

**RESOLVE #R-2006-1 APPROVING PLAN FOR THE DOWNTOWN**

Whereas, the Economic Development Committee was charged with the responsibility of updating the Downtown Plan; and,

Whereas, Rothe Associates was engaged to assist the committee to update the plan; and,

Whereas, the members of the Economic Development Committee gave opportunity to downtown business owners and the public at large to input into the plan; and,

Whereas, the members of the Economic Development Committee recommend that the plan be approved as submitted:

Be it resolved by the Bucksport Town Council in town council assembled that the June 2006 Downtown Plan as prepared by Rothe Associates and recommended by the Economic Development Committee be approved and the Town Clerk keep a copy of the Plan on file.

Be it further resolved that the members of the Economic Development Committee with administrative support from the Economic Development Director and Town Manager work towards the implementation of the Plan.

**Acted on 7-13-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_

**Town Clerk**

**RESOLVE #R-2006-2 AUTHORIZING PROPOSALS FOR CONSULTANT SERVICES TO PREPARE A NEW ECONOMIC DEVELOPMENT PLAN**

Whereas, the current Economic Development Plan was adopted in 1995; and,

Whereas, all of the goals outlined by the Plan have been pursued and or achieved; and,

Whereas, having a Plan provides guidance to the Economic Development Committee and Economic Development Director as to what economic development activities and goals to pursue and achieve:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to seek proposals from interested and qualified consultants to prepare a new Economic Development Plan for the Town of Bucksport.

Be it further authorized that such proposals be returned to the Town Council for final consideration.

**Acted on 7-13-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-3 AWARDING CONTRACT FOR EQUIPMENT RENTAL**

Whereas, bids were requested from area earthwork contractors for rental of equipment when required to supplement the Town Highway Department's equipment needs; and,

Whereas, bids were received as follows:

	<b>Wardwell Contract.</b>		<b>Wardewell Construct. &amp; Trucking</b>	
	<b>With Oper.</b>	<b>W/Out Oper.</b>	<b>With Oper.</b>	<b>W/O Oper.</b>
12-14 Wheeler	\$43.00		\$40.00	
16-18 Wheeler	58.00		55.00	
Lowbed/tractor	63.00		68.00	
Bachhoe 416	60.00	37.00	70.00	\$50.00
Skid Steer/grinder	165.00			
D-5 Dozer	82.00	59.00	75.00	65.00
D-6 Dozer	85.00	62.00	85.00	75.00
Excavator 1 yd.	103.00	80.00	75.00	60.00
Excavator-2 yds.	123.00	100.00	95.00	70.00
Excavator/ramhoe	200.00			
Gradall/595	110.00	87.00	75.00	60.00
Gradall/495	103.00	80.00	75.00	60.00
Gradall/880	107.00	84.00	75.00	60.00
Grader	98.00	73.00	75.00	58.00
Roller 72"	65.00	45.00	65.00	50.00
Roller 84"	70.00	50.00	75.00	60.00
Loader 950	78.00	56.00	70.00	55.00
Loader 966	83.00	61.00	80.00	65.00
Read Screen	37.00		65.00	

Be it resolved by the Bucksport Town Council in town council assembled that the contract for equipment rental be awarded to the contractor who has the lowest cost for each item of equipment as bid and as required by the Highway Department.

**Acted on 7-13-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-4 AUTHORIZING EVANGEL BAPTIST ACADEMY TO  
OBTAIN ITEMS AT THE GARDNER SCHOOL**

Whereas, there still remains two glass backboards, science lab tables and lockers at the Gardner School, and,

Whereas, Evangel Baptist Academy has requested that the Town allow them to remove these items from the building for use at the Evangel Baptist Academy; and,

Whereas, the Bucksport School Department or municipal departments have no use for these items:

Be it resolved by the Bucksport Town Council in town council assembled that Evangel Baptist Academy be granted permission to remove the two glass backboards, lockers and lab tables from the Gardner School pursuant to the following conditions:

1. It will be done under the supervision of the Town Manager.
2. Removal of the items will not cause damage to the overall structure of the building.
3. The town will be exempted from any and all liabilities regarding the removal and use of the items.
4. The areas of the building disturbed will be cleaned of all debris resulting from the removal of the items.
5. Gardner Commons agrees to the removal of the items.

**Acted on 7-13-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-5 AUTHORIZING TOWN MANAGER TO OBTAIN  
QUOTES FROM CONSULTANTS TO PREPARE AN ENVIRONMENTAL  
STUDY FOR THE BRAUN'S BUILDING**

Whereas, the Town Manager is in the process of commencing negotiations with the owners of the so-called Braun Building to purchase the property; and,

Whereas, it is imperative for the Town to have knowledge whether there are any environmental issues with the property before acquiring the building; and,

Whereas, it will necessary for the Town to conduct an environmental study of the building before the building can be torn down, if the Town is successful to purchase the property:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to request proposals from interested firms to conduct an environmental review of the Braun's Property and such proposals be brought back to the Town Council for consideration.

**Acted on 7-13-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
Town Clerk

**RESOLVE #R-2006-12 APPROVING CONSENT AGREEMENT WITH LOUIS  
AND KATHERINE HAMBURGER**

Whereas, Louis Hamburger, Katherine Hamburger and Jeff Hammond, Code Enforcement Officer have agreed that the most prudent method of addressing a Shoreland Zoning violation is by Consent Agreement; and,

Whereas, Maine Department of Environmental Agency has concurred; and,

Whereas, the Town Attorney has reviewed that agreement; and,

Whereas, the Facts of Findings and conditions are so outlined in the Consent Agreement as attached to this Resolve:

Be it resolved by the Bucksport Town Council in town council assembled that the Consent Agreement outlining the corrective action to be undertaken and agreed upon by Louis Hamburger and Katherine Hamburger to resolve Shoreland Zoning violations be approved with the exception that items 7 and 8 of the agreement pertaining to the fine be removed and that Item 10 be rewritten so that it can be better understood by the readers of the document.

**Acted on 7-13-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-6 AWARDING BID FOR A PICKUP FOR THE HIGHWAY  
DEPARTMENT**

Whereas, bids were requested for a new pickup for the Highway Department: and,

Whereas, bids were received as follows:

<b>Vendor</b>	<b>Price</b>
Varney Pontiac	\$12,016.00
Quirk Chev.	\$12,615.81
Darlings Ford	\$12,768.00
O'Connor GMC	\$12,840.00
Dutch Chevrolet	\$13,455.00
Kallis Ford	\$13,449.00
Dave Gould Ford	\$13,507.00

Be it resolved by the Bucksport Town Council in town council assembled that the bid for a new 2006 ½ ton pickup truck be awarded to the low bidder Varney GMC in the amount of \$12,016.

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

**Acted on 7-13-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-7 REGARDING TAX ACQUIRED PROPERTY**

Whereas, properties owned by Julie Rainey (Central Street), Todd Gifford, (Dresser Road) and Constance Ballantine (Route 46) became tax acquired in December 2005; and,

Whereas, all the property owners were given the opportunity to enter into a payment agreement or to redeem their property for full payment of tax liens, interest and cost; and,

Whereas, Julie Rainey has proposed paying \$300.00 per month and responses have not been received from Todd Gifford or Constance Ballantine:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to enter into a payment agreement with Julie Rainey in the amount of \$300 per month and to sell by sealed bid the properties of Todd Gifford and Constance Ballantine.

**Acted on 7-13-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested**\_\_\_\_\_   
Town Clerk

**RESOLVE #R-2006-8 APPROVING ACTIVITY IN RESERVE ACCOUNTS FOR  
THE PERIOD 7-1-2005 TO 6-30-2006**

Whereas, there has been numerous activity in the reserve accounts; and,

Whereas, expenditures have been approved by the Town Council in accordance to the Purchasing Policy; and,

Whereas, it is easier to summarize all activities in one report for purposes of the audit; and,

Whereas, a prepared summary attached to this Resolve has been reviewed with the members of the Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that the attached Summary of Activities in the Reserve Accounts for the period 7-1-2005 to 6-30-2006 be approved, such reflecting the expenditures and revenues approved for each reserve account.

**Acted on 7-13-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-9 REGARDING ACTIVITIES IN TIF ACCOUNT**

Whereas, a summary outlining the activities in the Tax Incremental Financing Account has been reviewed by the Town Council; and,

Whereas, the summary outlines the revenues and expenditures incurred during the period 7-1-2005 to 6-30-2006:

Be it resolved by the Bucksport Town Council in town council assembled that the attached Summary of Activities in the TIF Account for the period 7-12005 to 6-30-2006 be approved such reflecting the expenditures and revenues approved by the Town Council.

**Acted on 7-13-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested**\_\_\_\_\_   
 **Town Clerk**

**RESOLVE #R-2006-10 APPROVING BALANCES TO BE CARRIED FORWARD**

Be it resolved by the Bucksport Town Council in town council assembled that the following balances be carried forward:

Recreation Revenues	\$2,566.05
Solid Waste Revenues	\$16,662.00

**Acted on 7-13-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_

**Town Clerk**

**RESOLVE #R-2006-11 ESTABLISHING A COMMITTEE TO STUDY THE  
FEASIBILITY OF CONSTRUCTING BATHROOM FACILITY TO SUPPORT  
THE HIGH SCHOOL AND MILES LANE RECREATION FACILITIES**

Whereas, it has been suggested by several citizens that a bathroom facility should be considered to support the outside facilities at the High School and on Miles Lane Property; and,

Whereas, a committee should be established that would study the feasibility of constructing such a facility; and,

Whereas, this committee should include representatives of the school and recreation departments, public at large and Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that a special committee referred to as the Recreation Facilities Support Building Committee be established consisting of representatives from the School Department, Recreation Department and citizens at large and that such committee not exceed ten members and appointed by the Town Council.

Be it further resolved that the Recreation Facilities Support Building Committee return a report with their findings no later than November 1, 2006.

**Acted on 7-13-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested**\_\_\_\_\_

**Town Clerk**

## TOWN MANAGER'S REPORT

**Gardner School-** Three contractors have been selected to submit bids for the project. Bids will be submitted sometimes towards the end of July. Problems did materialize with the land survey. The surveyor was having problems finding a source deed for a portion of the property. With some help from my office, a source deed was identified that lead the surveyor to a reference deed that verified ownership with the town.

**Sewer Improvements-** Mike Millett has completed the survey for the sewer improvements. Wright-Pierce is working on finalizing the plans for the improvements at the treatment plant. Both projects are scheduled for bids sometimes the end of August. The appraisal has been completed on the Braun Property. I will be meeting with Mr. Braun within the next few weeks to negotiate the purchase. Approval to proceed with the final design plans for the swirl has not been authorized since Wright-Pierce has requested a substantial increase in their fees. I have requested that they provide me the necessary support for their request. Once I receive the information, I will bring it to the Town Council for consideration. All information has been submitted to Rural Development for the loan closing. The Phase II application is also ready to be submitted to the Office of Community Development.

**Housing CDBG-** Applications from 46 single-family homeowners and from 10 owners of rental buildings have been received. To date, 18 single-family homes and 10 rental apartment units have been completed. The committee recently approved improvements for 5 additional rental units and six single-family units. Uncommitted balances of \$37,600 for single family and \$47,374 for multi-family remain.

**Financial Report Ending 6-30-2006-** I have enclosed copies of the Revenue and Expenditure Summaries for the period ending 6-30-2006. The reports speak for themselves. Should you have any questions, please feel to see me.

**Industrial Park Land Purchase-** I will be meeting with the owner of the adjacent property during the week of July 17<sup>th</sup> to discuss the purchase price and amount of acreage to be purchased. Once I have been able to work out the details, I will report back to the Town Council for your approval.

**Veterans' Monument-** I did meet with the consultant this week to set the parameters for development of a schematic for the Veterans' Monument. I expect to have something back for the committee to look at by the middle of August. I will keep you posted.

**Dock Improvements:** MDOT has informed me that the Town's request for a grant to replace the ramp at the Town Dock has been approved. I should be receiving a copy of the contract within the next several weeks. Once I return it signed, we will be able to begin with the improvements.

**Waterfront Improvements**- Efforts to extend the waterfront walkway are moving ahead nicely. It seems like the permitting process will be minimal. The next step is to obtain an easement from Irving Oil. I will begin that task next week.

## **RESOLVE #R-2006-13 SETTING GOALS FOR THE ENSUING YEAR**

Be it resolved by the Bucksport Town Council in town council assembled that the following goals be accepted as outlined below for the 2006-2007 fiscal year.

