shelter without first obtaining permission from the ACO and Town Council.
 6. volunteers will not admit or discharge or remove any animal to or from the Bucksport Animal Shelter.
 7. volunteers will not address questions or comments from the public regarding the operation of the shelter or care of animals without the knowledge and approval of the ACO.
 8. volunteers will report immediately to the ACO or the ACO's designee any noticeable injury, condition or illness with any animal being boarded at the shelter.
 9. volunteers will pay notice to instructions that have been attached to cages or pens.
 10. volunteers will not handle any animal they are uncomfortable with.
 11. volunteers will not handle or work with any animal that has been quarantined.
 12. volunteers will not approach or handle any animal that appears hesitant, is aggressive or behaves in an unusual manner and will report the condition(s) immediately to the ACO or his or her designee.
 13. volunteers will not have a key to the facility.
 14. volunteers will not allow entry to the facility without first getting approval from the ACO.
 15. volunteers will participate in a training and orientation session offered by the ACO prior to volunteering services at the shelter.
 16. volunteers will attend a required work site training program prior to commencing any volunteer activity participate in all required annual safety training.
 17. volunteers will be informed of the diseases that can be transmitted by sick animals.
 18. the ACO will be responsible for providing volunteers with their work schedule.

Be it resolved by the Bucksport Town Council in town council assembled that the Rules and Regulation for the Operation of the Bucksport Animal Shelter be adopted as outlined above.

Be it further resolved that a copy of the Rules and Regulations be placed on the Town's website and a copy provided to the Police Chief and Animal Control Officer.

Acted on December 8, 2011

Yes 5 No 0 Abstained (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

RESOLVE #2012-74 AUTHORIZING THE FIRE DEPARTMENT TO OBTAIN BIDS FOR THE PURCHASE OF A NEW FIRE TRUCK

Whereas, it is proposed in the 2012 Capital Improvement Plan that a new fire truck pumper and tanker be purchased to replace a thirty year unit (Engine 4); and,

Whereas, it currently takes six to eight months to have a truck built; and,

Whereas, the Bucksport Fire Department request they be permitted to seek bids for the new truck in anticipation of a delivery by December 2012:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport Fire Department be authorized to seek bids for a new fire truck tanker pumper and such bids to be returned to the Bucksport Town Council for consideration.

Acted on December 8, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-75 AUTHORIZING EXPENDITURE FROM THE FIRE EQUIPMENT
RESERVE ACCOUNT**

Whereas, the Bucksport Fire Department and Ambulance Service must switchover to “narrowband” radio frequencies before the end of 2012; and,

Whereas, a number of radios were upgraded with alternative funding but there are still several older models that need to be replaced and changed over; and,

Whereas, the proposal is to replace 3 mobile units for fire, 6 portables for the fire and EMS, 8 pagers for fire and EMS for a total cost of \$6,630.00; and,

Whereas, the proposal also includes narrowband changeover cost which includes 1 base and recorder, 6 mobile radios, 28 portables and 12 pagers for a total cost of \$1,230.00

Whereas, funds were included for this purpose in the 2010 and 2011 CIP in the amount of \$10,500:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport Fire Department be authorized to expend an amount not to exceed \$7,860 to upgrade and replace some radios and pagers at the Fire Department in order to allow for the switchover to “narrowband”.

Be it further resolved that the cost of this project be charged as follows: \$4,845.00 to Fire Equipment Reserve Account and \$3,015.00 to Ambulance Equipment Reserve Account.

Acted on December 8, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-76 AWARDING BID FOR PURCHASE OF LARGE DIAMETER HOSE AND EQUIPMENT

Whereas, the Bucksport Fire Department was awarded a grant through the 2010 Fire Act Grant in the amount of \$25,600.00 with a local share of \$1,280.00 for purchase of 2,500' of large diameter hose, 2 intake relief valves and 2 sets of hose ramps; and,

Whereas, the grant amount is \$24,320.00 while the local match is \$1,280.00 which will be paid from the annual operating equipment account; and,

Whereas, quotes were requested from 8 companies and 5 responded to the request; and,

Whereas, the low bidder for the 2,500' of large diameter hose was Fire Tech & Safety with the bid of \$12,900.00; and,

Whereas, the low bidder for 2 aluminum hose ramps was Industrial Protection Services in the amount of \$1,942.00; and,

Whereas, the low quote for the 2 pressure relief valves that the Fire Department specified and was the best fit was from Fire Tech & Safety in the amount of \$2,650.00:

Be it resolved by the Bucksport Town Council in town council assemble that the contracts for purchase of various firefighting equipment be awarded as follows:

2,500' of large diameter hose to Fire Tech & Safety in the amount of \$12,900.00

2 hose ramps Industrial Protection Services in the amount of \$1,942.00

2 pressure relief valves Fire Tech & Safety in the amount of \$2,650.00

Be it further resolved that total cost of the purchase will be \$17,492.00 of which \$16,617.40 will be charged to the grant amount and \$874.60 will be charged as the local share to the Fire Department annual operating equipment account.

Acted on December 8, 2011

Yes 5 No 0 Abstained (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-77 AUTHORIZING EXPENDITURE FROM UNDESIGNATED FUND
BALANCE FOR SCANNING CONSTRUCTION PLANS AND TOWN CLERK RECORDS**

Whereas, the office staff is in the process of scanning all of the construction plans that have been archived and the town council minutes for past years; and,

Whereas, the Town Manager is requesting that the Town Council budget \$3,000 to be used to pay for part-time employees to complete the scanning under the supervision of the Town Clerk and Finance Director; and,

Whereas, the town has been paying \$10.00 per hour for this service from a previous appropriation that was approved by the Town Council and used to migrate information to the new website; and,

Whereas, the \$3,000 will purchase an additional 280 hours:

Be it resolved by the Bucksport Town Council in town council assembled that \$3,000 be appropriated from Undesignated Fund Balance for the purpose of purchasing additional hours from part-time staff to scan archived town council minutes so that these records can be in digital form.

Be it further resolved that once the funds have been expended, a report will be forwarded to the Town Council reflecting the years and records that have been scanned and the additional funds needed to complete the project.

Acted on December 8, 2011

Yes 5 No 0 Abstained___ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-78 AUTHORIZING EXPENDITURE FROM THE HIGHWAY
IMPROVEMENT ACCOUNT**

Be it resolved by the Bucksport Town Council in town council assembled that the expenditures for improvements to the Church Road be increased from \$32,859.00 to \$66,690.00.

Be it further resolved that the overrun be covered by balance from the Silver Lake Road Project and Russell Hill Road Project.

Acted on December 8, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-80 AUTHORIZING APPLICATION FOR AN ENTERPRISE COMMUNITY
DEVELOPMENT GRANT**

Whereas, the Economic Development Committee has recommended that the Town Council consider submitting an application to the Office of Community Development for a 2012 Community Enterprise Grant; and,

Whereas, it is proposed that the project activities include a façade program for the Downtown Area, that area extending from School Street to McDonald Street, and to complete several streetscape projects; and,

Whereas, the maximum grant amount is \$150,000; and,

Whereas, the Letter of Intent is due February 10, 2012 and the application is due by March 30, 2012:

Be it resolved by the members of the Bucksport Town Council in town council assembled that the Town Manager be authorized with the support of the Economic Development Director to submit an application to the Office of Community Development for a 2012 Community Enterprise Grant for the purpose of conducting a Façade Program in a portion of the Downtown area, from School Street to McDonald Street, and for landscape improvements.

Acted on December 8, 2011

Yes 5 No 0 Abstained (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-81 AUTHORIZING AGREEMENT FOR THE MDOT MUNICIPAL
PARTNERSHIP AGREEMENT**

Whereas, the Bucksport Town Council had authorized the Town Manager to apply for a MDOT Municipal Partnership Grant to do realignment improvements on Route 46 in the vicinity of Hancock Pond and the Golf Course; and,

Whereas, MDOT has awarded \$500,000 to be matched by the town for the improvements; and,

Whereas, MDOT has provided an agreement that has to be signed by the Town's authorized agent which outlines the terms of the grant; and,

Whereas, the Town has to obtain approval from the citizens of Bucksport to raise the local share of \$500,000 for the project; and,

Whereas, the citizens would be asked to vote on the issue at the June 2012 elections; and,

Whereas, the agreement reads as follows:

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION
MUNICIPAL PARTNERSHIP AGREEMENT**

REGARDING

HIGHWAY IMPROVEMENTS TO ROUTE 46, BUCKSPORT

This Cooperative Agreement (AGREEMENT) is entered into by and between the MAINE DEPARTMENT OF TRANSPORTATION ("MaineDOT"), an agency of state government with its principal administrative offices located on Child Street, Augusta, Maine, and the TOWN OF BUCKSPORT ("Bucksport"), a municipality in the State of Maine with offices located at 50 Main Street, BUCKSPORT, ME.

WHEREAS, Bucksport has desired to improve safety and mobility on Route 46, a State-Aid, Major Collector, in Bucksport.

WHEREAS, MaineDOT and Bucksport would benefit from improvements to the aforementioned roadway.

WHEREAS, Bucksport estimates the total Project cost to be \$1,000,000.

NOW THEREFORE, the parties hereby agree as follows: (The following information provides the scope of work for the services that Bucksport will perform under this AGREEMENT.)

BUCKSPORT SHALL:

- A. Procure a contract and oversee a project consisting of: 1.) Reconstructing a portion of Route 46 (approximately RLM 5.22 to RLM 5.56) to address horizontal and vertical alignment deficiencies and improve the intersection with Mast Hill Road by eliminating the triangle and reconfiguring it to more of a 90 degree angle. Work on this portion of Route 46 will begin in the vicinity of Church

Hill Road (Meetinghouse Road) and extend northerly 1,800 feet. 2.) Reconstructing a second location on Route 46 (approximately RLM 1.59 to RLM 1.97) to address vertical alignment and shoulder width deficiencies, and to improve drainage, beginning in the vicinity of the Bucksport Golf Course and extending southerly 2,000 feet. The total project length of the improvements at both locations is approximately 3,800 feet (0.72 miles).

- B. Work under this Municipal Partnership Initiative will require acquisition of right of way to construct the project, as well as for future maintenance of the highway within the construction limits. All such rights, both temporary and permanent, shall be obtained by the Town of Bucksport, and shall be between the affected property owner(s) and the Town of Bucksport. An attorney for the Town, familiar with property rights acquisition, shall also certify that such rights were legally acquired and have been recorded in the Hancock County Registry of Deeds.
- C. Perform such work in accordance with a design by an engineer licensed in the State of Maine. The Licensed Engineer shall provide a certification to the Municipality and to MaineDOT that, in his/her professional opinion, the Project as designed will provide improved drainage of storm water runoff, a smooth ride for the traveling public, not reduce the safety, mobility or structural quality of the state road. All design documents must be stamped and signed in accordance with this provision by the Professional Engineer.
- D. Agrees to coordinate with all applicable utilities impacted, or potentially impacted, by this project and certify that such utility coordination has been properly addressed.
- E. Agrees to provide for a public participation process in the development of the project.
- F. Agrees to secure all necessary Federal, State and Local permits necessary to complete the work. Bucksport also agrees to secure any needed property rights in accordance with all applicable State and Federal Laws.
- G. Agrees that any exceptions to State Design Standards shall be documented as part of this process. This documentation shall compare the new design to the existing conditions for each of the exceptions to current design standards. Any such exceptions shall be displayed on the cover sheet for the Project plans with the signature and PE stamp of the engineer responsible for the design of the Project.
- H. Be responsible, within the Project limits, for the following:
 - a. Ensuring that the safety of the corridor and the life of the resulting structural and design elements are equal to or better than existing conditions and design;

- b. Ensuring that the structures, roadways and/or design features affected by the Project work shall, at a minimum, be of equal dimensions to the existing features or structures and shall be of improved quality in terms of materials and utility;
 - c. Ensuring that the Project does not introduce any unanticipated safety hazards to the traveling public;
 - d. Ensuring that the Project retains the same level of mobility or improves mobility of travel within the corridor; and,
 - e. Ensuring that the Project does not in any manner decrease the life expectancy of this component of Maine's transportation system.
- I. Provide certification through their Engineer to MaineDOT that the project is complete and was constructed as designed.
 - J. Construction shall commence within twelve (12) months and shall be certified complete within twenty (24) months of execution of this agreement. Bucksport may forfeit the unpaid balance of this grant if these deadlines are not met or they can not demonstrate earnest and good faith efforts to meet them.

MAINEDOT SHALL:

- A. **Provide 50% of actual construction costs, up to a maximum of \$500,000 in State funds, in support of the project for work stated above.** This will consist of \$500,000 in Municipal Partnership Initiative monies. Reimbursement will be made in three equal installments; at 1/3 completion, 2/3 completion and after receipt of the certification of completion by Bucksport's Professional Engineer. Progress reports will be sent to MaineDOT by Bucksport's Engineer certifying that the work is 1/3 complete and again at 2/3 completion. The report will describe the work performed and request reimbursement.
- B. **Shall stripe Route 46 upon completion of the project and continue to do so annually according to Department policy.**

The Town of Bucksport and MaineDOT agree to function within all applicable laws, statutes, regulations, and AGREEMENT provisions; avoid hindering each other's performance; fulfill all obligations diligently; and cooperate in achievement of the intent of this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT in duplicate effective on the day and date last signed.

TOWN OF BUCKSPORT

Dated:_____

By:_____

Roger Raymond, Town Manager

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to sign the MDOT Municipal Partnership Agreement for a Municipal Partnership Initiative Grant in the amount of \$500,000 to complete realignment improvement on Route 46 with the condition that language be added in the agreement that will nullify the agreement if the citizens of Bucksport do not approve the local match of \$500,000.

Acted on December 8, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-82 AUTHORIZING THE SALE OF A USED RADAR, TRAILER AND SPEED BOARD

Whereas, the Town of Bucksport has a used 2001 model speed board, a 3'X 4' trailer and used radar which is not being used by the Police Department; and,

Whereas, the Department obtained a new state of the art board with a grant from the Department of Justice; and,

Whereas, the Swans Island Police Department has approached the Police Department to purchase the 2001 speed board, trailer and radar for a cost of \$250; and,

Whereas, the Police Chief recommends that the Bucksport Town Council authorizes the sale to the Swans Island Police Department in the amount of \$250 and the funds be deposited in the police Equipment Reserve Account:

Be it resolved by the Bucksport Town Council in town council assembled the Bucksport Police Chief be authorized to sell the 2001 model speed board, 1 3'X 4' trailer, and used radar for \$250 to the Swans Island Police Department and the funds be deposited in the Police Equipment Reserve Account.

Acted on December 8, 2011

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Brian Leeman)

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Wilson Hall- Proposals have been solicited from interested developers to rehab Wilson Hall. Five individuals attended the informational meeting scheduled on December 7. Proposals will be due at the end of January.

New Plow Truck- the plow truck that was approved in June is ready and will be picked up on Friday, December 9.

Duck Cove Community Group- The deed and lease are currently being prepared by Christina Perkins to allow for the transfer of the to the town and for the town to lease the property back to the group. I expect that will be completed by the end of the month.

2012 Town Council Goals- See attachment

**RESOLVE #R-2012-71 APPOINTING A NEW TOWN COUNCIL MEMBER TO
COMPLETE THE UNEXPIRED TERM OF BRIAN LEEMAN**

Whereas, Brian Leeman has submitted his resignation as a member of the Bucksport Town Council effective 12-8-2011; and,

Whereas, the term expires January 9, 2013; and,

Whereas, a number of individuals have indicated an interest to serve the unexpired term resulting from a notice in the paper; and,

Whereas, these individuals include:

Gary Sawyer, Glen Findlay, Frank Dunbar, Dan Kelley, Harry Rollerson, Sharon Dunbar, Belle Ryder and Linda Fairbrother

Whereas, the members of the Appointments Committee met on 12-13-2011 to interview the potential candidates and recommend a nominee for the position; and,

Whereas, Frank Dunbar and Harry Rollerson withdrew as potential candidates; and,

Whereas, the members of the Appointments Committee unanimously voted to nominate Belle Ryder to fill Brian Leeman's unexpired term:

Be it resolved by the Bucksport Town Council in town council assembled that Belle Ryder be appointed to the position of Town Councilor for the Town of Bucksport to fill the unexpired term for Brian Leeman and the term will expire January 9, 2013.

Acted on December 29, 2011

Yes 6 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-83 APPOINTING A NEW ASSESSOR

Be it resolved by the Bucksport Town Council in town council assembled that James (Jeff) Fitzgerald be appointed as Assessor for the period beginning December 30, 2011 and ending March 31, 2013.

Acted on December 29, 2011

Yes 7 **No** 0 **Abstained** _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-84 AUTHORIZING EXPENDITURE FROM THE
HIGHWAY EQUIPMENT RESERVE ACCOUNT**

Whereas, the Highway Department has to either replace and/or reprogram its vehicle mobile radio units to narrowband radio by January 15, 2012; and,

Whereas, the highway department has a total of 20 units of which 13 units cannot be programmed to narrowband while 7 of the units can; and,

Whereas, the cost of purchasing the 13 new units is \$510 per unit or \$6,630.00 while the cost of converting all of the units to narrowband is \$25.00 per unit or \$500; and,

Whereas, the total cost of replacing and programming the units is \$7,130.00; and,

Whereas, the balance in the Highway Equipment Reserve Account is \$108,876:

Be it resolved by the Bucksport Town Council in town council assembled that an expenditure not exceeding \$7,130.00 be authorized from Highway Equipment Reserve Account to purchase 13 new vehicle mobile radio units and to program to narrowband 20 units in order to comply with federal requirements.

Acted on December 29, 2011

Yes 7 **No** 0 **Abstained**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-85 AUTHORIZING EXPENDITURE FROM THE POLICE
EQUIPMENT RESERVE ACCOUNT**

Whereas, the Bucksport Police Department is required to convert to narrowband by January 15, 2012; and,

Whereas, the department must convert the frequency in the base radio at a cost of \$200, convert 5 mobile radios at a cost of \$125, convert 13 portable radios at a cost of \$325, and purchase one new mobile radio including installation at a cost of \$735; and,

Whereas, the total cost of purchasing the new unit and converting the portable, base radio and 5 mobile units is \$1,385; and,

Whereas, \$2,000 was budgeted in the 2011 Capital Improvement Plan for the purpose of addressing the requirement:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures from Police Equipment Reserve Account be authorized in the amount of \$1,385 to convert the base radio, 5 mobile radios, and 13 portable radios and to purchase a new mobile radio in order to comply with the new requirement.

