

**RESOLVE #R-2008-1 APPROVING ACTIVITY IN RESERVE ACCOUNTS FOR
THE PERIOD 7-1-2006 TO 6-30-2007**

Whereas, Resolve #R-2007-69 was previously adopted by the Town Council authorizing activity in the reserve accounts for the period 7-1-2006 to 6-30-2007; and,

Whereas, several transactions occurred after the approval that should be included in a final resolve; and,

Whereas, an amended list of activity has been attached to this resolve outlining these additional expenditures or revenues:

Be it resolved by the Bucksport Town Council in town council assembled that the list of activity outlined by the attached report and to be attested by the Town Clerk be approved as outlined.

Be it further resolved that such list is intended to represent all activity authorized by the Town Council for all reserve accounts for the period 7-1-2006 to 6-30-2007.

Adopted 7-12-2007

Yes_____ **No** _____ **Abstained** _____

Attested by

Kathy Downes, Town Clerk

RESOLVE #R-2008-2 WAS NOT ACTED ON

**RESOLVE #R-2008-3 APPROVING PLANS FOR CONSTRUCTION OF A
PORTION OF MACDONALD STREET AND SILVER LAKE ROAD**

Whereas, the Bucksport Town Council had previously approved reconstruction of a portion of MacDonald Street, from the intersection of Summer Street to the intersection of School Street, and Silver Lake Road, from School Street intersection to the residence of Paul McCann, approximately 1,850 feet; and,

Whereas, plans were developed by Millett Associates detailing the extent of improvements; and,

Whereas, an informational meeting was held with interested landowners on July 11 and no negative comments were received; and,

Whereas, funds are included in the 2007-2008 Capital Improvement Plan for the project:

Be it resolved by the Bucksport Town Council in town council assembled that the plans for reconstruction of a portion of MacDonald Street and Silver Lake Road be approved.

Be it further resolved that the cost of the project be paid for from Highway Improvement Reserve Account.

Adopted 7-12-2007

Yes _____ No _____ Abstained _____

Attested by

Kathy Downes, Town Clerk

**CONSIDER RESOLVE #R-2008-4 AWARDDING CONTRACT FOR PURCHASE
OF CULVERTS FOR THE ENSUING YEAR**

Whereas, bids were requested for purchase of culverts for the 2007-2008 fiscal year; and,

Whereas, bids were received as follows:

Company Name	Culvert Size and Unit Cost Per Foot	
	12"	15"
Viking Lumber	\$4.81	\$6.19
Everett J. Prescott Inc.	\$4.97	\$6.18
Paris Farmers Union	\$5.15	\$10.16
W.H. Shurtleff Co.	\$5.78	\$7.40
Public Works Supply Co.	\$5.90	\$7.91

Be it resolved by the Bucksport Town Council in town council assembled that the contract for purchase of culverts for the 2007-2008 fiscal year be awarded to Viking Lumber for the prices outlined above.

Adopted 7-12-2007

Yes _____ **No** _____ **Abstained** _____

Attested by

Kathy Downes, Town Clerk

**RESOLVE #R-2008-5 AWARDDING CONTRACT FOR PURCHASE OF AIR
COMPRESSOR**

Whereas, the 2007-2008 Capital Improvement Plan for the Highway Department calls for purchase of a new air compressor; and,

Whereas, quotes were received as follows:

Milton Cat	Sullair Model 185	\$13,400
Central Equipment Co.	Ingersoll-Rand P185WJD	\$11,880

Be it resolved by the Bucksport Town Council in town council assembled that the contract for purchase of a new Ingersoll-Rand P185WJD air compressor in the amount of \$11,880 be awarded to Central Equipment Company.

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

Adopted 7-12-2007

Yes _____ **No** _____ **Abstained** _____

Attested by

Kathy Downes, Town Clerk

**RESOLVE #R-2008-6 APPROVING INCREASE FOR SMALL COMMUNITY
GRANT PROGRAM**

Whereas, a grant was previously received from Maine Department of Environmental Protection (DEP), Small Community Grant Program for replacement of a residential septic system; and,

Whereas, additional funding in the amount of \$1,500 was necessary in order to complete the project; and,

Whereas, DEP approved the additional funds:

Be it resolved by the Bucksport Town Council in town council assembled that additional funds in the amount of \$1,500 received from DEP to complete a septic system replacement be accepted and expended in accordance to program requirements.

Adopted 7-12-2007

Yes _____ **No** _____ **Abstained** _____

Attested by

Kathy Downes, Town Clerk

**RESOLVE #R-2008-7 APPROVING FUNDS FROM TIF REVENUES FOR
SUMMER PERFORMANCE SERIES AT THE GAZEBO**

Whereas, the Bucksport Area Cultural Arts Society(BACAS) proposes to host several performances at the gazebo during the summer months; and,

Whereas, BACAS request that the Town Council consider providing financial support through the use of TIF revenues to help pay for the cost of the performances; and,

Whereas, the cost is proposed at \$1,500; and,

Whereas, such activity was recommended by the Downtown Marketing Committee:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure from TIF Revenues in the amount not to exceed \$1,500 be approved to financially support BACAS's proposal to provide summer performance series along the Bucksport Waterfront at the Gazebo during the summer months.

Adopted 7-12-2007

Yes _____ **No** _____ **Abstained** _____

Attested by

Kathy Downes, Town Clerk

**RESOLVE #R-2008-8 APPROVING EXPENDITURE FOR A STORAGE SHED
AT THE ANIMAL SHELTER**

Whereas, there is a need for storage space at the Animal Shelter; and,

Whereas, it is proposed to construct a 10' X 10' storage shed at an estimated cost of \$1,800

Whereas, funds are available in the Animal Shelter Reserve Account for such project:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not to exceed \$1,800 be authorized for construction of a storage shed for use at the animal shelter.

Be it further resolved that the cost be charged to Animal Shelter Reserve.

Adopted 7-12-2007

Yes _____ No _____ Abstained _____

Attested by

Kathy Downes, Town Clerk

RESOLVE #R-2008-9 AUTHORIZING EXPENDITURE FOR A MUNICIPAL WEBSITE

Whereas, members of the staff have been working to develop a new website for the Town of Bucksport; and,

Whereas, sixteen companies were sent Request for Proposals; and,

Whereas, four responded to the Request for Proposal; and,

Whereas, the committee interviewed three of the four companies; and,

Whereas, the committee has recommended to the Town Council that the contract be awarded to Sutherland Weston in the amount of \$11,500; and,

Whereas, the proposals have been provided to the town's technical provider for review:

Be it resolved by the Bucksport Town Council in town council assembled that the matter of awarding a contract for development of a town website be referred to the Finance Committee for a recommendation.

Adopted 7-12-2007

Yes _____ No _____ Abstained _____

Attested by

Kathy Downes, Town Clerk

RESOLVE #R-2008-10 REGARDING REQUEST FOR A MORATORIUM FOR A COMMERCIAL SEPTIC WASTE PROCESSING FACILITY

Whereas, a group of citizens have filed notice with the Bucksport Town Council that a moratorium be considered in order to determine whether land uses such as sewage, toxic, and waste treatment facilities should be permitted in the Rural District; and,

Whereas, the group also request the moratorium be considered in order to provide the opportunity for the Town Council to develop reasonable standards to allow for proper review of these uses when proposed for development; and,

Whereas, the Planning Board members have discussed this issue and believe that the current Land Use Ordinance provides adequate standards for review of such activities; and,

Whereas, a Memo from the Code Enforcement Officer has been provided to the Town Council for use as the matter is being considered:

Be it resolved by the Bucksport Town Council in town council assembled that the matter of considering a moratorium to provide time to prepare standards by which sewage, toxic and waste treatment facilities would be reviewed when proposed for development be denied since it has been determined by the Planning Board that adequate standards do exist to provide for a fair review.

Be it further resolved that the matter pertaining to whether such uses should be allowed in the Rural District be referred to the Ordinance Committee for consideration as the new Land Use Ordinance is being considered.

Adopted 7-12-2007

Yes _____ No _____ Abstained _____

Attested by

Kathy Downes, Town Clerk

**RESOLVE #R-2008-11 REGARDING USE OF THE WATERFRONT FOR
WEDDING CEREMONIES**

Whereas, several requests have been received by local citizens to use the waterfront to conduct wedding ceremonies; and,

Whereas, the members of the Waterfront Committee last year recommended that this activity be allowed along the waterfront as long as rules are implemented that will protect the Town and public; and

Whereas, the rules include:

1. a written request must be submitted to the Town Clerk before permission can be granted
2. the request will include identification of the area to be used for the ceremony
3. permission will be limited to the ceremony only
4. no alcohol beverages will be allowed on the premises
5. the ceremony will not take place in any public parking area or parts thereof or town dock
6. the ceremony will not be held in any area that will interfere with the public's use of the waterfront walkway, dock facilities or any other approved and scheduled public event
7. after the ceremony, the area used will be cleaned of all litter
8. no vehicles will be allowed on the walkway

Be it resolved by the Bucksport Town Council in town council assembled that the Town Clerk be authorized to issue permits for use of the waterfront for marriage ceremonies pursuant to the rules outlined above.

Adopted 7-12-2007

Yes _____ **No** _____ **Abstained** _____

Attested by

Kathy Downes, Town Clerk

RESOLVE #R -2008-12 AUTHORIZING FUNDS FOR THE PURCHASE OF A GRAND PIANO FOR USE AT THE MIDDLE SCHOOL AUDITORIUM

Whereas, BACAS, is a non-profit organization incorporated for the purpose of providing the opportunity for citizens of Bucksport and neighboring communities to have access to cultural performances and activities; and,

Whereas, BACAS has purchased a grand piano for the cash purchase price of \$10,500 plus other associated costs of \$2,111; and,

Whereas, BACAS made a deposit of \$7,000 on the piano but must pay the remaining balance by July 1, 2007; and,

Whereas, BACAS, has requested that the Town of Bucksport consider funding a portion of the purchase price; and,

Whereas, the piano will be kept at the Bucksport Middle School for use by musicians that serve both the community and school as coordinated by BACAS; and,

Whereas it has been recommended by the Town Manager that the interest earned from the Defense Fund, an account established from private donations to defend the Board of Appeals' decision regarding Applied Energy Service's proposal to build a coal fire plant in Bucksport, be applied towards the purchase of the piano: and,

Whereas, the amount of earned interest is \$2,300 while the principal \$3,531:

Be it resolved by the Bucksport Town Council in town council assembled that the interest earned from investing the Defense Fund balance in the amount of \$2,300 be provided to BACAS to be used toward the purchase of the grand piano pursuant to the following conditions:

1. that the piano be insured against any and all losses during the period that the note is outstanding
2. the piano will be used solely for performances that BACAS is organized for

Adopted 7-12-2007

Yes _____ **No** _____ **Abstained** _____

Attested by

Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Road Projects: An informational meeting was held on July 11 to review the construction details with interested property owners regarding the MacDoanld Street - Silver Lake reconstruction project. Blasting has been completed for the project. Once the Town Council approves final plans, the Highway Department will begin to install the required drainage pipes and basins.

All work has been completed on the upper end of Elm Street in preparation of reclaiming the section of street. The paving company will reclaim the road July 30. The road base has been completed on the future Mechanic Street extension. The extension will be paved at the same time Elm Street is paved.

A verbal agreement has been reached with Mrs. Woodman regarding the Powerline Road right of way. The intent is to have Mrs. Woodman deed to the town the land needed to develop the road to current road standards. Once the easement is received, the Highway Department will complete the work. In the meantime, the area recently reconstructed will be paved in conjunction with the summer paving program.

Millett Associates is currently completing the design and permitting for Moosehorn Bridge crossing on Upper Long Pond Road. It is currently planned that the bridge will be replaced sometimes in September.

Gardner Commons: New utility lines are currently being installed. The demolition crews continue to prepare the building for the mechanical subcontractors.

Sewer Improvement: Sewer lines along upper part of Elm Street, upper part of Pine Street, Mount Olive, upper part of Bridge Street and Broadway have been completed. The contractor will be beginning on lower part of Bridge Street next week.

Recreation Facilities: The Junior High parking lot has been fully excavated and the basketball backboards moved. The parking lot will be paved at the same time Elm Street is paved.

Year End Financials: You are being provided copies of the final unaudited revenues and expense sheets for the fiscal year ending 6-30-2007. Our Finance Director will provide you with a brief overview of the finals numbers. If you have any questions regarding any of the reports, please feel free to see me.

**RESOLVE #R-2008-13 AUTHORIZING CONTRACT FOR DEVELOPMENT OF
A WEBSITE FOR THE TOWN**

Whereas, members of the staff have been working to develop a new website for the Town of Bucksport; and,

Whereas, sixteen companies were sent Request for Proposals; and,

Whereas, four responded to the Request for Proposal; and,

Whereas, the committee interviewed three of the four companies; and,

Whereas, the committee has recommended to the Town Council that the contract be awarded to Sutherland Weston in the amount of \$11,500; and,

Whereas, the proposals have been provided to the town's technical provider for review;and,

Whereas, the members of the Finance Committee have reviewed the two top proposals and recommended that the contract be awarded to Sutherland Weston:

Whereas, the website process outlined in the Sutherland Weston proposal will result in a website that:

- Fosters a positive image for the Town of Bucksport
- Is innovative, visually pleasing; and offers easy to use resources for residents, businesses, tourists and others;
- Offers a wide array of information about local government services, community events and services;
- Provides efficient, convenient and timely access to residents and businesses on a variety of transactions;
- Contains information that can be easily updated through an administrative wizard;
- Includes the necessary optimization necessary to improve searchability;
- Reports on website traffic, stats, and overall visitor information.

Be it resolved by the Bucksport Town Council in town council assembled that the contract for developing a new website for the Town of Bucksport be awarded to Sutherland Weston in the amount of \$11,500.

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

Adopted 8-9-2007

Yes_____ No_____ Abstained _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-14 ADOPTING POLICY PERTAINING TO RECAPTURE OF DEFERRED PAYMENTS FOR LAND IN BUCKSTOWN HERITAGE PARK

Whereas, a provision has been included in the covenants for Buckstown Heritage Park requiring the grantees' to repay the subsidy granted by the Town of Bucksport in the form of the sale of the property, which was conveyed for less than fair market value, without approval of the Town Council; and,

Whereas, one of the grantee's has decided to sell her property and has requested permission from the Town Council to do so; and,

Whereas, this necessitate a policy on the part of the Town to identify the option or options for a grantee to satisfy this requirement; and,

Whereas, the members of the Finance Committee were assigned the task of rendering a recommendation regarding the matter; and,

Whereas, the Finance Committee recommends two options which include:

Method 1 The Grantee will pay an amount equal to the value of the property set at the time of purchase between the Town and grantee, such amount to be prorated based on the recapture period and the balance of years remaining that taxes have not been paid for.

Method 2. The Grantee transferring the mortgage to the new owner will repay the Town 50% of the appreciation realized for the property from the time of purchase to the time of sale. The new owner will assume the balance of the years remaining.

Be it resolved by the Bucksport Town Council in town council assembled that the proposed method of recapturing the value of property sold in Buckstown Heritage Park when sold prior to the finalization of the recapturing period be adopted as recommended by the Finance Committee and stated above.

Adopted 8-9-2007

Yes____ **No**____ **Abstained** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-15 REGARDING POLICY PERTAINING TO
REIMBURSEMENT OF MOTOR VEHICLE EXCISE TAX**

Whereas, LD227 was enacted by the 123 Legislature; and,

Whereas, the legislation amends the excise tax law to provide that if the credit available exceeds the amount transferred to another vehicle, a municipality may choose, but is not required to refund the excess; and,

Whereas, if a municipality chooses to refund excess amounts, it must do so in all instances where there is an excess amount; and,

Whereas, it is recommended by the Town Manager that the Town Council not choose to require a refund due to the additional administrative work necessary to complete these transactions; and,

Whereas, this situation occurs very few times:

Be it resolved by the Bucksport Town Council in town council assembled that the excise tax collector and his agents not be required to reimburse motor vehicle excise tax when the credit available exceeds the amount transferred to another vehicle.

Be it further resolved that the issue be brought back to the Town Council after one year during which time a record should be maintained by the office staff noting the number of times and the amounts that the credit exceeded the amount transferred.

Adopted 8-9-2007

Yes____ **No**____ **Abstained** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-16 AUTHORIZING PURCHASE OF A USED BOX
TRAILER FOR THE TRANSFER STATION**

Whereas, the Capital Improvement Plan for the 2007-2008 fiscal year calls for the replacement of a box trailer at the transfer station; and,

Whereas, a quote has been obtained from Maine Trailer for a 48' X 13' box trailer in the amount of \$1,950:

Be it resolved by the Bucksport Town Council in town council assembled that the purchase of a used storage trailer box be authorized from Maine Trailer in an amount not to exceed \$1,950.00.

Be it further resolved that the cost be charged to the Solid Waste Equipment Reserve Account.

Adopted 8-9-2007

Yes____ No____ Abstained _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-17 AUTHORIZING HIGHWAY IMPROVEMENTS
PROJECTS**

Whereas, several road projects were identified in the 2007-2008 Capital Improvement Plan:

Whereas, these projects include reclaiming a portion of Elm Street, from Franklin Street to Summer Street; reconstruction of Mechanic Street Extension; reconstruction of a section of MacDonald Street, from the intersection Summer Street to the intersection of School Street and replacement of the bridge across Moosehorn Stream on Upper Long Pond Road; and,

Whereas the estimated cost for each project is as follows: Elm Street \$63,170, Mechanic Street Extension \$7,200, MacDonald Street \$93,650 and Moosehorn Stream Bridge \$85,000:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures for highway improvements for reconstruction of a portion of Elm Street, from Franklin Street to Summer Street; reconstruction of Mechanic Street Extension; reconstruction of MacDonald Street, from Summer Street to School Street; and the replacement of the bridge across Moosehorn Stream on Upper Long Pond Road be approved.

Be it further resolved that the cost of these projects be charged to Highway Improvement Account.

Adopted 8-9-2007

Yes____ **No**____ **Abstained** _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-18 APPROVING CONTRACT FOR ENGINEERING SERVICES FOR DESIGN OF A PORTION OF THE RUSSELL HILL ROAD

Whereas, the five year Capital Improvement Plan calls for reconstruction of a portion of the Russell Hill Road from Route 46 to Robin Hood Circle Mobile Home Park; and,

Whereas, the services of an engineer is necessary to prepare the construction plans; and,

Whereas, Millett Associates has proposed to complete the work for \$7,000:

Be it resolved by the Bucksport Town Council in town council assembled that Millett Associates be granted the contract for preparing construction plans for reconstruction of a portion of the Russell Hill Road, from Route 46 to the entrance to Robin Hood Circle Mobile Home Park, for a cost not to exceed \$7,000.

Be it further resolved that the cost be charged to Highway Improvement Account.

Adopted 8-9-2007

Yes____ **No**____ **Abstained** _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-19 ACCEPTING GRANTS FROM OFFICE OF SUBSTANCE ABUSE

Whereas, the Town of Bucksport has been offered three grants from the Office of Substance Abuse in the amounts of \$14,323 (CCHC), \$29,787 (MCDC), and \$16,988 SIG; and,

Whereas, these grants are to be administered by Mary Jane Bush, coordinator for the Bucksport Bay Healthy Community Coalition; and,

Whereas, the funds will be used to reduce tobacco use, increase physical activity, improve community nutrition, support community prevention programs, complete a community health assessment and implement a regional substance abuse plan:

Be it resolved by the Bucksport Town Council in town council assembled that the grants offered by the Office of Substance Abuse in the amount of \$14,323, \$29,787 and \$16,988 be accepted and the funds administered according to program requirements by Mary Jane Bush, Coordinator for the Bucksport Bay Healthy Community Coalition.

Adopted 8-9-2007

Yes____ **No**____ **Abstained** _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-20 ADOPTING GUIDELINES FOR THE DIVERSION PROGRAM

Whereas, the Bucksport Police Department, Bucksport Recreation Department, Maine Juvenile Community Correction's Services and Hancock County District Attorney's Office have collaborated to develop a Youth Diversion Program that will provide an alternate for youths under the age of 21 years of age who received a summons on a charge of first-time possession of alcohol by a minor; and,

Whereas, the Diversion Program provides an alternative that includes care management, case assessment, youth and family education, counseling and community services; and,

Whereas, guidelines have been prepared outlining the program rules, description of the model being used, target group and conditions by which an individual can participate in the program, targeted population, and program components:

Whereas, these guidelines have been reviewed by the district attorney, recreation director, police chief and town manager:

Be it resolved by the Bucksport Town Council in town council assembled that the proposed guidelines for the Bucksport Youth Diversion Program Policies and Procedures be adopted and administered in accordance with the guidelines.

Adopted 8-9-2007

Yes _____ **No** _____ **Abstained** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-21 AUTHORIZING CODE ENFORCEMENT OFFICER TO
TAKE THE NECESSARY COURT ACTION REGARDING NUISANCE
CONDITIONS AT 52 CENTRAL STREET**

Whereas, the Code Enforcement Officer has reported extremely unsanitary conditions that have continued after notice at 52 Central Street; and,

Whereas, the Code Enforcements Officer has remedied all other options; and,

Whereas, the Code Enforcement Officer request that the town council authorize him to take the required court action to order removal of the nuisance conditions within 30 days; and,

Whereas, if not complied with, the town would then have the option to make the property habitable or demolish the building, and the occupant ordered to vacate the premises immediately:

Be it resolved by the Bucksport Town Council in town council assembled that Jeffrey Hammond, Code Enforcement Officer be granted authorization to proceed in court to address the nuisance conditions at 52 Central Street.

Adopted 8-9-2007

Yes ____ **No** ____ **Abstained** ____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-22 AUTHORIZING CONTRACT FOR REPAVING THE
POOL**

Whereas, the Capital Improvement Plan calls for repaving the pool; and,

Whereas, proposals have been received from two companies; and,

Whereas, a quote received from Lane Construction Corporation has been determined to be in the best interest of the town; and,

Whereas, the proposal is to remove approximately 1,245 square yards of pavement, to mill approximately 108 square yards and to repave approximately 1,245 square yards of pavement 5” thick; and,

Whereas, the proposal also includes installing an underdrain along the perimeter of the concrete wall; and,

Whereas, Lane Construction Corporation proposes to complete the work for the sum of \$60,420:

Be it resolved by the Bucksport Town Council in town council assembled that Lane Construction Corporation be awarded the contract to repave the town pool at a cost of \$60,420.

Be it further resolved that the cost be charged to Recreation Facility Reserve.

Adopted 8-9-2007

Yes____ **No**____ **Abstained** _____

Attested: Kathy Downes, Town Clerk

TOWN MANAGER'S REQUEST

Gardner School Project- Demolition is just about all completed, concrete for new elevator foundation and beams in the gym to support the second floor has been poured, the roof contractor will be moving in on Monday, mechanical contractor currently installing roof drains, sheet rockers installing ceiling metal frames upstairs and trees have been removed from the edge of the building. No major issues to date.

CSO Project- Vortex foundation poured, rebar and forming being completed for vortex and concrete to be poured on Monday, pump station will be delivered next Wednesday and to be installed the following week. Once the concrete for the vortex has been poured work on the building foundation will begin. Once pump station has been installed, work will begin on the piping extending from the existing CSO structure and the new pump station.

Sewer Improvements- The contractor should be completed on Bridge Street by Friday, August 10, all streets that have been worked on have been repaved, work will begin on Third Street Monday, August, 13 and the project would be completed by the third week in August.

Road Projects- Elm Street and Mechanic Street Extension have been prepared and are scheduled for pavement on Monday, August 13. Powerline Drive has been paved, all summer pavement has been completed on rural roads and shoulders and drainage work has commenced on MacDonald Street.

Industrial Park Purchase- Millett Associates is completing the preliminary work to determine the location of the proposed road and utilities. Also, determining what is the best configuration for the layout of the lots in order to avoid the wetlands that have been identified on the site. Once the above tasks have been completed, final negotiations with the owner will take place.

Walkway Easement- I received notice from Irving's attorney that the easement will be signed by Irving's representative as soon as he returns from vacation and the easement deed will then be forwarded to the town.

Economic Development Plan- The draft plan has just been received which includes everything but the implementation strategies. The draft will be shared with the members of the Economic Development Committee for their comments. In the next several weeks we should be receiving the implementation strategies for consideration.

Repavement of Main Street-The project has been referred to MDOT's Bangor Division. The project is tentatively scheduled for advertisement in March 2008 and completed in May 2008. During the next several weeks, we will be in contact with the project manager to coordinate the project with other proposed downtown improvements.

