

June 23, 2009

09-15

A regular meeting of the Caribou City Council was held at 7:00 p.m. on Tuesday, June 23, 2009 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Christopher A.R. Bell, R. Mark Goughan, Karla M. Bell, David Martin, Mary Kate Barbosa, and Miles R. Williams.

Steven R. Buck, City Manager, and David Ouellette, Public Works Director, were present.

Also attending were John and Andrea Swanberg, Deborah Sirois, Darrell Rouse, Paul and Joan Theriault, Milo Haney, Doug Morrell, Donald Goughan, and Bryan Harper.

Council Agenda item #1:Public Input - There was no input.

Council Agenda item #2:Sesquicentennial Update

John Swanberg thanked the hospital for sponsoring the recently held luncheon at the Chan Center to talk about the September 5th parade and barbecue to be held at the high school followed by fireworks. Some sixty people attended. The historical/recipe book has been well received, an additional 200 copies are to be printed. Andrea Swanberg, Parade Chair, also gave information on the parade. She said that applications to participate in the parade must be submitted by August 15th in order to work out the logistics and time frame, which could be 3 to 4 hours long. Anyone interested is invited to go to www.celebratecaribou.com for application forms and additional information on all events.

Council Agenda item #3:Consider authoring the Minutes for the following:

- a. June 8, 2009 Council Meeting
- b. June 17, 2009 Special Council Meeting

Motion made by K. Bell, seconded by D. Martin, to accept the minutes of the June 8 regular meeting and the June 17, 2009 special meeting as printed. (7 yes) So voted.

Council Agenda item #4:Consider authorizing an Agreement for Services for Police Department Dispatch between the City and Fort Fairfield.

The City Manager explained the 12 month contract beginning July 1, 2009 based on \$3.00 per capita. The population of 3,579 would result in an annual amount of \$10,730, which would be paid in two increments, July 30, 2009 and January 30, 2010.

Motion made by C. Bell, seconded by M. Williams, to authorize the City Manager to sign on behalf of the City the Agreement for Services for Police Department Dispatch between Caribou and the Town of Fort Fairfield and to implement for July 1, 2009. (7 yes) So voted.

Council Agenda item #5:Consider acting upon the transfer of the Caribou School Department Undesignated Fund Balance to RSU 39, pursuant to MRSA Title 20-A §1462 (3).

The City Manager went over the spreadsheet of the unaudited estimated Fund Balance transfer amount of \$2,773,530.84. Once the school is audited in September the actual amount will be reconciled, which means these figures could change. He explained how the transfers would take place in four increments, one each in July, August, September and October. No payments would be due from the City during this time frame. See Exhibit "A"

Motion made by C. Bell, seconded by D. Martin, to authorize and direct the City Treasurer to transfer all of the former Caribou School Department Fund Balance to the newly formed RSU 39 over a time period of July through October based upon the supporting materials and that this time table may be amended at the discretion of the City Treasurer to ensure adequate cash flow for municipal operations are maintained. (The City Manager emphasized that these are estimated amounts that may change after the audit is completed.) (6 yes, 1 no, M. Goughan) So voted.

Council Agenda item #6: Consider authorizing amendments to the 2009 Municipal Budget prior to tax commitment in response to recent State and other revenue shortfalls.

The City Manager distributed the proposed budget adjustments that had been presented previously along with two impact sheets to consider. One omitted the LEAD transportation contribution of \$5,000 and showed a .23 mil decrease over last year, the second included the contribution and showed a .21 mil decrease. The State Revenue Sharing estimate of \$150,000 remains the same as previously stated. Next year the State plans to distribute 80% of State Revenue Sharing under Rev 1, with the remaining 20% to be under Rev 2. The City could potentially maintain a .24 mil rate for 2009 and have an Overlay of between \$188,000 and \$193,000. He recommended maintaining as high an Overlay as possible without impacting the mil rate, as he predicted an even harder year next year.

Councilor Martin favored retaining the \$5,000 LEAD contribution, thereby using the Overlay amount resulting from the .21 mil decrease, and to have the \$129,000 saving in the school department to go back to the taxpayers.

Motion made by C. Bell, seconded by K. Bell, to authorize the adjustments to the 2009 municipal budget prior to tax commitment with one amendment, that amendment being that we reapply the \$5,000 to the LEAD contribution. Discussion. Councilor Martin asked about having the \$129,000 savings go back to the taxpayers. Councilor C. Bell clarified that the motion was only to accept the amended budget adjustments and did not address the mil rate or Overlay. (6 yes, 1 no, M. Goughan) So voted.

Council Agenda item #7: Consider acting upon the State Bid for Winter Salt or to participate in the Regional Bid later this year.

The City Manager explained that the City historically participates in the NMDC administered regional bid for salt. This year, the State is allowing municipalities to participate in its bid process. The idea had been to participate in the State's process and then wait to see what the regional process would produce so that a comparison could be made that would be the most advantageous to the City. The State's bid process is completed and the result is a bid from Cargill at \$76.92 per ton and is per State specifications. The NMDC bidding process is not expected to be done until late July, so a comparison is not yet available. In the meantime, Harcros has contacted the City with a bid of \$74.94 per ton. However, it was pointed out that Harcros had not participated in the State's process but had learned the results of the bidding and was offering the lower amount to the City. Noting that the \$74.94 quote (minus the bidding process) did not include specifications or delivery terms, Steve related some of the issues the City had with Harcros last year, including the fact that they had not honored the escalator clause in their quote. After some discussion of the issue, the general consensus was that Harcros had used questionable methods to gain a commitment from the City.

Motion made by D. Martin, seconded by M. Williams, to accept the bid from Cargill in the amount of \$76.92 per ton for the 2009-2010 winter salt procurement through the State of Maine contract. (6 yes, 1 abstention K. Murchison) So voted.