1. Implement Sewer Improvements
  - a. purchase required property
  - b. complete design plans
  - c. bid and award contract
  - d. commence construction
  - e. establish user fees to support new debt service
2. Pursue development of the Gardner School into senior housing
3. Pursue continued improvements to the Downtown
  - a. Implement Downtown Plan
4. Complete update of Land Use and Subdivision Ordinances as outlined by the 2003 Comprehensive Plan
5. Review the 2003 Comprehensive Plan to determine if implementation is occurring as proposed.
6. Continue to develop economic development opportunities by completing the following:
  - a. pursue acquisition of land to expand the existing industrial park
  - b. continue to maintain and support the Economic Development Committee
  - c. update the town's Economic Development Plan
7. Implement the new five year Capital Improvement Plan for the school and municipal departments
8. Review Sewer Ordinance to determine consistency with current practice
9. Pursue alternative energy to lower the cost of energy for the Town and manufacturing businesses locating in the industrial park.
10. Develop Energy Plan for Town government.
11. Pursue upgrading the Town's web site to include ordinances, minutes, meeting agendas and other information pertinent to the general public.
12. Evaluate and implement recommendations to improve the quality of broadcasting on the governmental channel
13. Update Town Code
14. Pursue development of moderate income housing for elderly.
15. Continue to seek funding for Main Street repavement and Route 46 reconstruction
16. Pursue preparation of schematic plans and selection of a site for a Veteran's Memorial
17. Study the feasibility of bathroom facilities at the High School Football Field and Miles Lane Facilities
18. Study the possibility of purchasing a boat to service the harbor

**AMENDMENT TO CHAPTER 4; BOARDS, COMMISSIONS AND SPECIAL OFFICES; ARTICLE 3, HARBOR MASTER**

Shall an ordinance entitled “Amendment to Chapter 4; Boards, Commissions and Special Office; Article 3, Harbor Master” be introduced such ordinance reading as follows:

Amend Section 4-302 “Duties” by adding Item 12 reading as follows:

- 12. Appoint a deputy or deputies who under his/her direction, shall be authorized to enforce and carry out rules and regulations of this Chapter and of Appendix G “Harbor Management Ordinance” of the Bucksport Town Code.**

## AMENDMENT TO APPENDIX B, HARBOR MANAGEMENT ORDINANCE

Shall an ordinance entitled “Amendment to Appendix G, Harbor Management Ordinance” be introduced such amending Appendix G as follows:

### Appendix G

#### Harbor Management Ordinance

##### SEC. 101 Purpose

The purpose of this Ordinance is to establish and maintain order in the arrangement and utilization of the mooring area, harbor channels, Town dock, and other related facilities in Bucksport Harbor.

##### SEC. 201 Authority

This Ordinance is adopted under the authority granted under Title 38, M.R.S.A., ~~subchapter 1, section 1 through 6 et seq.~~ Subsection 2, as amended.

##### SEC. 301 Applicability

The provisions of this Ordinance shall apply to all activities occurring within or directly affecting Bucksport Harbor as defined.

##### SEC. 401 Moorings

###### A. Placement of Moorings

No person shall place a mooring or mooring buoy of any type within Bucksport Harbor without first obtaining a Harbor Mooring Permit from the ~~Bucksport Town Office~~ Harbor Master. The permit shall be for the period May 1 to November 1. An annual fee may be levied by the Town for each mooring location ~~if~~ **as** so determined by the Town Council. **Proof shall be submitted to the Harbor Master by the owner or agent that the vessel is currently registered or documented and the excise tax has been paid.**

###### B. Designation of Mooring Space

The Harbor Master shall designate mooring spaces and shall maintain a chart of the harbor showing locations of moorings and areas designated as channels. The Harbor Master shall maintain a written record of the basic information on each mooring including assigned location, identifying number, vessel description, owner, and any additional data deemed useful.

###### C. Mooring Identification

All moorings shall be assigned an identifying number which must be marked in a legible fashion on the marked buoy **including the first four letters of the last name** in at least three (3) inch numerals **and letters**.

###### D. Mooring Material

Only moorings consisting of granite or marble stone or mushroom anchor constructed of steel or cast iron shall be allowed.

**SEC. 501 Town Dock and Float**

The Town dock is solely for the loading and unloading of vessels and for the mooring of skiffs.

A. Obstructions

No owner or master of any vessel, boat, or watercraft of any kind shall permit or suffer the same to be docked in such a manner as to obstruct the free passage of other vessels going in and coming out of the Town dock and float.

B. Tying to Town Float

No person shall leave any watercraft tied to the **main Town float** ~~southerly end of the Town float~~ for any purpose for a period of time of more than one (1) hour without ~~written~~ permission from the Harbor Master. During the hours of 9:00 P.M. and 7:00 A.M. a watercraft may be tied to the southerly ~~end-~~ **side** of the Town Float **if the watercraft or vessel is greater than 60' in length or if the Bucksport Marina is filled to capacity** upon written approval from the Harbor Master and payment to the Town of a daily fee as determined by the Town Council. ~~All watercraft nineteen (19) feet and under shall not be allowed to tie to the front of the Float unless written permission has been received from the Harbor Master. Areas to the side of the float will be available to tie any watercraft less than nineteen (19) feet long.~~ **A space at the float may be designated by the Town Council for the Harbor Master's boat.**

C. Access to Town Dock and Float

No person shall place or cause to be placed any vehicle, equipment or other material on the Town dock unless it is for the purpose of unloading or loading of a vessel and in no way shall block access by other users. At no time shall any person be parked on the dock for any period exceeding fifteen (15) minutes **unless the Harbor Master has granted approval.**

D. Storage

No person shall place or cause to be placed any equipment or material on the Town dock or float for a longer period than is reasonably necessary, as determined by the Harbor Master, for the loading or unloading of the same.

E. Removal of Debris

All users of the Town dock, ~~and float~~ , **and ramp** shall be responsible for promptly cleaning up any spillage or untidiness resulting from their operations.

F. Skiffs

Skiffs **may be tied only to the finger floats or the northerly side of the main float between the finger floats** ~~tied to the Town float~~ and must be properly maintained, be kept bailed, and must be secured so as to ~~keep the southerly face of the float clear and~~ not interfere with vessels landing and departing **to and from the main float.**

G. Curfew Hours

No person shall be allowed on the dock or float between the hours of 10:00 P.M. and 5:00 A.M. daily unless such person(s) has a boat in the harbor or tied to the float or unless such person(s) is authorized by the Police Department or Harbor Master.

H. **Swimming**

**No person shall engage in swimming from the town dock, floats or fishing pier.**

I. **No Vessels Tied to Fishermen's Float**

**No person shall leave any watercraft except for a non-motorized canoe or kayak tied to fishing pier unless for emergency purposes. Non-motorized canoes or kayaks may tie to the east or west ends of the float for a period not to exceed one hour.**

**SEC. 601 Operation of Vessels**

A. General

No persons shall use or operate any vessel in Bucksport Harbor in such a way as to cause danger, annoyance, disturbance, or inconvenience to the public.

B. Reckless Operation

No person shall operate any vessel in a reckless or negligent manner, or while under the influence of intoxicants or drugs so as to endanger the life, limb, or property of any person.

C. Navigational Hazard

No person shall deposit, throw, sweep, or cause to be deposited or swept, from any vessel, dock, float, or any other place, into the waters of Bucksport Harbor or into the water adjacent thereto, any gas, oil, or bilge water containing any of the same, ashes, dirt, stones, gravel, mud, logs, planks, or any other substances tending to obstruct the navigation of said harbor or water adjacent thereto, or to shoal the depth of said harbor or pollute the waters thereof.

D. Speed Limit

All vessels shall be operated at a speed so as to create minimal wake.

**SEC. 701 Abandonment**

No person shall cause to be abandoned any boat, vessel, hulk, **skiff, mooring, mooring rope, buoy**, cradle, raft, or any other possible obstruction on the shores within Bucksport Harbor. Any such object left within the confines of Bucksport Harbor and which has been unattended for a period of ninety (90) days shall be deemed to be abandoned. The Harbor Master, upon his own complaint or the complaint of another shall order the last owner of record of any such abandoned boat, vessel, hulk, **skiff, mooring, mooring rope, buoy**, cradle, or raft, if such owner is ascertainable, to remove same within thirty (30) days; and upon his refusal or failure to remove within thirty (30) days, the Harbor Master shall cause its removal or destruction at the cost of the said last owner of record. Any violation of the above shall be considered a misdemeanor and punishable as stipulated in the penalties section of this ordinance. **If such object or property is not claimed, and removal expenses are not paid within six months from the date the owner has been notified in writing, the object or property may be sold by the Town and all monies retained from the sale shall inure to the benefit of the Town's waterfront account. Any tender or skiff tied to the Town floats that is left sunk or awash for a period exceeding seven days shall be deemed abandoned. The tender or skiff may be impounded by the Harbor Master, and may be disposed of in the same manner as noted in this section. The Town shall not be liable for any damages sustained by an impounded tender or skiff.** This section shall not apply to boats **or private floats** stored for the winter **on private property within Bucksport Harbor.**

#### **SEC. 801 Removal of Vessels**

The Harbor Master is hereby authorized, and it shall be his duty, to remove or cause to be removed at the owner's(s') risk and expense, any vessel, vehicle, trailer, or other obstruction which is in violation of the provisions of this ordinance.

#### **SEC. 901 Administration**

##### **A. Enforcement**

It shall be the duty of the Harbor Master to administer and enforce the provisions of this ordinance. If the Harbor Master shall find that any provision of this ordinance is being violated, he shall notify, in writing, the persons responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. A copy of every such notice shall be maintained as a permanent record.

##### **B. Obedience to Orders**

No person shall fail to observe any lawful order of the Harbor Master with reference to the navigation and disposition of his watercraft within the limits of Bucksport Harbor. The Harbor Master may arrest and deliver to District Court, the Town Constable, the County Sheriff or his deputy, or the Municipal Police Department, any person committing an assault upon him or another person acting under his authority as provided by the revised Statutes of Maine.

##### **C. Legal Action**

When notification of violation does not result in the correction of the violation or nuisance condition, the ~~Town Manager~~, **Town Council** upon complaint from the Harbor Master, is hereby authorized and directed to institute any and all action and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this ordinance in the name of the Town.

D. Penalties

Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and subject to a fine not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00) for each violation. A repetition or continuation of any violation of any provisions of this ordinance on successive days after notification by the Harbor Master constitutes a separate offense for each day during any portion of which such violation is committed, continued, or permitted.

**SEC. 1001 Definitions**

A. Bucksport Harbor

The Harbor shall include that area of water to high tide lying within the following boundaries: beginning at the northerly end of the ~~Bucksport-Verona Bridge~~, **at Orland town line** thence along the bridge to the ~~Bucksport-Verona line~~, thence generally westerly along **Bucksport, Verona, Prospect Frankfort and Winterport** the town lines to a point due south of ~~the Champion Paper Company~~, to **the Orrington town line** thence due north to the shore, thence along the shore to the beginning.

B. Mooring

The term Mooring shall include the entire mooring apparatus, including the block and weight on the harbor floor, the mooring buoys on the surface and every part in between the two, or otherwise attached.

C. Vessel

The term Vessel shall include any and all forms of watercraft.

**SEC. 1101 Liability**

A. Damage or Loss of Property

Any person using the facilities within the limits of a harbor or maritime facility shall assume all risks of damage or loss of property and the Town of Bucksport assumes no risk on account of fire, theft, Act of God, or damages of any kind to vessels within said harbors or maritime facility.

B. Personal Injury

The Town dock and facilities shall be used at the owner's(s') own risk and the area shall be posted accordingly.

**SEC. 1201 Validity and Separability**

If any section, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court, such portion shall be

deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

**SEC. 1301 Conflict**

Whenever any section, subsection, sentence, clause, phrase, or portion of this ordinance is deemed to be in conflict with any existing state and/or federal law, regulation or rule(s) then the stricter provision shall apply.

**SEC. 1401 Effective Date**

This ordinance shall become effective immediately upon adoption by the Town Council.

*Appendix G, Harbor Management Ordinance, was adopted on April 13, 1984, and amended on October 14, 1993, September 11, 1997 **and August 10, 2006.***

**RESOLVE #R-2006-14 APPROVING BID FOR A NEW POLICE CRUISER**

Whereas, the 2005 cruiser was totaled several weeks ago in a vehicular accident that involved a Penobscot Sheriff's Department cruiser; and,

Whereas, bids were requested from area dealers for a new cruiser; and,

Whereas bids were received as follows:

Quirk Ford (2006)	\$20,803
Darlings Ford (2007)	\$20,806
Kallis Ford (2007)	\$21,388
Dave Gould Ford (2007)	\$20,564

Whereas, the Department is one vehicle short and Quirk Ford has the vehicle on hand and the vehicle meets all specifications, and,

Whereas, all other dealers have delivery periods ranging from one month to four months:

Be it resolved by the Bucksport Town Council in town council assembled that the bid for a new replacement cruiser be awarded to Quirk Ford in the amount of \$20,803 on the condition that it is available for delivery upon issuance of the purchase order.

Be it further resolved that the cost of the cruiser be paid for from the insurance payment in the amount of \$15,928 from the Police Equipment Reserve \$4,875.

**RESOLVE #R-2006-15 APPROVING INSURANCE SETTLEMENT FOR  
POLICE CRUISER**

Whereas, the Bucksport Police Department's 2005 police cruiser was recently totaled in a vehicular accident with the Penobscot Sheriff's Department's cruiser; and,

Whereas, the vehicle was insured by the Maine Municipal Association Property and Casualty Pool; and,

Whereas, the Pool's claim representative has agreed to deem the vehicle totaled and to offer \$15,928 as the actual cash value; and,

Whereas, the settlement offered at this time is only for the vehicle and does not include the equipment that was damaged as part of the accident:

Be it resolved by the Bucksport Town Council in town council assembled that the settlement offer of \$15,928 made by Maine Municipal Association Property and Casualty Pool be accepted and the funds be deposited in the Police Equipment Reserve Account to offset the cost of the new cruiser.