**RESOLVE #R-2008-23 AUTHORIZING CONTRACT FOR DESIGN OF
LANDSCAPE IMPROVEMENTS ALONG THE WATERFRONT**

Whereas, the Downtown Plan has identified several landscaping improvements along the waterfront and in the downtown area; and,

Whereas, the property recently acquired by the Town in the vicinity of Perry's Landing was also included as part of the plan; and,

Whereas, the purpose of these proposed improvements is to encourage more motorist traveling on Route 1 to turn left, and to improve pedestrian access along Main Street; and,

Whereas, the plan will be used in conjunction with an application to be filed with the Office of Economic and Community Development for a grant; and,

Whereas, proposals were received from two interested firms which include:

Lewis & Malm	\$19,905
Kent Associates	\$ 8,400

Be it resolved by the Bucksport Town Council in town council assembled that the contract for design services for landscape improvements for the downtown and waterfront area be awarded to Kent Associates Planning and Design for a cost not to exceed \$8,400.

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

**RESOLVE #R-2008-24 AUTHORIZING CONTRACT TO INSTALL TIMERS
ALONG THE WATERFRONT**

Whereas, the Energy Policy recently approved by the Bucksport Town Council calls for timers to be installed to control when the lights will be turned on and off along the waterfront; and,

Whereas, the intent is to control when the lights go on and off during the winter months; and,

Whereas, a proposal has been received from T & D Electric to complete the project for a price not to exceed \$1,055:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to install time clocks to control the lights along the waterfront be awarded to T&D Electric in an amount not to exceed \$1,055.

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

**RESOLVE #R-2008-25 AUTHORIZING PURCHASE OF EQUIPMENT FOR
THE WASTEWATER TREATMENT PLANT**

Whereas, funds were included in the 2007-2008 Capital Improvement Plan to replace the polymer pump that serves the sludge press; and,

Whereas, quotes were received from two vendors, and it is recommended by the treatment plant operator that the unit be purchased from Wescor Associates, Inc. in the amount of \$7,705; and,

Whereas, the need for a gas detector has occurred since the existing unit no longer functions and cannot be calibrated; and,

Whereas, quotes were received from three vendors, and it is recommended by the treatment plant operator that the unit be purchased from USA Bluebook in the amount of \$1,557.46:

Be it resolved by the Bucksport Town Council in town council assembled that the purchase of a polymer pump and gas detector be authorized at a cost not to exceed \$7,705 for the polymer pump and \$1,558 for the gas detector.

Be it further resolved that the cost of these purchases be charged to the Sewer Reserve Account.

**RESOLVE #R-2008-26 AUTHORIZING EXPENDITURE FROM TOWN OFFICE
EQUIPMENT RESERVE**

Whereas, the 2007-2008 Capital Improvement Plan calls for replacing the Town Manager's computer; and,

Whereas, the cost of the new computer is \$1,100; and,

Whereas, an electrical storm on August 10 destroyed the voice mail and UPS units for the telephone system at the Town Office; and,

Whereas, the estimated cost of repairing the system is \$5,500; and

Whereas, a claim has been filed with the town's insurance carrier for the loss; and,

Whereas, the insurance company has not responded to the claim, but it is expected that they will cover the cost of the repairs, less a \$1,000 deductible:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure for the Town Manager's new computer in an amount not to exceed \$1,100 be authorized.

Be it further resolved an expenditure in an amount not to exceed \$5,500 to replace the UPS and voice mail units for the telephone system, be authorized.

Be it further resolved that the cost for the repairs and improvements be paid from the Town Office Equipment Reserve Account and the proceeds received from the insurance company.

**RESOLVE #R-2008-27 AUTHORIZING EXPENDITURE FROM TIF ACCOUNT
FOR INFORMATIONAL SIGNS**

Whereas, the Downtown Committee has requested that informational signs be placed at the approach of the Bucksport-Verona Bridge crossing and in the vicinity of the Bucksport Wastewater Facility, on Route 1, stating for the best view of the Penobscot Narrows Bridge is to go to the downtown area; and,

Whereas, the cost of developing the two signs is \$370.10:

Be it resolved by the Bucksport Town Council in town council assembled that the cost of purchasing two informational signs to be attached to the welcome signs at the treatment plant and at the west end of the Bucksport -Verona Bridge be authorized for a sum not to exceed \$371.00

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

**RESOLVE #R-2008-28 REGARDING REQUEST TO CHANGE STOPS SIGNS
AT THE INTERSECTION OF BROADWAY AND NICHOLSON AVENUE**

Whereas, a request was received from Richard Lally that the stop signs at the intersection of Broadway and Nicholson Avenue be changed to yeild signs; and,

Whereas, the Bucksport Town Council referred the matter to the Bucksport Police Chief for a recommendation; and,

Whereas, the police chief was asked to consult with Maine Department of Transportation regarding the matter; and,

Whereas, a recommendation has been received from the Bucksport Police Chief upon consultation with Bruce Mattson, Traffic Engineer with MDOT, that the safest option is the way the intersection is currently signed; therefore, it should not be changed:

Be it resolved by the Bucksport Town Council in town council assembled that the request from Richard Lally to change the stop signs at the intersection of Nicholson Avenue and Broadway to yield signs be denied.

Be it further resolved that the Bucksport Police Chief notify Mr. Lally with the information he has received from MDOT and of the Town Council's decision to deny the request.

**RESOLVE #R-2008-29 AUTHORIZING FUNDS FOR THE VETERANS'
MEMORIAL**

Whereas, a group of veterans have initiated efforts to raise the necessary funds to build the proposed memorial; and,

Whereas, it would be advantages for the group if the town made a commitment towards the project to jump start the group's fund raising effort; and,

Whereas, it is estimated that the monument and flags will cost \$60,000:

Be it resolved by the Bucksport Town Council in town council assembled that \$15,000 be donated towards the cost of the project and that such funds are to be used towards the purchase of the monument and/or flags.

Be it further resolved that the funds are to be transferred from the Overlay Account and funds are to be paid directly to the vendor that will provide the flags or to the manufacturer of the monument.

**RESOLVE #2008-30 REGARDING LICENSE TO USE MILES LANE FOR THE
BENEFIT OF CHRIS MAGGS**

Whereas, Chris Maggs has requested permission to use Miles Lane, off Route 1, for access to his proposed drive through window for his business (Whole Earth Kantina); and,

Whereas, the matter was referred to the Town's attorney to draw up an agreement that would be acceptable to the Bucksport Town Council; and,

Whereas, the agreement has been prepared and the following conditions have been outlined:

1. Licensee shall not make any improvements to said property without the prior written consent of the Town.
2. Licensee shall maintain liability policy with coverage equal to the limits set forth under the Maine Torts Claim Act.
3. Licensee shall indemnify and hold the Town harmless against any claim of liability or loss from personal injury or property damage resulting from or arising out of the use of the property.
4. The license is revocable upon seven (7) days written notice to Licensee.
5. The License is non-assignable.

Be it resolved by the Bucksport Town Council in town council assembled that the license be signed giving authorizing to Chris Maggs to use a portion of Miles Lane, off Route 1, as an access for his drive through window serving his customers, pursuant to conditions outlined by the attached license and upon his providing the Town Manager a Certificate of Insurance for the required insurance coverage, and payment of \$125.00 to cover the cost of having the attorney prepare the license.

RESOLVE #R-2008-31 ISSUING DEED FOR MECHANIC STREET EXTENSION

Whereas, the Bucksport Town Council proposes to designate the road extending across the so-called Luman Warren School Property connecting Mechanic Street and Elm Street; and,

Whereas, it has been recommended by the Town of Bucksport's attorney that this be done by dedication as outlined by Title 23 of the Maine Revised Statutes; and,

Whereas, a deed has been prepared allowing for such:

Be it resolved by the Bucksport Town Council in town council assembled that the deed dedicating the street traversing through the so-called Luman Warren School Property, connecting Mechanic Street and Elm Street, be signed allowing for the street to become a public way.

Be it further resolved that the road become an extension of Mechanic Street.

RESOLVE #R-2008-32 AWARDING CONTRACT FOR PRINTING THE 2006-2007 TOWN REPORT

Whereas, Evangel Printers, a local printer, has offered to print the 2006-2007 Town Report for a sum not to exceed \$3,000; and,

Whereas, Evangel Printers has provided this service to the Town in the past; and,

Whereas, no other local printer has been identified to provide this service to the Town:

Be it resolved by the Bucksport Town Council in town council assembled that Evangel Printers be awarded the contract to print the 2006-2007 Town Report at a cost not to exceed \$3,000.

**RESOLVE #R-2008-33 AUTHORIZING REPLACEMENT OF THE WATER
HEATER AT THE TOWN GARAGE**

Whereas, efforts are being made to reduce the amount of power being utilized at the Town Garage; and,

Whereas, a proposal has been submitted by Osborne's Plumbing & Heating, Inc to install a new Instant Water Heaters at the Town Garage for a cost of \$731.03; and,

Whereas, this unit only operates when water is drawn and since the bathroom fixtures are only used periodically at the facility, a considerable reduction of energy cost should be realized:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to install an Instant Water Heater at the Bucksport Town Garage be authorized at a cost not to exceed \$732.

Be it further resolved that the cost for this improvement be charged to Town Garage Reserve.

FINANCING IMPROVEMENTS AT THE HIGH SCHOOL

Shall an ordinance be introduced entitled “Financing Improvements at the Bucksport High School” such ordinance being for the purpose of authorizing the Bucksport School Board with the approval of the Bucksport Town Council to expend an amount not to exceed \$1,500,000 from the School Department Building Reserve Fund for improvements at the Bucksport High School.

Improvements will include but are not limited to roof replacements, locker rooms and bathroom repairs, ADA improvements, purchase and installation of an intrusion detection system, floor and ceiling replacements, and ventilation improvements. Funds are available from the Building Reserve Account

FINANCING IMPROVEMENTS TO HIGHWAYS

Shall an ordinance be introduced entitled “Financing Improvements to Highways” such ordinance being for the purpose of authorizing the Bucksport Town Council to expend an amount not to exceed \$300,000 for highway improvements during 2008-2009 fiscal year.

Projects will include: to reconstruct portions of Russell Hill Road and Silver Lake Road, to reclaim and install new pavement on Forsythe Avenue and portion of Spruce Street, to reclaim and complete vertical realignments on a section of Millvale Road (formerly Hinck’s Road) and design road improvements for a portion of Franklin Street, from MacDonald Street to Third Street. Funds will be appropriated from the Highway Improvement Reserve and Designated Fund Balance (Surplus)

FINANCING IMPROVEMENTS AT THE HIGH SCHOOL

Shall an ordinance be adopted entitled “Financing Improvements at the Bucksport High School” such ordinance being for the purpose of authorizing the Bucksport School Board, with approval of the Bucksport Town Council, to expend an amount not to exceed \$1,500,000 from the School Department Building Reserve Fund for improvements at Bucksport High School.

Improvements will include but are not limited to roof replacements, locker rooms and bathroom repairs, ADA improvements, purchase and installation of an intrusion detection system, floor and ceiling replacements, and ventilation improvements. Funds are available from the Building Reserve Account

That such ordinance entitled “Financing Improvements at the High School” be submitted to the voters of Bucksport for consideration at the November 6, 2007 General Elections.

For the purpose of this ordinance “with approval of the Bucksport Town Council” means that all projects will be submitted to the Town Council for approval for funding prior to award of a contract or contracts.

Voted Yes____ **No**____ **Abstained**_____

Date: _____

Attested: Kathy Downes, Town Clerk

FINANCING IMPROVEMENTS TO HIGHWAYS

Shall an ordinance be adopted entitled “Financing Improvements to Highways” such ordinance being for the purpose of authorizing the Bucksport Town Council to expend an amount not to exceed \$300,000 for highway improvements during 2008-2009 fiscal year.

Projects will include: to reconstruct portions of Russell Hill Road and Silver Lake Road, to reclaim and install new pavement on Forsythe Avenue and portion of Spruce Street, to reclaim and complete vertical realignments on a section of Millvale Road (formerly Hincks Road) and design road improvements for a portion of Franklin Street, from MacDonald Street to Third Street. Funds will be appropriated from the Highway Improvement Reserve and Designated Fund Balance (Surplus)

That such ordinance entitled “Financing Improvements to Highways” be submitted to the voters of Bucksport for consideration at the November 6, 2007 General Elections.

Voted Yes____ **No**_____ **Abstained**_____

Date: _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-34 AWARDED BID FOR PURCHASE OF ROAD SALT
FOR THE 2007-2008 WINTER SEASON**

Whereas, bids were requested through the Joint Purchasing Program sponsored by the Hancock County Regional Planning Commission; and,

Whereas, bids were received as follows:

Harcos	\$64.98
International Salt	\$62.85
Cargill, Inc. Deicing	\$58.24

Be it resolved by the Bucksport Town Council in town council assembled that the bid for purchase of winter salt for the 2007-2008 winter season be awarded to Cargill, Inc. Deicing for \$58.24 per ton.

Voted Yes _____ **No** _____ **Abstained** _____

Date: _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-35 REGARDING DOWNTOWN APPLICATION FOR CDBG FUNDS

Whereas, the Town proposes to submit an application to the Department of Economic and Community Development for a Community Enterprise Grant to undertake streetscape projects identified in the Downtown Plan; and,

Whereas, the Downtown area, for the purpose of this grant, begins at the intersection of Route 1 and Route 15 and extends to First Street and includes all properties between Franklin Street and the shore of the Penobscot River; and,

Whereas, the project must take place in an area where 51% or more are LMI or in an area that is designated as meeting the definition of slum/blight; and

Whereas, the Town proposes to apply for \$150,000:

Be it resolved by the Bucksport Town Council in town council assembled that the following Declaration of Slum and Blight Area be adopted and signed by the Bucksport Town Council.

Be it further resolved that the Town Manager be authorized to submit an application to Department of Economic and Community Development for a Streetscape grant to complete identified projects in the Downtown Plan that will eliminate slum/blight conditions and provide economic development opportunities for the target area.

Voted Yes ___ **No** ___ **Abstained** _____

Date: _____

Attested: Kathy Downes, Town Clerk

DECLARATION OF SLUM AND BLIGHT AREA
MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

It is hereby found and declared:

That there exists in the Town of Bucksport a deteriorating, dilapidated, slum and blighted area, dangerous buildings, deficient public improvements and incompatible uses of property, which constitute a serious and growing menace, injurious and inimical to the public health, safety, morals and welfare of the residents of the Town Bucksport.

That the existence of such an area, as shown on the attached map and identified as The Downtown Area, and located in Census Tract Number: _____, is found to be consistent with Maine State Statute 30-A, Chapter 205, Section 5202 and regulations set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570.

That the blighted area will be addressed with Community Development Block Grant (CDBG) and other funds through eligible activities, in accordance with all CDBG regulations and Maine State Statute 30-A, Chapter 205, Sections 5201 through 5205.

That the activities to be conducted are designed to eliminate the causes of slum and blight.

The Declaration with attendant documentation is hereby enacted on the 13th of September, 2007 and is effective from this day forth until such conditions have been remedied through completion of the CDBG project.

AUTHORIZED SIGNATURES

_____ Name	_____ Date

Municipal Seal

**RESOLVE #R-2008-36 AUTHORIZING APPLICATION FOR A SHIP GRANT
FOR DOCK IMPROVEMENTS**

Whereas, the Maine Department of Transportation is requesting applications from interested communities for grant funds to do improvements to public wharfs, landing, or boat ramps; and,

Whereas, the Town of Bucksport has additional needs at the Town Dock which include an ADA access ramp for the dock and replacement of six 20' floats; and,

Whereas, the estimated cost for each improvement is as follows:

120' float replacement (material only)	\$15,000
ADA ramp	\$ 4,000

Whereas, the program requires a 25% match; and,

Whereas, the application is due by September 28, 2007:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to submit an application to the Maine Department of Transportation for a Small Harbor Improvement Program grant in the amount of \$14,250 being 75% of the cost of the overall project to complete improvements at the Town Dock that will include replacement of six floats and installation of a new ADA ramp for the deck area of the dock.

Be it further resolved that the 25% match in the amount of \$4,750 be appropriated from TIF Revenue Account.

Voted Yes____ **No**____ **Abstained**_____

Date: _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-37 AWARDED BID FOR PURCHASE OF WINTER SAND
FOR THE 2007-2008 WINTER SEASON**

Whereas, bids were requested from area contractors for purchase of winter sand; and,

Whereas, bids were received as follows:

	Picked up	Delivered
Vaughn Thibodeau and Sons, Inc.	\$5.00 per cubic yard	\$9.50 pcy
Stockton Sand and Gravel	\$4.25 per cubic yard	\$7.50 pcy

Whereas, the Town estimates purchasing 8,000 cubic yards of sand for the 2007-2008 snow season:

Be it resolved by the Bucksport Town Council in town council assembled that the bid for purchase of winter sand be awarded to Stockton Sand and Gravel in the amount of \$4.25 per cubic yard.

Voted Yes ___ **No** ___ **Abstained** _____

Date: _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-38 AUTHORIZING CONSTRUCTION OF BATHROOM
FACILITIES AND CONCESSION STAND TO SUPPORT THE HIGH SCHOOL
AND MILES LANE SPORT FIELDS**

Whereas, plans have been prepared for construction of bathroom facilities and a concession stand to support activities held at the High School and Miles Lane sport fields; and,

Whereas, the Town would act as the general contractor for the project; and,

Whereas, funds are available to begin the project in several reserve accounts that total approximately \$38,700; and,

Whereas, the estimated cost of the project is \$60,000; and,

Whereas, the Bucksport School Board has reviewed and approved the project; and,

Whereas, the Town of Bucksport Recreation Department would have the overall responsibility of managing and maintaining the facility:

Be it resolved by the Bucksport Town Council in town council assembled that the Town proceed with the construction of the proposed concession stand and bathroom facility to support the High School and Miles Lane sport fields pursuant to the following conditions:

1. the Town of Bucksport will act as the general contractor
2. the balance of funds from the New Middle School Project and High School Energy Project reserve totaling approximately \$38,700 shall be appropriated towards the cost of the project
3. the balance of the required cost, but not to exceed an overall project cost of \$60,000, will be transferred from Undesignated Fund Balance
4. the Town of Bucksport will be responsible for the management and maintenance of the facility with input from the Bucksport School Department
5. the Bucksport Town Council will be responsible to enact policy regarding the use and maintenance of the facility with input from the Bucksport School Department
6. the School Department will provide the required funds to develop ADA access from the High School sport fields to the facility
7. the project will be located on town property off Miles Lane adjacent to Carmichael Field and Miles Lane School

Voted Yes _____ **No** _____ **Abstained** _____

Date: _____

Attested: Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

Walkway Extension- The easement has finally been received from Irving Oil. The project should begin sometime in November depending when the highway department will be done bringing in the winter sand. The plan is to have all the improvements completed in time for the Bay Festival in July 2008.

School Consolidation- The first meeting of the Regional Planning Committee (RPC) for the proposed Regional School Unit (RSU) is scheduled for Monday, September 17, 2007 at 6:00 p.m. at the Bucksport Town Office. The meeting will be televised.

Gardner Commons- The roof for the second floor over the previous industrial art rooms is underway, a number of apartments on the second floor level have been petitioned and some walls have been partially sheeted, below ground piping and conduits have been installed in the gym area, the roof membrane has been installed on the two story portion of the building, the underground drainage pipes and electrical conduits have been installed. The project is progressing within schedule.

CSO Project- The vortex structure has been successfully water tested, all but one manhole has to be installed, the pump station structure has been backfilled and the contractor is waiting for the equipment to be delivered, work has started on installing the pipes across Tannery Brook that extend to the existing CSO structure, and the footings for the building should be started during the week of September 10th. The project is on schedule and no major issue has surfaced to date. I have requested that the engineer reduce the size of the paved area between Main Street and the building. This will eliminate the use of the area as public parking. I have also been working with the contractor and engineer regarding the bathroom railings. We have decided to wait until all of the backfill has been completed and the building started before a final decision is made regarding the options available to the town to provide ADA access to the bathroom facility.

Sewer and Treatment Plant Improvements- All sewer line replacements have been completed and the disturbed areas paved. This was not an easy project since the contractor was not very well organized. The project took six weeks more than anticipated and the work in front of Carl Austin's property remains unfinished. The contractor has promised to return to complete the work before the end of September. I have informed him that I will not allow him to start the work unless he has a qualified superintendent on the job. Time will tell.

Road Improvements- The first lift of pavement and curbs have been installed on the upper end of Elm Street. The final lift of pavement and the new curb in front of Gardner Commons will be installed next summer. All drainage work scheduled along MacDonald Street and Silver Lake Road has been completed. The section of street and road is tentatively scheduled to be reclaimed Friday, September 14. Assuming the reclaiming projects occurs as scheduled; the road should be ready for payment by October 1. I have ordered the box culvert for the Upper Long Pond Road and applied for the Permit by

Rule that is required for the project. I expect that the culvert will be shipped the second week of October.

Website Development- The contract has been signed and a meeting has been held with the consultant. The Home Page has been developed and meetings have been scheduled for the last week in September between the consultant and department heads to review the contents that will be included within each department's webpage.

Wind Mill Project- I have had the opportunity to discuss the town's project with the same company that is currently working with the Town of Saco. The current thinking is to develop several potential sites that could take advantage of wind power. This includes the treatment plant and/ or school in the Miles Lane area. As I develop the project, I will keep the Town Council informed.

Industrial Park Land Purchase- Millett Associates has completed a proposed lot layout for the additional land for the industrial park. He is proposing seven lots that would encompass about 17 acres. An additional two to three acres will be necessary for the road. A plan identifying the location and dimension of each lot is provided for review by the Town Council. I plan on meeting with the developer to complete this project in the next few weeks.

**RESOLVE #R-2008-39 APPROVING AGREEMENT FOR PARKING LOT WITH
THE MASONIC TEMPLE ASSOCIATION**

Whereas, the Town of Bucksport has maintained an agreement with Masonic Temple Association since the early 1970's for use of the lot located on property at the corner of Elm Street and Franklin Street for public parking; and,

Whereas, the agreement was irrevocable with 90 days notice; and,

Whereas, the Town Council budgeted \$15,000 in the 2006-2007 municipal budget to reconstruct the parking lot; and,

Whereas, the terms of the agreement did not justify the level of expenditure proposed to reconstruct the lot: and,

Whereas, the association agreed to a new lease that would guarantee public use of the lot a minimum of eight years:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to sign the Parking Lot Agreement with the Masonic Temple Association for use by the public, the parking lot located at the corner of Elm and Franklin, pursuant to the following terms:

The agreement will be for no less than for eight years

The owner will hold harmless the town against any claims resulting from the owner's use

The town will hold the owner harmless against any claims resulting from the public's use

The Town will be responsible for maintaining the parking lot

The Town will obtain liability insurance to cover any liability due to public use of the lot

The agreement may be terminated with 90 days notice after the first eight years

RESOLVE #R-2008-40 AUTHORIZING GRANT FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES/HEALTHY MAINE PARTNERSHIP

Whereas, the Town of Bucksport has been offered a grant from the Department of Health and Human Services/Healthy Maine Partnership in the amount of \$63,983; and,

Whereas, this grant is to be administered by Mary Jane Bush, coordinator for the Bucksport Bay Healthy Community Coalition; and,

Whereas, the funds will be used to fund the position of Health Coordinator for the Bucksport School System to help reduce substance abuse at our local schools; and,

Whereas, the Bucksport Bay Healthy Community Coalition/Town of Bucksport must serve as fiscal agent for the school department to receive these funds:

Be it resolved by the Bucksport Town Council in town council assembled that the grant offered by the Maine Department of Health and Human Services/Healthy Maine Partnership in the amount of \$63,983 to fund a School Health Coordinator be accepted and the program be administered according to program requirements by Mary Jane Bush, Coordinator for the Bucksport Bay Healthy Community Coalition.

**RESOLVE #R-2008-41 AUTHORIZING EXPENDITURE FROM THE TOWN
GARAGE RESERVE**

Whereas, identified improvements have to be made to the overhead doors at the Town Garage; and,

Whereas, these improvements include having to replace four panels for three overhead doors and to modify seven door openers in order to meet Department of Labor Safety requirements; and,

Whereas, the Public Works Director has received a quote from Bangor Overhead Door to complete the work for a cost of \$1,530; and,

Whereas, funds are available in the Town Garage Reserve to complete such improvements:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not to exceed \$1,530 be authorized from the Town Garage Reserve Account to complete repairs to the overhead doors and openers at the town garage.

**RESOLVE #R-2008-42 AUTHORIZING EXPENDITURE FROM THE
WATERFRONT RESERVE**

Whereas, it became necessary to do repairs to the five sets of pylons at the town dock;
and,

Whereas, the repairs include replacing the aloline anodes and to scrape and treat the
pylons with a coal tar moisture cure urethane; and,

Whereas, the estimated cost of doing the repairs is \$7,300; and,

Whereas, there are adequate funds in the Waterfront Reserve Account to cover the cost of
these repairs:

Be it resolved by the Bucksport Town Council in town council assembled to authorize
expenditures not to exceed \$7,300 from the Waterfront Reserve to complete
improvements to the five pylons at the town dock.

