

BUCKSPORT TOWN COUNCIL MEETING
7:00 P.M., THURSDAY, JANUARY 28, 2016
TOWN COUNCIL CHAMBERS – BUCKSPORT TOWN OFFICE

1. The meeting was called to order at 7:00 P.M. by Mayor David Keene.
2. Members Presents: Paul Rabs, David Keene, Peter Stewart, Paul Gauvin, Robert Carmichael. Members Absent: Joseph York, David Kee
3. Presentation of any Town Council Recognition – **None**
4. Consider minutes of the previous meetings – **None**
5. Receive and review correspondence and document – **None**
6. Public Hearings – **None**
7. New Ordinances to Consider/Introduce – **None**
8. Discussion Items

- a. Food Vendors on Waterfront – Waterfront and Ordinance Committee Recommendation

-Paul Rabs suggested reviewing current licensing, land use and itinerant vendors. Does the wording in Appendix K Chapter 6 provide answers? Has the Town checked with other municipalities to see how they respond to the requests? Paul has no recommendations at this time, but asking these questions as a starting point.

-Former Town Councilor Lisa Whitney addressed the Council noting that I am sure we would all agree that no other waterfront can compare to what we have with the fort, the bridge and the river. Lisa asked the Council to consider the following potential impacts: our tax-paying businesses; sanitation issues, increased maintenance costs to keep the walkway clean; potential increase in vandalism; increased in police patrol, etc. Lisa said, "I respectfully encourage you to honor the intent and the spirit of all those who have worked so long and hard to bring all three phases of our "million dollar mile" into being, and to protect this exquisite and historical landmark" for our citizens and visitors. Let this waterfront we now have, and are blessed to have, be a legacy for future generations, one that we can all be proud of. Also, Lisa gave an historical perspective on the vendor issues along the waterfront.

-George MacLeod thought Ms. Whitney's remarks were great! He thought there might be a place for food vendors. He suggested the Town develop an ordinance that included issues, such as quality, usage, and management.

-Jim Morrison commented by asking where do we start or end with this issue.

Would there be liquor licenses needed in the future? The Council needs to think this through before proceeding.

-John Paul Lalonde stated “this is a process.” We already have the Festival on the waterfront. Some people are in favor and some are opposed. This needs to be well thought out with all the advantages and disadvantages.

-Ralph Talbot pointed out that he keeps a business open every day and this is what we do every day. The Town needs to consider the existing merchants too.

-Rich Rotella, Community Development Director Rich read a letter from Councilor David Kee expressing his view that the waterfront should remain the same, but food vendors could be located on a site down toward the mill.

-Councilor Peter Stewart reassured everyone that there will be no ordinance passed tonight. The council first wants to get everyone’s opinion and encourage anyone to attend the council’s subcommittee meetings on this issue as any ordinance allowing vendors will be debated in the committees and public hearing will be held before any council vote.

b. Request for Town of Bucksport to cease participation in the Coalition opposing the Penobscot Indian Nation vs State of Maine matter

-On September 13th, 2012 the Town Council signed Resolve #R-2013-034 to consider support for a coalition supporting the Attorney General of the State of Maine in a matter considering jurisdiction over the Penobscot River. However, the Council voted to support the coalition but would not financially contribute at this time.

-Mayor David Keene indicated that he did not recall the details, but thought the vote of support of the state’s position only meant the council would be kept informed of the progress of the suit.

-Hans Krichels addressed the Council with a review of the relevant meeting dates involving this issue. He identified the dates as: September 13, 2012, April 20, 2015, and January 7, 2016.

-Nancy Minot spoke of the history of the Penobscot River. Nancy also mentioned the beautiful Waterfront the town has worked so hard at obtaining the beauty of the Penobscot River.

-Emery Deabay felt the Bucksport taxpayers did not want to be included in this legal action. Bucksport is facing all kinds of changes. The sculpture on the waterfront represents respect for all people of the Universe, and Bucksport’s Center of the Universe sign also reflects that belief. He urged the Council to withdraw from intervenor status.

-Tracy Hare described Bucksport as a town of hard working people, with neighbor helping neighbor. She felt the spirit of Bucksport was an important consideration. She also felt the Tribes did not get to speak during the original deliberations.