Acted on December 29, 2011

Yes 7 **No** 0 **Abstained**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-86 AUTHORIZING EXPENDITURE FOR THE OFFICE
EQUIPMENT RSRVE ACCOUNT**

Whereas, it has become necessary to upgrade the server for the Town Office to accommodate the new website and town records that are being scanned; and,

Whereas, a quote has been received from Joe Spinazola, the Town's technician; and,

Whereas, the quote which totals \$3,628.52 includes \$1,869.52 for new hardware, \$1,039.00 for new software and licensing and \$720.00 for labor; and,

Whereas, there is a balance of \$42,822 in the Town Office Equipment Reserve Account:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not exceeding \$3,628.52 be authorized from the Town Office Equipment Account to be used to upgrade the server at the Town Office.

Acted on December 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-87 AUTHORIZING EXPENDITURE FROM THE
WATERFRONT RESERVE ACCOUNT**

Whereas, when the Town floats were removed in October it was discovered that three of the existing floats needed repair; and,

Whereas, after examination it was revealed that repairing the existing floats would result in complete replacement; and,

Whereas, a material cost estimate was obtained from various local vendors; and,

Whereas, the balance in the Waterfront Reserve Account is \$43,952: and,

Whereas, following are the costs and vendors for the necessary materials to build three replacement floats

Wood and floatation billets	Viking Inc	\$6,310.50
Bolts, nuts washer	Fasteners	\$1,265.00
Equipment rental (nailer)	Bucksport True Value	<u>\$ 150.00</u>
TOTAL		\$7,725.50

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not exceeding \$7,725.50 be authorized from the Waterfront Reserve Account to purchase the necessary materials and rent equipment to build three new replacement floats for the Town Dock.

Acted on December 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-88 AUTHORIZING AQUA MAINE TO TRANSFER ITS
LEASE FOR THE WATERLINE ON ROUTE 1 TO CONNECTICUT WATER
SERVICE**

Whereas, on August 4, 1998, the Town of Bucksport and Aqua Maine, Inc. (formerly Consumers Maine Water Company) entered into a lease, whereby Aqua Maine leases a water main along Route 1 from the Town for \$1/year over the life of the water main; and,

Whereas, Aqua Maine cannot assign or transfer this lease without written consent of the Town under the provisions of this lease; and,

Whereas, Aqua Maine will soon be purchased by Connecticut Water Service, Inc., with an expected closing date of January 1, 2012; and,

Whereas, the lease terms dictate that a change in ownership of Aqua Maine's voting stock will be considered an assignment of the lease, and,

Whereas, a provision of the lease agreement requires any transfer of the lease from the Company by change in ownership of its outstanding stock shall constitute an assignment for the purpose of the lease and requires the written consent of the Town:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Council consents that the lease governing this water main located along Route 1 can be transferred by Aqua Maine, Inc. (formerly Consumers Maine Water Company) to Connecticut Water Services, Inc.

Be it further resolved that the Lessee under the lease shall remain the same entity and shall be responsible for the payment of rent and performance of all duties and obligations as set forth in the Lease and that the members of the Town Council sign the Consent of Lessor.

Acted on December 29, 2011

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-89 AWARDING CONTRACT FOR THE DEMOLITION OF
THE BUILDING AT 67 MAIN STREET**

Whereas, quotes were requested for the demolition and disposal of the building located at 67 Main Street (Nason House); and,

Whereas, quotes were received as follows:

Wardwell Construction and Trucking Corporation	\$11,500.00
S. F. Eastman, LLC	\$ 8,888.88
DM&J	\$ 9,990.00

Be it resolved by the Bucksport Town Council in town council assembled that the contract for demolition and disposal of the building located at 67 Main Street (Nason House) be awarded to S. F. Eastman, LLC in the amount of \$8,888.88.

Be it further resolved that the cost of the contract be paid for from TIF Revenues.

Acted on December 29, 2011

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**TOWN COUNCIL COMMITTEES
2012**

WATERFRONT COMMITTEE

Mike Ormsby, Chairperson
Robert Howard
Belle Ryder

FINANCE COMMITTEE

Mike Ormsby, Chairperson
Byron Vinton
Robert Howard

STREETS AND ROADS

Robert Howard, Chairperson
Byron Vinton
Jeff Robinson Sr.

ORDINANCE COMMITTEE

Jeff Robinson Sr., Chairperson
Mike Ormsby
David Kee

ECONOMIC DEVELOPMENT COMMITTEE

David Kee
Belle Ryder
Byron Vinton

SEWER COMMITTEE

Jeff Robinson Sr., Chairperson
David Kee
Belle Ryder

SOLID WASTE COMMITTEE

Robert Howard, Chairperson
Belle Ryder
Mike Ormsby

APPOINTMENTS COMMITTEE

Robert Howard, Chairperson
Jeff Robinson Sr.
Belle Ryder

NEGOTIATIONS COMMITTEE

David Kee, Chairperson
Byron Vinton

COUNCIL REPRESENTATIVES FOR COMMITTEES:

RSU #25: Jeff Robinson Sr.

RECREATION COMMITTEE: David Kee

CEMETERY COMMITTEE: Robert Howard

HEALTH ADVISORY COMMITTEE: Byron Vinton & David Keene, Secondary

POLICE ADVISORY COMMITTEE: Byron Vinton

BUCKSPORT REGIONAL HEALTH CENTER: Mike Ormsby

AMENDMENT TO CHAPTER 7 FIRE PROTECTION AND PREVENTION CONSUMER FIREWORKS ORDINANCE

Shall an ordinance be introduced titled “Amendment to Chapter 7 Fire Protection and Prevention Consumer Fireworks Ordinance”, such ordinance reading as follows:

Article 3 Consumer Fireworks

SEC. 7-301 Title.

This Ordinance shall be known as the Town of Bucksport Consumer Fireworks Ordinance.

SEC. 7-302 Purpose.

The purpose of this ordinance is to prohibit the use and sale of consumer fireworks to ensure the safety of the residents and property owners of the Town of Bucksport and of the general public.

SEC. 7-303 Authority.

This Ordinance is enacted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and 30-A M.R.S. § 3001, and the provisions of 8 M.R.S.A. § 223-A (Sale of Consumer Fireworks).

SEC. 7-304 Definitions.

As used in this Article, the following term shall have the following meaning:

- (a) Consumer Fireworks has the same meaning as the term set forth in 27 Code of Federal Regulations, Section 555.11, as may be amended from time to time, but includes only products that are tested and certified by a third party testing laboratory as conforming with United State Consumer Product Safety Commission standard, in accordance with 15 United States Code, Chapter 47. “Consumer fireworks” does not include the following products:
 - (1) Missile-type rockets, as defined by the State Fire Marshal by rule; and
 - (2) Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and,
 - (3) Sky rockets and bottle rockets. For purposes of this paragraph, “sky rockets and bottle rockets” mean cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon

ignition and that may produce a burst of color or sound at or near the height of flight.

SEC. 7-305 Sale of Consumer Fireworks Prohibited.

No person or group of persons shall sell, possess with the intent to sell, or offer for sale, consumer fireworks within the Town of Bucksport.

SEC. 7-306 Use of Consumer Fireworks Prohibited.

No person or group of persons shall use, possess with intent to use, display, fire or cause to be exploded consumer fireworks within the Town of Bucksport.

SEC. 7-307 Exception.

This ordinance does not apply to any person issued a fireworks display permit by the Town of Bucksport and/or the State of Maine pursuant to 8 M.R.S.A. §227-A, as may be amended from time to time.

SEC. 7-308 Penalties.

- (a) Any person who uses consumer fireworks or possesses consumer fireworks with the intent to use them in the Town of Bucksport shall be punished by a fine of not less than two hundred dollars (\$200.00) and not more than four hundred dollars (\$400.00) plus costs. For second and subsequent offenses, a fine of not less than three hundred dollars (\$300.00) and not more than six hundred dollars (\$600.00) per violation plus costs shall be imposed.
- (b) Any person who sells consumer fireworks or possesses consumer fireworks with the intent to sell them in the Town of Bucksport shall be punished by a fine of not less than five hundred dollars (\$500.00) plus cost. For second and subsequent offenses, a fine of not less than one thousand dollars (\$1000.00) per violation plus costs shall be imposed.

SEC. 7-309 Seizure and Disposal.

The Town of Bucksport may seize consumer fireworks that the Town has probable cause to believe are used, possessed or sold in violation of this Article and shall forfeit the seized consumer fireworks to the State of Maine for disposal.

SEC. 7-310 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

Acted on January 12, 2012

Yes 6 No 1 Abstained _____ (Opposed: David Keene)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-90 APPROVING AUDIT FOR THE PERIOD 7-1-2010 TO
6-30-2011**

Whereas, the members of the Bucksport Town Council have been provided with a copy of the municipal audit for the period 7-1-2010 to 6-30-2011; and,

Whereas, no management letter was issued because there were no findings:

Be it resolved by the Bucksport Town Council in town council assembled that the audit prepared by R.H. Smith and Company for the period 7-1-2010 to 6-30-2011 be accepted by the Bucksport Town Council and filed by the Town Clerk in the records of the Town.

Be it further resolved that no further action is required regarding the audit period.

Acted on January 12, 2012

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-91 AUTHORIZING THE MAYOR AND TOWN MANAGER
TO SIGN DOCUMENTS APPROVED BY THE TOWN COUNCIL**

Whereas, from time to time it is necessary for documents to be signed that reflect decision rendered by the Bucksport Town Council; and,

Whereas, the Town Manager is the Executive Officer for the Town of Bucksport; and,

Whereas, the Mayor has been selected by a majority of the members of the Bucksport Town Council to represent the council as a whole with matters approved by the Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager and/or the Mayor be authorized to sign documents as necessary that have been approved by the majority members of the Bucksport Town Council.

Acted on January 12, 2012

Yes 7 **No** 0 **Abstained**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-92 REGARDING PROCEDURE FOR SIGNING
TREASURER'S WARRANTS**

Whereas, MSRA TITLE 30-A SECTION 5603 authorizes the Treasurer to disburse funds only on the authority of a warrant drawn for the purpose, affirmatively voted and signed by a majority of the municipal officers except as otherwise provided by charter or ordinance; and,

Whereas, Appendix B Council Rules, Section 42 permits the Treasurer to disburse funds only on the authority of a warrant drawn for the purpose and signed by the Mayor, or in the absence of the Mayor, by the Chairman of the Finance Committee; and,

Whereas, copies of all signed treasurer's warrants must be provided to all members of the town council at regular town council meetings:

Be it resolved by the Bucksport Town Council in town council assembled that the Treasurer is authorized to disburse funds only on authority of a warrant drawn for the purpose and signed by the Mayor or in the absence of the Mayor, by the Chairman of the Finance Committee.

Be it further resolved that copies of all signed treasurer's warrants will be provided to members of the town council for review at the first held regular town council meeting of each month.

Acted on January 12, 2012

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-93 REFERRING APPOINTMENTS TO THE
APPOINTMENTS COMMITTEE FOR COMMITTEES, BOARDS AND
SPECIAL POSITIONS**

SEALER OF WEIGHTS & MEASUREMENTS

Robert M. Wiggin

March 31, 2012

HARBOR MASTER

David Grant

March 31, 2012

STREET NAMING/NUMBERING COORDINATOR

Jeffrey Hammond

March 31, 2012

HEALTH OFFICER

Valerie Sulya

March 31, 2012

PLANNING BOARD

Marc Curtis

March 31, 2012

BOARD OF ASSESSMENT REVIEW

Daniel See

March 31, 2012

Wendy White (Alternate)

March 31, 2012

ZONING BOARD OF APPEALS

Louis Levasseur

March 31, 2012

PARKS AND RECREATION COMMITTEE

Frederick Trasko

March 31, 2012

Nickey D. S. Wight

March 31, 2012

Patricia Gray

CONSERVATION COMMISSION

Linda Plourde

March 31, 2012

Sadie Alley Ferreira

March 31, 2012

John Christopher

March 31, 2012

HOUSING ADVISORY COMMITTEE

Mary Jane Bush

March 31, 2012

Sue Davis

March 31, 2012

Gail Hallowell

March 31, 2012

Jeannie Grindle

March 31, 2012

Valerie Sulya

March 31, 2012

Registrar of Voters

January 31, 2012

Town Manager

January 31, 2012

Be it resolved by the Bucksport Town Council in town council assembled that the appointments outlined above be referred to the Appointments Committee for nominations and report back to the Town Council for final consideration.

Acted on January 12, 2012

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-94 SETTING RATE OF INTEREST FOR DELINQUENT
SEWER BILLS**

Whereas, the Town assesses interest on delinquent sewer bills; and,

Whereas, the rate charged cannot exceed 7% for the period 1-1-2012 to 12-13-2012; and,

Whereas, the current rate of interest is 7%:

Be it resolved by the members of the Bucksport Town Council in town council assembled that the rate of interest to be charged on delinquent sewer bills for the period 1-1-2012 to 12-31-2012 remain at 7%.

Acted on January 12, 2012

Yes 6 No 1 Abstained (Opposed: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-95 REGARDING DISPOSITION OF TAX ACQUIRED
PROPERTY**

Whereas, the attached list of real estate properties were acquired by the Town as a result of the automatic foreclosure of real property tax liens that matured on 12-16-2011, by sewer liens that matured on 9-9-2011 and by special assessment lien that matured on 12-16-2011; and,

Whereas, the policy previously approved by the Bucksport Town Council states the Town Council may vote to extend the opportunity to the owner(s) of record to redeem tax and sewer lien acquired property used for residential purposes within 60 days of notice and upon full payment of tax liens, interest and cost that is due on the property; and,

Whereas, upon payment of a matured tax lien, a quit-claim deed is issued to the owner of record:

Be it resolved by the members of the Bucksport Town Council in town council assembled that the opportunity be extended in writing to the owners of record to redeem property that became acquired by the Town due to tax liens that matured on 12-16-2011, sewer liens that matured on 9-9-2011 and a special assessment lien that matured on 12-16-2011; for payment of taxes and sewer user fees, special assessment, interest and cost for the tax year 2010 within 60 days of the date that the written notice is post marked.

Be it further resolved that payment arrangements may be extended to the owners of record who occupy the property as a primary residence, upon request to the Town within sixty days of the date the written notice is post marked and such arrangements are returned to the Town Council for approval.

Acted on January 12, 2012

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE # R-2012-96 REFERRING MATTER PERTAINING TO THE
CATHOLIC CHURCH PARKING LOT TO THE FINANCE COMMITTEE**

Whereas, the Town of Bucksport in 1985 entered into an agreement with St. Vincent DePaul Catholic Church to allow the public to use the parking lot located off Franklin Street and owned by St. Vincent DePaul as long as the parking lot was maintained by the Town during the winter season; and,

Whereas, one term of the agreement requires the party who wants to terminate the agreement to provide a Notice of Termination at least one year prior to abandoning the use of the parking lot; and,

Whereas, the Public Works Director has recommended that the Town of Bucksport consider terminating the public's use of the parking lot because of the difficulty of maintaining the parking lot due to its condition and the lack of public use:

Be it resolved by the Bucksport Town Council in town council assembled that the matter of terminating the public's use of the parking lot located off Franklin Street and owned by St. Vincent DePaul Catholic Church be referred to the Finance Committee for recommendation.

Be it further resolved the agent or the representative(s) for St. Vincent DePaul Catholic Church be asked to participate in the discussion.

Acted on January 12, 2012

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-97 AUTHORIZING THE NATURAL GAS SERVICE
AGREEMENT FOR THE PUBLIC SAFETY BUILDING**

Whereas, it is proposed to extend natural gas along a designated route to provide access to natural gas for the public schools located in Bucksport in order to reduce their energy cost; and,

Whereas, the Bucksport Public Safety Building is located along the proposed route; and,

Whereas, Bangor Gas has contacted the Town to determine the Town's interest to convert the Bucksport Public Safety Building to natural gas for the heating season beginning in the fall of 2012; and,

Whereas, the Town of Bucksport has been asked to consider entering into a Service Agreement so that natural gas may be extended to the facility; and,

Whereas, a copy of the agreement has been attached to this Resolve; and,

Whereas, the Town, with notice, will be responsible to restore paved or grassed areas and to cover the cost of abnormal conditions such as ledge or rock removal; and,

Whereas, once natural gas is available, the building must be hooked up within sixty days or the town will be responsible for the cost of installing the service line:

Be it resolved by the Bucksport Town Council in town council assembled that the Service Agreement with Bangor Gas to extend natural gas to the Bucksport Public Safety Building be approved.

Acted on January 12, 2012

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-98 AUTHORIZING CONTRACT WITH MILLETT
ASSOCIATES TO PREPARE A SITE PLAN FOR EXTENSION OF BROADWAY
AND PARK STREET**

Whereas, the need to extend Broadway and Park Street is under consideration in order to accommodate a proposed nursing home facility; and,

Whereas, the services of an engineer is necessary to determine the location of the proposed project including street extensions and utilities, the estimated cost of the improvements and required permits;

Whereas, Millett Associates has proposed to complete the tasks noted above for a lump sum fee of \$1,500:

Be it resolved by the Bucksport Town Council in town council assembled that Millett Associates be awarded the contract to provide the services outlined above for a cost not to exceed \$1,500.

Be it further resolved that the cost of the contract be paid for from TIF Revenues.

Acted on January 12, 2012

Yes 7 **No** 0 **Abstained**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-99 ESTABLISHING ADVISORY COMMITTEE FOR
CONSTRUCTION OF A NEW STANDPIPE**

Whereas, in conjunction with the Town's application for a Public Infrastructure Community Development Block Grant (CDBG) for the construction of a new standpipe to replace the existing facility located off McDonald Street, the Town must establish an advisory committee; and,

Whereas, it is proposed the following individuals be appointed to the committee:

Craig Bowden, Mary Jane Bush, Dave Michaud, Dave Milan and a member of the Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that the following individuals be appointed to the New Standpipe Advisory Committee:

Craig Bowden, Mary Jane Bush, Dave Michaud, Dave Milan and Robbie Howard

Acted on January 12, 2012

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-100 APPROVING AGREEMENT WITH THE MAINE
WATER COMPANY**

Whereas, in conjunction with filing the Town's Letter of Intent to apply for a Public Infrastructure Community Development Block Grant to help finance the construction of a new water storage facility (standpipe), it is necessary to establish the method and conditions of transferring ownership of the facility from the Town to The Maine Water Company after the project has been completed; and,

Whereas, the projected cost of the new standpipe is \$800,000 and the Town is proposing to apply for the maximum grant of \$500,000; and,

Whereas, it is purposed to convey to The Maine Water Company (Company) by sale and upon completion of the project the new water storage facility pursuant to the following conditions:

1. The Company fully reflects in the water rates of its customers in the Town of Bucksport any and all financial benefits of the conveyance for the life of the standpipe
2. The Company will provide the balance of funds required to complete the project
3. The improvement will be subject to payment of property taxes unless abated by the Town Council
4. The Company will be responsible for the operation and maintenance of the standpipe and such cost will be absorbed through the user rates for public water and approved by Maine Public Utilities Commission
5. The Company will assume all liabilities that go along with the ownership of standpipe
6. The purchase price will be \$1.00

Be it resolved by the Bucksport Town Council in town council assembled that the new water storage facility (standpipe) be transferred by sale to The Maine Water Company if the town receives a Public Infrastructure Community Development Block Grant, the standpipe is constructed and is pursuant to the conditions outlined above.