**RESOLVE #R-2008-43 AUTHORIZING EXPENDITURE FROM HIGHWAY
IMPROVEMENT RESERVE**

Whereas, there is a need to obtain the services of a surveyor to prepare a legal description for a section of Powerline Drive so that it can be dedicated as a public way; and,

Whereas, a proposal has been obtained from Plisga and Day to complete the work; and,

Whereas, they have proposed to complete the work for an estimated cost of \$2,300;

Be it resolved by the Bucksport Town Council in town council assembled that expenses to prepare a legal description for a portion of the Powerline Drive in an amount not to exceed \$2,300 be authorized from the Highway Improvement Reserve.

Be it further resolved that the contract for the work be awarded to Plisga & Day.

**RESOLVE #R-2008-44 AUTHORIZING EXPENDITURE FROM OVERLAY
ACCOUNT FOR CRUSHING STOCKPILE OF LEDGE FOR IMPROVEMENTS
ON THE SILVER LAKE PROPERTIES**

Whereas, several thousand yards of broken ledge was recovered this past summer from the CSO Project; and,

Whereas, it is proposed to have the smaller pieces of ledge crushed to create an aggregate that can be used on trails and roadways on the Silver Lake properties, owned by the Town of Bucksport; and,

Whereas, a proposal from Wardwell Construction & Trucking has been received to crush the ledge to three inch size for a cost of \$4.00 per cubic yard; and,

Whereas, it is estimated that there is approximately 3,500 cubic yards to process:

Be it resolved by the Bucksport Town Council in town council assembled that it be authorized to transfer an amount not to exceed \$14,000 from Overlay Account to crush ledge from the CSO Project that has been stockpiled at the town garage for use on trails and roadways on the Silver Lake properties that are owned by the Town or for highway projects.

RESOLVE #R-2008-45 APPROVING CONTRACT WITH PLANNING INSIGHT FOR STRATEGIC PLANNING FOR A RETIREMENT HOUSING COMPLEX

Whereas, the Bucksport Town Council would like to pursue the need for elderly housing with services for all elderly citizens of Bucksport; and,

Whereas, the Town Council sees this opportunity not only as meeting a community need but an opportunity to create jobs; and,

Whereas, a preliminary overview was completed by Planning Insight and it was recommended that a focus be given to position Bucksport as the site for a demonstration complex based in some part on the Robert Wood Johnson effort, a study sanctioned by Maine Department of Health and Human Services with the objective of exploring, studying, and developing affordable assisted living in rural Maine for elderly; and,

Whereas, to achieve the goal identified in the preliminary study, the consultant has proposed that a comprehensive market feasibility study be completed; and,

Whereas, once the results are known, to then develop a concept which will meet the market area needs and be favorable to the potential funding agencies; and,

Whereas, Planning Insight proposes to complete these two tasks for an amount not to exceed \$24,500; and,

Whereas, a more detailed scope of services is outlined in a draft proposal dated September 28, 2007:

Be it resolved by the Bucksport Town Council in town council assembled that the services of Planning Insight be engaged to prepare a Strategic Plan for a retirement housing complex in Bucksport and that such services are to include development of a comprehensive marketing study of the housing needs for elderly in the Bucksport market area and the conceptual structuring of development options that are acceptable to funding agencies, such as outlined by a proposal dated 9-28-2007, with the following exceptions:

1. under task 1.1 the hospital service area is to include Eastern Maine Medical Center and St Joseph Hospital
2. that the market study will include all support documents of which will be provided to the Town
3. that the Scope of Service clearly define what the recommended retirement housing complex will consist of

Be it further resolved that the cost of the study is not to exceed \$24,500 and that such cost is to be charged as follows: \$4,500 to the CDBG Housing-Downtown Program and \$20,000 to the TIF Account.

RESOLVE #R-2008-46 APPROVING THE PURCHASE OF SHRUBS AND TREES

Whereas, the Town of Bucksport received a Canopy grant from the Bureau of Forestry to do plantings along town streets; and,

Whereas, the grant was in the amount of \$3,035; and,

Whereas, quotes were requested from three local nurseries; and,

Whereas, two nurseries responded to the request; and,

Whereas, the proposals are as follows:

Newland Nursery & Landscaping	\$5,967.00
Sprague's Nursery	\$4,350.15

Be it resolved by the Bucksport Town Council in town council assembled that the contract for purchase of 11 trees and 20 shrubs be awarded to Sprague's Nursery in the amount of \$4,350.15.

Be it further resolved that \$3,035 of the project cost be charged to the Canopy Grant Program and the balance to the Maine Forestry Account #540-12.

**RESOLVE #R-2008-47 APPROVING AMUBLANCE WRITE-OFFS FOR THE
PERIOD 7-1-2006 TO 9-30-2006**

Be it resolved by the Bucksport Town Council in town council assembled that the Finance Director be authorized to write-off \$13,559.04 of uncollectible ambulance aged accounts for the period 7-1-2006 to 9-30-2006.

**RESOLVE #R-2008-48 REFERRING CHANGES PERTAINING TO LAND USE
PERMIT FEES TO THE ORDINANCE COMMITTEE**

Whereas, it has become an issue that the cost of processing certain Land Use Ordinance permits are exceeding the permit fee collected by the Town; and,

Whereas, it has been the policy of the Town in the past to have a permit fee structure that will cover the cost of processing Land Use permit applications; and,

Whereas, recommendations are being proposed by the Town Manager to amend the Land Use Ordinance to assure that permit fees are adequate to fund the processing of such permits:

Be it resolved by the members of the Bucksport Town Council in town council assembled that the matter pertaining to permit fees for Land Use permits be referred to the Ordinance Committee for a recommendation.

**RESOLVE #R-2008-49 APPOINTING THE CODE ENFORCEMENT OFFICER
AND PLUMBING INSPECTOR**

Be it resolved by the Bucksport Town Council in town council assembled that Jeffrey Hammond be reappointed as Code Enforcement Officer and Plumbing Inspector for the period ending 6-30-2009.

AMENDMENT TO THE GENERAL ASSISTANCE ORDINANCE

Shall an ordinance be introduced entitled “ Amendment to the Bucksport Town Code, General Assistance Ordinance” such ordinance being for the purpose of amending Appendices (A-C) for the period of October 1, 2007 to October 1, 2008, as well as Appendix F (Maximum for personal Care & Household Supplies), as revised September 2007.

TOWN MANAGER'S REPORT

CSO Project- Installation of the two pipes crossing Tannery Brook have been installed, the parts for the swirl concentrator have been delivered and should be installed by the end of October, the below floor plumbing for the bathrooms has been installed, the footings and foundation for the building should be completed by October 26, and construction of the building should commence by November 1. The project is on schedule and no change order has been issued to date.

Gardner Commons- The second story over the old industrial arts portion of the building is all framed and sheeted, many of the apartments upstairs have been partitioned, and the steel beams for the second story in the gym have been installed. The project is on schedule and no serious issue affecting the project has surfaced to date.

Sewer Improvements: This project is now complete. Drainage improvements in front of MacLeod's and Carl Austin's have been installed. The treatment plant operator is currently working to identify additional improvements which can be addressed with left over funds. We expect about \$200,000 to \$250,000 to be left over from the CSO and Sewer Improvement Project.

Road Project- All curbing work along MacDonald Street and School Street has been completed today. Hand work is underway and should be completed by the end of the week. Work on Masonic Parking Lot has been completed. The final lift of pavement for all projects will be completed next summer. The plans for the footings for the bridge across Moosehorn Stream have been received but the culvert still has not been delivered. Because it is quite late in the year and the Highway Department needs to start bringing in winter sand, I will delay this project until next construction season.

Economic Development Plan: A preliminary draft of the strategies was shared with the members of the Economic Development Committee. They were not satisfied with the plan and have asked the consultant to rewrite that section of the plan. The consultant was contacted and has agreed to work with Dave and I to rewrite the strategies to fit Bucksport.

Financial Status: I have provided you with the expense and revenue summaries to 9-30-2007. Revenues and expenses are in line with budgeted amounts. At this time I do not see any issue to be concerned about.

301 Waiver- As I previously noted to you, EPA has informed the Town that they will not issue the 301 Waiver for the treatment plant resulting in the town's need to pursue secondary treatment. I have been in consultation with the town's attorney whether the town should appeal. We are leaning towards appealing the decision in hopes that we can buy some time with DEP to negotiate an agreement which is amendable to the town. I will keep you posted.

**RESOLVE #R-2008-50 REFERRING REQUEST FOR REMOVAL OF TREES
ALONG THE WATERFRONT**

Whereas, a request has been received from Cheryl and James Stewart for the Town to cut trees located along the walkway adjacent to their property; and,

Whereas, since these trees were planted in conjunction with the waterfront development:

Be it resolved by the Bucksport Town Council in town council assembled that the request from Cheryl and James Stewart to cut trees located along the waterfront in the vicinity of their property be referred to the Waterfront Committee for a recommendation.

**RESOLVE #R-2008-51 AUTHORIZING EXPENDITURES FOR THE
SWIMMING POOL**

Whereas, authorization from the Bucksport Town Council will be necessary for additional expenditures for repairing the swimming pool; and,

Whereas, the additional expenditures include having to test and repair the underground piping and fittings, purchasing and installing insulation to winterize the pool area, resealing the pool, and reinstalling the fence; and,

Whereas, the cost of the additional work is estimated at \$12,000:

Be it resolved by the Bucksport Town Council in town council assembled that additional expenditures not exceeding \$12,000 be authorized to complete pool repairs and such cost be charged to the Overlay Account.

RESOLVE #R-2008-52 REGARDING REQUEST OF CHRIS MAGGS FOR USE OF MILES LANE

Whereas, Chris Maggs requested that the Town Council amend the original proposed license for his use of Miles Lane as an access to a proposed take out window; and,

Whereas, Mr. Maggs requested that a condition of the license pertaining to notice of revocation of the license be changed from being a 24 hour notice to a 30 day notice; and,

Whereas, the town attorney has indicated that she has no objection with the proposed change:

Be it resolved by the Bucksport Town Council in town council assembled that the license to permit use of a portion of Miles Lane by Chris Maggs for access to a proposed take out window be amended to require 30 days notice for revocation of the license rather than 24 hours, be approved.

Be it further resolved that the agreement not be released until Mr. Maggs has complied with all requirements outlined in the agreement.

AMENDMENT TO GENERAL ASSISTANCE ORDINANCE

Shall an ordinance be adopted entitled “Amendment to the Bucksport Town Code, Appendix M General Assistance Ordinance” such ordinance being for the purpose of amending Appendices (A-C) for the period of October 1, 2007 to October 1, 2008, as well as Appendix F (maximum for personal care and household supplies) as revised September 2007.

Adopted 11-8-2007

Yes___ **No** ___ **Abstained** _____

Attested by Town Clerk

Kathy Downes

**RESOLVE#R-2007-53 AUTHORIZING PURCHASE OF INCUBATOR FOR USE
AT THE WASTEWATER TREATMENT PLANT**

Whereas, there is a need to replace the existing incubator at the wastewater treatment facility; and,

Whereas, a refurbished unit can be purchased for substantially less cost and serve the expected needs; and,

Whereas, the cost of a refurbished unit is \$1,295; and,

Whereas, a new unit would cost in the vicinity of \$3,900:

Be it resolved by the Bucksport Town Council in town council assembled that the purchase of a refurbished incubator for use at the wastewater treatment plant be authorized in the amount of \$1,295.

Be it further resolved that the cost of the purchase be charged to the Sewer Reserve Account.

Adopted 11-8-2007

Yes ___ **No** ___ **Abstained** _____

Attested by Town Clerk

Kathy Downes

**RESOLVE #R-2007-54 REGARDING REQUEST TO DISCONTINUE A
PORTION OF THOMAS STREET**

Whereas, several citizens have requested that a portion of Thomas Street, (from Bagley Avenue to property owned by Webber Oil) be discontinued as a public way; and,

Whereas, discontinuance of a public way must be pursuant to 23 M.R.S.A. Section 3026:

Be it resolved by the Bucksport Town Council in town council assembled that the request to discontinue a portion of Thomas Street as described above be referred to the Road and Street Committee for a recommendation.

Adopted 11-8-2007

Yes ___ No ___ Abstained _____

Attested by Town Clerk

Kathy Downes

RESOLVE #R-2007-55 REGARDING REQUEST TO ALLOW A SEPTIC WASTE PROCESSING AND DEWATERING FACILITY IN THE RURAL ZONE

Whereas, Eugene Berry requested that the Bucksport Town Council consider amending the Bucksport Land Use Ordinance to allow for development of a septic waste processing and dewatering facility in the Rural Zone, more specifically on lot 75 of map 10 located on the Bucksmills Road; and,

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

Whereas, members of the committee met on October 24 and November 1 to hear comments from interested parties and to deliberate the matter; and,

Whereas, the members of the committee voted not to grant Mr. Berry’s request to amend the existing Bucksport Land Use Ordinance to allow “a septic waste processing and dewatering facility” in the Rural Zone at this time; and,

Whereas, the members of the committee acknowledge as they continue to consider changes to the existing land use ordinance to comply with the 2003 Comprehensive Plan, the need to identify areas in the Rural Zone or other zones that may be more appropriate for the type of use outlined above; and,

Whereas, interested citizens have been encouraged to participate in the process as changes to the land use ordinance are being considered and recommended by the Bucksport Ordinance Committee:

Be it resolved by the Bucksport Town Council in town council assembled that the recommendation of the Ordinance Committee be accepted not to amend the existing Bucksport Land Use Ordinance to allow a septic waste dewatering and processing facility in the Rural District.

Adopted 11-8-2007

Yes___ **No** ___ **Abstained** _____

Attested by Town Clerk

Kathy Downes

RESOLVE #R-2007-56 REGARDING REQUEST TO CUT TREES ALONG THE WATERFRONT ADJACENT TO PROPERTY OF CHERYL AND JAY STEWART

Whereas, Jay and Cheryl Stewart requested that the Bucksport Town Council consider cutting down the trees adjacent to their property and located along the waterfront walkway and marina; and,

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

Whereas, the members of the committee conducted a site visit on November 1, 2007 to familiarize themselves with the site and to have a better understanding of the request; and,

Whereas, after discussion, it was voted not to grant the request at this time since the building is currently vacant and for sale or rent; therefore, it is not known what the new owner(s) or tenant(s) will utilize the property for; and,

Whereas, members of the committee recognize that how the property is utilized can have a significant impact on the appearance of the property; therefore, having the potential of creating a negative impact on the town's property, particularly visually; and,

Whereas, the trees were planted initially to create a buffer between the town's property and the neighbors:

Be it resolved by the Bucksport Town Council in town council assembled that the request of Cheryl and Jay Stewart to remove the trees along the waterfront walkway and adjacent to their property be denied as recommended by the Waterfront Committee.

Adopted 11-8-2007

Yes___ No ____ Abstained _____

Attested by Town Clerk

Kathy Downes

RESOLVE #R-2007-57 AUTHORIZING ENGINEERING SERVICES FOR WATERFRONT WALKWAY ADJACENT TO THE BEST WESTERN MOTEL

Whereas, the owner of the Best Western has shared concerns that the walkway located on the riverside of his motel is too close to the building resulting in occasional disturbance for his clients; and,

Whereas, he has requested that the town look into relocating the walkway further away from his building; and,

Whereas, a proposal has been obtained from Pine Tree Engineering to provide engineering services to develop preliminary plans to relocate the walkway as far from the building as possible at a proposed cost not to exceed \$1,300, which would include a field survey:

Be it resolved by the Bucksport Town Council in town council assembled that the firm Pine Tree Engineering be engaged to develop preliminary plans to relocate the riverfront walkway as far from the Best Western Motel (building) as possible for a cost not to exceed \$1,300.

Be it further resolved that the cost of preparing the study be paid for from Waterfront Reserve.

Adopted 11-8-2007

Yes___ No ___ Abstained _____

Attested by Town Clerk

Kathy Downes

RESOLVE #R-2007-58 REQUESTING APPROVAL TO FILE COMPLAINT TO ADDRESS NUISANCE CONDITIONS AT 24 NICHOLSON AVENUE

Whereas, Jeffrey Hammond, CEO has requested authorization to file a complaint in Superior Court to resolve the nuisance conditions on property at 24 Nicholson Avenue, including the dilapidated mobile home; and,

Whereas, the owner has been given ample time to make the necessary improvements required to make his mobile home habitable but has abandon the project after ripping out the bathroom, kitchen and some flooring; and,

Whereas, the exterior property is beginning to accumulate junk once again after the town conducted a thorough clean-up of the lot this summer:

Be it resolved by the Bucksport Town Council in town council assembled that Jeffrey Hammond, CEO be authorized to file a complaint in Superior Court to resolve the nuisance conditions on property at 24 Nicholson Avenue including the dilapidated mobile home.

Adopted 11-8-2007

Yes___ **No** ___ **Abstained** _____

Attested by Town Clerk

Kathy Downes

**RESOLVE #R-2007-59 AUTHORIZING ENGINEERING AGREEMENT FOR TREATMENT
PLANT IMPROVEMENTS**

Whereas, funds will be left over from the proceeds of the grant and loan received from Rural Development for the CSO improvements; and,

Whereas, it is estimated that \$200,000 will be leftover from the project; and,

Whereas, these funds are grant funds and if not used will be returned to Rural Development; and,

Whereas, Rural Development has agreed to allow the town to use the funds for other needed improvements at the treatment plant or additional CSO related improvements; and,

Whereas, the following projects have been identified:

- Purchase a portable generator to support the pump stations that do not have a source of emergency power including the necessary switches and plugs. (engineering services will be required)
- Purchase a SCADER System to monitor the activities at each pump station. (engineering services will be required)
- Replace the two sludge pumps at the treatment plant.
- Rebuild the mechanical parts of the two clarifiers.
- Rebuild the dewatering press.
- Replace the control panel at the School Street pump station. (engineering services will be required)

Whereas, the services of an engineer will be required for some of the improvements listed above; and,

Whereas, it is proposed to obtain the services of Wright and Pierce to provide these services since the firm is currently providing services to the town for both the treatment plant and CSO Project; and,

Whereas, it is estimated that the services will not exceed \$15,000 in cost, such to be paid from the grant proceeds:

Be it resolved by the Bucksport Town Council in town council assembled that the engineering agreement with Wright and Pierce be modified to include additional engineering services for the purchase of a generator to serve several pumps stations, purchase and installation of a SCADER System, and replacement of the control panel at the School Street pump station at a cost not to exceed \$15,000 and that such cost is to be paid from the proceeds of the CSO Project.

Be it further resolved that such engineering cost must be approved by Rural Development before the contract is signed by the Town Manager.

Adopted 2-14-2008

Yes ___ **No** ___ **Abstain** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2007-60 REGARDING RESIGNATION OF ELAINE PELLETIER
FROM THE PLANNING BOARD**

Whereas, Elaine Pelletier has submitted her resignation from the Bucksport Planning Board effective 12-1-2007 due to her relocating to Orland:

Be it resolved by the Bucksport Town Council in town council assembled that the resignation of Elaine Pelletier as a member of the Planning Board be accepted effective 12-1-2007.

Be it further resolved that the Town Clerk be authorized to place an ad in the Enterprise seeking interested citizens who might want to serve as a member of the Planning Board and that such appointment be referred to the Appointments Committee for a recommendation.

Adopted 11-8-2007

Yes___ No ____ Abstained _____

Attested by Town Clerk

Kathy Downes

TOWN MANAGER'S REPORT

Gardner Commons- The project is moving along with minimal problems. Windows are now being installed, brickwork on exterior walls continue, exterior brickwork has been pressure washed, sheeting and plastering continues on interior walls and ceilings, and all mechanical and electrical work continues internally. The project continues to be on schedule.

CSO Project- All foundation work should be completed in two weeks and all masonry work should be completed by mid December. The exterior walls of the building will be Nantucket gray, trim will be white, doors and louvers will be slate gray and the singles will be charcoal. All below ground piping and structures have been installed, the pump station is ready for the pumps and controls, and the brook crossing complete. All pavement work has been delayed until May 2008 but the project should be substantially completed by March 2008 as originally planned.

Road Projects-All road projects except for the Moosehorn Stream crossing on Upper Long Pond Road have been completed. The culvert for the stream crossing has been delivered but the project will be delayed until next construction season. The highway crew has filled the sand shed and is currently pulling road shoulders. Work on the waterfront walkway should begin after Thanksgiving.

Retirement Housing Study-Work has commenced on the project. I expect that Phase 1 (market study) of the report will be completed by mid December.

Economic Development Plan- The consultant is currently making the required changes to the plan. I expect the revised strategy and executive summary in the next few weeks

Financials Ending 10-31-2007- I have provided copies of the expense and revenue reports ending 10-31-2007. Revenues are on track and generally keeping pace with last year. No major issues have developed with the expense accounts except for planning board expense overdraft which is due to having to reimburse a large permit fee from last fiscal year, personnel cost should be off by one day due to 2008 being a leap year and the budget did not account for it, and diesel and gasoline cost.

Job Descriptions Update- All job descriptions for full-time employees have been rewritten in a uniform format.

301 Waiver- Work continues with the town attorney and DEP regarding the proposed termination of the town's 301 Waiver. EPA has granted the town an additional 30 days (November 26) to respond to the proposed non renewal of the 301 Waiver. The town's attorney will be preparing the town's final argument and DEP continues to work with the town to set the conditions for the new license and administrative order. DEP is very supportive and has assured the town they will do everything possible to make it as fair as possible for the town.

Web Page Design- The consultant continue to work with the Town to develop the new web page. A meeting has been held with department heads to determine the information to be included on each of the department web page. The plan is to have the project completed by early spring.

Pool repair- The pavement has been removed and all plumbing under the pool has been repaired and tested. The pavement will be delayed until next spring to allow trenches to settle. Considerable digging was necessary to repair all of the broken pipes.

**RESOLVE #R-2008-61 AMENDING LINE ITEMS FOR THE
2007-2008 GENERAL EDUCATION BUDGET**

Whereas, the Bucksport Town Council adopted a budget for the Bucksport School Department for general schools for the period 7-1-2007 to 6-30-2008 in the amount of \$11,645,369, allocated to the following line items:

Instructional Salaries & Benefits	\$6,033,654
Administrative Salaries & Benefits	\$1,019,984
Operation & Maintenance Salaries & Benefits	\$ 512,292
Other Salaries & Benefits	\$ 366,572
Operation of Building	\$ 667,876
Instructional Costs	\$ 906,027
Debt Service	\$1,117,542
Capital Improvements	\$ 136,700
Transportation	\$ 501,540
All Other Costs	\$ 383,182

Whereas, the Superintendent of Schools has requested that the town council consider amending two line items by increasing line item 1 (Instructional Salaries) by \$234,000 and decreasing line item 6 (Instructional Cost) by \$234,000; and,

Whereas, the transfer, if approved, will save the school department 18.75% or approximately \$50,000 since the state charges this percentage for retirement for every teacher and education tech who is employed with federal monies; and,

Whereas, by transferring expenditure items between the federal special education grant and general fund, grant funds are being used to pay for goods and services while general funds are being used to pay for salaries for education techs and teachers:

Be it resolved by the Bucksport Town Council in town council assembled that the budget for the Bucksport School Department for the period 7-1-2007 to 6-30-2008 be amended by increasing line item 1 (Instructional Salaries) by \$234,000 and decreasing line item 6 (Instructional Cost) by \$234,000.

Be it further resolved that the transfer will not change the overall total approved for general education for the period 7-1-2007 to 6-30-2008.

**RESOLVE #R-2008-62 AMENDING LINE ITEMS FOR THE 2006-2007
GENERAL EDUCATION BUDGET**

Whereas, the Bucksport Town Council adopted a budget for the Bucksport School Department for general schools for the period 7-1-2006 to 6-30-2007 in the amount of \$11,425,167, allocated to the following line items:

Instructional Salaries & Benefits	\$6,065,398
Administrative Salaries & Benefits	\$ 952,636
Operation & Maintenance Salaries & Benefits	\$ 525,818
Other Salaries & Benefits	\$ 279,686
Operation of Building	\$ 663,363
Instructional Costs	\$ 792,832
Debt Service	\$1,136,996
Capital Improvements	\$ 150,554
Transportation	\$ 479,540
All Other Costs	\$ 378,344

Whereas, the Superintendent of Schools has requested that the town council consider amending two line items by increasing line item 7 (Debt Service) by \$20,166 and decreasing line item 5 (Operation of Building) by \$20,166; and,

Whereas, the transfer is necessary in order to cover an overdraft in the line item 7 Debt Service due to an understatement of the amount due when the budget was developed; and,

Whereas, funds were leftover in line item 5 Operation of Building to cover the deficit for debt service; and,

Whereas, there is a statutory requirement that debt service be fully funded and paid for each fiscal year:

Be it resolved by the Bucksport Town Council in town council assembled that the budget for the Bucksport School Department for the period 7-1-2006 to 6-30-2007 be amended by increasing line item 7 (Debt Service) by \$20,166 and decreasing line item 5 (Operation of Building) by \$20,166.