**RESOLVE #R-2006-16 APPROVING FUNDS FOR ASBESTOS STUDY OF THE  
BRUAN'S PROPERTY**

Whereas, the Town of Bucksport has an interest in acquiring property located at the corner of Route 15 and Route 1 intersection currently owned by Ivan Braun Jr. and Judy Braun; and,

Whereas, if the property is purchased by the Town, the building will be removed; and,

Whereas, a study has to be completed to determine if any asbestos is present in the building; and,

Whereas, quotes were obtained from two firms that provide that service and the results are as follows:

Environmental Safety Professionals	\$685.00
Eastern Skies Environmental Services	\$1,450.00

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure for the asbestos study be approved in the amount of \$685.00.

Be it further resolved that the cost of the study be charged to the Sewer Project.

**RESOLVE #R-2006-18 APPROVING APPOINTMENTS TO COMMITTEE TO  
STUDY THE FEASIBILITY OF BATHROOM FACILITIES TO SUPPORT THE  
HIGH SCHOOL AND MILES LANE RECREATION FACILITIES**

Be it resolved by the Bucksport Town Council in town council assembled the following citizens are to serve on the Committee to Study the Feasibility of a Support Facility for the High School and Miles Lane Fields.

Tom Sullivan  
Brendon Harvey  
Robert Howard  
Bob Carmichael Sr.  
David Keene  
Tim Emery  
Rick McHale  
Sean Geagan  
Craig Bowden

**Acted on 8-10-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
Town Clerk

**RESOLVE #R-2006-20 APPOINTING CODE ENFORCEMENT OFFICER AND  
PLUMBING INSPECTOR**

Be it resolved by the Bucksport Town Council in town council assembled that Jeffrey Hammond be appointed Code Enforcement Officer and Plumbing Inspector for the period 7-1-2006 to 6-30-2007.

**Acted on 8-10-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-21 ACCEPTING 2006 SMALL HARBOR IMPROVEMENT GRANT**

Whereas, the Town of Bucksport has been offered a grant in the amount of \$13,500 from the Maine Department of Transportation, Small Harbors Improvement Grant; and,

Whereas, the funds are to replace the ramp extending from the town dock to the floats; and,

Whereas, the program requires a local match of \$4,500:

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport accept the Small Harbors Improvement Grant in the amount of \$13,500 to be used to replace the ramp extending from the town dock to the floats.

Be it further resolved that the local funds to cover the Town's share of the cost, not to exceed \$4,500, be transferred from Waterfront Reserve Account.

**Acted on 8-10-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_

**Town Clerk**

**RESOLVE #R-2006-22 REGARDING THE BUCKSPORT PROPERTY OF THE ESTATE OF JAMES J. JACOB**

Whereas, the Estate of James J. Jacob has offered to gift to the Town approximately 11 acres of land located off Route 15 in Bucksport; and,

Whereas, the Personal Representative for the Estate has outlined the following conditions the Town has to accept prior to accepting the gift, which are:

- no overnight camping;
- no sale or lease of property to other parties;
- use for light recreation only;
- open to public in daylight hours only;
- fire prevention plan required to include fire only during daylight and in approved devices such as grills or fireplaces;
- may replace building with one new one of same size as current building for property maintenance only;
- all other items on land shall be disposed of;
- no municipals facilities such as sand piles, garages, waste/recycle stations, sports fields;
- Town assumes all responsibility for property and materials on land or beneath it;
- signs notifying public of rules and marking property limits to keep patrons within park bounds;
- no commercial activity;
- clarification that ownership of Shady Lane resides with the estate of James Jacobs;
- vehicle access to land limited to parking lot of modest size off Route 15;
- only town vehicles allowed beyond parking lot;
- no ATVs, snowmobiles or similar motorized vehicles allowed; and
- lifetime access across property for the Jacobs' three sons with formal notice.

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport appreciates the generosity of the Jacobs' family but the conditions required to accept the gift could result in significant financial cost to the Town; therefore, the Town of Bucksport must regretfully decline the offer.

**Acted on 8-10-2006**

**Vote Yes\_\_\_\_\_ No\_\_\_\_\_**

**Attested\_\_\_\_\_**  
**Town Clerk**

**RESOLVE #R-2006-23 REGARDING POLICY FOR USE OF THE  
WATERFRONT**

Whereas, the members of the Waterfront Committee were asked to develop a policy for use of the Waterfront; and,

Whereas, the committee has prepared the following policy and recommends it be adopted by the Bucksport Town Council:

**POLICY PERTAINING TO USE OF PUBLICLY OWNED LAND ALONG THE  
WATERFRONT**

The purpose of this policy is to outline the uses allowed along the waterfront and the activities that require authorization from the Town Council. For the purpose of this policy "Waterfront" means publicly owned land and facilities located between Main Street and the Penobscot River; such land extending from the so-called Webber Lot to the Bucksport/Verona Bridge. Waterfront for the purpose of this policy does not include the Town Dock and Fishing Pier whose uses are governed by the Harbor Ordinance.

Approved Activities: Activities permitted on the waterfront generally include walking, running, picnicking, sitting, standing, fishing, photography, and biking. All other uses are prohibited, unless approved by the Town Council.

Commercial, Community or Civic Functions – Any community, civic or commercial use of the Waterfront first requires permission from the Town Council. If permission is granted, the permittee will be required to provide:

1. A Certificate of Insurance for liability coverage for a minimum amount of \$400,000 per occurrence.
2. A plan on how garbage generated from the event or activity will be collected.
3. A plan on how security will be dealt with.
4. Request for use of the Waterfront shall be made seven days prior to a Town Council meeting.

Be it resolved by the Bucksport Town Council in town council assembled that the Policy Pertaining to the Use of the Waterfront be adopted.

**Acted on 8-10-2006**

**Vote Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_

**Town Clerk**

## AMENDMENT TO APPENDIX G, HARBOR MANAGEMENT ORDINANCE

Shall an ordinance entitled “Amendment to Appendix G, Harbor Management Ordinance” be adopted, such ordinance amending Appendix G as follows:

### Appendix G

#### Harbor Management Ordinance

##### SEC. 101 Purpose

The purpose of this Ordinance is to establish and maintain order in the arrangement and utilization of the mooring area, harbor channels, Town dock, and other related facilities in Bucksport Harbor.

##### SEC. 201 Authority

This Ordinance is adopted under the authority granted under Title 38, M.R.S.A., ~~subchapter 1, section 1 through 6 et seq.~~ Subsection 2, as amended.

##### SEC. 301 Applicability

The provisions of this Ordinance shall apply to all activities occurring within or directly affecting Bucksport Harbor as defined.

##### SEC. 401 Moorings

###### B. Placement of Moorings

No person shall place a mooring or mooring buoy of any type within Bucksport Harbor without first obtaining a Harbor Mooring Permit from the ~~Bucksport Town Office~~ Harbor Master. The permit shall be for the period May 1 to November 1. An annual fee may be levied by the Town for each mooring location ~~if~~ **as** so determined by the Town Council. **Proof shall be submitted to the Harbor Master by the owner or agent that the vessel is currently registered or documented and the excise tax has been paid.**

###### C. Designation of Mooring Space

The Harbor Master shall designate mooring spaces and shall maintain a chart of the harbor showing locations of moorings and areas designated as channels. The Harbor Master shall maintain a written record of the basic information on each mooring including assigned location, identifying number, vessel description, owner, and any additional data deemed useful.

###### D. Mooring Identification

All moorings shall be assigned an identifying number which must be marked in a legible fashion on the marked buoy **including the first four letters of the last name** in at least three (3) inch numerals **and letters**.

E. Mooring Material

Only moorings consisting of granite or marble stone or mushroom anchor constructed of steel or cast iron shall be allowed.

**SEC. 501 Town Dock and Float**

The Town dock is solely for the loading and unloading of vessels and for the mooring of skiffs.

B. Obstructions

No owner or master of any vessel, boat, or watercraft of any kind shall permit or suffer the same to be docked in such a manner as to obstruct the free passage of other vessels going in and coming out of the Town dock and float.

C. Tying to Town Float

No person shall leave any watercraft tied to the **main Town float** ~~southerly end of the Town float~~ for any purpose for a period of time of more than one (1) hour without ~~written~~ permission from the Harbor Master. During the hours of 9:00 P.M. and 7:00 A.M. a watercraft may be tied to the southerly ~~end~~ **side** of the Town Float **if the watercraft or vessel is greater than 60' in length or if the Bucksport Marina is filled to capacity** upon written approval from the Harbor Master and payment to the Town of a daily fee as determined by the Town Council. ~~All watercraft nineteen (19) feet and under shall not be allowed to tie to the front of the Float unless written permission has been received from the Harbor Master. Areas to the side of the float will be available to tie any watercraft less than nineteen (19) feet long.~~ **A space at the float may be designated by the Town Council for the Harbor Master's boat.**

D. Access to Town Dock and Float

No person shall place or cause to be placed any vehicle, equipment or other material on the Town dock unless it is for the purpose of unloading or loading of a vessel and in no way shall block access by other users. At no time shall any person be parked on the dock for any period exceeding fifteen (15) minutes **unless the Harbor Master has granted approval.**

E. Storage

No person shall place or cause to be placed any equipment or material on the Town dock or float for a longer period than is reasonably necessary, as determined by the Harbor Master, for the loading or unloading of the same.

F. Removal of Debris

All users of the Town dock, ~~and float~~ , **and ramp** shall be responsible for promptly cleaning up any spillage or untidiness resulting from their operations.

G. Skiffs

Skiffs **may be tied only to the finger floats or the northerly side of the main float between the finger floats** ~~tied to the Town float~~ and must be properly maintained, be kept bailed, and must be secured so as to ~~keep the southerly face of the float clear and~~ not interfere with vessels landing and departing **to and from the main float.**

J. Curfew Hours

No person shall be allowed on the dock or float between the hours of 10:00 P.M. and 5:00 A.M. daily unless such person(s) has a boat in the harbor or tied to the float or unless such person(s) is authorized by the Police Department or Harbor Master.

K. **Swimming**

**No person shall engage in swimming from the town dock, floats or fishing pier.**

L. **No Vessels Tied to Fishermen's Float**

**No person shall leave any watercraft except for a non-motorized canoe or kayak tied to fishing pier unless for emergency purposes. Non-motorized canoes or kayaks may tie to the east or west ends of the float for a period not to exceed one hour.**

**SEC. 601 Operation of Vessels**

B. General

No persons shall use or operate any vessel in Bucksport Harbor in such a way as to cause danger, annoyance, disturbance, or inconvenience to the public.

C. Reckless Operation

No person shall operate any vessel in a reckless or negligent manner, or while under the influence of intoxicants or drugs so as to endanger the life, limb, or property of any person.

D. Navigational Hazard

No person shall deposit, throw, sweep, or cause to be deposited or swept, from any vessel, dock, float, or any other place, into the waters of Bucksport Harbor or into the water adjacent thereto, any gas, oil, or bilge water containing any of the same, ashes, dirt, stones, gravel, mud, logs, planks, or any other substances tending to obstruct the navigation of said harbor or water adjacent thereto, or to shoal the depth of said harbor or pollute the waters thereof.

E. Speed Limit

All vessels shall be operated at a speed so as to create minimal wake.

### **SEC. 701 Abandonment**

No person shall cause to be abandoned any boat, vessel, hulk, **skiff, mooring, mooring rope, buoy**, cradle, raft, or any other possible obstruction on the shores within Bucksport Harbor. Any such object left within the confines of Bucksport Harbor and which has been unattended for a period of ninety (90) days shall be deemed to be abandoned. The Harbor Master, upon his own complaint or the complaint of another shall order the last owner of record of any such abandoned boat, vessel, hulk, **skiff, mooring, mooring rope, buoy**, cradle, or raft, if such owner is ascertainable, to remove same within thirty (30) days; and upon his refusal or failure to remove within thirty (30) days, the Harbor Master shall cause its removal or destruction at the cost of the said last owner of record. Any violation of the above shall be considered a misdemeanor and punishable as stipulated in the penalties section of this ordinance. **If such object or property is not claimed, and removal expenses are not paid within six months from the date the owner has been notified in writing, the object or property may be sold by the Town and all monies retained from the sale shall inure to the benefit of the Town's waterfront account. Any tender or skiff tied to the Town floats that is left sunk or awash for a period exceeding seven days shall be deemed abandoned. The tender or skiff may be impounded by the Harbor Master, and may be disposed of in the same manner as noted in this section. The Town shall not be liable for any damages sustained by an impounded tender or skiff.** This section shall not apply to boats or private floats stored for the winter on private property within Bucksport Harbor.

### **SEC. 801 Removal of Vessels**

The Harbor Master is hereby authorized, and it shall be his duty, to remove or cause to be removed at the owner's(s') risk and expense, any vessel, vehicle, trailer, or other obstruction which is in violation of the provisions of this ordinance.

### **SEC. 901 Administration**

#### **B. Enforcement**

It shall be the duty of the Harbor Master to administer and enforce the provisions of this ordinance. If the Harbor Master shall find that any provision of this ordinance is being violated, he shall notify, in writing, the persons responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. A copy of every such notice shall be maintained as a permanent record.