Steve wanted clarify that it was merely a timing issue this year with NMDC's regional bidding process, the City has not had any problems with the process in the past.

Council Agenda item #8: Consider authorizing a Municipal Quitclaim Deed to Steve and Cindy Gagnon for the purchase of Tax Acquired Property Tax Map 3 Lot 19, 31 East Green Ridge Road.

Motion made by M. Williams, seconded by K. Bell, to authorize a Municipal Quitclaim Deed to Steve and Cindy Gagnon for the purchase of Tax Acquired Property Tax Map 3 Lot 19, 31 East Green Ridge Road. (7 yes) So voted.

Council Agenda item #9: Consider authorizing a Municipal Quitclaim Deed to Joe Sperry for taxes paid in full for Tax Map 7 Lot 39-35.

Motion made by K. Bell, seconded by D. Martin, to authorize a Municipal Quitclaim Deed to Joe Sperry for taxes paid in full for Tax Map 7 Lot 39 (35). (7 yes) So voted.

Council Agenda item #10: Consider the appointment of a Reserve Police Officer to the Caribou Police Department, pursuant to MRSA Title 30-A § 2671.

Motion made by C. Bell, seconded by M. Williams, to appoint Arik Jepson as a Caribou Reserve Police Officer pursuant to MRSA title 30-A, 2671. (7 yes) So voted.

Council Agenda item #11: Consider a request for donations from the Aroostook Band of Micmacs for their 2009 Mawiomi cultural Celebration.

Motion made by M. Williams, seconded by K. Bell, to table this item at this time. (7 yes) So voted.

Council Agenda item #12: Consider the renewal of a Bottle Club License for the Lister-Knowlton VFW Post #8389, 253 Van Buren Road.

Motion made by C. Bell, seconded by D. Martin, to approve the renewal of a Bottle Club License for the Lister-Knowlton VFW Post #8389, 253 Van Buren Road. (6 yes, 1 abstention, M. Williams) So voted.

Council Agenda item #13: Updates

The City Manager presented information on several topics, including:

- RSU Budget Meeting – First meeting held June 22nd at the CPAC – Budget represented a net savings of \$221,764 overall – Caribou's net savings amounted to \$258,920 in first year – Seventeen warrant articles were voted upon – Voters to consider budget at referendum on June 25th
- Health Insurance Quotes – City working with MMEHT to obtain large claims information - Broker authorization request letters have been submitted to two vendors – MMA legal reviewed letter to insure they are HIPAA compliant – Competitive quotes are expected – MMEHT to offer a consumer driven high deductible health reimbursement

- account qualified plan by January 1st – City Manager would like to start the process to do the same with Workers' Compensation (Consensus was to support this endeavor)
- Helicopter pad at Cary – Site meeting held last week at Cary to continue work in locating pad for Life Flight landings – Potential engineering firm to review proposals - Timing deadline nearing to utilize funds
 - N/S Hgy – MDOT Survey team to start the process of updating list of potentially impacted property owners – Field survey work to include contact of those property owners – Final Environmental Impact Study ongoing – Final product expected to be ready for submission to the Federal Highway Authority and EPA by the end of the month – Federal review time up to a month – Public Comment period to follow – Final product anticipated by October 1st – Legislation passed directing MDOT to secure funding to complete Aroostook N/S Highway – MDOT may pursue second round stimulus funding of \$20 million for shovel ready projects - Caribou's Segment 4 would qualify
 - Jenna Russell – Reporter for the Boston Globe to be in the area Wednesday for a story on the N/S Highway
 - Howes Corner – Finalization of settlement expected in the next two days – State passed legislation to take care of past and future settlement costs – FAME to only issue a bond of \$13 million - Funding of \$5 million shortfall being sought – Two year gap possible for loans to come due

Council Agenda item #14: Other Business

c. Meeting Schedules:

- i. RSU Regional School Unit Budget Meeting – June 22, 2009, CPAC at 7:00PM
- ii. RSU Special Referendum Vote – June 24, 8AM – 8:00PM Wellness Center Bennett Drive
- iii. Special Council Meeting – June 29, 2009, 6:00PM Council Chambers - Mil Rate and Tax Commitment
- iv. Other Committee or Council meetings

Mayor Murchison was looking for a workshop on tax acquired property in July or August to address the backlog of properties, etc.

A Building Committee meeting was seen as needed – Councilor Martin was asked to set that up.

d. First Read – Planning Board recommended Building Demolition Ordinance
The Councilors brought up several points on wording and clarification. Councilor Martin suggested there be more explicit wording on the burning of a building so that it was clear that it was at the request of the owner and not a decision of the Fire Chief. (It would be his discretion as to whether or not it would be safe to burn). Mayor Murchison referred to the statement requiring a foot of loam and mulch and suggested it should require the area to be seeded as well. Councilor Williams agreed to both suggestions.

e. Other Business

Councilor Martin voiced his disappointment with the Governor's recently issued waiver of penalties to those municipalities that voted no to forming an RSU. Referring to the fact that the City worked within the law to avoid penalties, he suggested the City write to the Governor complaining about that and the fact that the City is due the \$260,000 that would have been the penalty for not following the law. He even suggested sending him a bill for that amount.

June 23, 2009

09-15 Pg. 5

Councilor Williams agreed but thought it would be useless to contact the Governor. There was a discussion on how to approach the issue. Steve said he would create a letter to the delegation for the Council to consider at the next meeting. As he pointed out, the City had done what was required and “played by the rules” to make the best of a situation only to have the rules change after the process was complete.

8:48 p.m. Motion made by C. Bell, seconded by M. Williams, to adjourn. (7 yes) So voted.

Judy-Ann Corrow, Secretary