Be it further resolved that the transfer will not change the overall total approved for general education for the period 7-1-2006 to 6-30-2007.

**RESOLVE #R-2008-63 REGARDING REQUEST TO FUND ACCRUED
SALARIES FROM THE BALANCE OF THE 2006-2007 SCHOOL BUDGET**

Whereas, accrued summer salaries for school teachers in the amount of \$402,080 has been recognized by the auditor but has not been funded in the past; and,

Whereas, the Superintendent of Schools and Bucksport School Board have recommended that the expense be fully funded; and,

Whereas, the budget for education is approved on a line item basis; and,

Whereas, there is a sufficient balance in the 2006-2007 budget to compensate the absence but not from the applicable salary lines:

Be it resolved by the Bucksport Town Council in town council assembled that the request from the Bucksport School Department to fund accrued summer salaries from the 2006-2007 budget be referred to the Bucksport Finance Committee for a recommendation and that the following matters be considered:

1. Is it in the town's and school department's best interest financially to fund the absence?
2. Is it required to do so in conjunction with consolidation or with current school finance laws?
3. If the absence is funded, what assurance does the taxpayer have that these funds will not be utilized for other purposes in future years?
4. What assurance does taxpayers have that the RSU, if approved, will not spend these funds for other purposes?
5. What assurance does taxpayers have that RSU, if approved, will continue to fund summer salaries as they accrue?

Be it further resolved that the Bucksport Finance Committee include the Bucksport School Department and auditor in the discussion and that a recommendation be ready for consideration at the January 10, 2008 town council meeting.

**RESOLVE #R-2008-64 REGARDING CAPITAL IMPROVEMENTS AT THE
BUCKSPORT HIGH SCHOOL**

Whereas, the voters of Bucksport have authorized the Bucksport School Board with approval of the Bucksport Town Council to expend an amount not to exceed \$1,500,000 for improvements at the Bucksport High School; and,

Whereas, voters were informed that the funds for the project would be obtained from reserve funds; and,

Whereas, the Bucksport School Board, through its superintendent, has requested that they be authorized to proceed with the overall project; and,

Whereas, the Superintendent has provided a list of projects to be completed with estimated costs; and,

Whereas, the Bucksport Town Council has the responsibility to assure taxpayers that funds will be expended fiducially and consistent with the Bucksport Town Charter:

Be it resolved by the Bucksport Town Council in town council assembled that the request to expend up to \$1,500,000 on improvements at the Bucksport High School be referred to the Bucksport Finance Committee for a recommendation and that the following issues be considered:

1. That all necessary funds for the project be designated in a construction reserve and approved following the requirements outlined by the Bucksport Town Charter.
2. That a plan be submitted by the Superintendent of Schools identifying the impact of the proposed expenditure in relationship to fund balance.
3. That all expenses for the project be approved on a competitive basis.
4. That the list of projects to be funded be approved by the Bucksport Town Council.
5. That a site visit be conducted by the Bucksport Finance Committee to view the proposed projects.
6. That all improvements will result in having a more efficient, safe and accessible facility.
7. That all construction plans and specifications be approved by the town council before bids are solicited.

Be it further resolved that the Bucksport Finance Committee will include the Bucksport School Department in their discussion and that a recommendation be ready for consideration at the January 10, 2008 town council meeting.

**RESOLVE #R-2008-65 REGARDING THE AUDIT FOR THE PERIOD 7-1-2006
TO 6-30-2007**

Whereas, the members of the Bucksport Town Council have received a copy of the audit for the period 7-1-2006 to 6-30-2007; and,

Whereas, the format of the audit has changed from previous years; and,

Whereas, it is imperative that the members of the town council comprehend the presentation and opinions rendered by the auditor before the audit is considered for approval; and,

Whereas, the opportunity to review the audit with the auditor is more suited at a finance committee meeting(s):

Be it resolved by the Bucksport Town Council in town council assembled that the audit for the period 7-1-2006 to 6-30-2007 be referred to the Bucksport Finance Committee for a recommendation.

Be it further resolved that the review include the auditor and a recommendation be available for the town council to consider at the January 10, 2008 town council meeting.

**RESOLVE #R-2008-66 AUTHORIZING APPLICATION FOR CDBG FUNDS
FOR HOUSING IMPROVEMENTS**

Whereas, the Town of Bucksport has created a partnership with Eastern Agency on Area Aging and HUD to develop the so-called Gardner School into 26 units of elderly housing with supportive services; and,

Whereas, it was necessary to amend the project scope due to the lack of adequate funding; and,

Whereas, the Town of Bucksport is eligible to apply for funds from the Office of Economic and Community Development to supplement the project budget so that all proposed activities can be achieved; and,

Whereas, the Town of Bucksport can apply for up to \$250,000; and,

Whereas, the program requires a 20% cash match which can be achieved by applying the town's previous commitment of \$100,000; and,

Whereas, the Letter of Intent must be filed no later than January 11, 2008:

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 Develop for a Housing Assistance CDBG in the amount of \$250,000 to be used, if awarded, to supplement the Gardner Common Project so that the original scope of the project can me maintained.

Be it further resolved that the local match include the \$100,000 that was previously committed to the project as well as the value of the building.

**RESOLVE #R-2008-67 AUTHORIZING APPLICATION FOR CDBG FUNDS
FOR AN ENTERPRISE GRANT TO DO IMPROVEMENTS AT PERRY'S
LANDING AND THE DOWNTOWN**

Whereas, a plan has been prepared by Kent Associates for improvements at Perry's Landing and downtown; and,

Whereas, the Town of Bucksport has an opportunity to apply for funds from the Office of Economic and Community Development for grant funds to implement the proposed improvements; and,

Whereas, the Town of Bucksport can apply for a Community Enterprise Grant in the amount of \$150,000 to fund the project; and,

Whereas, the Letter of Intent must be filed by January 4, 2008:

Be it resolved by the members of 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 Community Enterprise Grant in the amount of \$150,000 to complete landscape improvements in the downtown area and at Perry's Landing.

**RESOLVE #R-2008-68 AUTHORIZING EXPENDITURE FROM THE POLICE
EQUIPMENT RESERVE ACCOUNT**

Whereas, the Town of Bucksport has equipment to monitor vehicular activity along town roads and street; and,

Whereas, the equipment needs to be repaired; and,

Whereas, quotes were requested and one was received from Quixote Transportation Technologies for a sum of \$514.50

Whereas, this repair was not anticipated when the maintenance budget was prepared; and,

Whereas, there are adequate funds in the Police Equipment Reserve Account to cover the cost of this repair:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of \$514.50 from the Police Equipment Reserve Account be approved to complete repair to the Nu-Metrics road study equipment.

RESOLVE #R-2008-69 ESTABLISHING AN ENERGY COMMITTEE

Whereas, several proposals have been received regarding wind power to generate electricity to provide the electrical needs for several publicly owned facilities; and,

Whereas, the recent draft of the Economic Development Plan identified several goals that call for pursuing alternative sources of energy or projects that would benefit businesses in Bucksport and lead to new economic development opportunities in Bucksport; and,

Whereas, as the cost of energy continues to spiral, there is a need to pursue every feasible conservation alternative; and,

Whereas, the Town Council must take a leadership role in identifying and implementing energy related improvements that will benefit the citizens of Bucksport:

Be it resolved by the Bucksport Town Council in town council assembled that an Energy Committee be formed for the purpose of identifying cost effective energy alternatives and energy conservation projects that will result in lower energy costs for citizens, taxpayers and businesses of Bucksport and to create new economic development opportunities for the community and that such committee will consist of the members of the Finance Committee, the Economic Development Director, a representative from Healthy Communities, a representative from the Economic Development Committee a representative from the Chamber of Commerce and a minimum of three citizens at large.

Be it further resolved that the committee will report its findings and needs to the Town Council on a monthly basis and the committee will serve at the pleasure of the Bucksport Town Council.

RESOLVE #R-2008-70 AUTHORIZING PAYMENT FOR TOWN LINE SURVEY

Whereas, several years ago, the Town of Dedham requested that the Town of Bucksport share in the cost of surveying the town line between the two communities; and,

Whereas, the Town of Bucksport agreed to do so; and,

Whereas, the project has been completed and the Town of Bucksport's share is \$9,625.88

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport's share of the cost of surveying the Dedham/Bucksport town line be paid in the amount of \$9,625.88 and that such cost be charged to the Overlay Account.

RESOLVE #R-2008-71 ADOPTING POLICY ENTITLED “TOWN OF BUCKSPORT PREPARATION AND PROCESSING OF PURCHASE ORDERS”

Whereas, the Town of Bucksport has utilized purchase orders in the past; and,

Whereas, there has never been a policy on the proper procedures for issuance of purchase orders; and,

Whereas, the auditor has identified this weakness in a management letter issued in conjunction with the 2006-2007 audit; and,

Whereas, a proposed policy has been prepared by the Finance Director, a copy of which has been provided to the town council, for review and approval; and,

Whereas, a copy has also been provided to department heads and key staff for their comments; and,

Whereas, the members of the Finance Committee have reviewed the policy and recommend it is adopted:

Be it resolved by the Bucksport Town Council in town council assembled that the policy entitled “Town of Bucksport Preparation and Processing of Purchase Orders” be adopted.

Adopted 1-10-2008

Yes___ **No** ___ **Abstained** _____

Attested by Town Clerk

Kathy Downes

**RESOLVE #R-2008-72 REGARDING DEBT SERVICE FOR NICHOLSON
AVENUE AND CENTRAL STREET SEWER EXTENSION**

Whereas, the Bucksport Town Council had agreed to retire the debt for Nicholson Avenue and Central Street sewer extensions in conjunction with the new sewer improvements; and,

Whereas, the intent was to pay off the balance due in the amount of \$81,728 for the quarter beginning 7-1-2007; and,

Whereas, that was delayed in order to restructure the rates for those users who are billed on a flat rate basis, therefore the new balance is \$41,619; and,

Whereas, the lender will not give credit for prepayment of the loan; and,

Whereas, if the Town Council authorizes payment, the funds will be moved to an interest bearing account to be used to off-set the cost of interest until such time payments of interest and principle can be paid; and,

Whereas, the rates will be restructured for those users that are on a flat rate effective 1-1-2008:

Be it resolved by the Bucksport Town Council in town council assembled that the funds needed to repay the loan with the Municipal Bond Bank in the amount of \$46,619 be transferred from Undesignated Fund Balance and deposited in a reserve account to be invested and that the necessary funds be withdrawn from the reserve when the payments for interest and principle are due.

TOWN MANAGER'S REPORT

CSO Project- Masonry work continues and should be completed by Christmas. This phase of the project has been delayed due to the cold weather and snow. By the second week of January, the contractor plans on having the roof trusses installed and to begin on the outside of the building. Work on the pump stations has been delayed in anticipation of receiving the variable drives from the factory. The drives are expected the first week of February. All ground work has been put on hold until next spring. Substantial completion date is still planned the latter part of March. The issue of bringing power to the site has been resolved. A new pole will be installed adjacent to the new entrance (brook side) and the service line from the pole to the building installed underground. No major problems have occurred and change orders have been held to a minimum.

301 Waiver- All necessary comments have been provided to EPA by the town's attorney. I do not expect that EPA will renew the town's 301 Waiver; therefore, I expect that we will be hearing from DEP soon regarding our new license which will include an administrative order that the town has to go to secondary treatment within a selected time period.

CDBG Public Facility Improvements- We have about \$48,000 leftover that I recommend we use to purchase a portable generator to serve three of the pump stations that currently have no emergency power. This will include modifying the electrical panels with the necessary switches and plugs. I chose this activity since it was included in the original grant application but had been removed due to budgetary constraints that seem to be apparent at the time of design. Leftover funds will be used to pave those areas that were affected by the project this summer.

Web Site- Development of the web site continues. Department heads at the last staff meeting on December 4 got a chance to see how each of the department's pages will work. We expect to have the project completed by the end of the fiscal year.

Financials for the Period Ending 11-30-2007- I have included copies of the revenue and expense summary sheets for the period ending November 30, 2007. Revenues continue to meet expectations with exception of adult education and Maine Revenue Sharing. I will be speaking with the Superintendent of Schools to determine the root of the problem regarding adult ed. Receipts for Maine Revenue Sharing have fallen below projections because the State Treasury has seen a decline in revenues to date. Any deficit can easily be covered by fund balance and we are carrying a fairly large fund balance for Revenue Sharing. Expenses are generally in line with projections except for Planning Board Expenses and fuel cost. If you have any questions regarding the reports, please see me.

Christmas Luncheon- The Christmas employee luncheon will be held at 12:00 noon at the Senior Citizen Center on Tuesday, December 18, 2007. All members of the town council are invited. We look forward to seeing you there.

Senior Citizen Housing Study- The first meeting with the consultant has been scheduled for 4:00 p.m., on December 20 at the Jewett School. I encourage all members of the Town Council to be present if you choose to.

**RESOLVE #R-2008-73 AUTHORIZING THE MAYOR TO SIGN TREASURER'S
WARRANTS**

Whereas, MSRA Title 30-A 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 31 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 during 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 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.

Be it further resolved that copies of all signed treasurer's warrants will be provided to members of the Town Council during regular Town Council meetings.

Adopted 1-10-2008

Yes___ No ___ Abstained _____

Attested by Town Clerk

Kathy Downes

RESOLVE #R-2008-74 AUTHORIZING 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 decisions of the Bucksport Town Council; and,

Whereas, the Town Manager is the Executive Officer of the Town of Bucksport; and,

Whereas, the Mayor has been selected by a majority of the Town Council to represent the Town Council as a whole:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager and/or Mayor are authorized to sign documents as necessary reflecting those actions approved by a majority of the members of the Bucksport Town Council when required.

Adopted 1-10-2008

Yes___ **No** ___ **Abstained** _____

Attested by Town Clerk

Kathy Downes

RESOLVE #R-2008-75 REGARDING DISCONTINUATION OF A PORTION OF THOMAS STREET

Whereas, a request was made to the Bucksport Town Council by two abutting property owners to consider discontinuing a portion of Thomas Street; and,

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

Whereas, the members of the Road and Street Committee met on December 13, 2007 and offered the following recommendations:

That the Town Council should only consider discontinuing a portion of Thomas Street, extending from Bagley Avenue to property owned by Webber Oil, pursuant to the following conditions:

1. All legal fees necessary to accomplish the discontinuance must be paid by Anthony Lemire and Diane Scheier, the property owners requesting the discontinuance. A deposit equal to the estimated cost of legal services should be made with the Town prior to proceeding with the process.
2. The Town should not consider paying damages to any abutter. If damages are eminent, the town should not proceed with the discontinuance.
3. The Town should not proceed with the discontinuance if municipal services extend within the right of way of the street, that section proposed for discontinuance.
4. Maintain an easement for future underground or above ground utilities and public infrastructures.

Be it resolved by the Bucksport Town Council in town council assembled that the recommendations of the Road and Street Committee be accepted as presented above regarding the discontinuance of a portion of Thomas Street, such extending from Bagley Avenue to property owned by Webber Oil.

Be it further resolved that the property owners requesting the discontinuance be advised by the Town Manager of the Town Council's decision.

Adopted 1-10-2008

Yes___ No ___ Abstained _____

Attested by Town Clerk

Kathy Downes

**RESOLVE #R-2008-77 REGARDING REQUEST TO FUND MARKETING
ACTIVITIES**

Whereas, a request has been made by the Economic Development Committee that the Bucksport Town Council consider authorizing an amount not to exceed \$5,500 from TIF revenues to fund a business marketing program for Bucksport; and,

Whereas, one local bank has agreed to provide \$1,500 towards the cost of the project:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not to exceed \$5,500 be authorized for a business marketing program for Bucksport.

Be it further resolved that \$3,500 will be charged to Account # 508-92 (Marketing) and \$2,000 be charged to TIF Revenue Account.

Adopted 1-10-2008

Yes___ No ____ Abstained _____

Attested by Town Clerk

Kathy Downes

RESOLVE #R-2008-78 REGARDING ANIMAL SHELTER ADOPTION POLICY

Whereas, from time to time there is the opportunity for citizens to adopt pets from the animal shelter; and,

Whereas, there is a need to have a policy that outlines the conditions by which a pet can be adopted from the animal shelter; and,

Whereas, it is proposed that no pet be adopted from the facility unless the pet has been examined by a qualified veterinarian and all required vaccinations have been received and the pet has been spayed or neutered as prescribed by law; and,

Whereas, the cost for adopting any pet should include the cost of the examination, board, licenses, vaccinations and spaying and neutering, if necessary; and,

Whereas, a local veterinarian has agreed to provide a general health check for \$15 and vaccinations, if required, for \$10 each:

Be it resolved by the Bucksport Town Council in town council assembled that a policy requiring that all pets adopted from the Bucksport Animal Shelter be given a general health check by a qualified veterinarian, vaccinated, spayed and neutered and licensed, if required, before being released to a new owner, be approved.

Be it further resolved that all costs associated with boarding a pet to be adopted, including the general health check, vaccinations, spaying and neutering, and licensing be paid by the adopter prior to removing the pet from the animal shelter.

Adopted 1-10-2008

Yes___ **No** ___ **Abstained** _____

Attested by Town Clerk

Kathy Downes

**RESOLVE #R-2008-79 AUTHORIZING REMOVAL OF THE PAY PHONE AT
THE WATERFRONT BATHROOMS**

Whereas, there is currently a pay phone attached to the bathrooms located along the waterfront in the vicinity of the town dock; and,

Whereas, the cost to the town is approximately \$1,080 annually; and,

Whereas, the pay phone has very little use since many individuals have access to a cell phone and the facility is used sparingly during winter months; and,

Whereas, Verizon does allow seasonal customers at a reduced monthly rate of \$25.00 per month plus tax and surcharge, with no change in service; and,

Whereas, if the Town chooses to maintain the phone on a seasonal basis, from November 1 to May 1, a net savings of \$380 will be realized:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to request that Verizon designate the pay phone at the town dock as seasonal for the period November 1 to May 1 of each year, effective November 1, 2008.

Amended and adopted 1-31-2008

Yes____ No____ Abstained____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-80 SETTING FIXED RATE FOR SEWER BILLING

Whereas, Chapter 9, Sewers and Drains, Article 11, Sewer Service Charge, of the Bucksport Town Code sets the basis for sewer user charges; and,

Whereas, single-family residential users who are not on public water are required to pay a fee equivalent to 2,160 cubic feet per quarter; and,

Whereas, during the period that the users were paying for debt service to extent the sewer line to their homes, users were only required to pay a fee equivalent to 1,800 cubic feet per quarter, which is the minimum; and,

Whereas, the period for payment for debt service is complete, billing should be consistent with the provisions of Chapter 9:

Be it resolved by the Bucksport Town Council in town council assembled that the user rate for single family residential users who are not on public water be charged as a unit equivalent to a water use of 2,160 cubic feet per quarter effective with the billing period of 1-1-2008.

Be it further resolved that Article 11, Sewer Service Charge of Chapter 9 Sewers and Drains of the Bucksport Town Code be referred to the Sewer Committee for review and recommendation and any proposed changes be submitted to the Town Council in the form of a proposed ordinance.

Adopted 1-10-2008

Yes ___ No ___ Abstained _____

Attested by Town Clerk

Kathy Downes

RESOLVE #R-2008-81 REGARDING REQUEST TO FUND SUMMER SALARIES FROM THE BALANCE OF THE 2006-2007 FISCAL YEAR

Whereas, the Bucksport School Department has requested that the Bucksport Town Council approve funding summer salaries in the amount of \$402,080 from the balance of the 2006-2007 School Budget; and,

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

Whereas, the members of the Finance Committee met on January 3, 2008 to discuss the matter and voted to forward the following recommendation to the Town Council:

That summer payroll is funded in the amount of \$402,080 and that such expenditure be applied against the line item balances for the 2006-2007 budget pursuant to the following conditions:

- 1. that the process used to book this cost be consistent with the provisions of the Bucksport Town Charter including Sections 6.07 and 6.08 of Article 6 and state statutes.**
- 2. that the funds can only be used for that purpose.**
- 3. that the Bucksport School Department continue to fund summer payroll on an annual basis so as to avoid the need to budget, in any one fiscal year, for more than twelve months of payroll for those employees who are eligible to defer their salary or wages beyond the end of the fiscal year and that such be done in conjunction with the annual audit.**
- 4. that work papers will be provided by the School Department to the treasurer, detailing by employee, the amount accrued and funded.**

Be it resolved by the Bucksport Town Council in town council assembled that the recommendations of the Finance Committee regarding the request of the Bucksport School Department to fund summer payroll from the balances of the 2006-2007 budget line items in the sum of \$402,080, be approved pursuant to conditions recommended by the Finance Committee and outlined above.

Adopted 1-10-2008

Yes___ No ___ Abstained _____

Attested by Town Clerk

Kathy Downes

**RESOLVE #R-2008-82 REGARDING CAPITAL IMPROVEMENTS AT THE
BUCKSPORT HIGH SCHOOL**

Whereas, the Bucksport School Department requested that the Bucksport Town Council approve designated projects for improvement at the Bucksport High School; and,

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

Whereas, the committee met on December 19, 2007 and January 3, 2008 and offer the following recommendation:

That the Town Council approves the following projects at the Bucksport High School pursuant to the following conditions:

1. Projects will include:
 - a. roof repairs over the cafeteria, kitchen and the life skill area but not to include any cost associated with a green roof
 - f. improvements to the four bathrooms in the main portion of the building and the two bathrooms adjacent to the gym entrance doors as long as storage space is not reduced
 - c. energy improvements to eliminate over and under heating throughout the building
 - d. new visitor bleachers at the High School football field and repainting of lintels
 - e. locker room improvements including ventilation
 - f. stair railing replacements
 - g. improvements to the parking area adjacent to the gym
 - f. asbestos tile removal and replacement
2. That all expenditures will be awarded on a competitive basis.
3. That architectural plan, when applicable, will be submitted to the Town for review and comment before seeking competitive bids.
4. That the Superintendent of Schools will provide the Town Council with a budget outlining the proposed level of funding for the improvements, once bids are received, and the proposed method for funding the improvements. Contracts shall not be awarded until such time the Town Council has approved the proposed funding plan unless such expenditures will not cause an overdraft in the Capital Improvement budget line item adopted in conjunction with the 2007-2008 School Budget. Town Council approval is contingent on all provisions of the Bucksport Town Charter being followed once the funding plan is approved.

Adopted 1-10-2008

Yes ___ **No** ___ **Abstained** _____

Attested by Town Clerk

Kathy Downes

**RESOLVE #R-2008-83 REGARDING AUDIT FOR THE PERIOD 7-1-2006 TO
6-30-2007**

Whereas, the members of the Bucksport Town Council referred the audit for the period 7-1-2006 to 6-30-2007 to the Finance Committee for review and recommendation; and,

Whereas, the Finance Committee met on January 3, 2008 with the auditor to ask questions and review the management letter; and,

Whereas, the Finance Committee has recommended to the Bucksport Town Council that the audit be accepted as presented:

Be it resolved by the Bucksport Town Council in town council assembled that the audit for the period 7-1-2006 to 6-30-2007 be approved and a copy be filed in the records of the Town Clerk.

Adopted 1-10-2008

Yes___ No ____ Abstained _____

Attested by Town Clerk

Kathy Downes

**RESOLVE #R-2008-84 REGARDING DISPOSITION OF TAX ACQUIRED
PROPERTY**

Whereas, the following properties became tax acquired on 12-25-2007 for failure of the owner to pay the 2006 taxes:

James Chadbourne Jr. – 16 Poverty Ridge Road Map 17 Lot 36

Roger Foss Jr.- 895 Bucksmills Rd Map 15 Lot 95

Roger Miller -73 Ledgewood Drive Map 46 Lot 29

Rosemary Pease- 30 Nicholson Avenue Map 29 Lot 58

Roger Woodbridge- 962 Silver Lake Road Map 13 Lot 38

Map 13 Lot 06

Whereas, the policy adopted by the Bucksport Town Council permits the owner of record to redeem the property within 60 days of notice for payment of all taxes, interest and cost due or to enter into a payment arrangement acceptable to the Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that the above owners of record be notified that they have 60 days to redeem their property for payment of all taxes, interest and cost or to enter into a payment agreement acceptable to the the Bucksport Town Council.

Adopted 1-10-2008

Yes ___ No ___ Abstained _____

Attested by Town Clerk

Kathy Downes

TOWN MANAGER'S REPORT

Gardner Commons- The project is on schedule and moving along very well. Apartments on the second floor have been plastered and most of the mechanical work has been completed. Work has commenced on the first floor with installation of sheetrock and plastering. All but three windows have been installed. The Letter of Intent to seek CDBG funds to supplement funding for the project has been filed with the Office of Economic and Community Development. Once approved, the application will be prepared and submitted. The application is due by February 29, 2008.