#### **C. Obedience to Orders**

No person shall fail to observe any lawful order of the Harbor Master with reference to the navigation and disposition of his watercraft within the limits of Bucksport Harbor. The Harbor Master may arrest and deliver to District Court, the Town Constable, the County Sheriff or his deputy, or the Municipal Police Department, any person committing an assault upon him or another person acting under his authority as provided by the revised Statutes of Maine.

D. Legal Action

When notification of violation does not result in the correction of the violation or nuisance condition, the ~~Town Manager~~, **Town Council** upon complaint from the Harbor Master, is hereby authorized and directed to institute any and all action and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this ordinance in the name of the Town.

E. Penalties

Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and subject to a fine not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00) for each violation. A repetition or continuation of any violation of any provisions of this ordinance on successive days after notification by the Harbor Master constitutes a separate offense for each day during any portion of which such violation is committed, continued, or permitted.

**SEC. 1001 Definitions**

B. Bucksport Harbor

The Harbor shall include that area of water to high tide lying within the following boundaries: beginning at the northerly end of the Bucksport-Verona Bridge, **at Orland town line** ~~thence along the bridge to the Bucksport-Verona line,~~ thence generally westerly along **Bucksport, Verona, Prospect Frankfort and Winterport** the town lines to a point due south of ~~the Champion Paper Company,~~ to **the Orrington town line** thence due north to the shore, thence along the shore to the beginning.

C. Mooring

The term Mooring shall include the entire mooring apparatus, including the block and weight on the harbor floor, the mooring buoys on the surface and every part in between the two, or otherwise attached.

C. Vessel

The term Vessel shall include any and all forms of watercraft.

**SEC. 1101 Liability**

B. Damage or Loss of Property

Any person using the facilities within the limits of a harbor or maritime facility shall assume all risks of damage or loss of property and the Town of Bucksport assumes no risk on account of fire, theft, Act of God, or damages of any kind to vessels within said harbors or maritime facility.

C. Personal Injury

The Town dock and facilities shall be used at the owner's(s') own risk and the area shall be posted accordingly.

**SEC. 1201 Validity and Separability**

If any section, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

**SEC. 1301 Conflict**

Whenever any section, subsection, sentence, clause, phrase, or portion of this ordinance is deemed to be in conflict with any existing state and/or federal law, regulation or rule(s) then the stricter provision shall apply.

**SEC. 1401 Effective Date**

This ordinance shall become effective immediately upon adoption by the Town Council.

*Appendix G, Harbor Management Ordinance, was adopted on April 13, 1984, and amended on October 14, 1993, September 11, 1997 **and August 10,2006***

**Acted on 8-10-2006**

**Vote Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested \_\_\_\_\_**

**Town Clerk**

**AMENDMENT TO CHAPTER 4; BOARDS, COMMISSIONS AND SPECIAL OFFICES; ARTICLE 3, HARBOR MASTER**

Shall an ordinance entitled “Amendment to Chapter 4; Boards, Commissions and Special Office; Article 3, Harbor Master” be adopted such ordinance reading as follows:

Amend Section 4-302 “Duties” by adding Item 12 reading as follows:

- 12. Appoint a deputy or deputies who under his/her direction, shall be authorized to enforce and carry out rules and regulations of this Chapter and of Appendix G “Harbor Management Ordinance” of the Bucksport Town Code.**

**Acted on 8-10-2006**

**Vote Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested \_\_\_\_\_  
Town Clerk**

**RESOLVE #R-2006-24 AUTHORIZING EXPENDITURE FOR A MARKETING SURVEY**

Whereas, the Marketing Committee is proposing to conduct a survey of citizens, visitors and businesses to determine purchasing patterns for downtown businesses; and,

Whereas, the estimated cost for completing the survey is \$2,797.50; and,

Whereas, the cost of the survey can be paid for by using Tax Incremental Financing Revenues:

Be it resolved by the Bucksport Town Council in town council assembled that Bucksport Marketing Committee be authorized to expend \$2,797.50 to conduct a marketing survey for the Downtown as requested by the Marketing Committee.

Be it further authorized that the cost of the project in an amount not to exceed \$2,797.50 be paid for from TIF Revenues.

**Acted on 8-10-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-25 REGARDING REQUEST OF CINDY KIMBALL FOR A SCHOLARSHIP**

Whereas, Cynthia Kimball, Executive Director for the Bucksport Bay Area Chamber of Commerce has requested that the Town of Bucksport help pay for 50% of her tuition to attend the Annual New England Economic Development Course; and,

Whereas, the request is for \$295.00; and,

Whereas, Mrs. Kimball is not an employee of the Town; and,

Whereas, no funds were budgeted in the municipal budget for such purpose; and,

Whereas, the Town of Bucksport has raised \$4,000 towards the support of the Bucksport Bay Area Chamber of Commerce for the period 7-1-2006 to 6-30-2007:

Be it resolved by the Bucksport Town Council in town council assembled that the request of Cynthia Kimball for a partial scholarship in the amount of \$295.00 to attend the 29<sup>th</sup> Annual New England Economic Development Course be denied for the following reasons:

1. Mrs. Kimball is not a town employee but an employee of the Chamber, which the Town of Bucksport has appropriated funds for.
2. No funds were budgeted in the 2006-2007 municipal budget for such purpose.

**Acted on 8-31-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-26 AUTHORIZING FUNDS TO REMOVE ASBESTOS  
FLOORING AT THE GARDNER SCHOOL**

Whereas, the Town has agreed to convey to the Gardner Commons Inc. the so-called Gardner School to construct 26 units of low income elderly housing; and,

Whereas, funds have been designated by HUD to convert the building into elderly housing; and,

Whereas, HUD funds cannot be used for mitigation of environmental deficiencies such as asbestos removal; and,

Whereas, Gardner Commons Inc. has no funds to pay for the removal of approximately 9,000 square feet of asbestos tiles; and,

Whereas, a proposal was received from County Abatement to remove the tiles for a cost of \$15,740; and,

Whereas, funds are available in the 1989 CDBG Housing and Downtown Fund that can be used for this purpose:

Be it resolved by the Bucksport Town Council in town council assembled that it be authorized to expend \$15,740 from the 1989 CDBG Housing and Downtown Fund to pay for the removal of approximately 9,000 square feet of tile at the Gardner School only at such time that the building is transferred to Gardner Commons, Inc.

**Acted on 8-31-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-27 REGARDING FEE IN LIEU OF TAXES FOR THE GARDNER COMMONS, INC.**

Whereas, Title 36, Section 652 exempts from taxation federally subsidized residential rental housing that is subsidized through project-based rental assistance and owned by a nonprofit housing corporation organized in the state that is exempt from tax under Section 501©(3) of the Code and has among its corporate purposes the provision of services to people of low income or the construction, rehabilitation, ownership or operation of housing; and,

Whereas, the municipality at its discretion in which the exempt property is located, may establish a service charge in lieu of taxes; and

Whereas, it is proposed to approve an agreement, which outlines the consideration of mutual understanding and obligation set forth between the town of Bucksport and Gardner Commons regarding the proposed development of the Gardner School into 26 units of low income elderly housing and the service fee to be assessed in lieu of payment of taxes; and,

Whereas, such agreement must be approved by both parties:

Be it resolved by the Bucksport Town Council in town council assembled that the Agreement for Payment of a Service Fee by Gardner Commons, Inc. in Lieu of Taxes on Exempt Real Estate more specifically Lot 25 of Map 33 be approved, such agreement to be made part of this Resolve.

**Acted on 8-31-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
**Town Clerk**

**RESOLVE #R-2006-28 REFERRING REQUEST OF BRENT SHEEHAN AND  
MICHAEL BLAIS FOR AN ORDINANCE CHANGE**

Whereas, Brent Sheehan and Michael Blais have requested an ordinance change for 58 State Route 46 to permit light auto and boat repair:

Be it resolved by the Bucksport Town Council in town council assembled that Jeff Hammond, CEO prepare the necessary ordinance to introduce at the next Town Council meeting to allow for auto repair at 58 State Route 46 as requested by Brent Sheehan and Michael Blais

**Acted on 8-31-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
Town Clerk

**RESOLVE #2006-29 AWARDING CONTRACT FOR ENGINEERING SERVICES  
TO DESIGN NEW RAMP FOR THE TOWN DOCK**

Whereas, the town requires the services of an engineer to prepare plans for a new ramp extending from the town dock to the floats; and,

Whereas, Pine Tree Engineering has proposed to complete the plans for a cost not to exceed \$900:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for engineering services to prepare plans for a new ramp extending from the town dock to the floats be awarded to Pine Tree Engineering for a fee not to exceed \$900.

Be it further resolved that such cost be charged to the project, New Ramp and funded by a Harbor Improvement Grant and local match.

**Acted on 8-31-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested** \_\_\_\_\_  
Town Clerk

**RESOLVE #R-2006-30 APPROVING AMENDED CONSENT AGREEMENT  
WITH LOUIS AND KATHY HAMBURGER**

Whereas, the Town Council previously had agreed to enter into a consent agreement with Louis and Cathy Hamburger to settle a Shoreland Zoning violation on Lot 20 of Map 24; and,

Whereas, such agreement has been reviewed by legal counsel for the property owners and Town:

Be it resolved by the Bucksport Town Council in town council assembled that the Consent Agreement between Louis and Cathy Hamburger be approved and signed and that such agreement be made part of this Resolve.

**Acted on 8-31-2006**

**Vote Yes**\_\_\_\_\_ **No**\_\_\_\_\_

**Attested**\_\_\_\_\_   
Town Clerk

**RESOLVE #R-2006-17 ADOPTING EMERGENCY MANAGEMENT PLAN**

Whereas, personnel at the Bucksport Public Safety Building have participated and updated the Town of Bucksport's Emergency Management Plan; and,

Whereas, a copy of the plan was provided to members of the Bucksport Town Council for review; and,

Whereas, it was necessary to update the plan in order to continue to apply and receive Homeland Security Funds; and,

Whereas, from time to time, it will be necessary to update the plan as circumstances change:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport's Emergency Management Plan be adopted.

Be it further resolved that adoption of this plan includes the need to amend provisions of the plan as it becomes necessary and that copies of such amendments be filed with the Town Manager's Office for distribution to the Town Council as well as with all other interested parties that must have access to the plan.

**RESOLVE #R-2006-31 AWARDDING BID FOR TAX ACQUIRED PROPERTY**

Whereas, bids were requested for a tax acquired property referred to as Lot 65 of Map 11 previously owned by Constance Ballantine, consisting of 7.14 acres; and,

Whereas, the total taxes, interest, and cost due on the property is \$2,008.49; and,

Whereas, bids have been received as follows:

Jason Bennett	\$5,712.00
Russell Transport & Excavation	\$5,204.55
Randy Kneeland	\$4,300.00

Be it resolved by the Bucksport Town Council in town council assembled that the bid for sale of tax-acquired property for Lot 65 of Map 11 be awarded to Jason Bennett in the amount of \$5,712.00.

Be it further authorized that the final payment must be made by September 28, 2006 and the Bucksport Town Council will issue a quitclaim deed during the September 28, 2006 town council meeting.

**RESOLVE #R-2006-33 AWARDED CONTRACT FOR PURCHASE OF WINTER SAND**

Whereas, the Town of Bucksport requested bids for purchase of 8,000 cubic yards of winter sand; and,

Whereas, the bid specifications noted that the contract would be awarded to the contractor with the lowest cost per cubic yard considering the cost of screening and stockpiling and the distance from the Town Garage to the stockpile; and,

Whereas; the distance noted on the bid form was verified by the Town and in some cases adjusted to reflect the actual distance; and,

Whereas, bids were received as follows:

Hauled by town trucks

	<b>Screen &amp; Stockpiled Distance</b>	<b>Travel Factor</b>	<b>Total</b>
Stockton Sand & Gravel	\$3.75 per yd. 7.8 miles	\$2.73	\$6.48
Vaughn Thibodeau	\$4.44 per yd. 8.5 miles	\$2.98	\$7.42
Wardwell Contracting	\$4.45 per yd. 7.8 miles	\$2.73	\$7.18

Delivered to Sand Shed

	<b>Per Cubic Yard</b>
Stockton Sand & Gravel	\$6.95
Vaughn Thibodeau	\$8.44
Wardwell Contracting	\$6.55

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 & Gravel in the amount of \$3.75 per cubic yard based on a travel distance of 7.8 miles and \$6.95 per cubic yard if delivered to the Town Garage.

**RESOLVE #R-2006-32 AWARDING CONTRACT FOR PURCHASE OF  
WINTER SALT**

Whereas, the Town of Bucksport requested bids for purchase of up to 1000 tons of winter salt; and,

Whereas, bids were received through the Hancock County Planning Commission Joint Purchasing Program as follows:

Harcos	\$63.70 per ton
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International Salt	\$56.00 per ton
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Be it resolved by the Bucksport Town Council in town council assembled that the contract for purchase of winter salt for the 2006-2007 snow and ice season be awarded to International Salt in the amount of \$56.00 per ton.

**RESOLVE #R-2006-34 AUTHORIZING LETTER OF INTEREST FOR  
CENTRAL STREET TO BE INCLUDED IN THE 2008-2009 MDOT RURAL  
ROAD INITIATIVE PROGRAM**

Whereas, the Town of Bucksport earlier indicated an interest to participate in the 2008-2009 MDOT Rural Road Initiative Program for a portion of Central Street, beginning at the junction of Broadway and extending northerly 1.01 miles to the junction of the Race Course Road; and,

Whereas; MDOT has requested a letter of interest to go forward with this project; and,

Whereas, the letter of intent does not financially bind the Town of Bucksport at this point:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to submit a Letter of Interest to Maine Department of Transportation to include a road project for a portion of Central Street, beginning at the junction of Broadway and extending northerly 1.1 miles to the junction of Race Course Road, in the 2008-2009 MDOT Rural Road Initiative Program Capital Work Plan.