Acted on January 12, 2012

Yes 7 No 0 Abstained

Attested by Kathy Downes, Town Clerk

2012-2013 BUDGET PROJECTIONS

General Revenues

- a. interest earnings
- b. BETE Program
10% reduction/cap 60% or cap
depreciation/inflation

Valuation

- a. loss paper machine 2 (10%) idle equipment ?
- b. loss to TIF Energy Project \$10,000,000 (\$125,000) (-\$30,000)
- c. depreciation/inflation at the mill
- d. loss/new value throughout the rest of the community
- e. adjustment to ratio of assessment for residential and commercial properties

Expenses

- a. salary increases 3% \$70,000
- b. health insurance decrease -\$40,000
- c. ambulance service salaries for part-time ?
- d. fuel cost no change except at public safety if we get natural gas
- e. education \$150,000 ?
- f. county tax \$10,000
- g. all other increases/decreases \$30,000

Education \$150,000

Paper machine \$ 80,000

TIF loss \$ 75,000

General budget \$ 60,000 (1.15%) (2.5%)

Average Personal Income Growth 1.43%

County Tax \$ 10,000

\$375,000.00

Cut Services

Increase Fees

Cut Capital Improvements

Raise Taxes

Adjust Values

Education reduction

**RESOLVE #R-2012-101 REGARDING PARTICIPATION IN THE MAINE
SERVICE CENTER COALITION**

Whereas, the Town of Bucksport has been a Maine Service Centers Coalition member for five years; and,

Whereas, the Maine Service Centers Coalition's purpose is to represent Maine Service Centers regarding the impact of proposed legislation; and,

Whereas, the Town of Bucksport dues for 2012 have been assessed at \$589.08; and,

Whereas, the Town of Bucksport will appoint a designee and alternate to vote at the Maine Service Centers Coalition business meetings:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport Town Council hereby authorizes membership in the Maine Service Center Coalition for 2012 and designates Roger Raymond, Town Manager to be appointed Representative for the Maine Service Centers Coalition and is therefore authorized to vote at the Maine Service Centers Coalition business meetings.

Be it further resolved that the designated alternate is Byron Vinton, Town Councilor.

Acted on January 26, 2012

Yes 0 No 5 Abstained

Attested by Kathy Downes, Town Clerk

**CONSIDER RESOLVE #R-2012-102 REGARDING APPOINTMENTS FOR THE
ENSUING YEAR**

Whereas, the members of the Appointment Committee nominated Kathy Downes as Registrar of Voters for a one year term expiring January 31, 2013; and,

Whereas, the members of the Appointment Committee nominated Roger Raymond to serve as Interim Town Manager pursuant to the following conditions:

1. Will serve as Town Manager until a new town manager is appointed.
2. Will be provided a one-month notice prior to the appointment terminating.
3. All other conditions will remain the same as currently being provided except for payment to Maine State Retirement System by the Town.

Be it resolved by the Bucksport Town Council in town council assembled that Kathy Downes be appointed Registrar of Voters for a one-year term expiring January 31, 2013.

Be it further resolved that Roger Raymond be appointed as Interim Town Manager pursuant to the following terms:

1. Will serve as Town Manager until a new town manager is appointed.
2. Will be provided a one-month notice prior to the appointment terminating.
3. All other conditions will remain the same as currently being provided except for payment to Maine State Retirement System by the Town.

Acted on January 26, 2012

Yes 5 No 0 Abstained

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-103 WRITING OFF UNCOLLECTIBLES RECEIVABLES
FOR THE AMBULANCE SERVICE**

Be it resolved by the Bucksport Town Council in town council assembled that uncollectible-aged accounts receivables in the amount of \$5,450.60 for the period October 1, 2010 through December 31, 2010 be written-off.

Acted on January 26, 2012

Yes 5 **No** 0 **Abstained** _____

Attested by Kathy Downes, Town Clerk

AMENDMENT TO CHAPTER 7 FIRE PROTECTION AND PREVENTION CONSUMER FIREWORKS ORDINANCE

Shall an ordinance be introduced titled “Amendment to Chapter 7 Fire Protection and Prevention Consumer Fireworks Ordinance”, such ordinance reading as follows:

Article 3 Consumer Fireworks

SEC. 7-301 Title.

This Ordinance shall be known as the Town of Bucksport Consumer Fireworks Ordinance.

SEC. 7-302 Purpose.

The purpose of this ordinance is to prohibit the use and sale of consumer fireworks to ensure the safety of the residents and property owners of the Town of Bucksport and of the general public.

SEC. 7-303 Authority.

This Ordinance is enacted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and 30-A M.R.S. § 3001, and the provisions of 8 M.R.S.A. § 223-A (Sale of Consumer Fireworks).

SEC. 7-304 Definitions.

As used in this Article, the following term shall have the following meaning:

- (a) Consumer Fireworks has the same meaning as the term set forth in 27 Code of Federal Regulations, Section 555.11, as may be amended from time to time, but includes only products that are tested and certified by a third party testing laboratory as conforming with United State Consumer Product Safety Commission standard, in accordance with 15 United States Code, Chapter 47. “Consumer fireworks” does not include the following products:
 - (1) Missile-type rockets, as defined by the State Fire Marshal by rule; and
 - (2) Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and,
 - (3) Sky rockets and bottle rockets. For purposes of this paragraph, “sky rockets and bottle rockets” mean cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon

ignition and that may produce a burst of color or sound at or near the height of flight.

SEC. 7-305 Sale of Consumer Fireworks Prohibited.

No person or group of persons shall sell, possess with the intent to sell, or offer for sale, consumer fireworks within the Town of Bucksport.

SEC. 7-306 Use of Consumer Fireworks Prohibited.

No person or group of persons shall use, possess with intent to use, display, fire or cause to be exploded consumer fireworks within the Town of Bucksport.

SEC. 7-307 Exception.

This ordinance does not apply to any person issued a fireworks display permit by the Town of Bucksport and/or the State of Maine pursuant to 8 M.R.S.A. §227-A, as may be amended from time to time.

SEC. 7-308 Penalties.

- (a) Any person who uses consumer fireworks or possesses consumer fireworks with the intent to use them in the Town of Bucksport shall be punished by a fine of not less than two hundred dollars (\$200.00) and not more than four hundred dollars (\$400.00) plus costs. For second and subsequent offenses, a fine of not less than three hundred dollars (\$300.00) and not more than six hundred dollars (\$600.00) per violation plus costs shall be imposed.
- (b) Any person who sells consumer fireworks or possesses consumer fireworks with the intent to sell them in the Town of Bucksport shall be punished by a fine of not less than five hundred dollars (\$500.00) plus cost. For second and subsequent offenses, a fine of not less than one thousand dollars (\$1000.00) per violation plus costs shall be imposed.

SEC. 7-309 Seizure and Disposal.

The Town of Bucksport may seize consumer fireworks that the Town has probable cause to believe are used, possessed or sold in violation of this Article and shall forfeit the seized consumer fireworks to the State of Maine for disposal.

SEC. 7-310 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

Acted on February 9, 2012

Yes 2 David Keene & Jeff Robinson

No 2 Belle Ryder & Robert Howard

Members Absent: Michael Ormsby, Byron Vinton & David Kee

Vote: Failed

Attested by Kathy Downes, Town Clerk

FINANCING IMPROVEMENTS FOR ROUTE 46

Be it ordained by the Bucksport Town Council in town council assembled that the Bucksport Town Council be and is hereby authorized to expend a sum not to exceed \$500,000 to improve mobility and safety on Route 46 in Bucksport. The method of financing for the project is to be decided by the members of the Bucksport Town Council but will include all or a combination of funds transferred from Undesignated Fund Balance Account and/or the Tax Incremental Financing (TIF) Revenue Reserve Account. The sum expended by the Town will be matched dollar for dollar by Maine Department of Transportation resulting in a total project cost of \$1,000,000.

Acted on February 9, 2012

Yes 4 No 0 Abstained _____ (Members Absent: Michael Ormsby, Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-105 REFERRING MATTER PERTAINING TO FINANCING
THE DEVELOPMENT OF A NEW COMPREHENSIVE PLAN TO THE
FINANCE COMMITTEE**

Whereas, the current Comprehensive Plan was adopted in 2003; and,

Whereas, the life of a Plan is ten years; and,

Whereas, the majority of the goals and objectives outlined in the 2003 Comprehensive Plan have been completed; and,

Whereas, there will be a need to obtain the services of a consultant to assist with the development of a new plan; and,

Whereas, there should be some discussion how the Town Council would like to proceed with this task and if it is determined that a consultant is needed, what the cost will be and how it will be paid:

Be it resolved by the Bucksport Town Council in town council assembled that the matter of financing the development of a new comprehensive plan be referred to the Finance Committee for a recommendation.

Acted on February 9, 2012

Yes 4 No 0 Abstained (Members Absent: Michael Ormsby, Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Nursing Home Project- Mike Millett has completed the engineering report for the development of the street and installation of the utilities leading to the proposed site for the new nursing home. The report also includes information regarding the permits that will be required from the Corp of Engineer and Maine DEP. I will be providing copies of the report once I have had a chance to review it. Next week Mike will be meeting with MDEP to obtain some direction how the Town should proceed with permit applications while I will be meeting with representatives from First Atlantic to review the site to see if it meets their needs. I will report the findings to the Town Council at the February 23rd meeting at which time you will be asked how you want to proceed.

Jed Prouty Project- The Chambers are moving along well with their improvements. The Town has not released any of the Town's committed funds since we are still waiting for a copy of the license. Mr. Chambers expects to receive his license within the next few weeks. Once Mr. Chambers receives his license, I will be releasing the funds necessary to pay for the qualified improvements that have been completed.

Public Infrastructure Project- Maine Water Company has provided the Town with a Letter of Commitment for the balance of the funds necessary to complete the new tank project if the CDBG is received. The public hearing for the CDBG application is scheduled for February 23, 2012. The application is due March 10 and we are on schedule.

Downtown and Waterfront Project- The Town has received the MDEP permit for the improvements proposed on the west end of the waterfront. David Milan has submitted the Letter of Intent for the Enterprise Grant that will fund these improvements and other improvements proposed for the downtown area if the grant is received. The application must be filed by March 30.

Route 46 Project- The agreement for the grant funds has been filed with MDOT. If the Town Council introduces and adopts the ordinance to finance the Town's portion of the project, the matter will be going out to voters for the June election. If the ordinance is approved by the citizens, the next step will be to obtain the services of an engineer and surveyor to begin the plans and establish if any new right-of-way will be required.

2012-2013 Municipal Budget- I will have the preliminary budget for the Town Council at the February 23rd meeting.

Capital Improvement Plan 2012 to 2017- I will have the 2012-2017 CIP to the Town Council by the February 23rd meeting.

Treatment Plant Upgrade- The Town is still waiting for the new license for the treatment plant. We expect to receive it any day now. I have met with Orland and Verona selectmen to discuss the details of the project and what their financial obligations will be regarding the engineering phase for the project.

Bangor Gas Project- We have continued to assist Bangor Gas with the expansion of natural gas into the compact area. Dave has had a meeting with Bangor Gas and Verso to determine a location for the decompression facility. A decision regarding that matter should be offered within the next few weeks. Citizens continue to show their interest to obtain natural gas for their homes and businesses.

Housing Assistance Project- I am currently working with Ron Harriman to submit an application to DECD for a 2012 Housing Assistance Grant. We plan on focusing the grant application on assisting low to moderate income household to convert to natural gas as well as weatherization of those homes outside the compact area. The Letter of Intent is due March 16.

School Budget- The Finance Director and I have been attending the budget workshops. It is imperative at this time to obtain your thoughts regarding the overall budget and what your expectations are regarding any rate of increase for property taxes for 2012-2013.

Finance Director Position- As you may have heard, our Finance Director has decided to relocate to another part of the State and will be leaving her employment with the Town on March 30. I have advertised the position and will begin to review the applications received as soon as the date for application closes on February 17th. I have asked our Superintendent of Schools and our current Finance Director to sit with me on the first round of interviews.

Nason House Demolition- The building has been demolished and the basement has been filled with gravel. The cost of removal was exceeded by \$300 because the volume of concrete from the foundation was extensively more than expected, so I had the concrete removed by the contractor for an additional \$300.

Road Weight Limit Ordinance- I will update you regarding the details of this ordinance including what its purpose is, how it is enforced and administered. If after the presentation you would like to make any changes to the ordinance, you may want to consider referring the matter to the Ordinance Committee.

**RESOLVE #R-2012-106 AUTHORIZING APPLICATION FOR A 2012 PUBLIC
INFRASTRUCTURE COMMUNITY DEVELOPMENT BLOCK GRANT**

Whereas, the Bucksport Town Council agreed to authorize the submittal of an application for a 2012 Public Infrastructure Community Development Grant in the amount of \$500,000; and,

Whereas, the purpose of the grant is to finance a portion of the cost of replacing an existing 317,000 gallon tank located off McDonald Street with a new 601,600 gallon tank at an estimated cost of \$902,000; and,

Whereas, if grant funds are not received, the cost to users will be increased by 8% annually which will certainly create financial hardship for those individuals served by the project since the project area consist of 76% low to moderate income households; and,

Whereas, the engineering report prepared by Woodard and Curran notes that the “existing riveted steel tank should be retired, as the tank is not adequately sized and it is very near its viable useful life, and has several major deficiencies including lead paint and excessive corrosion”; and,

Whereas, the required public hearing has been advertised and held; and,

Whereas, the new tank will supply a more stable pressure for users and significantly higher fire flow volumes; and,

Whereas, the Town of Bucksport has received a letter of commitment from Maine Water for the balance of the \$402,000 to complete the project:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to submit an application to the Office of Economic and Community Development for a 2012 Public Infrastructure Community Development Block Grant in the amount of \$500,000 to construct a new water storage tank (standpipe) and to sell to Maine Water for \$1.00 the tank once constructed.

Be it further resolved that Maine Water Company has provided a Letter of Commitment for the balance of the \$402,000 to complete the project.

Acted on February 23, 2012

Yes 5 No 0 Abstained _____ (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-107 APPROVING MEMORANDUM OF UNDERSTANDING
BETWEEN BUCKSPORT BAY HEALTHY COMMUNITIES COALITION AND
THE TOWN OF BUCKSPORT**

Whereas, this Memorandum of Understanding (MOU) outlines the roles and responsibilities of the Town of Bucksport and Bucksport Bay Healthy Communities with respect to fiscal management of the coalition's grants and personnel as necessary; and,

Whereas, the Town of Bucksport has provided this service for approximately the last ten years; and,

Whereas, it is necessary to have a MOU since Bucksport Bay Healthy Communities Coalition (BBHCC) has organized as a non-profit and is filing with Internal Revenue Services for tax-exempt status; and,

Whereas, the adoption of the MOU by the Town is necessary in order to provide BBHCC with a means of providing fiscal management and staffing to administer grant funds that are applied for and received to fund the activities approved by Bucksport Bay Healthy Communities Coalition Board of Directors:

Be it resolved by the Bucksport Town Council in town council assembled that the Memorandum of Understanding between the Town of Bucksport and Bucksport Bay Healthy Communities Coalition be approved with the condition that wording be included in the agreement that the Town will be released from any liability that results from the Board of Directors for Bucksport Bay Healthy Communities Coalition.

Be it further resolved that a Certificate of Insurance will be provided to the Town verifying that Bucksport Bay Healthy Communities Coalition has officials' liability insurance and a Certificate of Insurance will be provided to the Town of Bucksport listing the Town as a holder of the certificate.

Acted on February 23, 2012

Yes 5 No 0 Abstained _____ (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-108 APPROVING CONTRACT WITH CES TO MONITOR
GROUND AND SURFACE WATER AT THE CLOSED LANDFILL LOCATED
OFF CENTRAL STREET**

Whereas, the Maine Department of Environmental Protection has notified the Town of Bucksport that the current monitoring program for the closed landfill will be modified to include testing for five additional residential wells located along Central Street and within 1,000' from the landfill and to increase the current parameter list to include several new geochemical parameters; and,

Whereas, CES Inc has been providing this service for the Town; and,

Whereas, CES Inc was asked to review the recommended changes to determine the impact of the new requirements on the cost of complying with the new requirement; and,

Whereas, CES Inc has provided a letter to the Town indicating that the additional requirement for the proposed modifications including additional laboratory fees will increase the cost by approximately \$3,000 annually:

Be it resolved by the Bucksport Town Council in town council assembled that the agreement with CES Inc to conduct the monitoring program at the closed landfill located off Central Street be modified to include the proposed modifications including additional laboratory fees, residential location sampling setup and Environmental Monitoring Plan updates.

Be it further resolved that the additional cost estimated to be \$3,000 be included in the 2012-2013 Solid Waste budget.

Acted on February 23, 2012

Yes 5 No 0 Abstained (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-109 AUTHORIZING A REQUEST FOR A PROPERTY TAX
EXEMPTION FOR THE NEW WATER STORAGE TANK**

Whereas, Maine Water Company is requesting a property exemption on the proposed new storage tank expected to be constructed in 2012-2013; and,

Whereas, Section 9 of the company's legislative charter (Bucksport Water Company) allows the Town of Bucksport's legislative body to exempt water utility property from property taxes if both parties agree; and,

Whereas, an exemption will help keep water rates as low as possible since all cost is included as part of the user rate; and,

Whereas, the value of the new tank has not been determined:

Be it resolved by the Bucksport Town Council in town council assembled that the matter of granting a property tax exemption on the proposed new storage water tank for Maine Water be referred to the Finance Committee for a recommendation.