CSO Project- Finally, the roof trusses and sheeting are being installed. All interior masonry should be completed by January 18. Improvements to Pump Stations 1&2 have progressed very well and should be completed within the next few weeks. All exterior electrical services have been installed including the main feed to the building. The contractor did fall behind about three weeks with the building but plans to make up the time within the next few weeks with the larger crew. The contractor claims he will still have substantial completion by the end of March. No major issues have come up to date with the project.

Town Report 2006-2007- Town Reports for the period 7-1-2006 to 6-30-2007 have been delivered. Any citizen who wants a report can pick one up at the Town Office during normal business hours.

Revenue and Expense Reports- As part of your package, included are copies of the Revenue and Expense Summary Reports ending 12-31-2007. Overall revenues are on track with last year and in some cases ahead of projections. At this time I really do not anticipate any major issues with revenue projections. Expenses are on track with most accounts except for those costs associated with winter road maintenance and fuel for vehicles. These lines may level off depending on the amount of snow and ice that is received for the rest of the snow season and what happens to oil prices. Time will tell, but unless I am told differently, I plan to continue to maintain the roads to the level expected by citizens.

Contract Negotiations- Contract negotiations should begin soon with all the bargaining units. We should expect to begin to meet the latter part of February. I will contact the members of the Negotiations Committee once I receive notice from the union.

Gravel Pit Status- Bob Orcutt Jr. has informed us that he will be closing his pit effective February 16, 2008. He wishes not to sell any more gravel from the pit until a later time. He has agreed to allow the town to remove the gravel that has been processed which is about 2,000 cubic yards. A new source of gravel will need to be identified.

Industrial Park Expansion- The town is prepared to close on the acquisition of approximately 20 acres of land from John Wardwell to expand the industrial park. The cost will be \$5,000 per acre. The matter will be brought to the Town Council for approval at the January 31 meeting.

Housing Study- A meeting was held on January 8th with the consultant, Planning Insight. They reported, based on their marketing study, a realistically conservative project could include up to 40 units of independent and assisted living units. They are very positive about this project and will be setting up meetings with the different funding agencies to see whether there is interest in the project. The marketing report will be finalized within the next few weeks, and copies will be made available for review.

Economic Development Plan- Final comments have been submitted to the consultant and a final report is expected within the next few weeks. Once the document has been submitted in final form, it will be forwarded to the Town Council for review and approval. I expect the report to be available by February 1, 2008.

**RESOLVE #R-2008-85 REGARDING THE DISCONTINUANCE OF A PORTION
OF THOMAS STREET**

Whereas, the two property owners that requested that the Town Council discontinue a portion of Thomas Street have been notified of the conditions set by the Town Council to continue with the process; and,

Whereas, one property owner has withdrawn his request:

Be it resolved by the Bucksport Town Council in town council assembled that the effort to discontinue a portion of Thomas Street, extending from Bagley Avenue to property owned by Webber Oil, be indefinitely postponed.

Adopted 1-31-2008

Yes ____ **No** ____ **Absence** ____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-86 REGARDING LIGHTING ON THE PENOBSCOT
NARROWS BRIDGE**

Whereas, the Department of Transportation has turned off the lights on the Penobscot Narrows Bridge for the winter months; and,

Whereas, a department representative did contact the town for input; and,

Whereas, the members of the Economic Development Committee have indicated an interest to discuss the issue with the department in order to try to get the lights left on year round:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager and Mayor to authorized to discuss the issue of keeping the lights on at night on the Penobscot Narrows Bridge on a year round basis and to report back to the Town Council.

Adopted 1-31-2008

Yes____ **No** _____ **Absence** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-87 REGARDING APPOINTMENTS TO THE ECONOMIC
DEVELOPMENT COMMITTEE**

Be it resolved by the Bucksport Town Council in town council assembled that the following appointments be made to the Economic Development Committee for the ensuing year:

Cathy Hamburger
Belle Ryder
Linda Plourde
John Wardwell
Cindi Kimball
Patrick Potter
Dave Gelinas
Rebecca Berry
Butch Osborne

Adopted 1-31-2008

Yes____ No _____ Absence _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008- 88 AWARDING CONTRACT FOR PHASE II CDBG 2008
HOUSING ASSISTANCE PROGRAM**

Whereas, the Town of Bucksport proposes to apply for a Community Development Block Grant for housing assistance to complete identified projects at Gardner Commons that had to be cut out of the project due to the lack of funding; and,

Whereas, if the town gets approved to submit a Phase II application, that a firm has been identified to assist with these services; and,

Whereas, proposals were requested; and,

Whereas, only one proposal was received from Ron Harriman Associates; and,

Whereas, Ron Harriman proposes to complete all work associated with Phase II, if the town is invited to submit a Phase II application, at no cost to the Town:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to prepare the Phase II application for a Community Development Block Grant for housing assistance to complete projects at Gardner Commons be awarded to Ron Harriman and Associates at no cost to the town if the town is invited to submit a Phase II application.

Adopted 1-31-2008

Yes ___ **No** ___ **Absence** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-90 REGARDING SALE OF TAX ACQUIRED PROPERTY
MAP 28 LOT 58**

Whereas, the Town of Bucksport has tax acquired property described as Map 28 Lot 58 located on Nicholson Avenue; and,

Whereas, the town council has offered the property back to the owner of record if all taxes, interest and cost are paid; and,

Whereas, the owner of record has requested that she be allowed to purchase the property as allowed by the Town but the property be deeded to her brother, Gerald Leach for personal reasons:

Be it resolved by the Bucksport Town Council that tax acquired property, Map 29 Lot 58 be sold for taxes, interest and cost to Gerald Leach on the condition that the quitclaim deed will not be signed and released until the property is cleaned of debris and junk and an easement be retained that will permit the Town to build a sidewalk along Nicholson Avenue in the future, if so is approved by the Town Council.

Adopted 1-31-2008

Yes ___ **No** ___ **Abstain** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-91 AUTHORIZING WRITE-OFFS FOR THE AMBULANCE
SERVICE FOR THE PERIOD 10-1-2006 TO 12-31-2006**

Be it resolved by the Bucksport Town Council in town council assembled that write-offs totaling \$7,673.26 for the ambulance service for the period 10-1-2006 to 12-31-2006 be authorized

Adopted 1-31-2008

Yes____ **No** _____ **Abstain** _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-92 SETTING GOALS FOR THE ENSUING YEAR

Whereas, the following issues have been identified as matters of interest to the town council:

1. Continue to pursue development of elderly housing with services regardless of income.
2. Proceed to implement Economic Development Strategies as outlined in the Economic Development Plan prepared by The Chesapeake Group.
3. Pursue development of energy options that will enhance job opportunities and help businesses.
4. Continue to implement the provisions of the Downtown Plan.
5. Continue to review and adopt a new Land Use Ordinance consistent with the Comprehensive Plan.
6. Continue to participate with the development of a plan for school consolidation.
7. Improve pedestrian access from Broadway to Route 1.
8. Study options to improve the surface at the football field.
9. Pursue the feasibility of extending natural gas to the compact area.
10. Study the feasibility of administrative services at the Town Office and administrative structure and dispatch services at the Police Department.
11. Pursue changes to the Town Charter regarding the budget and financial process relating to the School Department, if consolidation does not occur.

Be it resolved by the Bucksport Town Council in town council assembled that the list of town council goals outlined above be adopted for the ensuing year.

Tabled 1-31-2008

Adopted 2-28-2008

Yes ___ No ___ Abstained _____

Attested; Kathy Downes, Town Clerk

**RESOLVE #R-2008-93 AUTHORIZING EXPENDITURE FROM FIRE
EQUIPMENT RESERVE ACCOUNT FOR PURCHASE OF TURNOUT GEAR**

Whereas, the Fire Fighters' Association received a \$10,000 grant from the Stephen & Tabitha King Foundation for purchase of new turn-out gear (pants and coat); and,

Whereas, the department is in need of 12 new sets now costing approximately \$1,200 per set; and,

Whereas, the department is requesting that the Town Council authorize the additional \$5,000 from Fire Equipment Reserve Account:

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 \$5,000 from the Fire Equipment Reserve Account for purchase of turn-out gear (pants and coat) for use by the department.

Be it further resolved that the authorization will result in the purchase of twelve sets.

Adopted 1-31-2008

Yes ___ **No** ___ **Absence** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-94 AUTHORIZING COMMITTEE TO STUDY THE
OPTIONS AVAILABLE TO IMPROVE THE GRASS SURFACE AT THE
FOOTBALL FIELD**

Whereas, the condition of the surface of the football field (Carmichael Field) is worn down; and,

Whereas, several options may be available that will allow to expand the use of the facility to be more of a multi-sport facility and to reduce maintenance costs; and,

Whereas, input should be obtained on this matter from the school department, citizens at large and the town council:

Be it resolved by the Bucksport Town Council in town council assembled that a committee be formed to study the feasibility of improving the surface of the football field and the findings of the committee and recommendations be submitted to the town council for consideration.

Be it further resolved that an organizational meeting should be scheduled inviting all interested parties to the meeting; for later use by the town council to determine who may be appointed to the committee.

Adopted 1-31-2008

Yes ___ **No** ___ **Abstain** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-95 AUTHORIZING EXPENDITURE FROM THE
DISPATCH AND POLICE DEPARTMENT RESERVES FOR COMPUTER
MONITORS**

Whereas, the police department and dispatch have identified the need to replace the computer monitors for seven computers; and,

Whereas, the cost of completing this improvement is \$1,323.00; and,

Whereas, five of the monitors are for the police department and two are for dispatch:

Be it resolved by the Bucksport Town Council in town council assembled that an expenditure not to exceed \$1,323.00 be authorized for the purchase of seven new computer monitors for use by the police department and dispatch.

Be it further resolved that \$945 be charged to the Police Equipment Reserve Account and \$378 be charged to Dispatch Equipment Reserve Account.

Adopted 2-14-2008

Yes____ **No** _____ **Abstain** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-96 AUTHORIZING EXPENDITURE FROM INDUSTRIAL
PARK RESERVE**

Whereas, the Bucksport Town Council proposes to purchase additional land to expand the industrial park; and,

Whereas, \$100,000 was raised in the 2006-2007 fiscal year for purchase of the additional land; and,

Whereas, the Town Manager has negotiated the purchase of 19.96 acres from John Wardwell for the price of \$5,000 per acre; and,

Whereas, such purchase, if approved, will allow the town to create an additional eight lots:

Be it resolved by the Bucksport Town Council in town council assembled to authorize the Town Manager to proceed with the purchase of 19.96 acres from John Wardwell to expand the industrial park at a cost of \$5,000 per acre.

Be it further resolved that the cost of the purchase be charged to Industrial Park Reserve Account.

Adopted 2-14-2008

Yes ___ **No** ___ **Abstain** _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-97 AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE OFFICE OF COMMUNITY DEVELOPMENT FOR AN ENTERPRISE GRANT TO COMPLETE IMPROVEMENTS TO THE DOWNTOWN

Whereas, the Town of Bucksport proposes to submit an application to the Office of Community Development for an Enterprise Grant to complete improvements in the downtown area; and,

Whereas, these improvements have been approved by the Economic Development Committee and are outlined in the 2006 Downtown Plan as prepared by Rothe Associates and approved by the Bucksport Town Council; and,

Whereas, the Bucksport Town Council has appropriated and or expensed the following local funds in order to implement the plan:

Walkway extension \$60,000
Waterfront restrooms \$30,000
Purchase of the Wood property \$128,000
Demolition of the Wood Property \$8,000
Architectural services identifying downtown improvements \$28,000
Sidewalk improvement \$10,000

Be it resolved by the Bucksport Town Council in town council assembled that the town council authorize the submittal of an application to the Office of Community Development for CDBG Enterprise funds to complete landscape improvements to the downtown area as outlined by the 2006 Downtown Plan.

Be it further resolved that a local match totaling \$264,000 and as outlined above has been raised and/or will be expended towards the overall implementation of the Downtown Plan.

Adopted 2-14-2008

Yes____ **No** _____ **Abstain** _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-98 AUTHORIZING ACCEPTANCE OF GRANT FOR TOWN DOCK IMPROVEMENT

Whereas, the town has received notification from Maine Department of Transportation that a grant in the amount of \$5,000 was approved to improve handicap access to the town dock and float improvements and,

Whereas, there is a 50% local match required:

Be it resolved by the Bucksport Town Council in town council assembled that the grant offered by the Department of Transportation to complete improvements to the town dock, more specifically to improve handicap access, in the amount of \$5,000, be accepted.

Be it further resolved that the required match in the amount of \$5,000 be approved from the Waterfront Reserve Account.

Adopted 2-14-2008

Yes ___ **No** ___ **Abstain** _____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-99 APPROVING PROJECTS FOR MDOT FUNDING PRIORITIES

Whereas, MDOT has requested that the Town Council identify funding priorities for improvements to state owned roads located in Bucksport; and,

Whereas, the following needs have been identified:

Highway Improvement Projects:

- a. reconstruct Route 46 from Route 1 intersection to a point 1,100' north of Hancock Pond
- b. reclaim and pave Central Street from the intersection of Broadway to a point 800' north of the intersection of the Race Course Road

Other Highway Improvements:

- a. replace the bridge on Main Street across Tannery Brook -Mill Stream
- b. install a traffic light at Hannaford's

Passenger and Freight Transportation

- a. install truck passing lanes along Route 15 in the vicinity of so-called Long View Lumber and Hurds Brook Hill

Whereas, MaineDOT has identified other programs that are available on a competitive basis; and,

Whereas, the Town Council has identified an interest in the following programs:

- a. Safe Route to Schools to seek funds to enhance walking opportunities along Nicholson Avenue for school children
- b. Small Harbor Transportation Improvement Program to enhance docking opportunities at the town dock.
- c. Boating Infrastructure Grant Program to replace deteriorating floats at the town dock
- d. Rural Road Initiative to reclaim and repave a section of Central Street from Broadway to a point 800' north of the intersection of Race Course Road
- e. Financing New Road Construction to fund construction of a connector from Broadway to Park Street and to extend Heritage Park Road

Be it resolved by the Bucksport Town Council in town council assembled that the needs listed above be submitted to MDOT to be used in the development of the next Biennium Transportation Improvement Plan.

Be it further resolved that the request also be forwarded to Representative Kimberly Rosen and Senator Richard Rosen.

Adopted 2-28-2008

Yes____ **No** ____ **Abstained** _____

Attested; Kathy Downes, Town Clerk

RESOLVE #R-2008-100 APPROVING AGREEMENT TO ALLOW THE TOWN OF PROSPECT THE USE OF THE ANIMAL SHELTER

Whereas, the Town of Prospect has requested use of the Town of Bucksport Animal Shelter; and,

Whereas, the town has a similar agreement with the Town of Orland; and,

Whereas, there is capacity at the shelter to provide access to the facility under the supervision of the Bucksport Animal Control Officer:

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Prospect be allowed to use the Bucksport Animal Shelter pursuant to the following conditions:

1. the term of the agreement will be for one year beginning 3-1-2008
2. the annual fee will be \$200 plus all cost associated with the care of all cats and dogs housed at the facility from Prospect including but not limited to the cost of food, veterinarian services, medication, vaccines, etc.
3. that use of the facility be under the direction of the Bucksport Animal Control Officer

Adopted 2-14-2008

Yes____ **No** _____ **Abstain** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-101 REGARDING APPROVAL OF THE ECONOMIC
DEVELOPMENT PLAN**

Whereas, the members of the Bucksport Town Council were provided a copy of the Economic Development Plan prepared by The Chesapeake Group; and,

Whereas, it is recommended that a public hearing be held to obtain public input before the town council consider final approval of the plan:

Be it resolved by the Bucksport Town Council in town council assembled that a public hearing be set to receive public comment from citizens of Bucksport regarding the proposed Economic Development Plan prepared by The Chesapeake Group.

Be it further resolved that the meeting be scheduled for 7:00 p.m., on Thursday, March 13, 2008 at the Bucksport Town Office, Town Council Chamber.

Adopted 2-14-2008

Yes ____ **No** ____ **Abstain** _____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-102 REGARDING APPOINTMENTS FOR THE ENSUING
YEAR**

Be it resolved that the following appointments be approved as recommended by the
Appointments Committee:

Marc Curtis- Planning Board to fill vacancy of Elaine Pelletier
Robert Cloutier- Conservation Committee three years

Adopted 2-14-2008

Yes ___ **No** ___ **Abstain** _____

Attested: Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

CSO Project- All exterior work has been completed except for the trim and vinyl siding. This work should be completed as soon as the warmer weather arrives. The contractor has started to paint the interior of the building. By February 15, the vortex separator room, the generator room and chlorination room should have the first coat of paint. The electrician has installed all of the necessary control panels in the generator room. The contractor still expects to have substantial completion by March 20. The project is scheduled for completion the first week of June. The project is still within budget.

Housing Study- The housing study is wrapping up as a result of a recent meeting that was held in Augusta a few weeks ago with the funding agencies. The meeting went very well even though the funding agencies are not able to make any commitment at this time. It was suggested that the next step is to identify a developer which I will be working with the consultant to do. The marketing study will be available for review next week. I will be putting a copy of the report in your mail box.

Gardner Commons- The project is on track for completion in June 2008. As you may have seen in the newspaper recently, the management company has started to accept applications for the units. A public hearing has been scheduled for February 21, at 7:00 p.m., to receive comments from interested citizens regarding to town's application for CDBG housing funds to complete additional improvements at the facility.

Football Field Surface Improvements- I have scheduled a public informational meeting for 7:00 p.m. on Wednesday, February 27 at the Jewett School/Community Center conference room for all members of the public who might have an interest in this project. This should help identify individuals who might be interested to serve on the planning committee.

Energy Plan- I recently placed a notice in the Bangor Daily requesting proposals for a consultant to help the town determine the feasibility of wind power. I expect to bring the proposals to the Town Council for consideration at the March 13th meeting. At that same time, I will have a list of individuals for appointment to the Energy Committee. I have also made contact with the mill to discuss the possibility of using low pressure steam from the mill operation to produce power. They have agreed to get back to me in a few weeks.

Web Site Development- The front end logic is complete and data base is currently being interfaced. Within the next thirty days the site will be turned over to the departments for data input and testing. The plan is to have the site in operation by May 1.

Main Street Repaving- I have had a recent discussion with MDOT and they are currently developing plans to put the work to bid so that it can be completed before the festival. In anticipation of that work, we need to have all the curbing and sidewalk work completed

adjacent to Perry's landing as well as any sidewalk and crosswalk improvements along Main Street.

Financials Status Ending 1-31-2008- Enclosed are the financials for the period ending 1-31-2008. Revenues continue to meet or exceed projections. On the expense side, issue has developed with the sand and salt account for the highway department. If the winter continues as it has, I expect a substantial overdraft in this account. Issues might also develop with the overtime account for police and fire since there is one employee from each department who is on long term disability. We will do everything possible to limit the amount of overdraft in either account. There is also going to be problems with legal cost. We had budgeted \$10,000 for this service. The Murray and Willette cases will cost the town in excess of \$10,000. As a result, there is no money left over for other legal fees. The good news is that the administrative account will have a substantial unexpended balance due to an error that was done when the budget was prepared. The balance should be adequate to offset the overdraft in legal cost. All other expense lines are in line with or will be less than projections.

Walkway Extension- As soon as the weather improves, the highway department will commence work on the extension. They had planned to begin work on February 11 but the recent storms delayed the startup.

**RESOLVE R-2008-103 APPROVING APPOINTMENT FOR THE ENSUING
YEAR**

Be it resolved by the Bucksport Town Council in town council assembled that Cathy
Hamburger be appointed to the Board of Assessment Review for a three year term.

Adopted 2-28-2008

Yes ___ No ___ Abstained _____

Attested; Kathy Downes, Town Clerk

**RESOLVE R-2008-104 APPROVING REQUEST TO TRANSFER FUNDS TO
COVER SUMMER PAYROLL**

Whereas, the Bucksport School Board has requested that the Bucksport Town Council approve a transfer of funds from several line items in the 2006-2007 School Budget to fund summer salaries; and,

Whereas, a balance of \$142,080 currently exist in line Item 1 Instructional Salaries and Benefits; and,

Whereas, an additional \$260,000 is necessary in order to fund the total amount of \$402,080; and,

Whereas, the School Board request that the remaining funds be transferred to line Item 1 from the following line items:

Article 2 Administrative Salaries & Benefits \$20,000
Article 3 Operations & Maintenance Salaries & Benefits \$30,000
Article 4 Other Salaries & Benefits \$20,000
Article 6 Instructional Costs \$130,000
Article 10 All other Costs \$60,000

Be it resolved by the Bucksport Town Council in town council assembled that the request of the School Board to transfer funds from several line items in the 2006-2007 School Budget to Line Item 1, Instructional Salaries, to fund summer salaries, as outlined above, be approved.

Adopted 2-28-2008

Yes____ **No** ____ **Abstained** _____

Attested; Kathy Downes, Town Clerk

RESOLVE #R-2008-105 REGARDING REQUEST FROM THE SCHOOL BOARD TO TRANSFER FUNDS TO THE HIGH SCHOOL CONSTRUCTION ACCOUNT

Whereas, the Bucksport School Board has requested that the Bucksport Town Council transfer funds from the school's undesignated fund balance to a High School Construction Account; and,

Whereas, the request totals \$35,752 of which \$22,318 is to cover the cost of new visitor bleachers for the football field and \$13,434 for abatement of asbestos floor tiles; and,

Whereas, these funds are part of the \$1,500,000 approved by the citizens of Bucksport for improvements at the High School:

Be it resolved by the members of the Bucksport Town Council in town council assembled that the request of the Bucksport School Board to transfer \$35,752 from the school department's undesignated fund balance to a High School Construction Account be approved for the two projects listed above.

Adopted 2-28-2008

Yes ___ **No** ___ **Abstained** _____

Attested; Kathy Downes, Town Clerk

**RESOLVE #R-2008-106 APPROVING EXPENDITURE FROM AMBULANCE
RESERVE ACCOUNT**

Whereas, a serious oil leak developed with Ambulance 1 which required \$2,704 in repairs; and,

Whereas, this serious mechanical failure was not anticipated; and,

Whereas, the Ambulance Equipment Reserve Account has been established and funded to replace existing equipment that has reached its useful life and to cover unexpected repairs that have not been funded as part of the annual budget:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not exceeding \$2,704 to repair the oil leak in Ambulance 1 be approved.

Be it further resolved that the cost of the repairs be charged to Ambulance Equipment Reserve Account.

Adopted 2-28-2008

Yes ___ **No** ___ **Abstained** _____

Attested; Kathy Downes, Town Clerk

**RESOLVE #R-2008-107 APPROVING EMPLOYMENT CONTRACTS WITH
THE BUCKSPORT FIRE DEPARTMENT AND BUCKSPORT POLICE
DEPARTMENT**

Whereas, the following agreement has been tentatively negotiated between the Bucksport Police Department and Town of Bucksport:

- the contract will be for three years (7-1-2008 to 6-30-2011)
- wages will be increased 3% each year
- the clothing and cleaning allowance will be increased \$10.00 per year
- the restriction that an employee live ten miles by road from the public safety building will be increased to 12 miles
- employees ordered to work beyond their scheduled shift will be paid time and one half for those hours ordered to work
- the employee share for health insurance premiums will be increased annually when the premiums increase 5% or more annually as follows: employees with single coverage- \$1.00 per week; employees with dependents- \$2.00 per week and employees with family coverage \$3.00 per week.

Whereas, the following agreement has been tentatively negotiated between the Bucksport Fire Department and Town of Bucksport:

- the contract will be for three years (7-1-2008 to 6-30-2011)
- wages will be increased 3% each year
- the clothing and cleaning allowance will be increased \$10.00 per year
- employees ordered to work beyond their scheduled shift will be paid time and one half for those hours they are ordered to work
- the employee share for health insurance premiums will be increased annually when the premiums increase 5% or more annually as follows: employees with single coverage- \$1.00 per week; employees and dependent coverage- \$2.00 per week and employees with family coverage -\$3.00 per week.

Be it resolved by the Bucksport Town Council in town council assembled that the proposed employment contracts with Teamsters Union Local #340 for the Bucksport Police Department and Bucksport Fire Department be approved with changes as outlined above.

Adopted 2-28-2008

Yes ___ **No** ___ **Abstained** _____

Attested; Kathy Downes, Town Clerk

**RESOLVE #R-2008-108 SETTING BUDGET WORKSHOP FOR THE 2008-2009
FISCAL YEAR**

Be it resolved by the Bucksport Town Council in town council assembled that the following dates and time be set for budget workshops to review and approve the gross budget, sewer operating budget and capital improvement plan for the period 7-1-2008 to 6-30-2009.