**RESOLVE #R-2006-35 AUTHORIZING LICENSE AGREEMENT WITH MDOT  
FOR WALKWAY EXTENSION**

Whereas, the Town of Bucksport proposes to extent the walkway under the Bucksport-Verona Bridge; and,

Whereas, Maine Department of Transportation must issue a license to permit the walkway to extend over State owned property; and,

Whereas, Maine Department of Transportation has provided a copy of the License Agreement for approval by the Town of Bucksport:

Be it resolved by the Bucksport Town Council in town council assembled that the License Agreement between the Town of Bucksport and Maine Department of Transportation granting permission to the extend the waterfront walkway under the Verona-Bucksport Bridge be approved.

Be it further resolved that a copy of the agreement be attached and made part of this resolve.

**RESOLVE #R-2006-37 AUTHORIZING COMMITTEE TO STUDY THE  
FEASIBILITY OF OBTAINING A BOAT FOR USE BY THE HARBOR MASTER**

Whereas, the Town Council has identified a goal for the current fiscal year to study the feasibility and need of obtaining a boat for use by the Harbor Master; and,

Whereas, this issue might best be studied by establishing a committee that would be responsible to report back findings to the Bucksport Town Council; and,

Whereas, such committee could consist of five members to include one member of the Town Council, the Harbor Master, and three citizens at large who have an interest in the management and enforcement of the Harbor; and,

Whereas, the committee should consider all alternatives, the type of boat, cost of purchasing and maintaining the boat and storage:

Be it resolved by the Bucksport Town Council in town council assembled that a committee be established for the purpose of studying the feasibility of obtaining a boat for use by the Harbor Master and such report be submitted to the Town Council no later than March 31, 2007.

Be it further resolved that the committee consist of five members to include the Harbor Master, a member of the Town Council, and three citizens at large whose names are to be brought back to the Town Council for final approval.

## **TOWN MANAGER'S REPORT**

Gardner School Project- The Architect has completed value engineering with the low bidder and the recommended changes to the plans that are currently being reviewed by HUD. The changes, if all approved will result in lowering the contract amount by an estimated cost of \$300,000. It is my understanding after talking with the consultant that about \$500,000 had to be cut from the contract. Efforts are now being made to see if HUD will increase the funding for the project. If things go as anticipated, the closing should happen sometimes in November 2006.

CDBG Sewer and Treatment Plant Improvements- The contract with the Office of Economic and Community Development has finally been approved. Wight-Pierce has completed the plans and specifications for the improvement for the treatment plant. Bill Emerson is currently reviewing these plans. Our intent is to go out to bid on the project sometimes before the end of September. Mike Millette has also completed the plans for sewer improvements. Duane Nadeau and myself will review the plans next week and the project should be out to bid by the end of September.

Waterfront Improvement- All permit applications have been submitted to the DEP and Corp of Engineer. Pending no unforeseen problems, I expect to receive all permits by the end of December. The Town still has not received any response from Irving Oil regarding the request for an easement across their property. I will be contacting them next week to see where the status our request stands.

Financial Statement Ending 8-31-2006- I have included a copy of the Revenue and Expense Reports for the period ending 8-31-2006. At this time, no major issue is evident. Some revenues are coming in a little lower than last year at the same time. Hopefully that problem will adjust itself as we move forward in the fiscal year. If you have any questions regarding any of the reports, please feel free to contact me.

Veteran Memorial- The last meeting for this project will be held on October 3, at 6:30 p.m. Everyone is welcome to this meeting.

**RESOLVE #R-2006-19 AUTHORIZING AMENDMENT TO ENGINEERING  
AGREEMENT FOR THE CSO PROJECT**

Whereas, the Bucksport Town Council has previously approved a contract with Wight-Pierce for engineering services for a CSO Project; and,

Whereas, the scope of the project changed from building a force main to the treatment plant verses installing a swirl concentrator at the CSO discharge point resulting in additional hours to complete the preliminary and final design for the project; and,

Whereas, the firm requested that the Town Council consider amending the original agreement by increasing the preliminary and design fees to reflect the increased hours; and,

Whereas, such fees would be amended as follows: Preliminary Design increased from \$40,000 to \$59,800 and Final Design from \$75,000 to \$135,000:

Be it resolved by the Bucksport Town Council in town council assembled that the engineering agreement with Wright –Pierce be amended to include the increase in fees for the preliminary and final design pursuant to the following conditions:

1. That the design cost be charged based on hours worked but the total is not to exceed \$135,000.
2. That Rural Development and Maine Department of Environmental Protection approve the amended agreement.
3. That all permits and design work be completed so bids can be received no later than 4-1-2007
4. That an option to purchase the property be signed with the owners of the Isaac-Pierce property.

**Adopted 9-28-2006**

**Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_**

**Attested by Town Clerk**

  

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**RESOLVE #R-2006-38 AUTHORIZING THE PURCHASE OF THE SO-CALL  
BRAUN'S PROPERTY**

Whereas, the Town must purchase the property referred to as the Isaac-Pierce property located in the vicinity of the Route 1-Route 15 intersection in order to implement the recommendation outlined by the Infiltration/Inflow Study, conducted by Wight-Pierce, to address the Town's combined sewer overflow problem; and,

Whereas, the Town Manager has negotiated an agreement with the owners of the Isaac-Pierce Building to purchase the property pursuant to the following conditions:

1. The purchase price will be \$299,990.
2. The Town will assume all customary fees associated with the closing. This will not include the seller's share of the Real Estate Transfer Tax.
3. The Town will assume all cost associated with the mitigation of asbestos that has been identified in the building.
4. The real estate taxes will be prorated to the date the option is signed.
5. The offer has to be approved by the Town Council.
6. The offer has to be approved by Rural Development, the funding agency for the project.
7. The offer will have to be supported by an appraisal prepared by a licensed real estate appraiser. The Town will pay for the cost of this appraisal.
8. The Town agrees to make payment in two installments if that is determined to be beneficial for seller. This will include payment of interest for the balance at a rate of interest the Town earns in its money market account.

Be it resolved by the Bucksport Town Council in town council assembled that purchase of the Isaac-Pierce property be approved pursuant to the following conditions:

1. The purchase price will be \$299,990.
2. The Town will assume all customary fees associated with the closing. This will not include the seller's share of the Real Estate Transfer Tax.
3. The Town will assume all cost associated with the mitigation of asbestos that has been identified in the building.
4. Real estate taxes will be prorated to the date the option is signed.
5. Rural Development, the funding agency for the project, will approve the purchase.
6. The offer will be supported by an appraisal prepared by a licensed real estate appraiser. The Town will pay for the cost of the appraisal.
7. The purchase will occur only when it is known that there is adequate funding for the project.
8. That an option be negotiated to reflect the conditions outlined above and brought to the Town Council for the October 12<sup>th</sup> meeting for approval.

**RESOLVE #R-2006-40 AUTHORIZING CONTRACT WITH RON HARRIMAN ASSOCIATES TO ADMINISTER THE 2006 PUBLIC FACILITY GRANT**

Whereas, Ron Harriman Associates prepared the Phase II application for the 2006 CDBG Public Facility Program; and,

Whereas, Harriman Associates proposes to administer the grant for a fee of \$10,000; and,

Whereas, the fee requested is within the limit allowed by the Office of Economic and Community Development:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to administer the 2006 Public Facility CDBG be awarded to Ron Harriman Associates.

Be it further resolved that the cost be paid from the proceeds of the grant.

**Adopted 9-28-2006**

**Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_**

**Attested by Town Clerk**

\_\_\_\_\_

**RESOLVE #R-2006-41 AWARDING CONTRACT FOR PRINTING OF THE 2005-2006 TOWN REPORT**

Whereas, proposals were requested from local printers to print the 2005-2006 Town Report; and,

Whereas, proposals were received as follows:

Evangel Printers \$3,190.34 with a deduct or addition for pages over or under 90 pages of \$27.11

Downeast Graphics & Printing, Inc. \$2,974.00 with a deduct or addition for pages over or under 90 pages of \$23.57

Be it resolved by the Bucksport Town Council in town council assembled that the contract for printing the 2005-2006 Town Report be awarded to Downeast Graphics & Printing, Inc. in the amount of \$2,974.00 with a per page addition or deduction of \$23.57 for pages over or under 90 pages.

**Adopted 9-28-2006**

**Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_**

**Attested by Town Clerk**

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**RESOLVE #R-2006-42 REGARDING APPOINTMENTS TO THE HARBOR  
MASTER BOAT STUDY COMMITTEE**

Be it resolved by the Bucksport Town Council in town council assembled that the following be appointed to the Harbor Master Boat Study Committee:

Sharyn Betts, Belle Ryder, David Grant, Doug Gray and Mike Orsmy.

**Adopted 9-28-2006**

**Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_**

**Attested by Town Clerk**

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**RESOLVE #R-2006-43 ESTABLISHING THE POSITION OF FINANCE  
DIRECTOR**

Whereas, the Town Council proposes to establish the position of Finance Director; and,

Whereas, the job description will be as follows:

**FINANCE DIRECTOR POSITION**

**Status:** This is a full-time administrative salaried position that falls under the supervision of the Town Manager.

**Qualifications:** A minimum of an Associate Degree in accounting and four years experience maintaining financial records for a business, non-profit or municipality.

**Job Duties:**

Maintain the general ledger.  
Reconcile all bank statements including all reserve accounts  
Maintain a record of all fixed assets including annual depreciation  
Complete year-end entries  
Assist with the investment of all municipal funds  
Prepare cash flow analysis to determine the length of investments  
Identify and prepare all financial records for audit  
Supervise all office staff that is responsible for accounts payables, accounts receivables, collections, billing and payroll.  
Improve and direct the purchase order process and system  
Become familiar with the Trio software system for budgetary, tax billing, tax collection, receipting, and payroll  
Oversee the ambulance billing and collection process  
Conduct periodic internal audit reviews  
Provide guidance and recommendations to Trio regarding improvements to the software when determine to be in the best interest of the Town  
Assist with the purchase of goods, supplies, equipment and services  
Assist with the preparation of the annual budget  
Assist to amend and administer the town's Financial Policy  
Prepare required reports for all grants received  
Attend designated training sessions  
Conduct other duties consistent with the position of Finance Director as directed by the Town Manager

Be it resolved by the Bucksport Town Council in town council assembled that the position of Finance Director be established and the job description be as outlined above.

Be it further resolved that an Ordinance entitled "Amendment to the 2006-2007 Budget" be introduced such ordinance being for the purpose of funding the Finance Director position beginning November 1, 2006, such ordinance reading:

**Amend the 2006-2007 budget as follows:**

**Increase General Government by \$35,500 increasing the gross budget from \$16,477,747 to \$16,513,247 and transferring the revenues from the Overlay Account increasing amount from taxes from \$7,960,614 to \$7,996,114.**

**Adopted 9-28-2006**

**Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_**

**Attested by Town Clerk**

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**RESOLVE #R-2006-44 AUTHORIZING FUNDS TO PREPARE A CONCEPT PLAN FOR A NEW CONCESSION STAND AND BATHROOM FACILITY TO SERVE THE HIGH SCHOOL AND MILES LANE FACILITIES**

Whereas, the study committee has identified a potential location and type of facility; and,

Whereas, the committee requires the assistance of an architect to prepare a concept plan for the proposed project; and,

Whereas, Gordon/Stanley Architecture has proposed to prepare a concept plan for the cost of \$1,500 and final plan for \$3,500

Be it resolved by the Bucksport Town Council in town council assembled that the Study Committee be authorized to expend an amount not to exceed \$1,500 to prepare a concept plan for a concession stand and bathroom facility to serve the High School and Miles Lane facilities.

Be it further resolved that the cost for the Concept Plan be paid for from Recreation Facility Reserve.

**Adopted 9-28-2006**

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_

**Attested by Town Clerk**

\_\_\_\_\_

## **RESOLVE #R-2006-39 REGARDING FUTURE OF SEARS ISLAND**

Whereas, the State of Maine adopted a Three Port Strategy in 1978 that has ever since directed marine transportation investments and related land acquisition to the deep water ports of Searsport, Portland and Eastport; and,

Whereas, the taxpayers of the State of Maine in the 1980's and 1990's invested \$26 million in port improvements on Sears Island within the Port of Searsport constructing an access road, lay down area, a fully dredged, deepwater berthing area and an initial pier structure; and,

Whereas, the State of Maine by and through its Department of Transportation acquired Sears Island in 1997 to fulfill the Three Port Strategy and protect the taxpayers' \$26 million investment; and,

Whereas, Sears Island offers maritime transportation opportunities of statewide, national and international significance that can also serve as the cornerstone for enhancing the viability of the Montreal, Maine and Atlantic Railroad; and,

Whereas, Sears Island provides the State of Maine the opportunity to respond to changing economic, environmental, energy and regulatory shifts that are expected to favor the growth of marine transportation well into the future; and,

Whereas, Maine citizens are now being asked to abandon the Three Port Strategy, a \$26 million taxpayer investment, a unique economic asset and the capacity to respond to global challenges by placing Sears Island in perpetual preservation; and,

Whereas, at least 890 miles of Maine shorelines are already publicly accessible but only 25 miles is set aside for working waterfronts and only a portion of that provides a portal for marine cargo transportation:

Be it now resolved by the Bucksport Town Council in town council assembled that the Bucksport Town Council opposes any action that will obstruct the use of Sears Inland for marine transportation purposes, forever foreclose the State of Maine's maritime options on Sears Island or reduce the potential of the Port of Searsport to fully serve the economic needs of the citizens of Maine.