Acted on February 23, 2012

Yes 5 No 0 Abstained _____ (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-110 REGARDING THE RECOMMENDATION OF THE
FINANCE COMMITTEE FOR THE CATHOLIC CHURCH PARKING LOT**

Whereas, the matter of continuing to maintain the parking lot located off Franklin Street and owned by the Catholic Church at Saint Vincent DePaul as a public parking lot was discussed by the members of the Finance Committee at a meeting held on January 26, 2012; and,

Whereas, the Finance Committee recommends the lot continue to be used as a public parking lot as long as the Catholic Church at Saint Vincent DePaul repairs the parking lot during the summer of 2012 and the cost of the repairs be paid for by the church:

Be it resolved by the Bucksport Town Council in town council assembled that the parking lot located off Central Street continue to be maintained as a public parking lot on the condition the Catholic Church at Saint Vincent DePaul does the needed repairs to the parking lot during the summer of 2012 and the cost of the repairs be paid by the church.

Acted on February 23, 2012

Yes 5 No 0 Abstained _____ (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-111 APPROVING APPOINTMENTS FOR THE ENSUING
YEAR**

Whereas, the Appointment Committee nominates the following for appointment as follows:

Robert M. Wiggin as Sealer of Weights & Measurements for a one year term.

David Grant as Harbor Master for a one year term.

Jeffrey Hammond as Street and Naming/Numbering Coordinator for a one year term.

Valerie Sulya as Health Officer for a two year term.

Marc Curtis as Planning Board member for a five year term.

Daniel See to a three year term on the Board of Assessment Review.

Wendy White as the Alternate for the Board of Assessment Review for a one year term.

Nickey D.S. Wight, Patricia Gray and Richard Sprague as members of the Parks and Recreation Committee for a three year term.

Linda Plourde to serve on the Conservation Committee for a three year term.

Mary Jane Bush, Sue Davis and Jeannie Grindle to a one year term on the Housing Advisory Committee.

Valerie Sulya to a one year term on the Housing Advisory Committee.

Be it resolved by the Bucksport Town Council in town council assembled that the nominations noted above be accepted and the individuals appointed to the positions and terms recommended by the Appointment Committee.

Acted on February 23, 2012

Yes 5 No 0 Abstained (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-112 REFERRING THE FIREWORKS ORDINANCE TO THE
ORDINANCE COMMITTEE**

Be it resolved by the Bucksport Town Council in town council assembled that the
Fireworks Ordinance be referred to the Ordinance Committee for reconsideration.

Acted on February 23, 2012

**Yes 4 No 1 Abstained _____ (Opposed: Robert Howard)
(Members Absent: Byron Vinton & David Kee)**

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-113 AUTHORIZING CAPITAL EXPENDITURE FROM THE
PUBLIC SAFETY BUILDING RESERVE ACCOUNT**

Whereas, the Town Council had previously approved the expenditure of funds to repair the generator at the Public Safety Building; and,

Whereas, the actual cost of the repairs exceeded the projected cost by \$565.00; and,

Whereas, the repairs were needed in order to assure proper operation of the generator; and,

Whereas, the balance in the Public Safety Building Reserve Account is \$49,063:

Be it resolved by the Bucksport Town Council in town council assembled that the additional expense of \$565.00 to repair the generator at the Public Safety Building be charged to the Public Safety Building Reserve Account.

Acted on February 23, 2012

Yes 5 No 0 Abstained _____ (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-114 AUTHORIZING CAPITAL EXPENDITURE FROM THE
TOWN GARAGE RESERVE ACCOUNT**

Whereas, it became necessary to replace the grates over the floor drains at the Town Garage in order to avoid a safety hazard; and,

Whereas, funds were not included in the operating budget to cover this expense; and,

Whereas, the cost of the improvement is \$1,060.00; and,

Whereas, the balance of the Town Garage Reserve Account is \$84,922.00:

Be it resolved by the Bucksport Town Council in town council assembled that the expense of \$1,060.00 to replace the grates over the floor drains at the Town Garage, cold storage bay, be charged to the Town Garage Reserve Account.

Acted on February 23, 2012

Yes 5 No 0 Abstained _____ (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-115 AUTHORIZING APPLICATION FOR A 2012 HOUSING
COMMUNITY DEVELOPMENT BLOCK GRANT**

Whereas, the Bucksport Town Council set as a town council goal for the ensuing year in August 2011 the need to apply for a 2012 Housing Assistance Grant from the Office of Community Development to be used to assist households of low to moderate income to complete repairs to their homes; and,

Whereas, the emphasis of the program will be to reduce the cost of energy for all households that will qualify and to assist elderly homeowners to complete needed repairs in order for them to continue to live in their homes as they age; and,

Whereas, the Letter of Intent has been filed; and,

Whereas, the maximum grant amount is \$300,000 and the cash or in-kind match is 10%:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized under the guidance of the Housing Advisory Committee to submit an application to the Office of Community Development for a 2012 Housing Assistance Grant to assist low to moderate income households to complete repairs that will result in their homes being more energy efficient and to provide an opportunity for elderly households to do repairs to their homes in order for them to stay in their homes as they age.

Acted on February 23, 2012

Yes 5 No 0 Abstained _____ (Members Absent: Byron Vinton & David Kee)

Attested by Kathy Downes, Town Clerk

FINANCING IMPROVEMENTS FOR ROUTE 46

Be it ordered by the Bucksport Town Council in town council assembled that the Bucksport Town Council be and is hereby authorized to expend a sum not to exceed \$500,000 to improve mobility and safety on Route 46 in Bucksport. The method of financing the project is to be decided by the members of the Bucksport Town Council but will include all or a combination of funds transferred from Undesignated Fund Balance Account and/or the Tax Incremental Financing (TIF) Revenue Reserve Account. The sum expended by the Town will be matched dollar for dollar by Maine Department of Transportation resulting in a total project cost of \$1,000,000.

Acted on March 8, 2012

Yes 6 No 0 Abstained (Member Absent: Jeffrey Robinson)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-116 APPROVING THE SCHEDULE FOR BUDGET
WORKSHOPS**

Be it resolved by the Bucksport Town Council in town council assembled that the following schedule for budget workshops to be held at the Bucksport Town Office, Town Council Chamber be adopted as follows:

7:00 p.m., Thursday, April 5, 2012

Areas of potential cuts to the budget, Street and Ways, and Health and Sanitation

7:00 p.m., Thursday, April 19, 2012

Protection and General Government

7:00 p.m., Thursday, April 26, 2012

Recreation, Capital Program, Debt Service, Cemeteries and Revenues

7:00 p.m., Thursday, May 3, 2012

Community & Social Agencies

Acted on March 8, 2012

Yes 6 No 0 Abstained (Member Absent: Jeffrey Robinson)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-117 AUTHORIZING THE BUCKSPORT FIRE
DEPARTMENT TO BURN A BUILDING FOR TRAINING LOCATED AT
MAP 8, LOT 4 ON THE TOWN FARM ROAD**

Whereas, the Bucksport Fire Department has the opportunity to burn a building for training; and,

Whereas, the property is owned by Daniel See and is located on the Town Farm Road, Lot 4 of Map 8 of the Bucksport Tax Maps; and,

Whereas, written authorization will be obtained from the owner; and,

Whereas, the Fire Department will be checking with the neighbors to determine if they have any issues with the burn; and,

Whereas, the Fire Department would like to burn the building in the next couple of weeks now that there is snow on the ground:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport Fire Department be authorized to burn a building located at property owned by Daniel See and located on the Town Farm Road, Lot 4 of Map 8 of the Bucksport Tax Maps pursuant to the following conditions:

1. written authorization is obtained from the owner
2. the conditions allow for a safe burn
3. the neighbors do not object to the burn
4. the burn is for training purposes

Acted on March 8, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Jeffrey Robinson)

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-118 TO AUTHORIZE THE TREASURER TO REIMBURSE INTEREST ON TAXES TO SUSAN DAKIN

Whereas, Mrs. Dakin is the owner of a parcel of land and a mobile home located on Jacob Buck Pond Road; and,

Whereas, Mrs. Dakin rented the mobile home to a relative in 2004 and requested the taxes be assessed on the mobile home to a relative; and,

Whereas, Mrs. Dakin claims that she holds a mortgage on the property and should have been notified at the time a lien was filed at the Registry of Deeds for the 2010 taxes as the owner of record; and,

Whereas, Mrs. Dakin is requesting that she be reimbursed the interest payment of \$50.63 and such be credited towards her 2013 tax bill; and,

Whereas, the tax collector completed a review of the records at the Registry of Deeds and found no record of any mortgage deed filed against the relative; therefore, the tax collector was not required to forward a Notice of Lien to her at the time of filing; and,

Whereas, Mrs. Dakin claims that the tax collector should have known about this; and,

Whereas, the tax collector would have no way of knowing whether a lien had been filed unless it was filed at the Registry of Deeds; therefore, the tax collector recommends the request be denied; and,

Whereas, if the Town Council grants Mrs. Dakin's request, the amount of reimbursement can't be applied to her 2013 taxes since the taxes have not been committed and the Town Council has not approved the prepayment of taxes and the amount of interest to be paid:

Be it resolved by the Bucksport Town Council in town council assembled that Mrs. Dakin be reimbursed \$50.63 as requested from the Interest on Tax Account and such reimbursement be forwarded to her by form of a check payable to Susan Dakin.

Acted on March 8, 2012

Yes 5 No 1 (David Kee) Abstained _____ (Member Absent: Jeffrey Robinson)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-119 AUTHORIZING LOCAL FUNDS FOR THE 2012
ENTERPRISE GRANT APPLICATION**

Whereas, the Bucksport Town Council authorized the Town Manager to submit an application for an Enterprise Community Development Block Grant to complete facade and landscape improvements in the downtown area; and,

Whereas, it is proposed to include as part of the grant the commitment of local funds for the project; and,

Whereas, these funds include:

Buck Library, reappointing of granite and brick facade	\$ 20,000
Historical Society, paint building and trim	\$ 9,000
Verona Grange, relocate entrance/ramp	\$ 3,800
Chamber of Commerce, replace flower boxes	\$ 2,400
Heyward House, fence	\$ 3,300
Historical Society Walkway	\$ 9,925
Picnic Point Sitting Area	<u>\$ 10,000</u>
Total	\$ 58,425

Be it resolved by the Bucksport Town Council in town council assembled that local funds in the amount of \$58,425 be authorized for the 2012 Enterprise Community Development Block Grant for façade and streetscape improvements.

Be it further resolved that \$20,000 be transferred from Undesignated Fund Balance and \$38,425 be transferred from TIF Revenue Account.

Acted on March 22, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012- 120 AUTHORIZING THE TOWN TO FILE AN
APPLICATION WITH D.E.C.D. TO OBTAIN DESIGNATION AS A CERTIFIED
BUSINESS FRIENDLY COMMUNITY**

Whereas, the Certified Friendly Community Program is an effort to encourage business development and growth in communities throughout Maine; and,

Whereas, the Certified Business Friendly Community Program seeks to identify, recognize and promote communities that show a true commitment to business development; and,

Whereas, Certified Friendly Communities will become a key part of Maine's Business Attraction strategy and will receive bonus points in Community Development Block Grant programs beginning in 2013:

Be it resolved by the Bucksport Town Council in town council assembled that the Economic Development Director be authorized to submit an application to the Department of Economic and Community Development to become designated as a Certified Business Friendly Community Program.

Acted on March 22, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-121 APPROVING EXEMPTION OF TAXES FOR THE NEW
WATER STORAGE TANK**

Whereas, Maine Water has requested that the Town Council consider exempting the new value resulting from the construction of a new water storage tank to be located off Silver Lake Road; and,

Whereas, the matter was referred to the Finance Committee for a recommendation; and,

Whereas, the Charter for the Water Company grants authority to the Town of Bucksport to grant an exemption from property taxes; and,

Whereas, the committee has recommended the property value generated from the new water storage tank less the value of the existing tank be exempted from property taxes for a period of five years beginning 4-1-2013.

Be it resolved by the Bucksport Town Council in town council assembled that the recommendation of the Finance Committee be adopted.

Acted on March 22, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**CONSIDER RESOLVE #R-2012-122 APPROVING EMPLOYMENT CONTRACT
FOR THE TOWN MANAGER POSITION**

Whereas, Michael Brennan has been offered the position of Town Manager by the Bucksport Town Council; and,

Whereas, he has accepted the offer; and,

Whereas, the conditions of employment are as outlined by the attached Employment Agreement between the Town of Bucksport and Michael Brennan:

Be it resolved by the Bucksport Town Council in town council assembled that the Employment Agreement between the Town of Bucksport and Michael Brennan for the position of Town Manager be approved.

Acted on March 22, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-123 AUTHORIZING EXPENDITURES FROM OVERLAY,
TIF REVENUES, UNDESIGNATED FUND BALANCE, CAPITAL PROJECTS,
AND SEWER RESERVE ACCOUNTS**

Whereas, the current Town Manager is leaving his post permanently on April 20, 2012;
and,

Whereas, the Town Manager is authorized to allow expenses to be charged to reserve
accounts if the amount is less than \$5,000 and the expenditure is later ratified by the
Town Council; and,

Whereas, the expenditures noted in the column titled "Resolve Needed" must be ratified
by the Bucksport Town Council for each reserve account:

	<u>Account</u>	<u>Project Description</u>	<u>Project Total</u>	<u>Resolve Number</u>	<u>Resolve Amount</u>	<u>Resolve Needed</u>
Capital Projects -						
	Police Equipment	NEW CRUISER & EQUIPMENT	24,821.49	R-2012-31	24,676.00	145.49
		WEAPONS UPGRADE - SHIPPING COST	238.56	n/a	n/a	238.56
		REPLACE (2) DEPARTMENT COMPUTERS	658.00	n/a	n/a	658.00
	Highway Equipment	2012 WHEELER - TRUCK BODY	81,589.17	R-2012-8	79,814.43	1,774.74
		2012 WHEELER - DUMP, PLOW GEAR, WING	53,160.00	R-2012-8	52,547.00	613.00
	Waterfront	PLANTINGS	254.95	n/a	n/a	254.95
		1/2 WATERFRONT ELECTRICAL UPGRADE	1,400.00	n/a	n/a	1,400.00
		CMF GRANT APPLICATION	450.00	n/a	n/a	450.00
		DEP PERMIT - WEST END	139.00	n/a	n/a	139.00
		REPLACEMENT OF (3) FLOATS	8,221.51	R-2012-87	7,725.50	496.01
		INSTALL WATERFRONT CAMERAS	360.00	n/a	n/a	360.00
	Town Office Equipment	DOCUMENT SCANNER & INSTALLATION	1,051.95	R-2012-10	900.00	151.95
		UPDATE TO SPF RECORD - E-MAIL SYSTEM	23.75	n/a	n/a	23.75
		SALARY TO DIGITIZE TOWN OFFICE RECORDS	3,764.80	R-2012-77	3,000.00	764.80
		SERVER SOFTWARE & LICENSING	1,746.34	R-2012-86	1,599.00	147.34
	Dispatch Equipment	HINDSIGHT-G2 MULTI-MEDIA LOGGING RECORDER	8,684.83	R-2012-68	8,635.50	49.33
		NARROWBAND CONVERSION	182.40	n/a	n/a	182.40
	Town Garage	REPLACE (3) OVERHEAD DOOR HARDWARE	2,985.00	n/a	n/a	2,985.00
		REPAIR COLD BAY FLOOR GRATING	1,060.55	n/a	n/a	1,060.55
	Parking Lot	PAVE TOWN POOL PARKING LOT	2,155.88	n/a	n/a	2,155.88

	Recreation Facilities	WALKING TRAIL MASTER PLAN	5,635.00	R-2011-36	5,600.00	35.00
		REPAIR DUGOUTS AT REGGIE GINN FIELD	3,713.32	n/a	n/a	3,713.32
		PAINT ELM STREET PLAYGROUND	1,767.53	n/a	n/a	1,767.53
	Transfer Station	REPAIRS TO LOWER FLOOR	4,244.29	R-2011-122	3,893.00	351.29
	Public Safety	PAVE PARKING AREAS - PD SIDE	1,651.98	n/a	n/a	1,651.98
		REPLACED OMNTEC MONITOR	1,150.00	n/a	n/a	1,150.00
		GENERATOR REPAIRS	2,894.14	R-2012-69	2,319.14	575.00
	Jewett School	PAVE REAR PARKING LOT	9,344.40	n/a	n/a	9,344.40
	Silver Lake	BOAT LAUNCH - PERMITTING, FENCING & SURVEY	1,042.00	n/a	n/a	1,042.00
		BOAT LAUNCH & PARKING LOT - GRASS SEED	994.10	n/a	n/a	994.10
	Highway Improvement	ADDITIONAL ENGINEERING-BROADWAY DRAINAGE	500.00	n/a	n/a	500.00
	Miles Lane Concession	ADD (3) CIRCUITS AT COUNTER	469.81	n/a	n/a	469.81
	Overlay -					
		FY 2012 ABATEMENTS	4,129.11	n/a	n/a	4,129.11
		VOTING SIGNS	559.46	n/a	n/a	559.46
	TIF -					
		NASON PROPERTY DEMOLITION	9,255.88	R-2012-89	8,888.88	367.00
		JED PROUTY DEVELOPMENT - LEGAL FEES	2,030.00	n/a	n/a	2,030.00
	Undesignated Fund Balance					
		BANGOR GAS LITIGATION	12,241.05	R-2009-87	n/a	12,241.05
	Sewer Reserve					
		18' TRAILER FOR SKID STEER	4,895.00	n/a	n/a	4,895.00
		PH METER & PROBES	744.55	n/a	n/a	744.55
		NEW WEATHER STATION	437.90	n/a	n/a	437.90
		SKIDSTEER WIRING HARNESS	1,401.08	n/a	n/a	1,401.08

Be it resolved by the Bucksport Town Council in town council assembled that the expenses for the reserve accounts listed above that have been authorized by the Town Manager be ratified by the Bucksport Town Council as presented.

Acted on March 29, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-124 AUTHORIZING TRANSFER TO COVER THE LOCAL
SHARE FOR GRANT PROJECTS**

Whereas, the 2010 CDBG has been completed and the project overrun is \$3,899.79; and,

Whereas, the overrun was caused by:

1. a final payment to Ron Harriman to administer and close out the grant	\$ 750.00
2. final retainage to be paid to the contractor	\$1,999.55
3. final payment to Mike Millett Associates	\$ 900.00
4. contract overage	<u>\$ 250.24</u>
Total	\$3,899.79

Whereas, it is recommended that the total overage of \$3,899.79 for the project should be charged to the Highway Improvement Account;

Be it resolved by the Bucksport Town Council in town council assembled that the overage in the amount of \$3,899.79 for the 2012 CDBG for storm drain improvements in the Townsite be charged to the Highway Improvement Account #(84-804-44).