Protection- Thursday, March 27, 2008

Street & Ways, Health & Sanitation and Wastewater – Thursday, April 3, 2008

Com & Social Agencies & Recreation – Thursday, April 17, 2008

Education- Thursday, May 1, 2008

General Government and Education if needed– May 15, 2008

Preliminary budget- Tuesday, May 20, 2008

Final budget- Friday, May 30, 2008

All meetings will start at 7:00 p.m.

Adopted 3-13-2008

Yes ___ No ___ Absent ___

Attested, Kathy Downes, Town Clerk

**RESOLVE #R-2008-109 APPOINTING MEMBERS TO AN ENERGY
COMMITTEE**

Whereas, the Bucksport Town Council voted to establish an energy committee by approving Resolve #R-2008-69; and,

Whereas, it is necessary to appoint members to the committee:

Be it resolved by the Bucksport Town Council in town council assembled that the following individuals be appointed to the Energy Committee:

David Milan, Economic Development Director

Jeff Robinson- Finance Committee

Mike Orsmy-Finance Committee

David Keene-Town Council

Robert Carmichael Sr.-Finance Committee

Mary Jane Bush- Healthy Communities

One member to be appointed by the Economic Development Committee

One member to be appointed by the Chamber of Commerce

Peter Fairbank- citizen at large

Adopted 3-13-2008

Yes ___ No ___ Absent ___

Attested, Kathy Downes, Town Clerk

**RESOLVE #R-2008-110 APPOINTING MEMBERS TO STUDY SURFACE
OPTIONS FOR THE FOOTBALL FIELD**

Whereas, the Bucksport Town Council voted to establish a committee to study the surface options for the football field by approving Resolve #R-2008-110.

Be it resolved by the Bucksport Town Council in town council assembled that the following individuals be appointed to the committee:

Robert Carmichael Jr.
David Keene
Robert Carmichael Sr./ Joel Wardwell
Wayne Richard
Peter Stewart
Mike Denning
Tim Emery
Sean Geagan
Bob Mercer
School Board member
Larry Gray

Adopted 3-13-2008

Yes____ No _____Absent_____

Attested, Kathy Downes, Town Clerk

**RESOLVE#R-2008-111 REFERRING PROPOSALS FROM CONSULTANT
REGARDING WIND POWER TO THE ENERGY COMMITTEE**

Whereas, the Town of Bucksport requested proposals from interested firms to assist the Town determine the feasibility of pursuing wind power to generate electricity to support several publicly owned facilities or buildings; and,

Whereas, three proposals were received from the following firms:

Woodard and Curran
Tidewalker Engineering
EA Engineering, Science and Technology, Inc.

Be it resolved by the Bucksport Town Council in town council assembled that the proposals received to study the feasibility of wind power be referred to the Energy Committee for a recommendation.

Adopted 3-13-2008

Yes___ No ___Absent___

Attested, Kathy Downes, Town Clerk

RESOLVE #R-2008-112 AMENDING THE POLICY FOR THE DIVERSION PROGRAM

Whereas, the Diversion Program Advisory Board has requested that the policy for the Diversion Program be amended to include the following changes:

1. The Diversion Program eligibility requirements will be expanded to include first time offense for possession of tobacco and marijuana for youth under the age of eighteen.
 - a. Juvenile needs to admit the offense.
 - b. The charge needs to be a misdemeanor with no other charges related to trafficking/sales.
 - c. The juvenile must be under 18 years of age.
 - d. There is no previous offense.
2. The program eligibility requirements will be expanded to a second offense for alcohol possession/consumption if the juvenile was not offered the program on the first offense except the following:
 - a. Juvenile was offered and declined the program the first time.
 - b. Juvenile either completed or withdrew from the program the first time.
 - c. The previous charge was alcohol possession/consumption related.
3. Refrain from using alcohol or any drugs not prescribed for use by the individual.

Be it resolved by the Bucksport Town Council in town council assembled that the policy for the Bucksport Diversion Program be amended to include the changes as outlined above and recommended by the Diversion Program Advisory Board.

Adopted 3-13-2008

Yes ___ **No** ___ **Absent** ___

Attested, Kathy Downes, Town Clerk

RESOLVE #R-2008-113 REGARDING RECOMMENDATION FROM THE WATERFRONT COMMITTEE REGARDING THE PLACEMENT OF PLAQUES, BENCHES AND TREES ALONG THE WATERFRONT

Whereas, the Town Council has received a request to place a plaque along the waterfront identifying a building of importance to a Bucksport family; and,

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

Whereas, the members of the Waterfront Committee determined it was best to address the matter by preparing a policy that would outline the conditions when such a request would be approved; and,

Whereas, the policy proposed is as follows:

POLICY REGARDING MEMORIAL BENCHES, TREES, AND PLAQUES ALONG THE WATERFRONT

From time to time, the members of the Town Council are asked to permit the placement of a plaque, tree, bench, etc. in memory or in recognition of an individual, building, or entity.

It is the intent of the Waterfront Committee to provide some guidance to the town council in the form of a policy to address this issue in order to maintain fairness and consistency; and for the waterfront to continue to maintain its aesthetic value and recreational importance.

Therefore, the members of the Waterfront Committee recommend the following:

- 1. That planting of trees along the waterfront in memory of a love one or friend should no longer be permitted.**
- 2. That benches may be placed along the waterfront in locations approved by the Waterfront Committee but only in accordance to the following:**
 - a. benches be will made of granite**
 - b. benches will be no longer than 60" and no wider than 24"**
 - c. benches will be installed on a concrete pad or footing**
 - d. benches may be inscribed but the wording will be approved by the Waterfront Committee**
 - e. that all cost associated with the placement of benches will be paid for by the individual(s) or entity(s) making the request**
- 3. That plaques will be permitted along the waterfront but only in accordance to the following:**
 - a. plaques shall be made of brass or granite and must be a minimum of 15" high by 22" long**
 - b. plaques shall be attached to a granite base**
 - c. plaques that identify a structure, event or facility or give recognition to an individual(s) or group (s) of historic importance or to an individual(s) or group(s) that has made a significant donation of time, money or property towards the development and upkeep of the waterfront**
 - d. that the location and wording for all plaques shall be approved by the Waterfront Committee**

Be it resolved by the Bucksport Town Council in town council assembled that the policy regarding the placement of plaques, benches and trees along the waterfront be accepted as outlined above and recommended by the Waterfront Committee.

Adopted 3-13-2008

Yes ___ No ___ Absent ___

Attested, Kathy Downes, Town Clerk

TOWN MANAGER REPORT

CSO Startup- The contractor began with the startup this week. The generator and pump station have been tested and the generator is now in operation. The vortex was also inspected and tested. The results were very good. During the next few days, the chemical feed pumps and samplers will be tested. Once this process is complete, the CSO structure, located on the river bank, will be modified to allow water to begin to enter the system so that the system can be tested in full operational mode. The contractor is now working to complete the exterior of the building. I expect that that should be completed by the end of the month, weather permitting.

Status of the Treatment Plant Operator- The position has been advertised and applications are being accepted until March 26, 2008. The town has also received a proposal from Aqua Maine to operate the facility on behalf of the town which seems very advantageous to the town and water company. A copy of their proposal is being provided to the Town Council for consideration. Depending on the caliber and qualification of applicants for the position, it may be the right time to consider the water company's offer.

School Consolidation- The committee has adjourned until the legislature finishes its work to amend the law to address some of the concerns that have surfaced. Once their work is complete, the committee will meet again to wrap up the plan. There are five issues that remain to be addressed. The issues include: method of funding, school choice, program and salary differentials, and cost savings. These issues will be difficult to resolve but not impossible.

Power Line Road Right-of-Way- The surveyor has prepared a legal description of the proposed right of way. That description has been shared with the owners for approval. At such time the owners agree to convey the necessary easement to the town, the matter will then be forwarded to the town council for consideration.

Main Street Paving Program- MDOT continues with their plan to pave Main Street during the month of June. I will be seeking proposals from local contractors to remove and reinstall the manhole covers in conjunction with the project. I will also be obtaining a quote from Wardwell Construction & Trucking Corp. to extend the curb and sidewalk along Route 15 at Perry's Landing beyond the area that will be addressed as part of the CSO Project.

Financial Status to 2-28-2008- I have provided the town council with the revenue and expense reports for the period ending 2-28-2008. There is no change from the previous report that requires an update. Should you have any questions regarding the reports, please see either the Finance Director or myself.

Public Access Channels- We have hired Joe McMillan to operate the equipment for the public access channel. Joe has an extensive radio background and is anxious to work with the Public Access Committee to revive the program.

Bridge Lighting- Lisa and I will be meeting with the Deputy Commissioner on March 14, to discuss the issue. Lisa will be reporting back our findings at the next town council meeting.

Personnel Update- The fire and police departments have both been working to fill the positions that are vacant due to long term disabilities. I expect the department to be back in full force within the next few weeks.

RESOLVE #R-2008-114 AUTHORIZING PURCHASE OF A NEW AMBULANCE

Whereas, the Bucksport Ambulance Service is scheduled to replace the 1998 model year ambulance during the 2008-2009 fiscal year; and,

Whereas, proposals were requested and the following quotes were received:

Professional Vehicle Corporation	\$136,071
less trade in	- 6,000
less Ford discount	- <u>5,000</u>
	\$125,071

Autotronics	\$164,990
less Ford discount	- 5,400
less trade in	- <u>3,500</u>
	\$156,090

Be it resolved by the Bucksport Town Council in town council assembled that the purchase of a 2008 Type III ambulance be authorized from Professional Vehicle Corporation for a cost not to exceed \$125,071.

Be it further resolved that the cost of the ambulance be paid for from Ambulance Reserve Account and the unit is not to be delivered until after 7-1-2008.

Adopted 3-13-2008

Yes____ **No** _____ **Absent**_____

Attested, Kathy Downes, Town

**RESOLVE #R-2008-115 RENEWING CONTRACT WITH BUCKSPORT
HARBOR TOURS**

Whereas, David Gelinas, owner of Bucksport Harbor Tours and Captain of the tour boat LIL TOOT intends to continue operations of the tour boat from the Bucksport waterfront during the 2008 season, and,

Whereas, he has requested that the town consider renewing the agreement to operate from the town dock pursuant to the same contractual conditions as last year:

Be it resolved by the Bucksport Town Council in town council assembled that David Gelinas, owner of Bucksport Harbor Tours and Captain of the tour boat LIL TOOT be granted authorization to continue to operate the tour boat LIL TOOT from the Bucksport town dock facility during the 2008 season pursuant to the same contractual conditions that were approved by the town council for the 2007 season.

Voted on March 27, 2008

Yes___ No ____ Absent ____

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2008-116 APPROVING CONTRACT WITH AQUA MAINE TO ASSIST WITH THE OPERATION OF THE BUCKSPORT WASTEWATER TREATMENT PLANT

Whereas, the chief operator for the Bucksport Wastewater Treatment Plant has tendered her resignation effective 3-28-2008; and,

Whereas, the Town of Bucksport is in need of obtaining the services, at minimum, of a Class II operator; and,

Whereas, Aqua Maine has qualified staff to meet DEP licensing requirements; and,

Whereas, Aqua Maine in a letter addressed to the Town of Bucksport and dated March 11, 2008 has offered to provide (1) supervision of the day-to day operations of the town's Class II wastewater treatment plant in compliance with all regulations, (2) operations and maintenance labor to coordinate daily activities and duties with the assistant plant operator, (3) supervisory responsibility for sample collection and laboratory analyses for all required water quality testing, (4) alternating week rotation for on-call duty and first response to all alarms and maintenance for the 10 pump stations in Bucksport, Verona and Orland, (5) completion of monthly state reporting requirements, (6) supervision of capital projects and (7) coordination and communication with the Department of Environmental Protection; and,

Whereas, Aqua Maine proposes to provide these services for a flat monthly fee of \$4,100 for the duration of this trial period of 12 months:

Be it resolved by the Bucksport Town Council in town council assembled that the proposal by Aqua Maine to provide supervisory and operational services to operate the Bucksport Wastewater Treatment Plant Facility pursuant to conditions outlined by a letter to the Town of Bucksport from Aqua Maine dated March 11, 2008 be approved.

Be it further resolved that approval is contingent on the Maine Department of Environmental Protection approving the agreement and approval by the Appointments Committee once interviews for the position of Chief Treatment Plant Operator have been completed.

Voted on March 27, 2008

Yes___ **No** ___ **Absent** ___

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2008-117 REFERRING TOWN COUNCIL VACANCY TO THE APPOINTMENTS COMMITTEE

Whereas, Sharyn Betts has submitted her resignation as a member of the town council for medical reasons; and,

Whereas, the Town Charter, Section 2.07 Subsection 3 requires that **“a vacancy in any elected office shall be filled for the remainder of the unexpired term, if any, at the next regular election following not less than sixty (60) days upon the occurrence of the vacancy, but the council by a majority vote of its members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office”**:

Be it resolved by the Bucksport Town Council in town council assembled that the town council vacancy resulting from the resignation of Sharyn Betts be referred to the Appointments Committee for a nomination.

Voted on March 27, 2008

Yes___ No ___ Absent ___

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2008-118 AUTHORIZING PURCHASE OF A SIDEWALK PLOW

Whereas, the 2008-2009 Capital Improvement Plan calls for purchasing a new sidewalk plow; and,

Whereas, a proposal has been received from Howard P. Fairfield for a new Trackless MT-5 Tractor without accessories for \$75,437.00; and,

Whereas, the tractor will accept all the accessories currently owned by the department; and,

Whereas, the request is being made at this time in order to avoid an anticipated price increase of 20-30% during the second quarter of CY2008' and,

Whereas, the delivery for the new sidewalk plow will not be earlier than July 1, 2008:

Be it resolved by the Bucksport Town Council in town council assembled that the quote from Howard P. Fairfield in the amount of \$75,437 for a new trackless MT-5 sidewalk plow be authorized and that such cost be charged to the Highway Equipment Reserve Account.

Be it further resolved that delivery is not to occur prior to 7-1-2008.

Voted on April 3, 2008

Yes___ No ____ Absent ____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2008-119 AUTHORIZING EXPENDITURE FOR REPAIR OF
AMBULANCE 1 & 2**

Whereas, repairs were necessary for ambulance 1 & 2 beyond what was budgeted in the 2007-2008 operating budget; and,

Whereas, the Ambulance Equipment Reserve Account was established for the purpose of replacing equipment that reached its useful life and to pay for repairs beyond what is budgeted in the annual budget; and,

Whereas, the cost of these repairs is \$4,580:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure totaling \$4,580 for repair of ambulance 1 & 2 be authorized and that such cost be charged to Ambulance Equipment Reserve Account.

Voted on April 3, 2008

Yes___ No ____ Absent ____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2008-120 AWARDING CONTRACT TO SET SEWER
MANHOLES IN CONJUNCTION WITH REPAVING OF MAIN STREET**

Whereas, its is necessary to reset the sewer manholes along Main Street in order to accommodate the resurfacing of Main Street; and,

Whereas quotes were obtained and received as follows:

Wardwell Construction & Trucking	\$950 per manhole
Wardwell Contracting	\$696 per manhole

Be it resolved by the Bucksport Town Council in town council assembled that the contract to reset the sewer manholes in conjunction with repaving of Main Street be awarded to Wardwell Contracting at a cost of \$696 per manhole.

Be it further resolved that the cost of this improvement be charged to Sewer Reserve.

Voted on April 3, 2008

Yes ___ **No** ___ **Absent** ___

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2008-121 APPROVING PURCHASE AND SALES AGREEMENT
FOR PROPERTY LOCATED AT 8 CENTRAL STREET AND OWNED BY
JOSEPH BENJAMIN**

Whereas, property located at 8 Central Street and owned by Joseph Benjamin is available for purchase; and,

Whereas, the June 2006 Downtown Plan identified the purchase of this property as a goal for the town in order to improve parking opportunities downtown especially for the so-call Old Jed Prouty and MacLeod's Restaurant; and,

Whereas, the owner has offered the property for \$140,000; and,

Whereas, the Town Assessor has indicated that she proposes to set a value for real estate tax purposes for the 2008-2009 fiscal year ranging to \$159,000; and,

Whereas, if the property is sold by Mr. Benjamin, it will be necessary for him to return to the town a prorated amount of the Community Development Block Grant he received to repair the building which is estimated to be \$9,200 if the closing occurs prior to June 2, 2008 and \$7,200 if the closing occurs after June 2:

Be it resolved by the Bucksport Town Council in town council assembled that the purchase of property owned by Joseph Benjamin and located at 8 Central Street consisting of land and an apartment building, such property being further described in Book 2628 Page 001 and recorded at the Hancock County's Registry of Deeds, be authorized pursuant to the following conditions:

1. the purchase price will be \$140,000
2. the owner will return to the Town the prorated amount due from the CDBG Housing Assistance Program
3. the building will be vacant and free of tenants prior to closing
4. the building will be free of all household garbage
5. the property is free of all encumbrances
6. there is no restriction or easements on any part of the property that will impact the town's intent to develop the property into a parking lot

Be it further resolved that after the balance due of CDBG funds has been applied against the purchase price, 50% of the balance will be charged to TIF Revenue Account while the remaining 50% will be charged to Undesignated Fund Balance.

Voted on April 10, 2008

Yes___ No ___ Absent ___

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2008-122 AUTHORIZING ENGINEERING CONTRACT FOR SERVICES TO ASSIST THE COMMITTEE TO STUDY THE OPTIONS FOR IMPROVING THE HIGH SCHOOL FOOTBALL FIELD GRASS SURFACE

Whereas, the members of the High School Football Field Study Committee have met to discuss the different options that are available to improve the grass surface for the football field; and,

Whereas, the committee is in need of engineering services to help assist committee members with the study; and,

Whereas, Millett Associates has agreed to prepare a cost estimates for identified alternatives for a fee of \$500 and to prepare a topography survey and grading plan for a fee of \$1,500, if the field is re-shaped:

Be it resolved by the Bucksport Town Council in town council assembled that it be authorized to expend an amount not to exceed \$500 for engineering services to assist the High School Football Field Study Committee identifying the options to improve the surface of the field and \$1,500 to prepare a topography survey and grading plan.

Be it further resolved that the firm Millett Associates be engaged to complete the work under the guidance of the committee and the cost of these engineering services be charged to Recreation Facility Reserve Account.

Voted on April 10, 2008

Yes___ **No** ___ **Absent** ___

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2008-123 APPROVING FUNDS FOR PURCHASE OF NEW
HANDLES AND LOCKSETS FOR THE HIGH SCHOOL**

Whereas, the Bucksport School Board has requested that the Bucksport Town Council transfer funds from the school's undesignated fund balance to a High School Construction Account; and,

Whereas, the School Board voted on April 3 to request that the Town Council release funds to purchase the door handles and locksets for the high school; and,

Whereas, the cost of the door handles and locksets is \$10,500 plus shipping; and,

Whereas, competitive quotes were obtained and the School Board awarded the purchase to the supplier with the lowest cost; and,

Whereas, these funds are part of the \$1,500,000 approved by the citizens of Bucksport for improvements at the High School:

Be it resolved by the members of the Bucksport Town Council in town council assembled that the request of the Bucksport School Board to transfer funds from the school's Undesignated Fund Balance to the High School Construction Project Account in the amount of \$13,000 for purchase and shipping of door handles and locksets be approved.

Voted on April 10, 2008

Yes___ **No** ___ **Absent** ___

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2008-124 APPROVING EMPLOYMENT CONTRACT WITH THE
BUCKSPORT HIGHWAY DEPARTMENT AND TEAMSTERS LOCAL 340**

Whereas, the following agreement has been tentatively negotiated between Teamsters Local 340 for the Bucksport Highway Department and Town of Bucksport:

- the contract will be for three years (7-1-2008 to 6-30-2011)
- wages will be increased 3% each year
- the clothing and cleaning allowance will be increased \$10.00 per year
- the restriction that an employee live ten miles by road from the town garage will be increased to 12 miles
- the employee share for health insurance premiums will be increased annually when the premiums increase 5% or more annually as follows: employees with single coverage- \$1.00 per week; employees with dependents- \$2.00 per week and employees with family coverage \$3.00 per week.

Be it resolved by the Bucksport Town Council in town council assembled that the tentative agreement proposed with Teamsters Local 340 for the Bucksport Highway Department be approved as outlined above.

Voted on April 10, 2008

Yes___ **No** ___ **Absent** ___

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2008-125 APPOINTING CHIEF OPERATOR

THIS RESOLVE WAS NOT ACTED ON

TOWN MANAGER'S REPORT

CSO Project- The facility will be ready for operation on April 16, 2008. If the flows are not sufficient to create an overflow at the CSO Facility, a plug will be placed in the interceptor sewer at the CSO structure located at Perry's Landing. This will cause the flows from that point north to bypass into the new swirl separator. This will allow the operation and testing of the facility. The exterior of the building should be completed by April 16 and the site work, except for pavement, should be completed by April 25. Pavement will be installed once the plant opens in early May.

Financial Status ending March 31, 2008- I have enclosed copies of the revenue and expense reports for review. No changes from what was reported the previous month. Questions may be addressed to the Finance Director or to me.

Status of Selecting a Treatment Plant Operator- Interviews were conducted during the evening of April 9. A recommendation is expected for the town council meeting on April 17.

Enterprise Grant- The town has received notice from the Office of Economic and Community Development that the Enterprise Grant applied for by the town to complete downtown improvements, including at Perry's Landing, has been approved and the town has been invited to complete the Phase 2 application. Upon completion of the Phase II application, the town will be in a position to receive \$150,000 to complete the project. Improvements include a clock and cupola for the CSO Building, enhanced crosswalks along Main Street, a water garden and fountain at Perry's Landing, a pedestrian walkway from Flag Point to Main Street, new directional signs and planters along Main Street and other amenities identified in the 2006 Downtown Plan.

Tax Acquired- There remains one property that is tax acquired that I have not received any response from the owner. The property is a trailer located on leased property. I believe the tax is around \$300. I will discuss the matter with Carol Oliver to determine the actual value of the trailer and I will visit the site to view the condition of the trailer. Once I have gathered all of the pertinent, I will ask the Town Council to consider the issue.

. CONSIDER RESOLVE #R-2008-126 AWARDING CONTRACT FOR PAVEMENT

Whereas, the Town of Bucksport requested bids for its pavement needs for the 2008 construction season; and,

Whereas, two bids were received as follows:

	V. Thibodeau & Son	Total	Lane Construction	Total
binder	\$63.80 per ton	\$185,020	\$69.95 per ton	\$202,855
grinding	\$12.00 per sq. yd.	\$480	\$10.50	\$420
surface	\$66.70 per ton	\$111,389	\$70.90	\$118,403
surface parking	\$82.00 per ton	\$8,200	\$79.00	\$7,900
hand mix	\$120.00 per ton	\$8,400	\$140.00	\$9,800
curbing	\$5.00 per foot	\$2,500	\$5.50	\$2,750
reclaiming	\$.66 per sq. yd.	\$17,160	\$.66 per sq. yd.	\$18,200
Total		\$333,149		\$360,328

Be it resolved by the Bucksport Town Council in town council assembled that the contract for pavement for the 2008 construction season be awarded to Vaughn Thibodeau & Sons for the unit prices outlined above.

Adopted May 1, 2008

Yes _____ No _____

Attested by Kathy Downes, Town Clerk

RESOLVE #R-2008-127 AWARDING CONTRACT FOR GRAVEL PURCHASE

Whereas, the Town of Bucksport requires gravel to complete its summer projects; and,

Whereas, proposals were requested from several local contractors for 6,500 cubic yards of gravel placed in a stock pile for the town to haul; and,

Whereas, the following bids were received:

Wardwell Contracting	\$5.20	6.8 miles to the stockpile
Wardwell Trucking and Contracting	\$5.68	3 miles to the stockpile
Stockton Sand and Gravel	\$5.00	7 miles to the stockpile

Whereas, the bid specifications noted that the travel distance from the stockpile to the work site would be taken into consideration when awarding the contract; and,

Whereas, the public works director has reviewed the bids and taken the bid specifications into consideration and recommends that the bid be awarded to Stockton Sand and Gravel:

Be it resolved by the Bucksport Town Council in town council assembled that the bid for purchase of 6,500 cubic yards of gravel to be used to construct in conjunction with several road construction project during the 2008 construction season be awarded to Stockton Sand and Gravel in the amount of \$5.00 per cubic yard.