**Adopted 9-28-2006**

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

**Attested by Town Clerk**

**Kathy Downes**

Shall an ordinance entitled "Amendment to the 2006-2007 Budget" be adopted such ordinance being for the purpose of funding the Finance Director position beginning November 1, 2006, such ordinance reading as follows:

**Amend the 2006-2007 budget as follows:**

**Increase General Government by \$35,500 increasing the gross budget from \$16,477,747 to \$16,513,247 and transferring the revenues from the Overlay Account increasing amount from taxes from \$7,960,614 to \$7,996,114.**

<b>Account # 50-501-02 Office Salary</b>	<b>\$25,400.00</b>
<b>Account # 50-505- 86 Workers Compensation</b>	<b>\$ 135.00</b>
<b>Account #50-505-92 Social Security</b>	<b>\$ 1,943.00</b>
<b>Account #50-505-93 Group Life Insurance</b>	<b>\$ 330.00</b>
<b>Account #50-505-96 Income Protection</b>	<b>\$ 330.00</b>
<b>Account #50-505-95 Health Insurance</b>	<b>\$ 7,362.00</b>
<b>Total</b>	<b>\$35,500.00</b>

**APPENDIX M  
GENERAL ASSISTANCE ORDINANCE**

**Shall an ordinance entitled “Appendix M General Assistance Ordinance, including General Assistance Appendixes A-C, be introduced, such ordinance being for the purpose of coding the existing General Assistance Ordinance adopted on October 25, 2005 by the Bucksport Town Council as Appendix M of the Bucksport Town Code and to adopt new maximum levels of assistance as prepared by Maine Municipal Association for the period October 1, 2006 to October 1, 2007.**

**RESOLVE #R-2006-38 AUTHORIZING THE PURCHASE OF THE ISAAC-PIERCE PROPERTY (SO-CALLED BRAUN'S PROPERTY)**

Whereas, the Town must purchase the property referred to as the Isaac-Pierce property located in the vicinity of the Route 1-Route 15 intersection in order to implement the recommendation outlined by the Infiltration/Inflow Study, conducted by Wight-Pierce, to address the Town's combined sewer overflow problem; and,

Whereas, the Town Manager has negotiated an agreement with the owners of the Isaac-Pierce Building to purchase the property pursuant to the following conditions:

1. The purchase price will be \$299,990.
2. The Town will assume all customary fees associated with the closing. This will not include the seller's share of the Real Estate Transfer Tax.
3. The Town will assume all cost associated with the mitigation of asbestos that has been identified in the building.
4. The real estate taxes will be prorated at the date of closing.
5. Rural Development, the funding agency for the project, will approve the purchase.
6. The purchase price will have to be supported by an appraisal prepared by a licensed real estate appraiser. The Town will pay for the cost of this appraisal.
7. That a deposit of \$11,964 will be made with the seller at the time the Sales and Purchase Agreement is signed for the purpose of obtaining a six month option of which \$4,464.00 will be retained by the seller to cover expenses incurred during the six month period and the balance of \$7,500 be applied against the purchase price. If the Town is unable to exercise the purchase due to a budget shortage, then the seller will retain the \$7,500.
8. That a Sales and Purchase Agreement will be prepared by the town's attorney outlining the conditions of the sale as outlined above.

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to enter into a Purchase and Sales Agreement with the owners of the Isaac-Pierce Building to purchase the building and land to construct a CSO facility pursuant to the conditions outlined above.

Be it further resolved that the amount of the deposit (\$11,964) be charged to the CSO project cost.

**RESOLVE #R-2006-45 AUTHORIZING EXPENDITURE FOR REPAIR TO  
SOLID WASTE COMPACTOR TRAILER**

Whereas, the 2006-2007 Capital Improvement Plan calls for repair to the year 2000 solid waste compactor trailer; and,

Whereas, quotes were sought from several contractors, but only one quote was received from Forest Auto Body in the amount of \$11,120.00; and,

Whereas, the quote from Forest Auto Body is to sandblast and paint the trailer in its entirety; and,

Whereas, these repairs are necessary in order to maintain this unit for its amortized period of 15 years; and,

Whereas, \$10,000 was budgeted in the plan for this project:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to sandblast and paint the year 2000 solid waste compactor trailer be awarded to Forest Auto body in the amount of \$11,120.

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

**RESOLVE #R-2006-47 AUTHORIZING EXPENDITURE FROM POLICE  
EQUIPMENT RESERVE FOR REPLACEMENT OF EQUIPMENT FOR THE  
NEW CRUISER**

Whereas, the Town of Bucksport received \$30,467.95 from the insurance company for replacement of the cruiser and equipment damaged in conjunction with the high speed chase that involved the Penobscot County Sheriff Department's cruiser; and,

Whereas, \$15, 928 of the insurance payment was allocated to replacing the cruiser; and,

Whereas, the remaining funds were to pay for replacement of equipment that was damaged in conjunction with the accident; and,

Whereas, when the insurance payment was received, it was deposited in the Police Equipment Reserve Account:

Be it resolved by the Bucksport Town Council in town council assembled that the insurance payment received from Maine Municipal Association to replace the cruiser and equipment damaged by the Penobscot County Sheriff Department's cruiser be deposited in the Police Equipment Reserve Account and the balance of the payment not used towards the purchase of the new cruiser totaling \$14,540, be applied towards the cost of replacing the equipment in the replacement cruiser.

**RESOLVE #R-2006-46 AUTHORIZING EXPENDITURE FROM DISPATCH  
EQUIPMENT RESERVE ACCOUNT FOR REPROGRAMMING OF RADIOS  
TO COMPLIMENT THE NEW DISPATCH SYSTEM**

Whereas, installation of the new radio system has been completed; and,

Whereas, various portable and mobile units have to be reprogrammed to be compatible to the new system; and,

Whereas, there is a total of 46 units that have to be programmed at an estimated cost of \$1,602; and,

Whereas, funds are available in the Dispatch Equipment Reserve Account to pay for the reprogramming:

Be it resolved by the Bucksport Town Council in town council assembled that it be authorized to expend an amount not to exceed \$1,602 to reprogram the portable and mobile units to be compatible with the new radio system.

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

**RESOLVE #R-2006-48 AUTHORIZING NEW RATE FOR ADVANCED LIFE  
SUPPORT BACKUP**

Whereas, from time to time the town's ambulance service provides Advance Life Support Backup to neighboring ambulance services; and,

Whereas, whenever the Town of Bucksport requires these services, the new charge to the Town is \$225 per call:

Be it resolved by the Bucksport Town Council in town council assembled that effective November 1, 2006, the Bucksport Ambulance Service is to charge \$225.00 whenever the service provides Advance Life Support Backup to a neighboring ambulance service requesting the service.

**RESOLVE #R-2006-49 APPROVING PURCHASE OF A USED PICKUP FOR  
THE ANIMAL CONTROL OFFICER**

Whereas, the 2006 Capital Improvement Plan calls for replacement of the Animal Control Officer pickup; and,

Whereas, it was estimated in the plan that a replacement vehicle would cost \$5,000; and,

Whereas, a replacement vehicle was identified at the State Surplus Office in the amount of \$5,000; and,

Whereas, the vehicle is a 2002 Ford 150 with 90,000 miles and in excellent condition:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of \$5,000 to purchase a used pickup from State Surplus be approved.

Be it further resolved that the cost of the pickup be charged to Police Equipment Reserve.

**REOLVE #R-2006-50 AUTHORIZING IMPROVMENTS AT THE PUBLIC SAFETY BUILDING**

Whereas, as a result of a recent inspection of the new roof at the Public Safety Building, it was recommended by the roofing inspector that two additional roof drains be installed to drain water accumulating on the roof; and,

Whereas, it is estimated that the cost of installing the two drains is \$3,000

Whereas, the cost of replacing the rear entrance door is \$1,000

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not to exceed \$4,000 be authorized to install two new roof drains on the Public Safety Building roof and to install a new rear entrance door.

Be it further authorized that the cost of these improvements be charged to the Public Safety Building Reserve.

**RESOLVE #R-2006-51 APPROVING DESIGN FOR THE VETERANS'  
MEMORIAL**

Whereas, the Town Council authorized the expenditure of funds to obtain the services of a landscape architect to prepare plans for a Veterans' Memorial; and,

Whereas, the firm Ames Corporation was engaged to provide this service; and,

Whereas, a plan of a Veterans' Memorial has been prepared by a landscape architect with the firm Ames Corporation and approved by local veterans; and,

Whereas, potential sites have been designated for the new memorial that include land located on the corner of Nicholson Avenue and Broadway and along the waterfront in the vicinity of Flag Point; and,

Whereas, the group has voted twice and favored the site on the corner of Nicholson Avenue and Broadway, and,

Whereas, the number of veterans present at the meetings when a site was selected was limited to just a few individuals, it was suggested that the final decision be made by the local American Legion Post members:

Be it resolved by the Bucksport Town Council in town council assembled that the proposed plans for a new Veterans' Memorial prepared by Ames Corporation be approved.

Be it further resolved that the matter pertaining to the preferred site be referred to the local chapter of the American Legion for a recommendation.

**RESOLVE #R-2006-52 AUTHORIZING EXPENDITURE FOR REPAIRS TO  
THE SCHOOL STREET FIRE STATION**

Whereas, the School Street Fire House is in need of new roofing; and,

Whereas, the Bucksport Fire Department has been able to organize volunteers who have agreed to install the new roofing; and,

Whereas, the cost of the material is estimated to be \$1,900

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 \$1,900 from the Fire Department Reserve Account for purchase of material to replace the roofing on the School Street Fire House.

## TOWN MANAGER'S REPORT

**Gardner School Project-** This project is moving along slow but sure. The construction contract has been approved but work cannot start until all documents have been submitted to HUD and approved. It is estimated that construction will begin sometime in January 2007 and the construction period will be nine months. It will be necessary for the Town Council to extend the option until January when the closing is scheduled. This means that I will have the furnace drained before cold weather sets in. I do not expect any problems with the building if it goes only a few months without being heated.

**Town Dock Replacement-** The dock has been modified to accept the new ramp. The engineer, once his contract is approved by MDOT, will complete the design for the ramp and bids will be solicited. The ramp will be 10' longer which will reduce the incline substantially during low tide. This will require having to move the ramp back so the longer ramp will not interfere with the use of the main float. The project should be completed by the time the floats are installed next spring.

**Waterfront Walkway Extension-** All permits have been received for this project. The only item remaining is to obtain an easement from Irving Oil. I am just beginning to make progress with this matter even though I started my efforts in July. I am hopeful the matter will be resolved within the next few weeks. Once the easement is received, I expect we can begin the project.

**Sewer line And Treatment Plant Improvements-** Both of these projects are out to bid. Bids will be opened for sewer line improvements on October 18 while bids for the treatment plant will be opened on October 24. I plan to have the Town Council vote on awarding the contracts at the October 26<sup>th</sup> meeting.

**Financial Status to 9-30-2006-** At this point, revenues are fairly consistent with last year with exception of interest on investments. Even though the interest earned is shown on the report as being less than last year at the end of September, most of the funds are invested in Certificate of Deposits that will be maturing later into the fiscal year at which time interest will be booked. Highway improvements on Bucksmills Road exceeded projections. This was due to the higher cost for removing ledge. This will mean that a project will have to be pushed backed into the next fiscal year. If you have any questions regarding any of the reports, please feel free to see me.

**RESOLVE #R-2006-53 AUTHORIZING SUBORDINATION AGREEMENT FOR  
LYNN BROWN**

Whereas, the Town of Bucksport is holder of a certain lien on premises located at 692 River Road given by Lynn Brown dated October 31, 2005 and recorded in the Hancock County Registry of Deeds, Volume 4562, Page 210 in the amount of \$5,789.11, and,

Whereas this lien is the result of Lynn Brown receiving a 2005 CDBG Housing Grant; and,

Whereas, Lynn Brown request that the Town of Bucksport subordinate the lien to the lien of a mortgage to be given by Lynn Brown to Wells Fargo Bank:

Be it resolved by the Bucksport Town Council in town council assembled that a Subordination Agreement be authorized said agreement to subordinate a lien recorded at the Hancock County Registry of Deeds, Volume 4562, Page 210 to Wells Fargo Bank for Lynn Brown.

Be it further resolved that the Town Manager be authorized to sign the agreement.