Acted on March 29, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-125 AWARDED CONTRACT FOR STREETS AND
PARKING LOT STRIPING FOR 2012**

Whereas, the Town of Bucksport requested bids for striping streets and parking lots for the 2012 summer season; and,

Whereas, the bids were submitted as follows:

Fine Line Pavement Striping	\$3,168.00
Hi-Way Safety Systems Inc.	\$5,577.50
Wilson's Lawn Service	\$3,692.50
Lucas Striping, LLC	\$3,675.05
Zebra Striping Inc.	\$4,274.85
Jackett Enterprise	\$4,503.00

Whereas, Fine Line Pavement Striping, the apparent low bidder, has provided these services to the City of Bangor and City of Brewer; and,

Whereas, the quotes are based on unit prices and estimated quantities, therefore, the final contract amount could change if the quantities are different from the bid request:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to stripe streets and sidewalks for the 2012 summer season be awarded to Fine Line Pavement Striping from Hermon, Maine for the unit prices quoted on the attached bid sheet.

Be it further resolved that the cost of striping the streets and on-street parking spaces be charged to Account #521-42 (Equipment Rental) and the striping of the off-street parking areas be charged to the TIF Revenues Account # 651-92.

Acted on March 29, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-126 AUTHORIZING THE SIGNING OF DEEDS FOR THE
SALE OF PROPERTY LOCATED ALONG LONG POND OFF ROUTE 46**

Whereas, the Bucksport Town Council adopted an ordinance which allows for the sale of Map 52 Lot 13 to Mark and Rosemary Bamford and Robert Downes; and,

Whereas, the sale price for the property will total \$11,400; and,

Whereas, there will be some expenditures paid from the proceeds which include a property survey and legal cost to prepare the deeds; and,

Whereas, it is recommended that the balance of the proceeds from the sale once the survey and legal cost have been paid be credited to Miscellaneous Revenues and will lapse to Undesignated Fund Balance at the end of the fiscal year; and,

Whereas, the deeds and descriptions have been completed and ready for signature by the Bucksport Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that the deeds conveying Map 52 Lot 13 to Mark and Rosemary Bamford and Robert Downes be signed by the Bucksport Town Council.

Be it further resolved that the proceeds from the sale be credited to the Miscellaneous Revenue Account (50-1013), the legal fees be paid from the Legal Account (50-501-95) and the survey be paid from Undesignated Fund Balance (67-572-92).

Acted on March 29, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-127 AUTHORIZING APPLICATIONS FOR WETLAND DISTURBANCE FOR BROADWAY AND PARK STREET EXTENSIONS

Whereas, the Bucksport Town Council obtained the services of Millett Associates to prepare a cost estimate and to determine what environmental permits will be required to develop an extension of Broadway and Park Street to serve a proposed nursing home and assisted living facility; and,

Whereas, the anticipated property that the street extensions and project is to be located on is owned by John Wardwell who developed Park Street Development (Phase 1) on the lower end of the property which includes 5 lots and ended in a cul-de-sac; and;

Whereas, the developer for the proposed nursing home facility requires approximately 14 to 16 acres of property; and,

Whereas, the developer has requested the assistance of the Town to construct a 500 foot extension off Broadway, a new 1,100 foot piece of Park Street ending in a cul-de-sac, extension of sewer from Park Street and extension of water, power, phone, catv and natural gas from Broadway into the site; and,

Whereas, when Phase 1 of the Park Street development was built, the project needed to conform to Maine DEP regulations regarding wetland impacts but the owner for the first phase did not apply for a permit to disturb an estimated 29,000 square feet of wetlands; and,

Whereas, the proposed development will disturb an estimated 21,500 square feet of wetlands bringing the total requiring permitting to 50,500 square feet; and,

Whereas, being over an acre of disturbed wetlands will also require an Army Corps of Engineers Permit application under their General Permit Program; and,

Whereas, both the Corps and the MEDEP have a hierarchy of preferred methods for wetland compensations which include:

1. a fee at \$3.33 per square foot
2. restoration of another wetlands area at a 2 or 3:1 ratio
3. enhancement of another wetland area at a ratio of 5 to 10:1
4. preservation at 15:1

Whereas, preservation is regarded as the least preferred method and the fee per square foot is preferred, anything other than the fee compensation has to be very strong; and,

Whereas, it is being originally proposed that the method chosen be preservation and the Town consider using a portion of the 53 acres acquired in 2008 in the vicinity of the proposed project for the compensation area (18 acres) which would be developed into an environmental outdoor classroom for use by the Bucksport School System and other area local schools; and,

Whereas, the Town proposes to submit the applications which would include the 29,000 square feet that was impacted by the owner of the property when Phase I of Park Street development was completed; and,

Whereas, the owner would reimburse 50% of the cost for preparing the application and other associated fees and to compensate 100% for the 29,000 square feet of disturbed wetlands;

Whereas, Millett Associates has presented a proposal to assist the Town with the submittal of the application package to the Maine Department of Environmental Protection as well the Army Corps of Engineers; and,

Whereas, his scope and cost of services include:

1. Review and gather wetlands related data on the Hillside site as may have been developed on the late 1990's by others and glean materials important to this application. Since this work was done years ago, the wetlands have been filled and this is an after-the-fact portion of the project.
2. Gather information relative to the wetland mapping previously done on the parcel by Mark Hampton as needed for the application.
3. Develop a preliminary design for the new extension of Broadway and the new roadway into the First Atlantic parcel. The Tier 3 NRPA permit requires a certain level of plan detail, including some preliminary grading design, in order to ascertain wetland impacts and addressing a construction sequence and erosion and sediment control (attachments 5-8 of Chapter 310 application). We will keep the engineering to a minimum to address these needs at this time (i.e. no water/sewer/gas, but a road profile/plan/grading and typical sections are necessary).
4. Conduct a functional assessment of the existing wetlands (attachment 12).
5. Develop a preliminary application package for a Tier 3 permit with the information gathered above and that provided by the Owner (see below).
6. Review the package with the Owner and Woodard and Curran (by request).
7. Submit the application package to the Maine Department of Environmental Protection as well as the Army Corps of Engineers for review and provide follow-up information to their requests.

Cost for Services (lump sum): \$10,000

Item 1: \$500
Item 2: \$500
Item 3: \$3000
Item 4: \$3000
Item 5: \$2000
Item 6: \$500
Item 7: \$500

Fees for the application are to be supplied by the Owner.

Work supplied by the Owner:

- 1) specific wording for the preservation proposal as to the benefits of the site and its attributes;

- 2) legal description of the site;
- 3) location plan of the parcel in either PDF format or a clean plan sheet;
- 4) description of the physical attributes of the site including “existing vegetation, sources of water, functions and values, existing uses, and potential threats to the functions and values of the site” (taken from Chapter 310 Compensation Part B)
- 5) negotiations and documentation with a third party holder for the easement required by the MEDEP and Corps (if necessary).
- 6) Legal related paperwork related to the filing of the Declaration of Covenants and Restrictions.

Be it resolved by the Bucksport Town Council in town council assembled that Millett Associates be awarded the contract for services required to submit an application for disturbed wetlands in conjunction with the proposed development of a Nursing Home and Assisted Living Facility on property owned by John Wardwell and referred to as Map 2 Lot 68 of the Bucksport Tax Maps and as outlined by a proposal dated March 21, 2012 with a Scope of Service reading as follows:

1. The owner of the property will be responsible for 50% of all cost associated with the preparation and submittal of application to the Corps of Engineers and Maine Department of Environmental Protection and such will be outlined by written agreement.
2. The owner of the property will be required to compensate 100% of the loss for wetland impacted by Phase 1 of Park Street Development and such will be outlined by written agreement.
3. That a written option will be signed with the owner of the property identifying the right of purchase by the Town property required for the street extension and Phase 1 of the nursing home and assisted living facility.
4. The owner of the property will be responsible for any EPA fines that may be associated with Phase 1 of Park Street Development resulting from the construction of Park Street.

Be it further resolved that the cost of the contract for services with Millett Associates will be charged to TIF Revenue Account.

Acted on March 29, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-128 APPROVING APPOINTMENTS FOR THE ENSUING
YEAR**

Whereas, the members of the Appointment Committee nominate the following individuals to positions as noted:

- Louis Levasseur for a three year term to the Zoning Board of Appeals
- John Christopher for a three year term to the Conservation Committee
- Sadie Alley Ferreirra for a three year term to the Conservation Committee
- Todd Hanson for a one year term to the Housing Advisory Committee
- Richard Tennant for a one year term to the Housing Advisory Committee
- Joel Wardwell, Jim Boothby, Andy Lacher, Phillip Osborne, Linda Plourde, John Wardwell, Jeremy Daigle, Gene Berry and Carol Metthe for a one year term to the Economic Development Committee

Be it resolved by the Bucksport Town Council in town council assembled that the nominations recommended by the Appointment Committee be accepted as outlined above.

Acted on March 29, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Town Dock SHIP Program

CDBG Housing Application

Silver Lake Landing

Bangor Gas

Finance Director

301 Waiver

**RESOLVE #R-2012-129 REGARDING DISPOSITION OF TAX ACQUIRED
PROPERTY**

Whereas, the Bucksport Town Council authorized the Town Manager to offer to those property owners whose properties that became taxed acquired in December, 90 days to redeem their property for payment of the expired tax lien, cost and interest; and,

Whereas, the current status of the five properties that still remain tax acquired is as follows:

Thomas Freeman- spouse has offered to pay the expired tax lien, interest and cost by the end of April 2012.

Gail Hallowell- Town Council granted Ms. Hallowell until June 2012 to sell the property. Property is currently being offered by a local realtor.

Sarah White- No response has been received. Balance required to payoff the expired lien, cost and interest is \$104.01.

Phillip Willette Heirs of- One of the heirs has offered to pay the 2010 and 2011 tax liens, cost and interest by December 12, 2012. The amount needed to payoff the expired lien, cost and interest is \$861.49.

Paul Winters Heirs of- No response has been received. The amount of the special assessment is \$1,200.23.

Be it resolved by the Bucksport Town Council in town council assembled that the following action be taken regarding the above tax acquired properties:

1. The offer made by the spouse of Thomas Freeman is accepted as outlined above.
2. No action is to be considered regarding the property of Gail Hallowell until the June 30, 2012 date expires.
3. The matter regarding the property of Sarah White is referred to the Finance Committee for a recommendation.
4. The matter regarding the property of the Heirs of Paul Winters is referred to the Finance Committee for a recommendation
5. The matter regarding the property of the Heirs of Philip Willette is referred to the Finance Committee for a recommendation

Acted on April 12, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-130 AWARDING CONTRACT TO GEORGE SANSOUCY
FOR THE VALUATION OF THE BANGOR GAS ASSETS FOR 2013 AND TO
REVIEW THE 2009 APPRAISAL**

Whereas, Bangor Gas has requested review of their 2009, 2010, 2011 and 2012 property tax assessment; and,

Whereas, the Town of Bucksport is still waiting to receive the written decision for 2008 from the State Board of Assessment Review; and,

Whereas, the State Board of Assessment Review ruled in favor of the Town's Assessor regarding the 2008 value; and,

Whereas, the new Town Assessor has requested that the Town Council consider authorizing the Town Assessor to obtain the services of George E. Sansoucy, PE, LLC (GES) to prepare a summary appraisal report with a valuation date of April 1, 2013 and to update the summary appraisal report prepared by GES as of April 1, 2009; and,

Whereas, GES is an engineering and appraisal firm with its primary office located in Newington, New Hampshire who specializes in utility related consulting, engineering and valuation services: and,

Whereas, GES proposes to complete the work for the fixed price of \$7,500:

Be it resolved by the Bucksport Town Council in town council assembled that the Assessor be authorized if and when he deems it necessary to engage the firm George E. Sansoucy, PE, LLC to update the summary appraisal report prepared by GES as of April 1, 2009 and to prepare a summary appraisal report with a valuation date of April 1, 2013 at a fixed cost of \$7,500.00.

Be it further resolved that the cost of this service be charged to Undesignated Fund Balance.

Acted on April 12, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-131 REGARDING TIME WARNER CABLE INC.'S
REQUEST FOR THE TOWN TO RECOGNIZE REORGANIZATION OF
TIME WARNER CABLE NORTHEAST**

Whereas, Time Warner has advised the Town of an internal restructuring of Time Warner Cable Inc. whereby the cable operations will be conducted through seven regional entities designed to simplify management reporting and create a more geographically rational structure; and,

Whereas, the transaction will not result in a transfer of control and will have no impact on the cable system in Bucksport; and,

Whereas, the Town's law firm has advised the Town Council that the Town does not need to take action or can approve the transaction; and,

Whereas, if the Town does not act within 120 days of receipt of the notice, the reorganization is automatically approved:

Be it resolved by the Bucksport Town Council in town council assemble that the Town Council take no action regarding the reorganization of Time Warner Cable Northeast as outlined by their letter dated March 19, 2012.

Acted on April 12, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-132 REGARDING HOUSEHOLD HAZARDOUS WASTE
COLLECTION PROGRAM FOR 2012**

Whereas, the Town of Bucksport has previously been a participant in the Greater Ellsworth Household Hazardous Waste Collection Program; and,

Whereas, last year's participation by the citizens of Bucksport was extremely low; and,

Whereas, the administrative cost is shared based on the town's portion of the overall population of those communities participating; and,

Whereas, the Town's share of the administrative cost clearly exceeds the Town's share of waste delivered to the program by Bucksport citizens:

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport will not participate in the Household Hazardous Waste Collection Program for 2012.

Acted on April 12, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-133 AUTHORIZING EXPENDITURE FOR THE SILVER
LAKE BOAT LANDING IMPROVEMENTS**

Whereas, the Bucksport Highway Department is prepared to continue to work on the Silver Lake Boat Landing Project since they have scheduled time to do so; and,

Whereas, it was hoped the Department of Conservation would make grant funds available to assist with the project in early 2012; and,

Whereas, the latest information from the Department of Conservation indicates that invitations to apply for grant funds will be made available to Towns in the very near future; and,

Whereas, during the early development phase of the project, the Town was scheduled to do all of the work and pay for the gravel and loam while it was the intent to have the Department of Conservation pay for all the materials; and,

Whereas, some materials are necessary now to continue with the project; and,

Whereas, these materials include a turbidity curtain (\$1,482.50), gravel (\$4,800) loam (\$3,000) concrete abutment (\$1,200) bolts (\$250) and boat concrete ramp sections(\$3,684) ; and,

Whereas, when the Town applies for the grant from Department of Conservation, they will be asked to pay for all signing, pavement, striping, gabions baskets, float, guardrails, picnic tables and curbing; and,

Whereas, authorization to expense these funds at this time will allow the Bucksport Highway Department ample time to complete the parking lot, install the ramps to the boat landing and gravel the access road to the canoe and kayak ramp before Memorial Day; and,

Whereas, the balance in the Silver Lake Reserve Account is \$31,981.00:

Be it resolved by the Bucksport Town Council in town council assembled that authorization be granted to the Bucksport Highway Department to purchase the concrete ramps and turbidity curtain for a cost of \$5,166.50 and to purchase the necessary gravel, loam, bolts, concrete abutment and erosion control materials at a total cost not to exceed \$9,250.

Be it further resolved that the cost for the approved purchases be charged to the Silver Lake Reserve Account #84-804-42 in an amount not to exceed \$14,416.50.

Acted on April 12, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-134 REFERRING TO THE SEWER COMMITTEE A
REQUEST FROM THE BUCKS MILLS ROD AND GUN CLUB TO LEASE A
PORTION OF THE SLUDGE SITE FOR A SHOOTING AND
ARCHERY RANGE**

Whereas, the Town of Bucksport owns Map 16 Lot 7 located off Route 46 and the Upper Long Pond Road; and,

Whereas, the property totals approximately 29 acres and a portion of the site (approximately 12 acres) is licensed by Maine Department of Environmental Protection to spread sludge and approximately 3 acres is used to house a sludge holding building; and,

Whereas, the sludge spreading site has not been used to spread sludge for the last four years because it has been more efficient to send the sludge to a private facility for composting; and,

Whereas, the sludge spreading site has not been of adequate size to handle all of the sludge that is produced from the Bucksport Wastewater Treatment Facility; and,

Whereas, in the past, the Town was leasing approximately 15 acres from Philip Wight; and,

Whereas, the lease expired in 2011; and,

Whereas, the Bucks Mills Rod & Gun Club (Club) has been looking for a site to develop a shooting and archery range in Bucksport for some time; and,

Whereas, the Club members are inquiring whether there is a possibility for the Town Council to consider leasing for a long term a portion of the property to the Rod & Gun Club to develop a shooting and archery range as well as possibly a Club House in later years; and,

Whereas, at this time, it is not known what use the sludge storage building will have once the new secondary treatment facility is constructed; and,

Whereas, the Sewer Committee will be investigating the use of the facility in conjunction with the selection of a treatment method:

Be it resolved by the Bucksport Town Council in town council assembled that the request received from the Bucks Mills Rod and Gun Club for the Town Council to consider leasing a portion of Map 16 Lot 7 to the Rod and Gun Club be referred to the Sewer Committee for a recommendation.

Acted on April 12, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-135 REFERRING PLANS FOR IMPROVEMENTS ALONG
THE WATERFRONT TO THE WATERFRONT COMMITTEE**

Whereas, plans have been completed for two improvements proposed for the waterfront for the 2012 construction season; and,

Whereas, the two projects include a new access walkway extending from Main Street to the waterfront walkway in the vicinity of the access road leading to the dock area, and development of a sitting area located on the western end of the walkway; and,

Whereas, an application has been submitted to the Office of Community Development for an Enterprise Community Development Grant to provide some of the funding for the projects; and,

Whereas, the final plans have been provided in draft form to review and comment on:

Be it resolved by the Bucksport Town Council in town council assembled that the proposed final plans for improvements along the waterfront be referred to the Waterfront Committee for review and comments

Acted on April 12, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

- Jed Prouty Assisted Living Facility
- Housing Grant May 4th
- Public Infrastructure Grant (approved)
- Small Harbors Improvement Grants (Letter of Intent May 11 and Proposals June 29th)
- Transportation Enhancement and Safe Routes to Schools (Letter of Intent May 11 and Proposals June 29)
- New Freedom Access to Improve Transit Projects 2012 application due May 11
- First Atlantic Proposal-wet land application
- Site Visit Secondary Treatment Plant April 23 at 10:00 a.m. at the Orono Treatment Plant
- Bangor Gas-ordinance
- Purchase New Fire Truck-ordinance

**RESOLVE R-2012-136 APPROVING FINAL PAYOFF FOR THE TOWN
MANAGER**

Whereas, the Town Manager's final work day as interim manager is 4-20-2012; and,

Whereas, the Town Manager has chosen to have the Town Council review his final payoff for accumulated vacation time and sick time as established by Chapter 2 of the Bucksport Town Code (Personnel Policies); and,

Whereas, the policies limit accumulated vacation time to 25 days or 200 hours; and,

Whereas, the Town Manager's accumulated vacation time is currently 200 hours; and,

Whereas, the policies allow an employee with 20 years of continuous employment to receive 40% of accumulated sick time; and,

Whereas, the Town Manager has been continuously employed for 27+ years; and,

Whereas, sick time may be accumulated up to 90 days or 720 hours; and,

Whereas the Town Manager has accumulated 90 days of sick time or is entitled to 36 days or 288 hours; and,

Whereas, accumulated vacation and sick time is paid upon an employee's retirement or separation from the Sick and Vacation Time Reserve; and,

Whereas, the Town Manager is entitled to receive 200 hours of accumulated vacation time and 288 hours of sick time:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager's accumulated sick and vacation time totaling 488 hours be paid for at his current hourly rate and the cost be charged to Sick and Vacation Time Reserve.