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

**RESOLVE #R-2008-128 AUTHORIZING APPLICATION FOR A MAINE
INVESTMENT TRUST GRANT**

Whereas, the Office of Community Development is receiving applications from interested municipalities for funds pursuant to the 2008 Municipal Investment Trust Fund; and,

Whereas, the Municipal Investment Trust Funds provides communities with funds to help meet their identified public infrastructure or downtown improvements needs; and,

Whereas, the Bucksport Downtown Plan identified as a goal the need to develop additional public parking spaces to support several significant buildings located in the center of the downtown area with adequate parking opportunities; and,

Whereas, the Bucksport Town Council voted to purchase property owned by Joseph Benjamin, a property identified in the Downtown Plan that is needed in order to accomplish this specific goal identified in the plan; and,

Whereas, the cost of the acquisition is \$140,000 which can be used as the town's local match; and,

Whereas, the grant application would be for funds from the Municipal Investment Trust Fund to remove the building and develop the property into 17 public parking spaces; and,

Whereas, the estimated cost of the project is \$92,960; and,

Whereas, the grant requires a minimum of a 50% match:

Be it resolved by the Bucksport Town Council in town council assembled that it be authorized that an application be submitted to the Office of Community Development for funds from the 2008 Municipal Investment Trust Fund in the amount of \$92,960 for the purpose of developing a public parking lot on property being purchased from Joseph Benjamin as outlined by the 2006 Downtown Plan.

Be it further resolved that the purchase price and associated cost to purchase the property be used as the local match totaling \$141,000.

Adopted May 1, 2008

Yes_____ No _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2008-129 AWARDING CONTRACT FOR ENGINEERING
SERVICES FOR DOWNTOWN IMPROVEMENTS**

Whereas, the Town of Bucksport has been awarded a grant by the Office of Community Development for landscape improvements along the waterfront and downtown area; and,

Whereas, the activities purposed include:

- a. fountain and garden at Peary's Landing
- b. cupola and clock on the CSO Building
- c. walkways at Peary's Landing
- d. re-configuration of the parking lot and Peary's Landing
- e. new imprinted brick crosswalks on Main Street
- f. walkway between Flag Point and Main Street
- g. signage along Main Street and at the route 1 gateway
- h. kiosk at Peary's Landing
- i. waterwheel at Peary's Landing

Whereas, it is necessary to obtain the services of an engineer to prepare plans and specifications to seek competitive bids to complete the proposed project; and,

Whereas, proposals were received from three firms as follows:

Wright-Pierce	\$21,900 (does not include construction administration)
Millett Associates	\$18,250
Pine Tree Engineering	\$15,100

Be it resolved by the Bucksport Town Council in town council assembled that the contract for engineering services for waterfront and downtown improvements be awarded to Pine Tree Engineering Services in the amount of \$15,100.

Be it further resolved that the cost of this service be paid for from Tax Incremental Financing (TIF) Revenues.

Adopted May 1, 2008

Yes _____ No _____

Attested by Kathy Downes, Town Clerk

**RESOLVE #R-2008-130 REGARDING REQUEST FOR FUNDING FOR
MARKETING PROPOSAL FOR THE DOWNTOWN**

Whereas, the Economic Development Committee has requested that the Town Council consider authorizing the expenditure of \$200 from TIF Revenues to help pay for the printing of flyers promoting Bucksport businesses that will be passed out to visitors at Fort Knox during the 2008 tourist season; and,

Whereas, the total cost of printing the flyers is \$2,000, the balance to be paid for by private businesses; and,

Whereas, 100,000 tourists visited the fort last year:

Be it resolved by the Bucksport Town Council in town council assembled that the Economic Development Director be authorized to expend an amount not to exceed \$200 to print brochures that will be passed out at the fort that promote businesses in Bucksport.

Be it further resolved that the cost be paid from TIF Revenues.

Adopted May 8, 2008

Yes ___ **No** ___ **Abstained** ___

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-131 REGARDING RECOMMENDATION OF THE ENERGY COMMITTEE

Whereas, the members of the Energy Committee continue to review the proposals received by the town to determine the feasibility of wind power; and,

Whereas, the committee has determined that it might be in the best interest of the community to view wind power installations in other Maine communities such as Saco to learn more about their experience and successes before making a recommendation to the town council regarding the engagement of a consultant; and,

Whereas, the committee has determined that it is necessary to understand the total power needs of the community before a community wide power project can be considered; and,

Whereas, the Energy Committee for Bucksport Healthy Coalition has agreed to prepare this information:

Be it resolved by the Bucksport Town Council that no action be taken on the hiring of a consultant to study the feasibility of wind power until the Energy Committee has had the opportunity to visit sites in Maine that have made wind mill installations and until the committee has information regarding the overall power needs of the community.

Adopted May 8, 2008

Yes____ **No**____ **Abstained**_____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-132 REGARDING HOUSING FOR THE ELDERLY WITH SERVICES

Whereas, the Bucksport Town Council has heard a presentation from its consultant, Planning Insights, Inc., regarding the feasibility and options available to develop elderly housing units with services for citizens of the community for all incomes; and,

Whereas, the consultant has indicated from the results of a market study that there is the need for up to 45 units of elderly housing with services ranging from assisted to independent living and serving persons with mixed incomes; and,

Whereas, the consultant has identified three options that the town council could consider to implement this projects; and,

Whereas, these three options include:

1. Town develops, owns and operates the housing complex
2. Developer builds, town owns, experienced operator manages
3. Town functions as facilitator in the development process

Whereas, the preferred option could be a hybrid of several options;

Whereas, the consultant needs to know what the council's preference is in order to conclude the market and feasibility part of the report and to continue to implementation; and,

Whereas the Bucksport Town Council has established the following general criteria and goals to be used during the planning and implementation of this Project:

- (1) the Town wants to act as a facilitator for this project and, in doing so, it would be willing to provide in-kind and financial support in a currently unspecified amount with respect to such aspects of the project as: (a) site selection and land acquisition, (b) financial assistance through such means as grants and tax increment financing for utility and other infrastructure improvements, and (c) assistance for residents who have lower incomes by the Town obtaining of state and federal assistance;
- (2) the Town does not wish to develop the project itself; however, it wants to be an active participant in the project planning and in the identification and engagement of an experienced private party with an acceptable track record and reputation to act as the developer;
- (3) the Town does not wish to be involved directly in the operation of the project once it is planned and developed; however, it wishes to take an active part in the identification and engagement of an experienced private party with an acceptable track record and reputation to operate the project and identify a reasonable means of best assuring a high level of quality for that operation; and

- (4) the Town would prefer, if possible, that one private party be identified and engaged to both develop and operate the project.

Be it resolved by the Bucksport Town Council in town council assembled that the model preferred could include a hybrid of the three options led by (1) a private investor who has experience and a track record of successfully owning and managing elderly housing with services, (2) a non-profit cooperation, if such is necessary, to sponsor or obtain certain state and federal assistance and/or to assure ongoing quality services to clients, and (3) the municipality as and interested partner to provide support for permitting of the project, site selection and land acquisition, financial assistance through grants or tax incremental financing for utility and road extensions and other matters that may come up that would be more advantageous to be provided or supported by the municipality.

Be it further resolved that, in order to move ahead with the planning and implementation of this project: (1) the Town Council request that the Retirement Housing Task Force continue to provide guidance for the planning and implementation process; provided, however, that the Task Force periodically provide reports to and consults with the Town Council on its progress and (2) the Town Manager is directed to request that Town's consultant, Planning Insights, Inc., submit its proposal to the Town Council for the Town to consider engaging it to assist and guide the Town and its Task Force with the planning and implementation of this project, assuming funds are available.

Adopted June 12, 2008

Yes ___ **No** ___ **Abstained** ___

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-132 REGARDING HOUSING FOR THE ELDERLY WITH SERVICES

DRAFT ONLY

Whereas, the Bucksport Town Council has heard a presentation from its consultant, Planning Insight, regarding the feasibility and options available to develop elderly housing units with services for citizens of the community for all incomes; and,

Whereas, the consultant has indicated from the results of a market study that there is the need for 40 units of elderly housing with services ranging from assisted living to independent living; and,

Whereas, the consultant has identified three options that the town council could consider to implement this projects; and,

Whereas, these three options include:

4. Town develops, owns and operates the housing complex
5. Developer builds, town owns, experienced operator manages
6. Town functions as facilitator in the development process

Whereas, the preferred option could be a hybrid of several options;

Whereas, the consultant needs to know what the council's preference is in order to conclude the market and feasibility part of the report and to continue to implementation:

Be it resolved by the Bucksport Town Council in town council assembled that the model preferred could include a hybrid of the three options led by (1) a private investor whose has experience and a track record of successfully owning and managing elderly housing with services, (2) a non-profit cooperation, if such is necessary, to sponsor or obtain certain state and federal assistance and/or to assure ongoing quality services to clients, and (3) the municipality as and interested partner to provide support for permitting of the project, site selection and land acquisition, financial assistance through grants or tax incremental financing for utility and road extensions and other matters that may come up that would be more advantageous to be provided or supported by the municipality.

Adopted May 8, 2008

Yes ___ No ___ Abstained ___

Attested: Kathy Downes, Town Clerk

DRAFT ONLY, NOT APPROVED

RESOLVE #R-2008-133 REGARDING THE DIVERSION PROGRAM

Whereas, it is proposed to realign the town’s current Youth Diversion Program with the Maine Department of Corrections Youth Diversion to Assets Project; and,

Whereas, the realignment will result in the Town of Bucksport receiving \$18,000 from Communities for Children and Youth of which \$15,000 will be used to pay the cost of a Coordinator and \$3,000 for the support of the asset development process for the young people referred to the program; and,

Whereas, the Youth Diversion Assets Program will coordinate a team of people who will locate community resources that can engage a young person who has their first encounter with the legal system, diverting them to the support of community –based programs and people; and,

Whereas, this change, if approved, will expand the current program to include misdemeanors as determined by the Juvenile Probation Officer in conference with Bucksport Police Department:

Be it resolved by the Bucksport Town Council in town council assembled that it be authorized that the current Youth Diversion Program be realigned with the Maine Department of Corrections Youth Diversion to Assets Project and to accept a grant in the amount of \$18,000 from Communities for Children and Youth’s for purposes of funding the Coordinator’s position and for support of the asset development process.

Be it further resolved that a report be forwarded after one year to the Bucksport Town Council regarding the feasibility and performance of the program.

Adopted May 8, 2008

Yes____ No____ Abstained_____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-134 AUTHORIZING PHASE II APPLICATION FOR THE
ENTERPRISE GRANT**

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; and,

Whereas, the Town of Bucksport is cognizant of the requirement that should the intended national Objective of the CDBG Program not be met all CDBG funds must be repaid to the State of Maine CDBG program; and,

Now therefore, be it resolved by the Council of the Community of Bucksport that the Town manager:

1. Is authorized and directed to submit an application for the following program and dollar amount within the State of Maine's CDBG Program:
Program: Community Enterprise Grant
Amount: \$150,000
2. Is authorized to make assurance on behalf of the Community 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 programs, 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

Adopted May 8, 2008

Yes ___ No ___ Abstain ___

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-135 AUTHORIZING CONTRACT FOR MOOSEHORN
STREAM REPAIR**

Whereas, proposals were requested from area contractors for support to with personnel and equipment to install the culvert across Moosehorn Stream on the Upper Long Pond Road; and,

Whereas, the tasks to be completed by the contractor include assemble and install steel arch culvert, place and maintain stream cofferdam, form and cast two concrete footings for steel arch, form and cast concrete footing for gabion walls, and form and cast two concrete longitudinal siffeners; and,

Whereas, all excavation, backfill and gravel will be by the town, and,

Whereas, quotes were received as follows:

Wardwell Contracting \$69,800.00
Wardwell Construction and Trucking Corporation \$28,175.00

Be it resolved by the Bucksport Town Council in town council assembled that the contract to provide support to the Bucksport Highway Department to install a steel culvert across Moosehorn Stream on the Upper Long Pond Road for tasks as outlined above be awarded to Wardwell Construction and Trucking Corporation in the amount of \$28,175.

Be it further resolved that the cost be charged to Highway Improvement Account.

Adopted May 8, 2008

Yes_____ No_____ Abstained_____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-136 REGARDING REQUEST OF SCOTT BROWN FOR ACQUISITION OF PROPERTY OFF NICHOLSON AVENUE

Whereas, Mr. Scott Brown is in the process of purchasing a property on Nicholson Avenue, previously owned by Rosemarie Pease; and,

Whereas, the Town of Bucksport owns the adjoining parcel; and,

Whereas, Mr. Scott would like to acquire the property from the town, and,

Whereas, the land owned by the Town is approximately fifty-five feet wide and 200' long; and,

Whereas, the property also abuts Miles Lane:

Be it resolved by the Bucksport Town Council in town council assembled that Scott Brown's request to obtain ownership of the property off Nicholson Avenue and owned by the Town of Bucksport be denied since he still does not own the adjacent property.

Be it further resolved that the Town Council will not consider conveying the property at a future time in case the property could serve as a connection to Miles Lane if a trail was ever developed along the lower portion of Miles Lane.

Adopted May 8, 2008

Yes____ **No**____ **Abstained**_____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-137 REGARDING REQUEST TO PARTICIPATE IN THE
ELLSWORTH AREAS 2008 HOUSEHOLD HAZARDOUS WASTE AND
UNIVERSAL WASTE COLLECTION PROGRAM**

Whereas, the Environmental Committee of the Bucksport Healthy Coalition has requested that the Town Council consider participating in the Greater Ellsworth Regional Household Hazardous Waste/Universal Waste Collection Program; and,

Whereas, the Town of Bucksport has a Universal Waste Collection Program, therefore, should only consider participation in the Household/Hazardous Waste Program; and,

Whereas, examples of household hazardous waste consist of such items as pesticides, polishes, lye, acids, solvents, oil base paint, swimming pool chemicals and old gasoline; and,

Whereas, the event is scheduled to take place on Saturday, August 16, 2008 at the Ellsworth High School; and,

Whereas, if the town wants to participate, must sign a contract, provide one volunteer, and pay \$1,000 of which will be used to pay for administration of the project and serve as a deposit towards the cost of disposing of the waste; and,

Whereas, any portion of the deposit not used toward final payment will be returned to the town following the collection; and,

Whereas, interest in the program was determined by placing an ad in the local paper, The Enterprise which resulted in receiving notice from six interested citizens; and,

Whereas, each citizen is limited to two units at a cost of \$25 per unit; and,

Whereas, the administrative and disposal costs based on the local interest will not likely exceed \$1,500; and,

Whereas, the Town can limit its cost by limiting the amount of permits issued:

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport participate in the 2008 Ellsworth Areas 2008 Household hazardous Waste Collection Program pursuant to the following conditions:

1. That a volunteer be provided by the Bucksport Healthy Community Coalition Environmental Committee
2. That the town expends an amount not to exceed \$1,500 towards the project
3. Participation beyond the \$1,500 will be paid by the participant

Be it further resolved that the cost be charged to tipping fees for the Solid Waste Account.

Adopted June 12, 2008

Yes___ **No**___ **Abstained**___

Attested: Kathy Downes, Town Clerk

DRAFT ONLY-NOT APPROVED

RESOLVE #R-2008-137 REGARDING REQUEST TO PARTICIPATE IN THE ELLSWORTH AREAS 2008 HOUSEHOLD HAZARDOUS WASTE AND UNIVERSAL WASTE COLLECTION PROGRAM

Whereas, the Environmental Committee of the Bucksport Healthy Coalition has requested that the Town Council consider participating in the Greater Ellsworth Regional Household Hazardous Waste/Universal Waste Collection Program; and,

Whereas, the Town of Bucksport has a Universal Waste Collection Program, therefore, should only consider participation in the Household/Hazardous Waste Program; and,

Whereas, examples of household hazardous waste consist of such items as pesticides, polishes, lye, acids, solvents, oil base paint, swimming pool chemicals and old gasoline; and,

Whereas, the event is scheduled to take place on Saturday, August 16, 2008 at the Ellsworth High School; and,

Whereas, if the town wants to participate, must sign a contract, provide one volunteer, and pay \$1,000 of which will be used to pay for administration of the project and serve as a deposit towards the cost of disposing of the waste; and,

Whereas, any portion of the deposit not used toward final payment will be returned to the town following the collection; and,

Whereas, interest in the program must be determined prior to collection day so that the volume of items disposed and cost is known and can be controlled; and,

Whereas, the town can assess a cost to participants equal to the amount charged by the disposal company:

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport participate in the 2008 Ellsworth Areas 2008 Household hazardous Waste Collection Program pursuant to the following conditions:

1. That a volunteer be provided by the Bucksport Healthy Community Coalition Environmental Committee
2. That participants be required to pay a disposal fee equal to the fee the Town will pay to the disposal company

Be it further resolved that the portion of the deposit charged to offset the administrative cost for the program be charged to the tipping account for solid waste disposal and fees received from participants be used to offset the remaining cost.

Adopted May 8, 2008

Yes ___ **No** ___ **Abstained** ___

Attested: Kathy Downes, Town Clerk

**CONSIDER RESOLVE #R-2008-138 APPROVING WRITE-OFF FOR
AMBULANCE SERVICE**

Be it resolved by the Bucksport Town Council in town council assembled that it be authorized to write-off uncollectible ambulance charges for the period 1-1-2008 to 3-31-2008 in the amount of \$7,894.14.

Adopted May 8, 2008

Yes____ **No** _____ **Abstained**_____

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-139 REGARDING TAX ACQUIRED PROPERTY

THIS RESOLVE WAS NOT ACTED ON

**RESOLVE #R-2008-140 REGARDING BUCKSPORT HIGH SCHOOL
IMPROVEMENTS**

Whereas, the Bucksport School Board has requested that the Bucksport Town Council authorize the following transfer from the School Department's fund balance to the High School project:

Renovations and upgrades	\$835,865
Administrative Cost & Reserves	\$ 41,793
Fees and Services	\$107,613
Asbestos/tile work summer 2008	\$ 29,681

Be it resolved by the Bucksport Town council in town council assembled that the following transfer from the School Department's fund balance to the High School Project be approved:

Renovations and upgrades	\$835,865
Architectural fees	\$ 84,000
Architectural expenses	\$ 22,570
Building permit	\$ 1,043
Asbestos /tile work summer	\$ 29,681

Adopted May 8, 2008

Yes____ **No**____ **Abstained**_____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-141 ADOPTING SCHOOL BUDGET FOR THE PERIOD
7-1-2008 TO 6-30-2009**

Be it resolved by the Bucksport Town Council in town council assembled that the budget for the Bucksport School Department for the period 7-1-2008 to 6-30-2009 be adopted as follows:

ARTICLE 1. The Bucksport School Department is authorized to expend the sum of \$4,537,295 for Regular Instruction.

Recommend \$ 4,557,295

ARTICLE 2. The Bucksport School Department is authorized to expend the sum of \$1,817,094 for Special Education.

Recommend \$ 1,822,094

ARTICLE 3. The Bucksport School Department is authorized to expend the sum of \$51,000 for Career and Technical Education.

Recommend \$ 51,000

ARTICLE 4. The Bucksport School Department is authorized to expend the sum of \$314,946 for Other Instruction.

Recommend \$ 314,946

ARTICLE 5. The Bucksport School Department is authorized to expend the sum of \$1,039,095 for Student and Staff Support.

Recommend \$ 1,044,095

ARTICLE 6. The Bucksport School Department is authorized to expend the sum of \$351,804 for System Administration.

Recommend \$ 356,804

ARTICLE 7. The Bucksport School Department is authorized to expend the sum of \$612,096 for School Administration.

Recommend \$ 617,096

ARTICLE 8. The Bucksport School Department is authorized to expend the sum of \$604,171 for Transportation and Buses.

Recommend \$ 594,171

ARTICLE 9. The Bucksport School Department is authorized to expend the sum of \$1,406,410 for Facilities Maintenance.

Recommend \$ 1,376,410

ARTICLE 10. The Bucksport School Department is authorized to expend the sum of \$1,086,348 for Debt Service and Other Commitments.

Recommend \$ 1,086,348

ARTICLE 11. The Bucksport School Department is authorized to expend the sum of \$40,000 for All Other Expenditures.

Recommend \$ 40,000

ARTICLE 12. The Bucksport Town Council Town of Bucksport appropriates \$7,539,769 for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (**Recommend \$ 7,539,769**) and for the Bucksport Town Council to raise \$3,884,478 as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

Recommend \$ 3,884,478

Explanation: The Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

ARTICLE 13. The Bucksport Town Council raises and appropriates \$21,714 for the annual payments on debt service previously approved by the Town voters for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Town's contribution to the total cost of funding public education from kindergarten to grade 12.

Recommend \$ 21,714

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the Town's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters.

ARTICLE 14. (Written ballot required) The Town of Bucksport raises and appropriates **\$1,451,536** in additional local funds, which exceeds the State's Essential Programs and Services allocation model by **\$1,298,829** as required to fund the budget recommended by the School Board.

The School Board **recommends \$1,451,536** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$1,298,829**:

Explanation: The additional local funds are those locally raised funds over and above the Town's local contribution to the total cost of funding public education from

kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Town budget for educational programs. If the State fully funded the Essential Programs and Services funding model, the recommended budget would exceed this by the lesser amount stated.

ARTICLE 15. The Bucksport Town Council authorizes the School Board to expend the sum of \$11,860,256 for the fiscal year beginning July 1, 2008 and ending June 30, 2009 from the Town of Bucksport's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

Recommend \$11,860,256

ARTICLE 16. The Bucksport Town Council appropriates \$242,241 for Adult Education and raises \$88,765 as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

Article 14: **(Written ballot required)** The Bucksport Town Council raises and appropriates \$1,451,536 in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$1,298,829 as required to fund the budget recommended by the School Board.

The School Board **recommends \$1,451,536** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$1,298,829:

Explanation: The additional local funds are those locally raised funds over and above the Town's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Town budget for educational programs. If the State fully funded the Essential Programs and Services funding model, the recommended budget would exceed this by the lesser amount stated.

YES

NO

Be it further resolved that the Bucksport Town Council authorizes the Bucksport School Board to expend the sum not to exceed **\$11,860,256** for fiscal year beginning July 1, 2008 and ending June 30, 2009 for the Town of Bucksport's contribution to the total cost of funding education from Kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, and pursuant to the line items outlined by Article 6 Section 6.07 of the Bucksport Town Charter as follows:

Item 1	Instructional salaries and fringe benefits	\$6,359,801
Item 2	Administrative salaries and fringe benefits for all programs	\$1,041,017
Item 3	Operation and maintenance of plant salaries and fringe benefits	\$ 520,174
Item 4	All other salaries and fringe benefits	\$ 360,447
Item 5	Operation and maintenance of buildings other than salaries	\$ 883,847
Item 6	Instructional cost other than salaries	\$ 665,478
Item 7	Debt Service	\$1,086,347
Item 8	Capital Improvement	\$ 31,000
Item 9	Transportation	\$ 604,171
Item 10	All other cost	\$ 307,974
Totals		\$11,860,256

Adopted 5-29-2008 Yes____ **No** _____

Attested _____

Kathy Downes, Town Clerk

**RESOLVE #R-2008-142 ADOPTING TOWN BUDGET FOR PERIOD
7-1-2008 TO 6-30-2009 (School Budget Amended)**

Be it resolved by the members of the Bucksport Town Council in town council assembled that expenditures for the town budget totaling **\$17,367,873** for the period 7-1-2008 to 6-30-2009 be approved as follows, such not including TIF Expenses and Overlay which will be included in the overall budget once the mil rate is set:

50	General Government	\$ 1,287,456
51	Protection	1,383,854
52	Street & ways	877,423
53	Health & Sanitation	436,725
54	Community & social Agencies	57,602
55	Education	12,102,497
56	Recreation & Cultural	220,022
57	Capital Program	737,000
58	Debt Service	21,130
59	Cemetery	4,120
60	County Tax	240,044

Total Budget Expenditures

Be it further resolved that revenues for the town budget totaling **\$17,367,873** for the period 7-1-2008 to 6-30-2009 be approved as follows, such not including Homestead Exemption and BETE reimbursement which will be included in the overall budget once the mil rate is set:

1001	Property Tax School	\$ 5,446,493
1001	Property Tax Municipal	2,668,912
1003	Motor Vehicle Excise	570,000
1004	Boat Excise	4,500
1005	Auto Registration Fees	16,000
1007	Interest on Taxes	19,000
1008	Interest on Investments	160,000
1009	Tax Lien Cost	7,500
1010	Town Clerk Fees	7,500
1011	TIF Revenues	113,500

1012	Surplus Revenues	\$ 425,000
1013	Miscellaneous Income	1,000
1201	Planning Board Fees	1,000
1202	Code Enforcement Fees	9,000
1203	Plumbing Inspector Fees	3,500
1301	General Assistance	5,000
1301	Tree Growth Reimbursement	14,000
1302	State Revenue Sharing	485,000
1303	Veteran Exemption Reimbursement	2,000
2001	Fire Protection Subsidies	25,318
2002	Ambulance User Fees	183,030
2003	Ambulance Subsidies	32,273
2004	Non Receipting Collection Revenues	98,075
2201	Police Revenues	2,000
2203	Animal control Fees	1,700
2401	Dispatch Subsidies	11,880
3001	Highway Department Revenues	1,000
3002	Highway Block Grant	69,464
4001	Solid Waste Subsidies	86,059
4002	Recycling Revenues	19,000
4003	Solid Waste Fees	46,500
4004	MCR Revenues	37,000
4005	Budgetary Solid Revenues	60,506
4006	Spofford Funds	4,500
6001	Educational Revenues General Schools	6,502,528
6002	Adult Education Revenues	153,476
7001	Recreation Subsidies	8,055
7002	Recreation Department Revenues	27,000
7004	Recreation Facility Rent	8,704
7005	Senior Fitness Activity Fees	800
7006	Snowmobile Revenues	1,100
7007	Cable TV Revenues	27,000
7008	Mooring and Docking Fees	2,000

Total Revenues **\$17,367,873**

Adopted 5-29-2008 Yes No

Attested _____

Kathy Downes, Town Clerk

**RESOLVE #R-2008-143 ADOPTING SEWER OPERATING BUDGET FOR THE
PERIOD 7-1-2008 TO 6-30-2009**

Be it resolved by the members of the Bucksport Town Council in town council assembled that expenditures for the sewer operating budget totaling \$458,521 for the period 7-1-2008 to 6-30-2009 be approved as follows:

01 Regular Salaries	\$96,597
02 Extra & Overtime	4,254
22 Operator's Expense	1,600
25 Employee Benefits	32,017
31 Office Supplies	1,600
33 Postage	2,098
37 Plant Supplies	60,150
41 Equipment Purchase	500
51 Parts and Repair	21,500
61 Telephone	3,060
71 Fuel Heating	11,774
72 Fuel Vehicles	4,157
81 Electricity	40,736
82 Water	600
85 Insurance	3,800
86 Testing Cost	1,860
87 Sludge Site Cost	15,400
89 Interest & Debt Cost	123,100
92 Audit	3,565
93 Reserve	10,000
94 Orland Maintenance	4,397
95 Contingency	15,756

TOTAL EXPENDITURES \$458,521

Be it further resolved that the revenues totaling \$458,521 for the period 7-1-2008 to 6-30-2009 be approved as follows:

REVENUES

3500 Users Fees	428,000
3510 Entrance Fees	100
3520 Interest	9,000
3530 Verona Subsidies	6,454
3540 Miscellaneous Revenues	100
3550 Orland Subsidies	9,367
3560 Orland Maintenance	4,000
3570 Verona Maintenance	1,500
TOTAL REVENUES	\$458,521

Adopted 5-29-2008 Yes _____ No _____

Attested _____
Kathy Downes, Town Clerk

**RESOLVE #R-2008-144 SETTING SEWER USER RATE FOR THE PERIOD
7-1-2008 TO 6-30-2009**

Whereas, the sewer user rate needs to be adjusted to reflect the sewer operating budget for the period 7-1-2008 to 6-30-2009; and,

Whereas, a public hearing was advertised and held on 5-29-2008; and,

Whereas, an increase is necessary in order to fund the budget as proposed which includes an increase for the new CSO Project and loss of revenues due to the lower water usage particularly by Verso:

Be it resolved by the Bucksport Town Council in town council assembled that the user rate for the period 7-1-2008 to 6-30-2009 be set at \$3.37 per cubic feet of water used and the minimum fee per quarter be set at \$60.66.