-Eric Maynard spoke against withdrawing from intervenor status. Although he felt the litigation was incorrect, he stated there might be a code of ethics issue in this action.

It was motioned by Peter Stewart, seconded by Paul Gauvin, and unanimously

voted to take up an item not on the agenda.

It was motioned by Robert Carmichael, Jr. seconded by Peter Stewart, and unanimously voted to withdraw Resolve #R2013-34, and instruct the Town Manager to withdraw as intervenor.

c. Draft Budget Meeting Schedule 2016

There was Council consensus approval for the Budget Meeting Schedule for 2016 and the first draft of the budget will be available at the February 11th, 2016 Council meeting.

d. Investigation of Council legal rights & responsibilities regarding Silver Lake water supply

Susan Lessard, Interim Town Manager indicated that she would contact the Town's Attorney to determine the Town's legal rights and standing with respect to the Silver Lake water supply system.

Scott Fernald feels this is a big issue. He explained the impact on other parts of the system, such as Toddy Pond. He would like the Town to take over the entire water system.

Linda Plourde stated there are existing lake associations eager to talk with the Town. The issue is very complex and "sticky". She expressed concern with the age of the pipeline between Alamoosook Lake and Silver Lake, as well as the fact that Silver Lake is on average of only ten feet deep. Also, Linda reported that she and Chris Johnson are working on getting a Silver Lake support group organized. Katie Greenman, President of the Alamoosook Lake Association, expressed her concern with the ownership of the water system by AIM.

Mayor David Keene would like to see the Town, all the lake associations as well as Maine Water work together.

9. Agenda Items

a. Approve Resolve #R2016-42 Authorizing Sewer Commitment for 4th Quarter of 2015.

-It was motioned by Paul Gauvin, seconded by Robert Carmichael, Jr. and unanimously voted to approve Resolve #R2016-42.

b. Approve Resolve #R2016-43 to support the Police Department participating in joining the Spillman User group through the Hancock County Sherriff's Office.

-Police Chief Sean Geagan explained the technology advancement. Bucksport currently has its own communication system that doesn't share information with any other area police departments. The Spillman system has a mobile system with read only. The Spillman system is housed with the Hancock County System. Only three towns in Hancock County do not use Spillman. They are Bar

Harbor, Southwest Harbor, and Buckport in which Bar Harbor and Southwest Harbor are joining. There are fifty eight departments in the State of Maine using the system and the State Police will be joining within one and a half years. This is a contract agreement. It would include maintenance and ongoing support.

It was motioned by Peter Stewart, seconded by Robert Carmichael, Jr. and unanimously voted to approve Resolve #R2016-43.

10. Resignations, Appointments, Assignments, and Elections – **None**

11. Approval of Quit Claims, Discharges, and Deeds

a. Sewer Quit Claim Deed

-Daniel and Mary Hamm – 24 Race Course Road

It was motioned by Paul Gauvin, seconded by Peter Stewart, and unanimously voted to approve release of Quit Claim Deed to Daniel and Mary Hamm, 24 Race Course Road.

12. Town Manager Report

Town Manager reviewed the Sudden & Severe Application Update, Solid Waste Proposals, Ellsworth YMCA, Budget, Negotiations and Manager's Interchange for March. See Attachment

13. Set Public Hearings, and/or Hold Public Hearings and Approval of any Licenses or Permits – **None**

14. Discussion items Not on the Agenda for Council and Public

Katie Greenman read a letter to the Council from Jessie Bidol, regarding the earlier discussion of the intervenor status in the Penobscot Indian Nation lawsuit.

15. Upcoming Public Hearings, Designation of Topics for Committee Assignment, and Committee Meeting

-Finance Committee Meeting on Thursday, February 11, 2016 at 6:30 P.M. regarding review of Yellow School House construction proposal

-Joint Meeting with Waterfront and Ordinance Committee on Thursday, February 25, 2016 at 6:00 P.M. regarding Vendors on Waterfront.

16. Agenda Items Requiring Executive Sessions – **None**

17. Adjournment

It was motioned by Robert Carmichael, Jr. seconded by Paul Gauvin, and unanimously voted that the meeting be adjourned.
Meeting adjourned at 8:34 P.M.

Respectfully Submitted,

Kathy L. Downes
Council Secretary