Acted on April 19, 2012

Yes 5 No 0 Abstained (Members Absent: David Kee & Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-137 APPOINTING A NEW TOWN MANAGER,
TREASURER, TAX COLLECTOR AND GENERAL ASSISTANCE
ADMINISTRATOR**

Be it resolved by the Bucksport Town Council in town council assembled that Michael J. Brennan be appointed Town Manager, Treasurer, Tax Collector and General Assistance Administrator for the Town of Bucksport effective April 23, 2012 pursuant to conditions outlined by an employment contract dated March 12, 2012 between Michael J. Brennan and the Town of Bucksport.

Be it further resolved that the Town Clerk will swear in Michael J. Brennan upon his arrival on Monday, April 23, 2012.

Acted on April 19, 2012

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-138 RECOMMITTING OUTSTANDING PROPERTY
TAXES TO THE NEW TAX COLLECTOR**

Be it resolved by the Bucksport Town Council in town council assembled that the following outstanding property taxes be recommitted to Michael J. Brennan, Tax Collector effective 4-23-2012.

Acted on April 19, 2012

Yes 5 No 0 Abstained _____ (Members Absent: David Kee & Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-139 EXTENDING THE CONTRACT WITH S. F. EASTMAN,
LLC FOR HAULING SOLID WASTE TRAILERS TO PERC**

Whereas, S. F. Eastman currently holds the contract for hauling solid waste to PERC; and

Whereas, this contract is said to expire on June 30, 2012; and,

Whereas, the current terms of the contract are as follows:

One hundred eighty-five (\$185.00) per pull subject to a fuel adjustment escalator as outlined below.

Seventy-five (\$75.00) per switch, if requested

Fuel Escalator Schedule as follows:

<u>Fuel Price</u>	<u>Per Trip Price</u>
Up to \$4.00	\$185.00
\$4.01- \$4.25	\$187.50
\$4.26- \$4.50	\$190.00
\$4.51- \$4.75	\$192.50
\$4.76- \$5.00	\$195.00

Whereas, the proposed contract extension includes the following terms:

A request for a three year contract extension.

A 5% cost of living increase for year one.

An increase in years two and three of three percent or equal to the national average whichever is greater.

The contract extension will end on June 30, 2015.

My recommendation would be to accept the contract extension as proposed.

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport except the contract extension with S. F. Eastman, LLC.

Acted on April 26, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-140 APPROVING OPTION AGREEMENT AND
PERMITTING AGREEMENT WITH JOHN W. WARDELL AND THE TOWN
OF BUCKSPORT REGARDING THE EXTENSION OF BROADWAY AND
PARK STREET.**

Requested to be tabled. Waiting on attorney comments

Acted on April 26, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-141 AWARDING CONTRACT WITH RON HARRIMAN
ASSOCIATES FOR THE ADMINISTRATION OF A 2012 PUBLIC
INFRASTRUCTURE GRANT FOR THE CONSTRUCTION OF A NEW
STANDPIPE**

Whereas, the Town of Bucksport, The Maine Water Company and Ron Harriman Associates propose to enter into an agreement; and,

Whereas, Ron Harriman Associates shall serve as contractor and provide liaison functions between all parties involved; and,

Whereas, the fees for Ron Harriman Associates shall not exceed \$15,000 and all fees shall be paid by proceeds from The Maine Water Company; and

Whereas, 100% of the proceeds from the \$500,000 CDGB shall be used for construction purposes:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Council approve the agreement for services between the Town of Bucksport, The Maine Water Company, and Ron Harriman Associates.

Acted on April 26, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-142 AUTHORIZING THE FINANCE DIRECTOR TO
WRITE-OFF \$4419.86 IN UNCOLLECTED AMBULANCE CHARGES FOR THE
PERIOD JANUARY 1, 2011 THRU MARCH 31, 2011**

Whereas, the Town of Bucksport operates ambulance services; and,

Whereas, the Town of Bucksport collects for fees for services of the ambulance service;
and

Whereas, from time to time, the Town of Bucksport has uncollected charges on its
financial books; and,

Whereas, the finance director has uncollected ambulance charges for the period January
1, 2011 thru March 31, 2011:

Be it resolved by the Bucksport Town Council in town council assembled that the Town
of Bucksport approve the action by the Finance Director to write off \$4419.36 in
uncollected ambulance charges.

Acted on April 26, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-143 ACCEPTING GRANT FROM DEPARTMENT OF
PUBLIC SAFETY FOR THE 2012 “BUNE” SEAT BELT ENFORCEMENT AND
EDUCATION PROJECT**

Whereas, the Bucksport Police Department has been approved to receive a “BUNE” Seat Belt Enforcement and Education Project Subgrant in the amount of \$1879.00; and,

Whereas, these funds will be used to support seat belt enforcement by the Bucksport Police Department:

Be it further resolved that the Bucksport Town Council in town council assembled that the Town of Bucksport authorize the Bucksport Police Department to accept and participate in the “BUNE” Seat Belt Enforcement and Education project.

Acted on April 26, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-144 APPROVING VEHICLE DATA SERVICE
AGREEMENT FOR THE BUCKSPORT POLICE DEPARTMENT**

Whereas, the Town of Bucksport, Bucksport Police Department enters into agreement with GetCrashReports.com, Deep River LLC; and,

Whereas, the Bucksport Police Department uses GetCrashReports.com to upload police crash reports; and,

Whereas, the Bucksport Police Department will be paid 50% of the negotiated gross revenues for each Bucksport Police Department vehicle record sold using the GetCrashReports.com Vehicle Data Service; and

Whereas, the service agreement term is for one year and is automatically renewed each year unless terminated by the Bucksport Police Department a minimum of 30 days prior to automatic renewal date.

Whereas, the Bucksport Police Department reserves the right to terminate the service agreement for any reason in the first year by providing a 30 day written notice:

Be it resolved by the Bucksport Town Council in town council assembled to approve the service agreement with GetCrashReports.com/ Deep River LLC.

Acted on April 26, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-145 AUTHORIZING TRANSFER OF FUNDS TO COVER
THE COST OF PERSONNEL TO ASSIST WITH THE SCANNING OF
RECORDS AND MIGRATING THESE RECORDS TO THE WEBSITE**

Whereas, the Town of Bucksport, in efforts to update records and increase public access to relevant city documents seeks to publish such records on the town website, and,

Whereas, there is a temporary need for additional staff support to facilitate this transition, and,

Whereas, the town will employ one such staff person at a rate of \$10.00 per hour plus appropriate benefits for six hours per week from April 23, 2012 through approximately June 22, 2012; and,

Whereas, in addition, the city will compensate such employee for 20 hours of work already accrued at a rate of \$10.00 per hour plus approved benefits; and,

Whereas, the approximate cost for these services will not exceed \$1000.00 and will be paid from the Town Office Reserve Account; and,

The employed staff will also train regular staff to assume these duties at a future date:

Be it resolved by the Bucksport Town Council in town council assembled approve the use of funds for these purposes and charge to the Town Office Reserve Account.

Acted on April 26, 2012

Yes 6 No 0 Abstained _____ (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-146 REFERRING REQUEST FROM THE BUCKSPORT
AREA CHILD CARE CENTER TO THE FINANCE COMMITTEE**

Whereas, the Town of Bucksport, has been approached by the Bucksport Area Child Care Center for support in the construction of a new child care facility; and

Whereas, there is an undeveloped parcel of land owned by the Town of Bucksport on Miles Lane close to the Bucksport Middle School; and,

Where as the Bucksport Area Child Care Center is requesting approximately two acres of that land as a site to construct a new facility:

Be it resolved by the Bucksport Town Council in town council assembled to refer the request to the Finance Committee.

Acted on April 26, 2012

Yes 6 No 0 Abstained (Member Absent: David Kee)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-140 APPROVING OPTION AGREEMENT AND
PERMITTING AGREEMENT WITH JOHN W. WARDELL AND THE TOWN
OF BUCKSPORT REGARDING THE EXTENSION OF BROADWAY AND
PARK STREET.**

Whereas, The Town of Bucksport, Maine (“Town”) acting through its Town manager duly authorized by Resolve #R-2012-127, and John W. Wardwell (“Wardwell”) or Orland, Maine, owner of a parcel of land in Bucksport, identified as a part of Tax Map 2, Lot 68, and being a portion of the land described in a deed recorded in the Hancock County Registry of Deeds in Book 2722, Page 816, hereby agree as follows:

Whereas, the Bucksport Town Council obtained the services of Millett Associates to prepare a cost estimate and to determine what environmental permits will be required to develop an extension of Broadway as described in the attached agreement; and,

Whereas, the anticipated property that the street extensions and project is to be located on is owned by John Wardwell who developed Park Street Development (Phase I); and,

Whereas, the developer for the proposed nursing home facility requires approximately 14 to 16 acres of property; and,

The developer has requested the assistance of the Town as described in the agreement; and,

Whereas, when Phase I of the Park Street development was built, the project needed to conform to Maine DEP regulations regarding wetlands impacts but Wardwell did not obtain approval to disturb an estimated 29,000 square feet of wetlands; and,

Whereas, the proposed development will disturb an estimated 21,500 square feet of wetlands bringing the total requiring permitting to 50,500 square feet; and,

Whereas, both the Army Corps of Engineers and the Maine DEP have a hierarchy of preferred methods for required wetland compensations and preservation is regarded by the Regulators as the least preferred method and fee per square foot is the preferred method; and,

Whereas, any proposal for wetland mitigation compensation other the fee compensation option has to be very compelling; and,

Whereas, the Bucksport Town council has awarded the contract for services required to submit an application for disturbed wetlands in conjunction with the proposed development of a Nursing Home and Assisted Living facility on property owned by John Wardwell and referred to as Map 2 Lot 68 of the Bucksport Tax Maps to Millett Association as outlined by a proposal dated March 21, 2012; and,

Whereas, it is hereby agreed that:

1. Wardwell will be responsible for and reimburse the Town for 50% of all cost associated with the preparation and submittal of application to the Corps of Engineers and the Maine Department of Environmental Protection.
2. Wardwell will compensate 100% of the loss for wetland impacted by Phase I of Park Street Development, by paying to the Town a sum that is equal to the number of acres donated by the Town to the preservation area, which is expected to be approximately 18 acres, at the same price per acre by which the Town acquired the land from Wardwell in 2008.
3. A written option will be signed by Wardwell offering 6.9 acres and strips of land to extend Broadway and Park Street to such a parcel.
4. Wardwell will be responsible for any EPA fines that may be associated with Phase I of Park Street Development resulting from the construction of Park Street, and that
5. This agreement and each party's obligation hereunder are contingent upon the nursing home and assisted living facility proposed by the developer on a portion of Tax Map 2 Lot 68, or structures substantially similar hereto, being approved by all regulatory agencies and commencement of construction by the developer.

Be it resolved by the Bucksport Town Council in town council assembled that the Town Council approve the attached agreement between the Town and John Wardwell.

Acted on May 3, 2012

Yes 7 No 0 Abstained _____

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2012-147 TO APPROVE A GRANT APPLICATION FOR THE 2012 SAFE HARBOR IMPROVEMENT PROGRAM (SHIP) APPLICATION

Whereas, the Town of Bucksport, Maine maintains a town dock; and,

Whereas, the Town of Bucksport, Maine seeks to extend the town dock by an additional 60 feet; and,

Whereas, the extension will include 60 feet of new floating dock, one additional cluster pile, and work to revamp two existing cluster piles; and,

Whereas, the total project budget is estimated to cost \$80,000; and,

Whereas, the town is seeking \$60,000 in grant funding, matched by \$20,000 in local funds to be transferred from the Waterfront Reserve account; and,

Whereas, the proposed project schedule is for design work to be completed by August, 2012, ready for bid by October, 2012, with completion by December 31, 2012:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Council approve the application for the 2012 Safe Harbor Improvement Program (SHIP).

Acted on May 10, 2012

Yes 6 No 0 Abstained (Members Absent: Robert Howard)

Attested by Kathy L. Downes, Town Clerk

**RESOLVE #R-2012-148 REFERRING TO FINANCE COMMITTEE REQUEST
FOR MAINE WATER COMPANY TAX EXEMPTION**

Whereas, The Town of Bucksport, has received a request for a tax exemption from Maine Water Company; and,

Whereas, the Maine Water Company is seeking to extend an agreement with the Town of Bucksport for tax relief;

Be it resolved by the Bucksport Town Council in town council assembled that the Town Council refer the matter to the Finance Committee

Acted on May 10, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-149 TO ACCEPT THE
2012 JUSTICE ASSISTANCE GRANT (JAG)**

Whereas, the Town of Bucksport Police Department has been approved for a 2012 Justice Assistance Grant (JAG) in the amount of \$4,540; and,

Whereas, these funds will be used to purchase new rifles;

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport authorize the Bucksport Police Department to accept and participate in the 2012 Justice Assistance Grant.

Acted on May 10, 2012

Yes 6 No 0 Abstained (Member Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-150 TO REFER TO FINANCE COMMITTEE A REQUEST
FOR A CONTRIBUTION TOWARDS A MATCH FOR THE ORLAND DAM
AND RIVER IMPOUNDMENT STUDY**

Whereas, the Town of Bucksport has received a request from the Town of Orland for a financial contribution towards a feasibility study commissioned by the Town of Orland of the Orland Dam and River Impoundment to determine the best use of the dam; and,

Whereas, approximately 27.5% of the property value along the river impoundment is within the Town of Bucksport; and,

Whereas, the Town of Orland requests a financial contribution of \$3,800;

Be it further resolved that the Bucksport Town Council in town council assembled that the Town of Bucksport refer this request to the Finance Committee.

Acted on May 10, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-151 TO APPROVE THE GRANT APPLICATION FOR THE
NEW FREEDOM PROGRAM (MDOT)**

Whereas, the Town of Bucksport has applied for a New Freedom Program Grant through the Maine Department of Transportation; and,

Whereas, this grant will finance improvements to Main Street, and U.S. Route 1; and,

Whereas, these improvements include enhancements to improve sidewalk access on Main Street in Bucksport to people with disabilities; and,

Whereas, then project would widen sidewalks, improve crossings and wheel chair accessible curb-cuts at locations in the central business district; and,

Whereas, the anticipated costs of these improvements is \$24,000; and,

Whereas, there is no local match required;

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport approve the grant application for the New Freedom Program to improve sidewalk access on Main Street and U.S. Route 1.

Acted on May 10, 2012

Yes 6 No 0 Abstained (Member Absent: Robert Howard)

Attested by Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Bangor Gas Extension: Construction bids are due to BGC by May 18, 2012. We are hopeful, to something firm from BCG by April 23. If the town can get a written agreement from BCG that the Contribution in Aid of Construction will not exceed \$250,000 the council can move on the project without taking it to referendum.

CDBG Housing Assistance Grant: The grant application was submitted on May 4. We are awaiting formal approval.

Jed Prouty Project: Work is progressing along. The second of three requests for funds has been distributed. The final pay estimate will be dispersed once the furnace is installed and other required work including the retaining wall, front porch, trim work and separating storm water from sewage is complete. New windows in the front of the building are going in this week. The Chambers hope to have the porch and the entire front façade complete before the end of June.

Nursing Home Project: Last week, the council approved the agreement. The option agreement to allow the Town to purchase land will be presented for approval at the next meeting. It has been reviewed and updated by legal council. John Wardwell and his attorney have approved the changes. At next weeks meeting there will be a resolve to approve an addition allocation of \$4500 for storm water permits not including in the initial proposal. We are currently in negotiations over the extension of water and sewer services to the project. The Town will extend services for the portion of roadway it is developing. The developer should be responsible for the remainder.

Public Infrastructure CDBG – Water Tank: A public hearing is scheduled for May 31, 2012. The agreement approved by the council on May 3rd is signed by Ron and by the Town Manager. It will be forwarded to Maine Water for signature. Ron Harriman has prepared the paperwork and will be responsible for the Phase II material and will administer the grant during the final phase. Maine Water will pay consultant fees of \$15,000. 100% of the \$500,000 grant will be used for construction.

2012 SHIP Grant: Council approved the grant application on May 3. The work will include a 60 foot extension of the town dock along with a new three cluster pile and additional braces for two existing cluster piles. The application is due in June.

Silver lake Project: The state conducted a site visit on May 2. Everything looks good from its perspective. The grant will be completed and submitted before the June 21 deadline. There is one issue that has come up. The town has done considerable site preparation work in advance of state support. It was Rogers understanding that this work would count towards our required match. In speaking with George Powell, any work done before the grant is awarded will not be eligible to count for our required match. I

have directed that all work be stopped on the project pending grant approval. There is still considerable work to be done, especially at the kayak launch.

Safe Schools Routes: Grant to be submitted on May 11. This grant will extend the sidewalk along Broadway front the high school to Bucksport Square Apartments. This work will be done in conjunction with the Bangor Gas line work if that goes through. A related grant will improve two crosswalks on Main Street. One near the Post Office and the second at Hincks Street. This grant is also due May 11.