Adopted 5-29-2008 Yes____ **No** _____

Attested_____

Kathy Downes, Town Clerk

**RESOLVE #R-2008-145 ADOPTING CAPITAL IMPROVEMENT PLAN FOR
THE PERIOD 7-1-2008 TO 6-30-2009**

Be it resolved by the Bucksport Town Council in town council assembled that the Capital Improvement Plan for the period 7-1-2008 to 6-30-2009 be adopted as follows:

CAPITAL IMPROVEMENT PLAN 7-1-2008 TO 6-30-2009

Accounts

Ambulance Equipment Reserve	25,000
Fire Equipment Reserve	30,000
Dispatch Equipment Reserve	2,500
Police Equipment Reserve	15,000
Public Safety Building Reserve	15,000
Highway Department Equipment Reserve	205,000
Highway Improvement Account	300,000
Town Garage and Sand Building Reserve	20,000
Solid Waste Equipment Reserve	10,000
Transfer Station Reserve	5,000
Recreation Equipment Reserve	5,000
Recreation Facility Reserve	25,000
Pool House and Storage Building Reserve	5,000
Waterfront Reserve	44,000
Town Office Equipment Reserve	7,000
Town Office Reserve	7,500
Parking Lot Reserve	5,000
Jewett School	6,000
Silver Lake Property	3,000
Public Access Equipment	2,000
	\$737,000

Totals

Tax Appropriation	396,000
TIF Revenues	36,000
Surplus	<u>305,000</u>

\$737,000

Total

Adopted 5-29-2008 Yes _____ No _____

Attested _____

Kathy Downes, Town Clerk

RESOLVE # R-2008-146 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 7-1-2008 to 6-30-2009 are due and payable on July 1, 2008.

Adopted 5-29-2008 Yes____ No _____

Attested _____

Kathy Downes, Town Clerk

**RESOLVE #R-2008-147 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 2008-2009 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 is 11%.

Be it resolved by the Bucksport Town Council in town council assembled that interest shall be charged at the rate of 11% per annum for unpaid taxes, such interest to begin for the first 50% of the tax due on September 1, 2008 and on the remaining 50% on April 1, 2009.

Adopted 5-29-2008 Yes _____ No _____

Attested _____

Kathy Downes, Town Clerk

**RESOLVE #R-2008-148 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 rate 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 11%

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 7-1-2008 for the period 7-1-2008 to 6-30-2009 will be set at 7%.

Adopted 5-29-2008 Yes ____ No ____

Attested _____

Kathy Downes, Town Clerk

**RESOVLE #R-2008-149 REGARDING PREPAYMENT OF TAXES AND RATE
OF INTEREST**

Whereas, M.R.S.A. Tile 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 taxpayers 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 the period 7-1-2008 to 6-30-2009 to accept prepayment of taxes and to pay no interest for such.

Adopted 5-29-2008 Yes____ No _____

Attested_____

Kathy Downes, Town Clerk

**RESOLVE #R-2008-150 APPROVING SALARIES AND WAGES FOR THE
PERIOD 7-1-2008 TO 6-30-2009**

Be it resolved by the Bucksport Town Council in town council assembled that the following wages, salaries and expenses be approved for the period 7-1-2008 to 6-30-2009 for non-contractual employees:

Position	Salary	Hourly Rate	Other
Town Manager and Town Clerk	\$80,180.00		\$4,000 mileage expense stipend
Finance Director	\$39,510.00		
CEO	\$44,500.00	\$21.82	
Assessor	\$53,578.00		Works 10 wks 40 hours 42 wks. 32 hours
Economic Devel. Dir.	\$51,603.00		\$360 cell phone stipend
Director Emer. Ser.	\$55,288.00		Mileage stipend \$500
Police Chief	\$56,900.00		
Public Works Director	\$56,306.00		Use of vehicle to travel Home
Recreation Director	\$55,697.00		Expense stipend \$500
Police Sergeant		\$21.13	\$1,600 on-call stipend
Transfer St.. Oper.		\$16.01	10.03% recycling rev.
Asst. Trans. Oper.		\$11.20	10.03% recycling re.
Part-time opera.		\$9.53	
Office Clerks:			
6 months		\$14.99	
1-years		\$15.14	
2.years		\$15.41	
4-years		\$15.88	
5-years		\$16.05	
8- years		\$16.20	
Deputy Tax Collector			Stipend \$1,975.00
Deputy Treasurer			Stipend \$1,975.00
Sewer Department Clerk			Stipend \$1,000.00
Custodian I		\$9.01	
Custodian II		\$10.68	
Call Firemen		\$7.75	
Reserve Police Officer		\$11.82	
EMT		\$20 per two hour call/ \$7.75 per hour training	
EMT-I		\$24 per two hour call/ \$7.75 per hour training	
Paramedic		\$34.00 per two hour call/ \$7.75 per hour training	
Spare drivers-Highway		\$11.81	
Senior Citizens' Dir.		\$9.53	
Rec. Summer Assist.		\$12.17	
Part-time Assist.		\$11.38	
Maintenance-fulltime recreation		\$12.89	
Harbor Master			\$1,000 stipend
Animal Control			\$361 monthly

Adopted 5-29-2008 Yes **No**

Attested _____ **Kathy Downes, Town Clerk**

RESOLVE #R-2008-151 SETTING RATES FOR AMBULANCE SERVICE

Whereas, it has been recommended by the Town Manager that user rates for the Ambulance Service be increased to reflect increased cost of operation; and,

Whereas, the rates were last increased in July 1, 2007; and,

Whereas, it is recommended that the rates be increased by 4%, and,

Whereas, the current and proposed rates are as follows:

Code	Level of Service	Current Rates	Proposed Rates
AO384	BLS disposable supplies	\$0	
A0392	ALS defibrillation	\$0	
A0394	ALS IV therapy	\$0	
A0396	ALS intubation	\$0	
A0422	Oxygen & supplies	\$0	
A0425	Ground mileage (1-17)	\$9.00 (PLM)	\$9.00 (PLM)
A0425	Ground mileage (18-50)	\$9.00 (PLM)	\$9.00 (PLM)
A0426	ALS-Rate non-emergency	\$275.00	\$285.00
A0427	ALS-1 Rate emergency	\$435.00	\$450.00
A0428	BLS Rate non-emergency	\$230.00	\$240.00
A0429	BLS Rate emergency	\$365.00	\$380.00
A0433	ALS-2 Rate emergency	\$630.00	\$655.00

Be it resolved by the Bucksport Town Council in town council assembled that the fees for ambulance service be increased by 4% effective 7-1-2008, and the new fees be as noted above.

Adopted 5-29-2008 Yes____ No _____

Attested _____

Kathy Downes, Town Clerk

RESOLVE #R-2008-152 ADOPTING TIPPING FEES FOR THE TRANSFER STATION

Be it resolved by the Bucksport Town Council in town council assembled that the tipping fees for the Transfer Station be set as follows for the period 7-1-2008 to 6-30-2009:

Wood -1/2 ton pickup load	\$15.00
Shingles- 1/2 ton pickup load	\$35.00
Demo debris-1/2 ton pickup load	\$25.00
Refrigeration, per unit	\$12.00 to \$15.00
Rugs (room size)	\$ 3.00
Mattresses & springs	
regular and larger	\$ 5.00
twin size	\$ 3.00
Couch	\$10.00
Stuffed Chair	\$ 5.00
Wooden furniture	\$ 5.00
Garbage- not recycled	
30 gallon bag or less	\$.50
larger than a 30 gallon bag	\$ 1.00
actual weight per ton	\$40.00
TV set 27" and smaller (residential)	\$3.00 per TV
TV set larger than 27" (residential)	\$5.00 per TV
TV set 27" and smaller (commercial)	\$6.00 per TV
TV set 27" larger than 27" (commercial)	\$10.00 per TV
Computer monitor (residential)	\$3.00 per monitor
Computer monitor (commercial)	\$6.00 per monitor
The fee for all other mercury added products will be equal to the fee charged to the town for disposal.	

Be it further resolved that the fees be credited to account # 4003 Solid Waste Fees.

Adopted 5-29-2008 Yes____ **No** _____

Attested_____

Kathy Downes, Town Clerk

RESOLVE #R-2008-153 AWARDING CONTRACT FOR AUDITING SERVICES

Whereas, the Town of Bucksport requires that the financial statements for the Town of Bucksport for the period 7-1-2007 to 6-30-2008 be audited by a independent auditor; and,

Whereas, RHR Smith & Company agreed to a five year contract in 2007 for a fixed fee each year as follows:

Town	School	Wastewater	Grants
\$12,440	\$10,475	\$3,565	\$2,500

Whereas, the firm is in the second year of the agreement:

Be it resolved by the Bucksport Town Council in town council assembled that the audit for the Town of Bucksport be awarded to RHR Smith & Company in the amounts stated above.

Be it further resolved that the audit include a schedule of cost by line item as outlined by the town charter for education, that there will be one audit report for all departments of the town including schools and one management letter be provided to the school board for school related issues and one management letter to the town council that will be for all department including schools.

Adopted 5-29-2008 Yes____ **No** _____

Attested_____

Kathy Downes, Town Clerk

RESOLVE #R-2008-154 AWARDING CONTRACT FOR ROUTE 46 PLOWING AND SANDING FOR THE 2008-2009 SNOW SEASON

Whereas, the Town of Bucksport requested bids for plowing and sanding Route 46 for the 2008-2009 snow season; and,

Whereas, two bids were received as follows:

McIntyre Trucking & Excavation	\$42,640 (adjustment for diesel fuel after \$5.00 per gallon)
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Wardwell Construction & Trucking	\$78,200
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Whereas, the contract is for five years, to be renewed on an annual basis based on favorable performance and an annual cost of living adjustment:

Whereas, the low bidder has experience plowing winter roads and will have adequate equipment:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for snow removal and sanding on Route 46 and the Stone House Road be awarded to Robert McIntyre d/b/a/McIntyre Trucking & Excavation for the 2008-2009 snow season for the contract amount of \$42,640 and a fuel surcharge adjustment whenever the cost of diesel exceeds \$5.00 per gallon.

Adopted 5-29-2008 Yes____ **No** _____

Attested _____

Kathy Downes, Town Clerk

RESOLVE #R-2008-155 AUTHORIZING CONTRACT FOR FUEL OIL AND DIESEL

Whereas, the Town of Bucksport participated in MainePower Options's fuel bid request for the period 6-1-2008 to 6-1-2009; and,

Whereas, only one bidder provided a fixed cost for fuel oil and diesel; and,

Whereas, the fixed price for fuel oil was provided by CN Brown in the amount of \$4.539 per gallon; and,

Whereas, the fixed price for diesel was provided by Dennis Burke Oil Company in the amount of \$4.6750 per gallon; and,

Whereas, an independent quote was obtained from Webber Fuel for a fixed price of \$4.268 per gallon:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for purchase of fuel oil for the period ending 4-30-2009 be awarded to Webber Energy Fuels-Bucksport for a fixed price of \$4.268.

Be it further resolved that the purchase of diesel fuel be awarded to Dennis Burke Oil Company for the fixed price per gallon of \$4.6750 for the period 7-1-2008 to 6-1-2009.

Adopted 5-29-2008 Yes____ **No** _____

Attested_____

Kathy Downes, Town Clerk

**RESOLVE #R-2008-156 AUTHORIZING ADDITIONAL FEES FOR
ENGINEERING SERVICES FOR THE CSO PROJECT**

Whereas, the engineering firm Wright-Pierce was required to provide additional engineering services shortly after the bidding phase for the CSO Project to determine the impact of EPA's decision to remove the town's 301 Waiver; and,

Whereas, the cost for the additional services which included a cost estimate for constructing secondary treatment and having several meetings with DEP and the Bucksport Town Council was \$13,300; and,

Whereas, this request was reviewed by the Town Manager and only \$8,200 is proposed for payment:

Be it resolved by the Bucksport Town Council in town council assembled that the additional fee for engineering services for the CSO Project be approved in the amount of \$8,200 as recommended by the Town Manager and that such cost be paid for from project funds.

Be it further resolved that the additional cost be approved by Rural Development.

Adopted 5-29-2008 Yes____ **No** _____

Attested_____

Kathy Downes, Town Clerk

**RESOLVE #R-2008-157 AUTHORIZING PURCHASE OF A NEW WHEELER
AND SNOW REMOVAL EQUIPMENT**

Whereas, proposals were requested for a new truck and plow equipment for the Highway Department as authorized by the 2008-2009 Capital Improvement Plan; and,

Whereas, proposals for the truck were as follows:

Daigle & Houghton	2009 International Model 7400	\$63,019.00 (\$527)
CB International	2008 International Model 7400	\$63,335.12
Whited Truck Center	2008 Sterling Model LT8500	\$69,958.00

Whereas, one proposal was received for snow removal equipment inclusive of front mount plow, a side wing and side-dump body from TENCO in the amount of \$51,422; and,

Whereas, the total cost of the unit as recommended by the Public Works Director is \$114,441 while \$140,000 has been budgeted for the purchase:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for purchase of a new plow truck be awarded to Daigle & Houlton, Inc. in the amount of \$63,019.

Be it further resolved that the contract for new plow equipment, side-dump and installation be awarded to TENCO in the amount of \$51,422 and the cost of the truck and plow equipment be charged to Highway Equipment Reserve Account.

Adopted June 12, 2008

Yes ___ No ___ Abstained ___

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-158 REGARDING ADJUSTMENT OF GUARANTEED ANNUAL TONNAGE AT PERC

Whereas, the Town of Bucksport is a participating member of the Municipal Review Committee (MRC) that is charged with the responsibility of representing the Town regarding its membership in the Penobscot Energy Recovery District (PERD); and,

Whereas, the Town of Bucksport is being given the opportunity to adjust its Guaranteed Annual Tonnage (GAT); and,

Whereas, the Town's current GAT is 2,200 tons while the last two years average is 1,926 tons; and,

Whereas, the Town could face penalties should the District not meet its overall guaranteed annual tonnage; and,

Whereas, it is recommended by the Town Manager, based on the three previous years experience, that the Town consider reducing its guaranteed tonnage by 100 tons; therefore:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to request a reduction in Guaranteed Annual Tonnage by 100 tons, or to 2,100 tons.

Adopted June 12, 2008

Yes___ No___ Abstained___

Attested: Kathy Downes, Town Clerk

RESOLVE #R-2008-159 REGARDING REQUEST TO PLACE THE VETERANS' MEMORIAL AT PEARY'S LANDING

Whereas, the members of the American Legion have requested that the new proposed veterans' memorial be located at Peary's Landing; and,

Whereas, it is the belief of the members that the memorial will be more visible to the public at that location as well as be consistent with plans to make the site more aesthetically appealing to travelers coming across the bridge:

Be it resolved by the Bucksport Town Council in town council assembled that the members of the Veterans' Memorial Committee be asked to submit a plan identifying the proposed location of the monument so that it can be incorporated as part of the existing site improvements proposed in conjunction with the Enterprise Grant.

Be it further resolved that once the overall plan is received, and prior to rendering a final decision whether or not to allow the monument to be placed at Peary's Landing, that a public hearing be held to receive public comments regarding the request.

Adopted June 12, 2008

Yes ___ No ___ Abstained ___

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-160 REGARDING REPORT FROM FINANCE
COMMITTEE**

Whereas, the request for the town to purchase approximately 51 acres of land from Bucks Estates adjacent to the Middle School was referred to the Finance Committee for a recommendation; and,

Whereas, a request for the Town of Bucksport to provide guidance and or support to the Duck Cove Road School House Association at such time membership is no longer able to continue ownership was also referred to the Finance Committee for a recommendation; and,

Whereas, the request to purchase land from Buck Estate adjacent to the Middle School, the Committee recommends to the Town Council that the following issues need to be addressed prior to making a final decision whether or not to purchase the property:

1. a wet land study must be completed of the area proposed for sale
2. the need or needs for the property be established
3. a determination should be obtained, should the town purchase the property, as to the status of the subdivision law as it would apply to the town

Whereas, the committee has considered the request from the Duck Cove Road School House Association and recommends that a letter be forwarded to the President of the organization noting that the town is prepared to assist the group to identify the most feasible alternative to preserve the school as a historic building in the community at such time the organization feels the town's assistance is necessary.

Be it resolved by the Bucksport Town Council in town council assembled that the recommendations of the Finance Committee regarding the purchase of property adjacent to the Middle School and request from Duck Cove Road School House Association to assist with the identification of possible alternatives of ownership should the group at some time in the future disband, be adopted.

Adopted June 12, 2008

Yes___ No___ Abstained___

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-161 APPROVING TRANSFERS, BALANCES TO BE
CARRIED OVER AND OVERDRAFTS**

Be it resolved by the Bucksport Town Council in town council assembled that the following overdraft be approved for the period 7-1-2007 to 6-30-2008

Department 52 Street & Ways \$56,000 for additional winter salt and sand and diesel fuel.

Be it further resolved that balances in solid waste revenues and expenses (Orland's portion) be carried forward to designated fund balance.

Be it further resolved that transfer be authorized from undesignated fund balance to Planning Board expenses \$2,250 and \$117,401.89 for principal and interest to offset debt service issued by Rural Development for 1990 sewer improvements.

Adopted June 12, 2008

Yes ___ No ___ Abstained ___

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-162 APPROVING NECESSARY DOCUMENTS FOR THE
PHASE II APPLICATION FOR AN ENTERPRISE GRANT**

Be it resolved by the Bucksport Town Council in town council assembled that the members of the Advisory Committee for the 2008 enterprise grant be as follows:

Butch Osborne, Lisa Whitney, Cindi Kimball, Linda Plourde, John Wardwell, Belle Ryder, Dave Gelinis, Joel Wardwell, Mike Ormsby, Patrick Potter, Cathy Hamburger

Be it further resolved that the following documents necessary to complete the Phase II 2008 Enterprise grant application be approved and signed:

Standard of Conduct
Fair Housing Resolution
Section 504 Self Evaluation
Residential Antidisplacement & Relocation Assistance Plan
Equal Opportunity Policy Statement

Adopted June 12, 2008

Yes____ No____ Abstained____

Attested: Kathy Downes, Town Clerk

**RESOLVE #R-2008-163 APPROVING PURCHASE OF A GENERATOR FOR
THE PUMP STATION FROM CDBG FUNDS**

Whereas, funds remain from the 2006 CDBG Program totaling \$44,800; and,

Whereas, it is proposed to purchase a generator to provide emergency power to three pump stations in case of power failure; and,

Whereas, the Town of Bucksport has requested Apex Construction submit a price quote to provide the unit; and,

Whereas, Apex Construction, is the contractor that did the upgrade at the wastewater treatment facility; and,

Whereas, the contract could be amended by change order to accommodate this improvement that was planned for in the grant application; and,

Whereas, Apex Construction has provided a price quote which totals \$43,892.05:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to issue a change order to Apex Construction to supply a generator to provide emergency power to three pump stations that do not have access to emergency power in an amount not to exceed \$43,892.05.

Be it further resolved that the cost of the generator be charged to the 2006 CDBG Public Facility Grant and such funds be expensed pursuant to the CDBG rules and regulations.

Adopted June 12, 2008

Yes___ No___ Abstained___

Attested: Kathy Downes, Town Clerk

TOWN MANAGER'S REPORT

CSO Project- Most punch list items have been completed, the grass has been mowed once, and the facility has overflowed once since its has been put into operation. A dedication and open house will be held the latter part of July. Once that date has been confirmed, I will inform the Town Council.

Gardner Commons Project- The project is substantially completed. Potential clients were able to visit the facility this week. Initial comments were great. The open house and dedication are scheduled for June 20 as advertised in the paper. Hope to see you there.

Walkway Extension- The project has been mothballed for the summer months. It will be necessary for the Town to amend its DEP permit since the project exceeded the wetland limits due to issues that came up during construction. I will keep you posted regarding the status of the amended permit.

Road Projects- A public hearing will be scheduled the last week of June to review construction plans with property owners on the lower half of the Russell Hill Road. That date will be shared with you when letters go out to each property owner affected by the project. Currently, the highway department has been working on roads that have been identified for reclaim and pavement. These include Forsythe Avenue, Spruce Street and Millvale Road. Once those projects have been completed, work will commence on Silver Lake Road. Work on Russell Hill Road should commence by August 1.

Treatment Plant Operator- Aqua Maine continues its progress to hire a treatment plant operator. I believe they may have a candidate who they are working out the details with. During the next several days, I should be receiving a proposal outlining the town's cost should they proceed with that hire.

2009 Tax Commitment- It looks like the tax rate will be set at .01275 reflecting a decrease of 1.1 mils. The decrease in mil rate is attributed to new construction and revaluation of existing property. As a result of the new mil rate, 37% of the taxpayers will see a reduction in taxes, 11% will realized an increase of less than \$10 and 12% will realize an increase less than \$20.

Web Site Development- Progress is moving ahead slowly but steady. I expect we should be putting the site in operation by the end of the fiscal year.

Joe Benjamin Property- We closed on the property on June 9. The building has been locked up until we schedule demolition. We should know soon whether the town will receive a Maine Invest Trust Grant to tear the building down and build the parking lot.

Football Field Study Committee- The committee has met several times to discuss the options available. The consultant has submitted preliminary cost for two options that include replacement of the existing sod and installing new artificial turf. I expect the

committee to complete its findings and render a recommendation to the Town Council by the end of August.

Financial Status- Copies of the financial statement are included as part of this report. No changes have occurred differently than previously reported. If you have any questions regarding any of the reports, feel free to contact Debbie or myself.

Swimming Pool Rehab- The pool and bathhouse should be ready for opening day. The floors have been finished in the bathhouse and the surface of the pool should be sealed within the next few days. Our fingers are crossed that there will be no problems filling the pool and it holding water.