**RESOLVE #R-2006-54 EXTENDING OPTION AGREEMENT FOR THE  
GARDNER SCHOOL**

Whereas, on June 24, 2004 the Town of Bucksport (Seller) and Eastern Areas Agency on Aging (Buyer) entered into an option for sale of certain property owned by the Seller, situated in Bucksport, Maine, designated as Tax Map 33, Lot 25, as shown on the town of Bucksport tax maps, and more particularly described in a deed recorded at the Hancock County Registry of Deeds, Book 653, Page 438: and,

Whereas, Buyer has received a Fund Reservation in the amount of \$3,504,900 from HUD to develop the building into 26 units of elderly housing: and,

Whereas, the Buyer has requested that the Seller consider extending the option to January 2, 2007; and,

Whereas, the Buyer has requested that the extension include all terms and provisions in the June 24, 2004 Option Agreement:

Be it resolved by the Bucksport Town Council in town council assembled that the option for sale of property designated as Tax Map 33 Lot 25 so-called the Gardner School Property be extended to January 2, 2007 and that the members of the Town Council sign the Second Amendment to Option Agreement.

**Adopted 10-26-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-55 AWARDING BID FOR SEWER IMPROVEMENTS**

Whereas, the Town of Bucksport requested bids for sewer line improvements as outlined by plans prepared by Millett Associates and dated September 2006; and,

Whereas, the Town received a grant in the amount of \$500,000 from the Office of Economic and Community Development to pay for these improvements; and,

Whereas, bids were requested based on unit prices; and,

Whereas bids were received as follows:

Lane Development	\$302,260.00
Lane Construction	\$327,780.00
MacMillan Excavation	\$374,777.77
Bridgecorp	\$441,050.00
Maine Earth	\$418,860.00
R.F. Jordan	\$443,190.00
T Buck	\$518,180.00
Sargent Corp.	\$448,930.00

Be it resolved by the Bucksport Town Council in town council assembled that the bid for sewer line improvements be awarded to the low bidder, Lane Development, in the amount of \$302,260.00, understanding that the final contract amount will be determined by the total amount of units purchased.

Be it further resolved that the cost for these improvements be paid for from the proceeds of a grant received from the Office of Economic and Community Development in the amount of \$500,000 for public infrastructure improvements.

**Adopted 10-26-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-56 AWARDED BID FOR TREATMENT PLANT  
IMPROVEMENTS**

Whereas, the Town of Bucksport requested bids for treatment plant improvements as outlined by plans prepared by Wight-Pierce and dated September 2006; and,

Whereas, the Town received a grant in the amount of \$500,000 from the Office of Economic and Community Development to pay for these improvements; and,

Whereas, bids were requested based on a lump sum basis; and,

Whereas, bids were received as follows:

T-Buck	\$211,991.00
Penta	\$155,500.00
Atlantic Mechanical	\$179,951.00
Apex	\$154,100.00

Be it resolved by the Bucksport Town Council in town council assembled that the bid for improvements to the treatment plant be awarded to the low bidder, Apex in the amount of \$154,100.

Be it further resolved that the cost for these improvements be paid for from the proceeds of a grant received from the Office of Economic and Community Development in the amount of \$500,000 for public infrastructure improvements.

**Adopted 10-26-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-57 AUTHORIZING EXPENDITURE FROM DISPATCH  
EQUIPMENT RESERVE ACCOUNT**

Whereas, the Bucksport Dispatch Service has received notification from DataMaxx that as of June 2007 they are migrating their software so that it will run on Windows XP Pro; and,

Whereas, Datamaxx is the company that supplies the Teletype software program which connects the Bucksport Dispatch Service with the State of Maine Bureau of Motor Vehicle and National Crime Information Service; and,

Whereas, the current machine is not capable of running Windows XP; and,

Whereas, the Bucksport Dispatch Office is requesting that the Town Council authorize the expenditure of funds to purchase a computer that is capable of operating Window XP; and,

Whereas, a quote has been provided for the new computer in the amount of \$429; and,

Whereas, the Dispatch Office is also requesting authorization to replace four Cathode Ray Tube (CRT) monitors with three new 19" and one 17" flat panel monitor to provide more room on the work station in the dispatch office; and,

Whereas, a price has been received in the amount of \$179 for each 17" monitor and \$205 for each 19" monitor; and,

Whereas, the total cost of replacing the four CRT monitors with flat panel monitors will be \$794

Be it resolved by the Bucksport Town Council in town council assembled that the Dispatch Office be authorized to expend an amount not to exceed \$1,223 towards the purchase of a new computer, three 19" flat panel monitors and one 17" monitor.

Be it further resolved that the cost of these purchases be charged to the Dispatch Equipment Reserve.

**Adopted 10-26-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-58 AUTHORIZING SALE AND PURCHASE OF SCBA  
UNITS**

Whereas, the Bucksport Fire Department has an opportunity to sell 11old self contained breathing apparatus (SCBA) with spare bottles to Maine Maritime Academy for \$15,000, which is double what would be received in trade-in; and,

Whereas, the Fire Department proposes to utilize these funds plus a \$2,000 grant from Maine Municipal Association and \$9,040 from the Equipment Reserve Account to purchase six new Scott 4.5 Air –Pak Fifty with 30 minute carbon fiber cylinder and six spare bottles for \$26,040; and,

Whereas, if allowed to purchase these units, the Department will be in compliance with the minimum standards (ISO-NFPA) as well as having standard units that are up to date; and,

Whereas, this activity was included in the 2006-2007 Capital Improvement Plan:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport Fire Department be permitted to sell to Maine Maritime Academy 11 used SCBA and 11 spare tanks for a cost of \$15,000.

Be it further resolved that the Fire Department be permitted to utilize the \$15,000 plus \$2,000 for a MMA grant and \$9,040 from the Fire Department Equipment Reserve Account for the purchase of six new 4.5 Air-Pak and six spare tanks for a cost not to exceed \$26,040.

**Adopted 10-26-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**APPENDIX M  
GENERAL ASSISTANCE ORDINANCE**

**Shall an ordinance entitled “Appendix M General Assistance Ordinance, including General Assistance Appendixes A-C, be adopted, such ordinance being for the purpose of coding the existing General Assistance Ordinance adopted on October 25, 2005 by the Bucksport Town Council as Appendix M of the Bucksport Town Code and to adopt new maximum levels of assistance as prepared by Maine Municipal Association for the period October 1, 2006 to October 1, 2007.**

**Adopted 11-9-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-60 AUTHORIZING SERVICES OF AN ENGINEER TO  
EVALUATE THE BRIDGE ACROSS MOOSEHORN STREAM ON UPPER  
LONG POND ROAD**

Whereas, an opinion was recently rendered by the town's attorney, Lee Bragg, that a section of the Upper Long Pond Road is likely a public way; and,

Whereas, this section of the Upper Long Pond Road begins at the intersection of Moose Horn Drive and extends to the sludge building, a distance of approximately one mile; and,

Whereas, a bridge is located on a section of this way at Moose Horn Stream; and,

Whereas, Maine Department of Transportation inspected the bridge in 2005 and reported that that abutments to the bridge were moving and the town should monitor the situation to make sure that the condition does not worsen; and,

Whereas, MDOT also reported that the beams located underneath the bridge deck were beginning to delaminate and that maintenance may be necessary to address this matter; and,

Whereas, it may be prudent on the part of the Town to seek the services of an engineer to conduct a cursory review of the existing bridge and provide a report detailing bridge condition, potential lifespan and recommendations for bridge repair, if applicable, or bridge replacement; and,

Whereas, if replacement is necessary, to outline possible replacement options for the bridge; and,

Whereas, Millett Associate has proposed to provide these services for a cost of \$2,500:

Be it resolved by the Bucksport Town Council in town council assembled that the services of Millett Associates be obtained to conduct a cursory review of Upper Moose Horn Bridge and provide a report detailing bridge conditions, potential lifespan and recommendations for bridge repairs or replacement at a cost of \$2,500.

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

**Adopted 11-9-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-59 PERTAINING TO DISCONTINUANCE OF A SECTION  
OF UPPER LONG POND ROAD**

Whereas, an opinion was recently rendered by the town's attorney, Lee Bragg, that a section of the Upper Long Pond Road is likely a public way; and,

Whereas, this section of the Upper Long Pond Road begins at the intersection of Moose Horn Drive and extends to the sludge building, a distance of approximately one mile; and,

Whereas, it has been recommended that the Town consider discontinuing this section of road as a public way in accordance with 23 M.S.R.A., Section 3026, if so desired by the Town Council, but to continue the public easement as it has existed for the last twenty-six years; and,

Whereas, it has been recommended by the Town's attorney that the Town Council table this matter until a review of the bridge across Moose Horn Stream be completed to determine the condition of the bridge as this could have an impact on the discontinuance of the way:

Be it resolved by the Bucksport Town Council in town council assembled that the matter regarding the discontinuance of a section of the Upper Long Pond Road be tabled until a review of Upper Moose Horn Stream Bridge be completed.

**Adopted 11-9-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-61 DESIGNATING THE ROAD LEADING FROM  
MECHANIC STREET TO ELM STREET AS A PUBLIC WAY**

Whereas, there currently exist an access road extending from the terminus of Mechanic Street to Elm Street extending across property owned by the Town, so-called the Lumen Warren Property; and,

Whereas, the access served as a school bus unloading area when the Lumen Warren Building served as a school; and,

Whereas, the access road is currently being used as an access between Mechanic Street and Elm Street; and,

Whereas, there has been a desire from some local citizens that this access road should be maintained as a public way; and,

Whereas, the town's attorney, Lee Bragg has recommended, if the town chooses to designate this section of way as public way to do so pursuant to 23 M.R.S.A., Sections 3022 and 3023; and,

Whereas, this will require that a description of the area to be designated as a public way be prepared by a surveyor:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to obtain proposals from qualified surveyors to prepare a description of a proposed public way extending between Mechanic Street and Elm Street across the so-called Lumen Warren property and that such proposals be brought back to the Town Council for consideration.

**Adopted 11-9-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-62 REGARDING BIDS FOR SALE OF USED EQUIPMENT**

Whereas, the Town of Bucksport offered certain surplus property for bid and has received the following bids:

	<b>1990 1 ton truck</b>	<b>9' Fisher plow</b>	<b>1990 pickup</b>
S. Crawford	\$750	\$300	\$50
Martin Larson	\$1,821		
George Adams	\$1,156	\$278	
McIntyre Truck.	\$1,200	\$350	
Rusty Lanpher	\$1,003		\$101

Be it resolved by the Bucksport Town Council in town council assembled that the sale of used and abandoned equipment be sold to the high bidder for each item.

Be it further resolved that the successful high bidder must make full payment to the Bucksport Town Office within five working days after the Town provides notice and the funds realized from the sale be credited to the Highway Equipment Reserve Account.

**Adopted 11-9-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-63 ADOPT AMENDMENT TO POLICY REGARDING USE  
OF SICK TIME FOR FAMILY MEDICAL LEAVE**

Shall an amendment to the Family Medical Leave Policy be adopted such amendment reading as follows:

Amend Section 10-801 to read:

~~While an employee is on family medical leave, the employee will receive no employee benefits.~~

**Employees who qualify for sick time may use accumulated sick time or vacation time towards approved Family Medical Leave. This includes care of an immediate family member who qualifies pursuant to Title 26 Section 636 of the M.R.S.A., but such shall not exceed 40 hours for any 12-month period. Employees who qualify for Family Medical Leave will continue to receive all benefits provided or made available to the employee while on Family Medical Leave.**

**Adopted 11-9-2006**

Yes \_\_\_\_, No \_\_\_\_, Abstained \_\_\_\_

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-64 AUTHORIZING TREASURER TO CLOSE THE  
BUCKSPORT PROMOTIONS SAVINGS ACCOUNT**

Whereas, a savings account was established in 1989 for purpose of promoting the downtown area; and,

Whereas, a balance of \$314.28 has existed in the account since 1992; and,

Whereas, it has been recommended by the town's auditor that this account be closed since it has been inactive all these years; and,

Whereas, the Treasurer recommends the funds be transferred to the Downtown and Housing CDBG Fund Account; and,

Whereas, the savings account number is 245126-610:

Be it resolved by the Bucksport Town Council in town council assembled that the Treasurer be authorized to close savings account # 245126-610 and to deposit the funds in the Downtown and Housing CDBG Fund Account.

**Adopted 11-9-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

**RESOLVE #R-2006-65 AUTHORIZING EXPENDITURES FROM TOWN  
OFFICE EQUIPMENT ACCOUNT**

Whereas, the new Finance Director's office will be located downstairs adjacent to the Town Council Chamber; and,

Whereas, the computer currently in that office does not have the capacity to store the electronic version of the financial records of the town; and,

Whereas, the information has to be accessible to the Finance Director; and,

Whereas, a work station will be necessary as well; and,

Whereas, it is estimated that a computer and monitor can be purchased for less than \$1,000 and a work station and chair for less than \$1,200:

Be it resolved by the Bucksport Town council in town council assembled that the expenditures for purchase of a computer, monitor, workstation and chair for the Finance Director's office be authorized in an amount not to exceed \$2,200 and that such cost be charged to Town Office Equipment Reserve Account.

**Adopted 11-9-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**Kathy Downes**

## **TOWN MANAGER'S REPORT**

**Waterfront Walkway Extension**- The DEP permit has been received for the project the Shoreland Zoning Permit will be obtained from the CEO next week. I have also received notice from Irving Oil that they have approved the Town's request for permission to locate the walkway on their property. I was informed the last week of October that the permit was being signed and would be forwarded to me soon. I still have not received the written permit; however, I expect to receive it shortly. Duane has started to layout the project and to develop a material list. If everything goes as planned, we expect to begin the project around December 1.