**RESOLVE #R-2012-152 APPROVING SALARIES AND WAGES FOR NON-
CONTRACTUAL EMPLOYEES FOR THE PERIOD 7/1/2012 TO 6/30/2013**

Be it resolved by the Bucksport Town Council in town council assembled that the following wages, salaries and expenses be approved for the period 07/01/2012 to 06/30/2013 for non-contractual employees:

POSITION	SALARY/ STIPEND	HOURLY RATE	OTHER
Town Manager	\$77,000.00		Salary increasing to \$80,000 1/1/2013, \$480.00 cell phone stipend. \$4000.00 stipend for mileage and other
Town Clerk	\$43,031.00		Salary
Finance Director	\$49,525.00		Salary
Code Enforcement Officer		\$23.83	
Assessor	\$49,449.00		\$1,000 increase on 12/10/2012, Works 40 hours for 10 weeks, 32 hours for 42 weeks
Economic Dev. Dir.	\$56,388.00		Salary and \$360.00 cell phone stipend
Emerg.. Serv. Dir.	\$60,471.00		Salary and \$500.00 mileage stipend
Police Chief	\$60,471.00		Salary
Public Works Dir.	\$61,527.00		Salary and Use of vehicle to travel home
Recreation Director	\$60,862.00		Salary
Health Planning Director		\$22.51	MJB
Police Sergeant		\$23.02	\$1,600.00 on-call stipend
Transfer Stn. Oper.		\$17.49	Each position: 10.03% recycling revenue less hauling fees for metal
Asst Trnsfr Oper.		\$12.25	
Part-time Operator		\$10.41	
Office Clerks			
After 6 months		\$16.38	
After 1 year		\$16.54	
After 2 years		\$16.84	
After 4 years		\$17.35	
After 5 years		\$17.54	
After 8 years		\$17.71	
Deputy Tax Collector			\$1,975.00 stipend
Deputy Treasurer			\$1,975.00 stipend
Sewer Dept. Clerk			\$1,000.00 stipend
Custodian I (Town Office & Recreation)		\$10.61	
Custodian II (Public Safety)		\$10.61	
Call Firemen (\$8.00)		\$8.24	<u>New rate based on completion of tasks.</u> <u>Old rate applies until council approval.</u>
FT Shift fill in - Fire		\$11.24	Part Time reserves who take FT shifts when short
Reserve Police Officer		\$12.92	
Reserve Dispatch		\$11.34	
EMT (\$10.00)		\$12.85	Two hour minimum per call. <u>New rate</u>

EMT-1 (\$12.00)		\$14.84	<u>based on completion of tasks. Old rate applies until council approval. All training paid at a rate of 8:24.</u>
Paramedic (\$12.00)	\$10 Per call	\$14.84	
Ambulance drivers (\$8.00)		\$8.24	
			<u>New rate based on completion of tasks. Old rate applies until council approval. All training paid at a rate of 8:24.</u>
On-call Amb. stipend 10 hr shift	\$30.00		If called out, stipend reduced by length of call at a rate of \$3.00 per hour.
On-call Amb. stipend-14 hr shift	\$42.00		
Spare drivers – Highway.		\$12.90	
Director of Senior Services		\$13.39	
Youth Program Coordinator		\$16.77	BA
Rec. Summer Assist.		\$13.31	
Part-time Asst.		\$12.43	
Maintenance- FT Rec.		\$12.73	
Harbor Master			\$1000.00 stipend
Animal Control		\$11.25 (\$7.50 * 1.5)	Paid through \$7481.04 Stipend [= about 665 hours @ 11.25 per hour]

Acted on May 31, 2012

Yes 5 No 1 (Robert Howard) Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-153 ADOPTING CAPITAL IMPROVEMENT
PLAN FOR THE PERIOD 7/1/2012 TO 6/30/2013**

Be it resolved by the Bucksport Town Council in town council assembled that the following appropriations be adopted for Capital Improvements for the period 07/01/2012 to 06/30/2013 (FY2013 budget) as follows:

CAPITAL IMPROVEMENT PLAN 7/1/2012 TO 6/30/2013

Accounts	2012-2013
Ambulance Equipment Reserve	\$47,000
Animal Shelter Reserve	\$2,000
Bucksport Performing Arts Center	\$0
Concession Stand/Bathroom Facility Reserve	\$2,000
Chamber of Commerce Building Reserve	\$2,000
Dispatch Equipment Reserve	\$2,500
Fire Department Equipment Reserve	\$30,000
Highway Equipment Reserve	\$85,000
Highway Improvement Reserve	\$210,000
 Industrial Park Reserve	 \$0
Jewett/Community Center Reserve	\$6,000
Parking Lot Reserve	\$10,000
 Police Equipment Reserve	 \$13,000
Pool House and Storage Reserve	\$3,000
Public Access Equipment Reserve	\$2,000
Public Safety Building Reserve	\$15,000
Recreation Equipment Reserve	\$9,500
Recreation Facility Reserve	\$25,500
Sanitary Sewer Reserve	\$7,000
School Street Fire House Reserve	\$1,000
Silver Lake Property Reserve	\$58,000
Solid Waste Equipment Reserve	\$5,000
Town Garage Reserve	\$10,000
Town Office Equipment Reserve	\$6,000
Town Office Reserve	\$6,000
Transfer Station Reserve	\$10,000
Wastewater Treatment Equipment Reserve	\$12,500
Wastewater Treatment Plant & Facility Reserve	\$50,000
Waterfront Reserve	\$28,000
 TOTAL RESERVES	 <u>\$658,000</u>

Appropriation from General Fund	\$	388,500.00
Transfer From Surplus	\$	116,000.00
Grants	\$	30,000.00
MDOT Reimbursement	\$	10,000.00
TIF Revenues	\$	26,500.00
Transfer from School Designated Fund	\$	12,500.00

Penobscot Consortium	\$	-
Transfer from Sewer Reserve	\$	69,500.00
Transfer from CIP Reserve		
Stumpage	\$	5,000.00
TOTAL EXPENDITURES OF RESERVES		<u>-\$658,000</u>

Acted on May 31, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-154 ADOPTING TOWN BUDGET FOR THE PERIOD
7/1/2012 TO 6/30/2013 (FY2013 BUDGET)**

*****POSTPONED*****

Be is resolved by the members of the Bucksport Town Council in town council assembled that expenditures for the town budget totaling **\$11,024,873** for the period 07/01/2012 to 06/30/2013 be approved as follows, such not including TIF expenses and Overlay which will be included in the overall budget once the mill rate is set:

ACCOUNT	ACCOUNT NAME	2012-2013 BUDGET
50	General Government	\$1,340,835
51	Protection	\$1,479,831
52	Street & Ways	\$929,815
53	Health & Sanitation	\$405,007
54	Com. & Social Agencies	\$56,471
55	Education	\$5,758,075
56	Recreation & Cultural	\$225,188
57	Capital Program	\$543,500
58	Debt Service	\$15,412
59	Cemetery	\$4,120
60	County Tax	\$266,619
64	Overlay	
65	TIF	\$0
66	Uncategorized Expenses	\$0.00
TOTAL EXPENDITURES		<hr/> \$11,024,873

Be it further resolved that the following revenues be used to reduce the amount to be raised from taxes

ACCOUNT	ACCOUNT NAME	2012-2013 BUDGET
1001	Property Tax School	\$5,758,075
1001	Property Tax Municipal	\$2,452,036
1002	Supplemental	\$0
1003	Motor Vehicle Excise	\$575,000
1004	Boat Excise	\$4,500
1005	Auto Registration Fees	\$16,000
1006	Recre. Veh. Registration Fee	\$0

1007	Interest on Taxes	\$19,000
1008	Interest on Investment	\$50,000
1009	Tax Lien Cost	\$10,331
1010	Town Clerk Revenues	\$7,500
1011	TIF Revenues	\$121,385
1012	Surplus	\$273,500
1013	Miscellaneous Income	\$1,000
1014	Homestead Reimbursement	\$72,814
1016	BETE Reimbursement	\$496,900
1017	Fee in Lieu of Taxes	\$10,800
1018	Copy Fees	\$0
1201	Planning Board Fees	\$1,000
1202	Code Enforcement Fees	\$9,000
1203	Plumbing Inspect. Fees	\$2,500
1301	General Assistance Reim.	\$5,000
1302	Tree Growth Reimbursement	\$14,000
1303	State Revenue Sharing	\$300,000
1304	Veteran Ex. Reimbursement	\$2,000
2001	Fire Protection Subsidies	\$30,651
2002	Ambulance User Fees	\$188,205
2003	Ambulance Subsidies	\$54,626
2004	Non Receipting Collection Rev.	\$103,500
2005	Miscellaneous Fire Revenues	\$0
2201	Police Revenues	\$2,000
2203	Animal Control Fees	\$2,000
2401	Dispatch Subsidies	\$12,030
3001	Highway Dept. Revenues	\$1,000
3003	Highway Block Grant	\$64,150
4001	Solid Waste Subsidies	\$88,944
4002	Recycling Revenues	\$24,600
4003	Solid Waste Fees	\$49,720
4004	MCR Revenues	\$45,000
4005	Budgetary Solid Waste Rev.	\$68,807
4006	Spofford Funds	\$4,500
4007	Health Advisory Rev.	\$0
6001	Educational Revenues	\$0
6002	Adult Education	\$0
7001	Rec. Subsidies	\$8,891
7002	Recreation Department Rev.	\$21,880
7003	Soccer Fees	\$0
7004	Recreation Facility Rent	\$9,608
7005	Senior Fitness Activity Fees	\$1,000
7006	Snowmobile Revenues	\$1,100

7007	Cable TV Revenues	\$40,000
7008	Mooring and Docking Fees	\$320
TOTAL BUDGET REVENUES:		<hr/> \$11,024,873

* Subject to change depending on approval of the Education budget by the citizens.

Acted on May 31, 2012 - "Table Resolve #R-2012-154"

Yes 6 No 0 Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-155 ADOPTING SEWER OPERATING BUDGET FOR THE
PERIOD 7.1.2012 TO 6.30.2013 (FY2013 BUDGET)**

Be it resolved by the members of the Bucksport Town Council in town council assembled that expenditures for the sewer operating budget totaling **\$504,245** for the period 07/01/2012 to 06/30/2013 be approved as follows:

ACCOUNT	ACCOUNT NAME	2012-2013 BUDGET
1	Regular Salaries	\$56,786
2	Extra and overtime	\$2,225
22	Operator's Expense	\$600
25	Employee's Benefits	\$18,808
31	Office Supplies	\$1,950
32	Software Support	\$639
33	Postage	\$3,756
37	Plant Supplies	\$10,700
39	Plant Chemicals	\$45,954
41	Equipment Purchase	\$500
51	Parts and Repair	\$25,800
61	Telephone	\$1,620
71	Fuel Heating	\$4,285
72	Fuel Vehicles	\$2,878
81	Electricity	\$41,725
82	Water	\$2,000
85	Insurance	\$3,800
86	Testing Cost	\$2,710
87	Sludge Site Cost	\$10,820
89	Interest and Debt Cost	\$109,280
90	Contracted Services	\$81,693
92	Audit	\$3,565
93	Reserve	\$21,000
94	Orland Maintenance	\$4,023
95	Contingency	\$47,128
	TOTAL:	\$504,245

Be it further resolved that the revenues totaling **\$504,245** for the period 07/01/2012 to 06/30/2013 shall be approved as follows

ACCOUNT	ACCOUNT NAME	2012-2013 BUDGET
3510	User Fees	\$466,151
3515	Interest on User Fees	\$250
3520	Entrance Fees	\$100
3530	Interest	2,000
3540	Verona Subsidies	\$11,075
3550	Miscellaneous Revenues	\$3,100
3560	Orland Subsidies	\$16,469
3570	Orland Maintenance	\$3,600
3580	Verona Maintenance	\$1,500
	TOTAL:	\$504,245

Acted on May 31, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-156 SETTING SEWER USER RATE FOR THE PERIOD
7.1.2012 TO 6.30.2013 (FY2013 BUDGET)**

Whereas, the sewer user rate needs to be adjusted to reflect the sewer operating budget for the period 07/01/2012 to 06/30/2013; and,

Whereas, a public hearing was advertised and held on 5/22/2012; and,

Whereas, an increase is necessary in order to fund the budget as proposed;

Be it resolved by the Bucksport Town Council in town council assembled that the user rate for the billing period 07/01/2012 to 06/30/2013 be set at \$3.67 per one hundred cubic feet.

Acted on May 31, 2012

Yes 5 No 1 (Robert Howard) Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-157 SETTING DATE WHEN TAXES ARE DUE AND
PAYABLE**

Whereas, M.R.S.A. Title 36, Section 505 grants the authority to a municipality to set the date or dates when property taxes shall become due; and,

Whereas, the Bucksport Town Council has been granted authority by virtue of Section 2.05 of Article 2 of the Charter of the Town of Bucksport to serve as the general legislative body of the town;

Be it resolved by the Bucksport Town Council in town council assembled that taxes for the period 07/01/2012 to 06/30/2013 (FY 2013 Taxes) are due and payable on July 1, 2012.

Acted on May 31, 2012

Yes 5 No 1 (Robert Howard) Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-158 SETTING INTEREST TO BE PAID FOR TAXES
UNPAID**

Whereas, municipalities may, by vote, determine the rate of interest that shall apply to taxes that become delinquent during taxable year 2012-2013 (2013 taxes) until those taxes are paid in full; and,

Whereas, the maximum rate of interest that can be charged per Title 36, M.R.S.A. Section 505.4 (s) is 7:%;

Be it Resolved by the Bucksport Town Council in town assembled that interest shall be charged at the rate of 7% per annum for unpaid taxes, such interest to begin for the first 50% of the tax due on September 1, 2012 and on the remaining 50% on April 1, 2013.

Acted on May 31, 2012

Yes 5 No 1 (Robert Howard) Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-159 SETTING INTEREST TO BE PAID FOR
OVERPAYMENT OF TAXES**

Whereas, M.R.S.A. Title 36 Section 506-A provides that a taxpayer who pays an amount in excess of that finally assessed must be repaid the amount of the overpayment plus interest from the date of overpayment and the rate of interest may not exceed the interest established by the municipality for delinquent taxes or be less than that rate reduced by 4%; and,

Whereas, the Town has set the rate of interest for delinquent taxes at 7%”

Be it resolved by the Bucksport Town Council in town council assembled that the rate of interest to be paid by the town for overpayment of taxes committed on 07/01/2012 for the period 07/01/2012 to 06/30/2013 (2013 taxes) will be set at 3%.

Acted on May 31, 2012

Yes 5 No 1 (Robert Howard) Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-160 REGARDING PREPAYMENT OF TAXES AND RATE
OF INTEREST**

Whereas, M.R.S.A. Title 36 Section 506 allows a municipality to authorize the tax collector to accept prepayment of taxes not yet committed and to pay interest for prepayments, if any is authorized, at a rate not exceeding 8% per year; and,

Whereas, from time to time, there are some tax payers that have a need to prepay their taxes:

Be it resolved by the Bucksport Town Council in town council assembled that the tax collector be authorized during for the period 07/01/2012 to 06/30/2013 (2013 taxes) to accept prepayment of taxed and to pay no interest for such.

Acted on May 31, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-161 A CONTRACT FOR PAVEMENT NEEDS FOR THE
2012 CONSTRUCTION SEASON**

Whereas bids were requested from interested contractors to provide paving and associated services to the town for the 2012 construction season; and,

Whereas, bids were received as outlined by the attached sheet; and,

Whereas, the unit prices are subject to adjustments should the price of asphalt change, such being based on the East Coast Barge Price; and,

Whereas, the stated East Coast Barge Price for liquid asphalt effective the date of bid opening (May 9, 2012) was **\$635.00** per ton:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for the town's paving needs for the 2012 construction season be awarded to **B & B Paving Inc** for the unit process noted on the attached sheet.

Be it further resolved that the unit prices were set based on the East Coast Barf Price as of May 30, 2012 or **\$635.00** per ton of liquid asphalt. Any deviation to the East Coast Barge Price of **\$635.00** per ton will result in adjusting the unit prices for pavement respectively.

Acted on May 31, 2012

Yes 6 No 0 Abstained (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-162 APPROVE CENTRAL MAINE POWER TOWN POLE
PERMIT**

Whereas; the Town of Bucksport maintains certain streets and highways within the town limits; and,

Whereas, Central Maine Power Company constructs and maintains poles together with attached facilities upon, along, or across certain streets and highways within the Town of Bucksport; and,

Whereas, Central Maine Power along with Northern New England Telephone Operations, LLC is requesting permission to construct and maintain 1 pole and overhead wire at a minimum clearance of 18 feet over the public roadway on Bucksmills Road, extending Northwest for approximately 2,685 feet:

Be it resolved by the Bucksport Town Council in town council assembled approve the request from Central Maine Power to construct and maintain one pole and the associated overhead wire.

Acted on May 31, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-163 APPROVE AGREEMENT WITH PINE TREE
ENGINEERING FOR SERVICES RENDERED RELATED TO THE
2012 S.H.I.P. GRANT**

Whereas; the Town of Bucksport has submitted for a 2012 Safe Harbors Improvement Program grant; and,

Whereas, the Maine Department of Transportation has scheduled a site visit for June 28, 2012; and,

Whereas, the completed grant application is due no later than June 29, 2012; and,

Whereas, Pine Tree Engineering has submitted a proposal to prepare existing & conceptual figures and provide draft narrative application & application assistance related to the 2012 S.H.I.P. Grant Application,

Be it resolved by the Bucksport Town Council in town council assembled approve the proposal from Pine Tree Engineering for engineering and other professional services related to the 2012 S.H.I.P. grant not to exceed the amount of \$500.00.

Acted on May 31, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-164 TO SEND TO ORDINANCE COMMITTEE PROPOSED
AMENDMENTS TO THE BUCKSPORT TOWN CODE, CHAPTER 5 BUILDING
STANDARDS & PROPERTY MAINTENANCE.**

Whereas; the Town of Bucksport maintains town codes; and,

Whereas, the Town of Bucksport will from time to time amend such town codes; and,

Whereas, the Town of Bucksport Code Enforcement Officer has proposed amendments to Chapter 5 of the town code that relates to building standards and property maintenance; and,

Be it resolved by the Bucksport Town Council in town council assembled send to the Finance Committee for review amendments to the Bucksport Town Code, Chapter 5 Building Standards & Property Maintenance.

Acted on May 31, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-165 TO APPROVE A RESOLUTION TO PROCEED WITH
THE APPLICATION TO THE DEPARTMENT OF
ECONOMIC AND COMMUNITY DEVELOPMENT**

COUNCIL RESOLUTION

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the **Town of Bucksport** wishes to apply to the Department of Economic and Community Development for a Community Development Block Grant to carry out a community development program; and

WHEREAS, the planning process required by Maine Law and the CDBG Program have been complied with, including participation in the planning process by low and moderate income families and individuals and the community has conducted at least one duly advertised public hearing.

NOW THEREFORE, be it resolved by the Council of the town of Bucksport that the Town Manager:

- 1) Is authorized and directed to submit an application for the Public Infrastructure program in the amount of \$500,000 to the State of Maine's CDBG Program,

to the Department of Economic and Community Development on behalf of the Community of Bucksport, substantially in the form presented to this council;
- 2) Is authorized to make assurances on behalf of the Town of Bucksport required as part of such applications, and
- 3) Is authorized and directed, upon acceptance of said funds to carry out the duties and responsibilities for implementing and said program(s), consistent with the Charter of the Community of Bucksport and the laws and regulations governing planning and implementation of community development programs in the State of Maine.

DATE ENACTED: _____

Municipal Seal

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Name	Date
Name	Date

Acted on May 31, 2012

Yes 6 No 0 Abstained _____ (Member Absent: Michael Ormsby)

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2012-166 TO REFER TO ORDINANCE COMMITTEE
AMENDMENTS TO THE GENERAL ASSISTANCE ORDINANCE**

Whereas, the Town of Bucksport offers General Assistance to qualified residents; and,

Whereas, from time to time the Maine Department of Health and Human Services (DHHS) issues updated regulations concerning qualifications and awards; and,

Whereas, the Maine DHHS has issued such new regulations to enter into effect July 1, 2012;

Be it resolved by the Bucksport Town Council in town council assembled send to the Ordinance Committee for review changes to the Town of Bucksport General Assistance program.

Acted on June 14, 2012

Yes 7 No 0 Abstained (Members Absent: none)

Attested by: Kathy Downes, Town Clerk

**RESOLVE #R-2012-167 TO ACCEPT A PROPOSED CONTRACT FOR
PROFESSIONAL SERVICES RELATED
TO THE CREATION OF AN OUTDOOR CLASSROOM AS PART OF A
WETLAND MITIGATION PROJECT FOR THE
PARK STREET (FIRST ATLANTIC) IMPROVEMENT PROJECT**

Whereas, the Town of Bucksport is currently in negotiations to make improvements to properties on Park street; and,

Whereas, these improvements, as part of a larger development project include the creation of an outdoor classroom as part of a wetland mitigation project; and,

Whereas, these improvements would be created utilizing part of the “Buck Estates” parcel located off of Race Course Road; and,

Whereas, Mark Hampton Associates has submitted professional services to include design of the outdoor educational classroom, professional evaluation and assessment of the parcel, assistance with local educators, and preparation and submittal of required documentation to the State and Federal regulatory agencies for review and approval of the freshwater wetland impact permit application; and,

Whereas, Mark Hampton Associates will be paid up to \$1,000.00 for the site assessment including a field review, and up to \$5,000.00 for design and related work for the outdoor classroom;

Be it resolved by the Bucksport Town Council in town council assembled approve the contract with Mark Hampton Associates for design and other work related to the outdoor classroom.

Be it further resolved that the cost of the contract for services with Mark Hampton Associates will be charged to the TIF Revenue Account.

Acted on June 14, 2012

Yes 7 No 0 Abstained _____ (Members Absent: none)

Attested by: Kathy Downes, Town Clerk

**RESOLVE #R-2012-168 TO APPROVE THE GRANT APPLICATION FOR THE
SILVER LAKE IMPROVEMENT PROJECT**

Whereas, the Town of Bucksport maintains outdoor facilities on Silver Lake; and,

Whereas, the Town of Bucksport is seeking to expand and upgrade the boat launch facilities and add paved parking at the site; and,

Whereas, the estimated cost to make the planned improvements to the Silver Lake project is \$132,610.75; and,

Whereas, the Town of Bucksport is seeking grant funding from the State of Maine totaling approximately 50% of the total costs, amounting to a grant request of \$66,000.00; and,

Whereas, the Town of Bucksport will finance its obligation through in-kind work and funds withdrawn from the Silver Lake Property Reserve Fund;

Be it resolved by the Bucksport Town Council in town council assembled approve the grant application for improvements to Silver Lake.

Acted on June 14, 2012

Yes 7 No 0 Abstained _____ (Members Absent: none)

Attested by: David Keene, Mayor

**RESOLVE #R-2012-169 TO ACCEPT THE LOW BID FOR THE ANNUAL
PURCHASE OF CULVERT PIPE**

Whereas, the Town of Bucksport requested bids to purchase culvert pipe for annual work;
and,

Whereas, bids were to be submitted to the town no later than June 6th, 2012; and,

Whereas, a total of three bids were received by the town; and,

Whereas, the bids submitted are presented as follows:

VENDOR	CULVERT PRICE/ LINEAR FOOT			
	12"	15"	18"	24"
Paris Farmers Union	\$4.99	\$6.42	\$9.93	\$14.95
Everett J. Prescott Inc	\$5.01	\$6.44	\$10.01	\$15.03
Viking Lumber Inc	\$5.95	\$7.65	\$11.45	\$17.30

Whereas, the low bidder was Paris Farmers Union;

Be it resolved by the Bucksport Town Council in town council assembled to award the
2012 culvert pipe bid for the period July 1, 2012 to June 30, 2013 to Paris Farmers Union

Acted on June 14, 2012

Yes 7 No 0 Abstained (Members Absent: none)

Attested by: Kathy Downes, Town Clerk

**RESOLVE #R-2012-170 TO CONSIDER THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE TOWN OF BUCKSPORT AND THE
BUCKSPORT BAY HEALTHY COMMUNITIES COALITION**

Whereas, the Town of Bucksport maintains professional working relationship with various organizations in the community; and,

Whereas, the Town of Bucksport has maintained a Memorandum of Understanding between the town and the Bucksport Bay Healthy Communities Coalition; and,

Whereas, each year this Memorandum of Understanding is reviewed and updated as necessary; and,

Whereas, there are no proposed changes to the Memorandum of Understanding;

Be it resolved by the Bucksport Town Council in town council assembled approve the Memorandum of Understanding between the Town of Bucksport and the Bucksport Bay Healthy Communities Coalition for the period July 1, 2012 to June 30, 2013.

Acted on June 14, 2012

Yes 7 No 0 Abstained (Members Absent: none)

Attested by: Kathy Downes, Town Clerk

**RESOLVE #R-2012-171 TO APPROVE THE PARTIAL RELEASE DEED
BETWEEN THE TOWN OF BUCKSPORT AND CHAMBERS REALTY, LLC
IN REGARDS TO THE JED PROUTY PROJECT**

Whereas, the Town of Bucksport has an agreement with Chambers Realty LLC for work to make improvements to the Jed Prouty property located in Bucksport; and,

Whereas, the Town agreed to loan Chambers Realty LLC funds to make improvements with an understanding that Chambers Realty LLC will repay all funds in an agreed upon timely manner; and,

Whereas, Chambers Realty LLC is requesting approval from the Town of Bucksport to refinance loans they have other interests; and,

Whereas, Chambers Realty LLC is requested approval from the Town of Bucksport and an interested party for permission to refinance debt associated with this project; and,

Whereas, the Town of Bucksport would remain in a subordinate position to other financial institutions;

Be it resolved by the Bucksport Town Council in town council assembled approve the Partial Release Deed between the Town of Bucksport and Chambers Realty LLC.

Acted on June 14, 2012

Yes 7 No 0 Abstained (Members Absent: none)

Attested by: Kathy Downes, Town Clerk

**RESOLVE #R-2012-172 TO AMEND THE TOWN BUDGET AND ESTABLISH THE
MILL RATE FOR THE PERIOD 7/1/2012 TO 6/30/2013 (FY2013 BUDGET)**

Whereas, the Town of Bucksport establishes a budget for the fiscal year; and,

Whereas, the budget begins on July 1 and ends on June 30 of the following calendar year; and,

Whereas, on June 14, 2012, the Town Council approved the budget for the period 7/1/2012 to 6/30/2013; and,

Whereas, no changes are required in the expenditures and members of the Bucksport Town Council in town council assembled previously approved the following expenditures for the town budget totaling **\$11,024,873** for the period 07/01/2012 to 06/30/2013 and June 14, 2012;

ACCOUNT	ACCOUNT NAME	2012-2013 BUDGET
50	General Government	\$1,340,835
51	Protection	\$1,479,831
52	Street & Ways	\$929,815
53	Health & Sanitation	\$405,007
54	Com. & Social Agencies	\$56,471
55	Education	\$5,758,075
56	Recreation & Cultural	\$225,188
57	Capital Program	\$543,500
58	Debt Service	\$15,412
59	Cemetery	\$4,120
60	County Tax	\$266,619
64	Overlay	\$0
65	TIF	\$0
66	Uncategorized Expenses	\$0.00
TOTAL EXPENDITURES		<hr/> \$11,024,873

Whereas, changes in revenues used to reduce the amount to be raised from taxes require the changed outlined below.

ACCOUNT	ACCOUNT NAME	2012-2013 BUDGET	2012-2013 BUDGET
50	General Government	\$1,340,835	\$1,340,835
51	Protection	\$1,479,831	\$1,479,831
52	Street & Ways	\$929,815	\$929,815
53	Health & Sanitation	\$405,007	\$405,007

54	Com. & Social Agencies	\$56,471	\$56,471
55	Education	\$5,758,075	\$5,758,075
56	Recreation & Cultural	\$225,188	\$225,188
57	Capital Program	\$543,500	\$543,500
58	Debt Service	\$15,412	\$15,412
59	Cemetery	\$4,120	\$4,120
60	County Tax	\$266,619	\$266,619
64	Overlay		
65	TIF	\$0	\$0
66	Uncategorized Expenses	\$0.00	\$0.00
TOTAL EXPENDITURES		\$11,024,873	\$11,024,873

ACCOUNT	ACCOUNT NAME	2012-2013 BUDGET	FY2013 MILL RATE OF 12.94
1001	Property Tax School	\$5,758,075	\$5,758,075
1001	Property Tax Municipal	\$2,452,036	\$2,305,727
1002	Supplemental	\$0	\$0
1003	Motor Vehicle Excise	\$575,000	\$575,000
1004	Boat Excise	\$4,500	\$4,500
1005	Auto Registration Fees	\$16,000	\$16,000
1006	Recre. Veh. Registration Fee	\$0	\$0
1007	Interest on Taxes	\$19,000	\$19,000
1008	Interest on Investment	\$50,000	\$50,000
1009	Tax Lien Cost	\$10,331	\$10,331
1010	Town Clerk Revenues	\$7,500	\$7,500
1011	TIF Revenues	\$121,385	\$181,385
1012	Surplus	\$273,500	\$273,500
1013	Miscellaneous Income	\$1,000	\$1,000
1014	Homestead Reimbursement	\$72,814	\$74,952
1016	BETE Reimbursement	\$496,900	\$581,071
1017	Fee in Lieu of Taxes	\$10,800	\$10,800
1018	Copy Fees	\$0	\$0
1201	Planning Board Fees	\$1,000	\$1,000
1202	Code Enforcement Fees	\$9,000	\$9,000
1203	Plumbing Inspect. Fees	\$2,500	\$2,500
1301	General Assistance Reim.	\$5,000	\$5,000
1302	Tree Growth Reimbursement	\$14,000	\$14,000
1303	State Revenue Sharing	\$300,000	\$300,000
1304	Veteran Ex. Reimbursement	\$2,000	\$2,000
2001	Fire Protection Subsidies	\$30,651	\$30,651
2002	Ambulance User Fees	\$188,205	\$188,205

2003	Ambulance Subsidies	\$54,626	\$54,626
2004	Non Receipting Collection Rev.	\$103,500	\$103,500
2005	Miscellaneous Fire Revenues	\$0	\$0
2201	Police Revenues	\$2,000	\$2,000
2203	Animal Control Fees	\$2,000	\$2,000
2401	Dispatch Subsidies	\$12,030	\$12,030
3001	Highway Dept. Revenues	\$1,000	\$1,000
3003	Highway Block Grant	\$64,150	\$64,150
4001	Solid Waste Subsidies	\$88,944	\$88,944
4002	Recycling Revenues	\$24,600	\$24,600
4003	Solid Waste Fees	\$49,720	\$49,720
4004	MCR Revenues	\$45,000	\$45,000
4005	Budgetary Solid Waste Rev.	\$68,807	\$68,807
4006	Spofford Funds	\$4,500	\$4,500
4007	Health Advisory Rev.	\$0	\$0
6001	Educational Revenues	\$0	\$0
6002	Adult Education	\$0	\$0
7001	Rec. Subsidies	\$8,891	\$8,891
7002	Recreation Department Rev.	\$21,880	\$21,880
7003	Soccer Fees	\$0	\$0
7004	Recreation Facility Rent	\$9,608	\$9,608
7005	Senior Fitness Activity Fees	\$1,000	\$1,000
7006	Snowmobile Revenues	\$1,100	\$1,100
7007	Cable TV Revenues	\$40,000	\$40,000
7008	Mooring and Docking Fees	\$320	\$320
TOTAL BUDGET REVENUES:		\$11,024,873	\$11,024,873

Whereas, the Town of Bucksport assesses taxes on property to raise revenues to pay town expenses; and,

Whereas, each property owner is taxed based on the mill rate set before the beginning of each fiscal year; and

Whereas for the period July 1, 2012 to June 30 2013, the mill rate be set at 13.00

Be it resolved by the Bucksport Town Council in town council assembled approve the mill rate and changes to the Town of Bucksport budget for the period July 1, 2012 to June 30, 2013.

* Subject to change depending on approval of the Education budget by the citizens.

Acted on June 28, 2012

Yes 4 No 1 (Opposed: R. Howard) (Members Absent: Jeff Robinson & Belle Ryder)

Attested by: Kathy Downes, Town Clerk

**RESOLVE #R-2012-173 TO APPROVE A 20 YEAR LEASE BETWEEN STANFORD
MANAGEMENT AND THE TOWN OF BUCKSPORT FOR THE
BUCKSPORT SENIOR CENTER.**

Whereas, the Town of Bucksport has a lease agreement with Bucksport Square Associates for a building to house the Bucksport Senior Center; and,

Whereas, this agreement was signed in 1992, and was in effect for 20 years, ending on June 30, 2012; and,

Whereas, the terms for the previous lease include a monthly rent in the amount of \$821.00 per month for the entire length of the agreement; and,

Whereas, a new lease for the period commencing on July 1, 2012 and terminating on June 30, 2032 is here proposed; and,

Whereas, the terms of the lease call for the following rent schedule:

Term	Rent	Period
July 1, 2012 – June 30, 2013	\$821.00	Per month
July 1, 2013 – June 30, 2018	\$862.00	Per month
July 1, 2018 – June 30, 2023	\$905.00	Per month
July 1, 2023 – June 30, 2028	\$950.00	Per month
July 1, 2028 – June 30, 2032	\$998.00	Per month

Whereas, other terms remain unchanged and are outlined in the attached lease agreement,

Be it resolved by the Bucksport Town Council in town council assembled to approve the lease agreement between the Town of Bucksport and Bucksport Square Associates for the period July 1, 2012 to June 30, 2032.

Acted on June 28, 2012

Yes 5 No 0 Abstained (Members Absent: Jeff Robinson & Belle Ryder)

Attested by: Kathy Downes, Town Clerk

**RESOLVE #R-2012-174 TO APPROVE THE SALE OF A 1995 GMC 350 DUMP TRUCK
TO ALAN FARNSWORTH**

Whereas, the Town of Bucksport Public Works Department maintains vehicles for use in the general operations of the department; and,

Whereas, from time to time, these vehicles are no longer needed by the Public Works Department or any other department of the Town; and,

Whereas, when appropriate, these vehicles are put up for public bid; and,

Whereas, the Public Works Department recently put up for bid a 1995 GMC 3500 dump truck; and,

Whereas, the truck has a broken transmission and the cost of repairing the transmission exceed the value of the truck and therefore is being offered “as is;” and,

Whereas, the Public Works Department received the following bids:

	Bidder	Bid
1.	Alan Farnsworth	\$2678.00
2.	Clayton Grindle	\$1212.12
3.	Ed Rankin, Sr.	\$521.50

Be it resolved by the Bucksport Town Council in town council assembled to accept the bid from Alan Farnsworth in the amount of 21678.00 to purchase the Town of Bucksport Public Works Department 1995 GMC dump truck “as is.”

Acted on June 28, 2012

Yes 5 No 0 Abstained ____ (Members Absent: Jeff Robinson & Belle Ryder)

Attested by: Kathy Downes, Town Clerk

RESOLVE #R-2012-175 TO AUTHORIZE EXPENDITURES FROM UNDESIGNATED FUND BALANCES FOR PERSONNEL COSTS TO ASSIST WITH THE SCANNING OF RECORDS, TECHNICAL TRAINING AND OTHER TECHNOLOGY NEEDS AT THE TOWN OFFICE

Whereas, the office staff is in the process of scanning archival records; and,

Whereas, the office staff is in need of training and other technical assistance to remain current with changing technology needs within the town office; and,

Whereas, the Town Manager is requesting that the Town Council approve \$3,000 to be used to pay for part-time employees to scan records and provide training and other technical assistance; and under the supervision of the Town Clerk, and Finance Director, and

Whereas, the town has been paying \$10.00 per hour for this service from a previous appropriation approved by the town council; and,

Whereas, the \$3,000 will purchase an additional 280 hours;

Be it resolved by the Bucksport Town Council in council assembled that \$3,000.0 be appropriated from Undesignated Fund Balance for the purpose of purchasing additional hours from part-time staff for scanning of records, technical training, and other technical assistance.

Acted on June 28, 2012

Yes 5 No 0 Abstained ____ (Members Absent: Jeff Robinson & Belle Ryder)

Attested by: Kathy Downes, Town Clerk

**RESOLVE #R-2012-176 TO AUTHORIZE THE EXPENDITURE OF FUNDS FOR
PERSONNEL COSTS TO ASSIST WITH THE ASSOSSOR'S OFFICE**

Whereas, the Town of Bucksport maintains an Assessors office; and,

Whereas, the Town of Bucksport has retained the services of Carol Oliver to assist in the transition to a new Assessor; and,

Whereas, funds were previously approved to pay for these services; and,

Whereas, as of June 25, 2012 unexpended funds totaling \$13,962.50 are available to assist the Assessor under Contracted Services (50-503-90) within the Assessors budget;

Be it resolved by the Bucksport Town Council in council assembled to approve the expenditure of funds to assist with the Assessor's office.

Acted on June 28, 2012

Yes 5 No 0 Abstained (Members Absent: Jeff Robinson & Belle Ryder)

Attested by: Kathy Downes, Town Clerk