**CDBG Housing Program**- The program is beginning to phase down. Once the program is completed, sometimes before December 31, we will have assisted over thirty households.

**Dock and Ramp Replacement**- MDOT has finally approved the engineering agreement. Pine Tree Engineering has started the design of the new ramp. I expect to have plans to review with the Waterfront Committee sometimes by the end of December.

**Financials Ending 10-31-2006**- I have included the Revenue and Expenditure Summaries ending 10-31-2006. I have also attached a copy of the revenue report for the same time last year so that you can compare the numbers. If you have any questions regarding any of the reports, please feel free to see me.

**Annual Meeting with the School**- It is that time of the year to schedule the meeting with the School Board and Superintendent of Schools to discuss the 2007-2008 budget. I will ask you to provide me with a few tentative dates tonight.

**CSO Project**- The option with Mr. Braun has been signed. Borings will be completed within the next few weeks to determine the dept of ledge onsite. The engineer is progressing well with the final design. I expect to have some plans to review with the Sewer Committee in early December.

**Bathroom Facility off Miles Lane and High School Field**- Jack Gordon has informed me that he will have a schematic for review sometimes early next week. Once I receive the information, I will schedule a meeting with the committee.

**Miles Lane Trails**- The Highway Department will be working during the winter months when the weather and conditions permit to improve the drainage and to install additional crusher dust on the surface. I expect to have the signs installed late next spring.

## **FACTS REGARDING CPI AND LD 1 LIMIT**

**Growth of Consumer Price Index for the Northeast for all items and consumers**

July 2005 to July 2006	4.6%
June 2005 to June 2006	5.01%
January 2005 to January 2006	4.1%
January 2006 to October 2006	1.75%

**LD 1 Limit 2007**

Personal Income Growth	2.47%
New Property Growth	<u>1.78%</u>

<b>Percent of increase allowed for property tax and new state revenues for municipal purposes</b>	<b>4.25%</b>
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<b>Amount of increase allowed for property taxes and new state revenues for municipal purposes</b>	<b>\$99,863</b>
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<b>property taxes represent</b>	<b>50.3%</b>
<b>other municipal revenues</b>	<b>49.7%</b>

**Potential increases in municipal revenues**

State Revenue Sharing	\$10,000
Interest on Investments	\$50,000
Excise Tax	\$20,000
Ambulance Revenues	\$ 5,000
Subsidies	\$10,000
Other	<u>\$10,000</u>
<b>Total</b>	<b>\$105,000</b>

**Potential cost increases**

Cola 2.75%	\$44,000
Steps	\$10,000
Health Insurance	\$35,000
Finance Director	\$25,000
Electricity	\$10,000
Other	<u>\$20,000</u>
<b>Total</b>	<b>\$144,000</b>

**No increase or possible decrease in County Tax**

**RESOLVE #R-2006-67 AUTHORIZING EXPENDITURE FOR  
DESIGN OF VETERANS' MEMORIAL**

Whereas, concept design has been approved by the Town Council for a veterans' memorial; and,

Whereas, Steve Ripple, landscape architect with the firm Ames A/E, completed the concept design; and

Whereas, Steve was asked to provide a quote to complete the final design plans; and,

Whereas, Steve submitted a preliminary quote of \$12,870 to complete the work but the scope of service was not clear to the town; and,

Whereas, Steve after discussion with the town has proposed to provide construction document development and plans for the proposed memorial for a cost not to exceed \$11,500; and,

Whereas, the Town Manager has reviewed the proposal and has determined that it is competitive for the level of service proposed:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for design services for construction document development for the proposed veterans' memorial with the firm Ames A/E in the amount of \$11,500 be approved as presented and that such cost be charged to Undesignated Fund Balance.

**Acted on 11-30-2006**

**Voted \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained**

**Attested \_\_\_\_\_**

**Kathy Downes, Town Clerk**

**RESOLVE #R-2006-68 AUTHORIZING EXPENDITURE FROM  
HIGHWAY EQUIPMENT RESERVE**

Whereas, it was recently reported by the Public Works Director that the engine in the 1996 Ford L8000 dump truck had to be repaired; and,

Whereas, the cost of the repairs is \$9,706.23; and,

Whereas, the repairs had to be completed as soon as possible in order to return the truck to service in case of a snowstorm; and,

Whereas, this was an unexpected cost and funds are not available in the repair account to accommodate such a large repair cost; and,

Whereas, the purpose of the Highway Equipment Reserve is to pay for such unexpected costs:

Be it resolved by the Bucksport Town Council in town council assembled that the cost of repairing the 1996 Ford L8000 dump truck in the amount of \$9,706.23 be charged to Highway Equipment Reserve.

**Acted on 11-30-2006**

**Voted \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained**

**Attested \_\_\_\_\_**

**Kathy Downes, Town Clerk**

## **New Legislation**

Machinery and Equipment Exemption beginning 4-1-2007

## **Issues**

No proposed update to value

Need to be mindful of the financial pressures at the mill

Need to be mindful of the TABOR Initiative

## **Proposed Major Capital Improvements**

Road Improvements

CSO Project that will result in sewer user fee increase

Improvements at the pool

Energy improvements

Repairs to street sweeper

Sewer force main along Central Street to town garage

Walkway extension

Waterline and sewer improvements to support new job creation

## **Recommendations**

Services should be kept at current levels except if increase or reduction in people served, adjustment should be made accordingly

Property tax revenue increases should not exceed 2.47%

New revenues that are targeted for tax reduction should be used for such

No new positions or programs unless identified separately and submitted to Town Council a supplemental budget request

**RESOLVE #R-2006-69 PERTAINING TO ROAD SIGNAGE ADVERTISING  
THE NEW PENOBSCOT NARROWS BRIDGE AND OBSERVATORY**

Whereas, the new Penobscot Narrows Bridge and Observatory will soon be completed and open to the public; and,

Whereas, this new structure will draw visitors from around the world and greatly enhance the tourism industry for this region; and,

Whereas, proper signage located on Interstate 95 directing visitors to the bridge is essential for capitalizing on the opportunity; and,

Whereas, it has been recommended by the Bucksport Economic Development Committee that the Town Council ask the Maine Department of Transportation to consider placing proper signage on Interstate 95 in Augusta directing northbound travelers interested in visiting the Penobscot Narrows Bridge and Observatory to use U.S. Rte 3 as the desired route, and a similar sign in Bangor for southbound travelers to use U.S. Route 15 as the desired route:

Be it resolved by the Bucksport Town Council in town council assembled that the Economic Development Director be authorized and directed to submit a letter to Department of Transportation requesting that proper signage be installed along Interstate 95 directing visitors to the Penobscot Narrows Bridge and Observatory as recommended by the Bucksport Economic Development Committee.

**Adopted 12-14-2006**

**Yes\_\_\_\_, No\_\_\_\_, Abstained \_\_\_\_**

**Attested by Town Clerk**

**PROCLAMATION RECOGNIZING EDITH AND GAYLEN GRAY FOR SERVICE TO THE TOWN OF BUCKSPORT**

Whereas, Edith and Gaylen Gray have for over the last ten years been responsible for heading the committee to decorate Bucksport for the Christmas season; and,

Whereas, their efforts have included but have not been limited to fund raising, organizing volunteers to assist with the decorations, identifying the locations and type of decorations to be used, placing and removing the decorations, maintaining the decorations during the season, ordering the necessary supplies, coordinating with the utility companies involved, and addressing citizens' comments and concerns; and,

Whereas, Edith and Gaylen have continued to tirelessly fulfill their commitment to light Bucksport for Christmas regardless of the effort required and obstacles to undertake:

Be it proclaimed by the Bucksport Town Council in town council assembled that the Town Council on behalf of the citizens of Bucksport extend their appreciation and gratitude to Edith and Gaylen Gray for their efforts and commitment to light Bucksport and to make it a better community to live in especially during the Christmas season.

Be it further proclaimed by the Bucksport Town Council that this Proclamation be recorded by the Town Clerk in the permanent records of this Town as a reminder of Gaylen and Edith's commitment to this community.

Signed by the members of the Bucksport Town Council this 14<sup>th</sup> day of December 2006.

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**RESOLVE #R-2006-75 ADOPTING POLICY PROHIBITING TOBACCO USE AT  
TOWN OWNED RECREATION FACILITIES**

Whereas, the Town of Bucksport owns and maintains numerous outdoor recreation facilities that include the Miles Lane Fields 1, 2 and 3; the Reggie Ginn Field located off Spofford Avenue; the Old Junior High Field and playground located off Elm Street; the tennis court located at Bucksport High School; and the basketball court, volleyball court, walking trail, and skating rink located off Miles Lane; and,

Whereas, these facilities are shared with the Bucksport School Department whose board has adopted a policy prohibiting the use of tobacco on school grounds and at school activities; and,

Whereas, Maine law prohibits the use and possession of tobacco products by anyone less than 18 years of age; and,

Whereas, the Bucksport Bay Healthy Communities Coalition has requested the Bucksport Town Council adopt a policy that will prohibit tobacco use on municipal playing fields and facilities; and,

Whereas, the Coalition has underscored their request with facts that support the reasons for the Town Council to adopt such a policy; and,

Whereas, the members of the Ordinance Committee have recommended that the matter be dealt with by adopting a policy rather than an ordinance because of the difficulty of enforcing this type of ordinance; and,

Whereas, the Town Council recognizes that it is in the best interest of the health and safety of all citizens to adopt a policy that will prohibit the use of tobacco products at all the above mentioned outdoor recreation facilities particularly when there are children less than eighteen years of age present:

Be it resolved by the Bucksport Town Council in town council assembled that a policy prohibiting the use of tobacco products at all outdoor recreation facilities listed above when anyone less than 18 years of age is present be adopted.

Be it further resolved that the Bucksport Bay Healthy Communities Coalition develop signs to be placed at each facility informing the public of the Town's policy regarding the use of tobacco products at these facilities and that the Bucksport Police Department continue their enforcement at these facilities of Maine law which prohibits possession or use of tobacco products by anyone less than 18 years of age.

**Adopted 12-14-2006**

**Yes \_\_\_\_\_, No \_\_\_\_\_, Abstained \_\_\_\_\_**

**Attested by Town Clerk**

**RESOLVE#R-2006-70 AUTHORIZING LETTER TO MDOT COMMISSIONER REGARDING MAIN STREET PAVING AND ROUTE 46 RECONSTRUCTION**

Whereas, Main Street, from Tannery Brook to First Street intersection has not been paved since 1989; and,

Whereas, the existing pavement is showing signs of significant cracking and failure; and,

Whereas, a portion of Route 46 from Route 1 intersection to a point ½ mile north of Hancock Pond is in need of reconstruction and has been identified as a back log project since early 1990; and,

Whereas, Commissioner Cole had responded to a request from the Town Council in 2005 and agreed to include both projects in the 2006-2007 Biennium Transportation Improvement Plan (BTIP); and,

Whereas, the Department of Transportation realized a shortfall in revenues that resulted in \$130 million dollars of projects being withdrawn from the BTIP which included the Route 46 and Main Street projects; and,

Whereas, both ways continue to deteriorate and are in greater need of improvement now than in 2005:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager prepare a letter to the Commissioner of the Maine Department of Transportation, David Cole requesting that pavement of Main Street from Tannery Brook to First Street and reconstruction of Route 46 from Route 1 to a point ½ mile north of Hancock Pond be included in the 2008-2009 BTIP.

Be it further resolved that a copy of the letter also be forwarded to Senator Richard Rosen and Representative Kimberly Rosen.

**Adopted 12-14-2006**

**Yes\_\_\_\_, No\_\_\_\_, Abstained \_\_\_\_**

**Attested by Town Clerk**

**RESOLVE #R-2006-71 AUTHORIZING CONTRACT FOR NEW ECONOMIC DEVELOPMENT PLAN**

Whereas, the Town Council set as one of its goals for 2006-2007 fiscal year, preparation of a new Economic Development Plan; and,

Whereas, the Town Council had previously authorized the Town Manager to seek proposals from interested firms to complete this work; and,

Whereas, proposals were received from four interested firms; and,

Whereas, the Town Council assigned the task of selecting the most favorable firm to a special committee of the Economic Development Committee for a recommendation; and,

Whereas, the special committee interviewed three of the four firms that submitted proposals and selected the proposal from The Chesapeake Group, Inc as the most favorable; and,

Whereas, reference checks were completed by the Economic Development Director of The Chesapeake Group, Inc. and the references were favorable; and,

Whereas, The Chesapeake Group, Inc. proposes to complete the project in twenty weeks; and,

Whereas, Chesapeake Group, Inc. proposes to complete the work in five phases that will include: Phase 1, Data Collection, Research, Consultant Familiarity & Community Input; Phase 2, Analysis; Phase 3, Land Use, Site Specific & Entrepreneurial Concepts; Phase 4, Strategic Recommendations & Implementation Program and Phase 5, Documentation; and,

Whereas, funds are available in the Tax Incremental Financing Revenue Account for this project; and,

Whereas, the cost of completing the project has been set at \$23,500:

Be it resolved by the Bucksport Town Council in town council assembled that the firm The Chesapeake Group, Inc. be engaged to complete an Economic Development Plan for the Town of Bucksport at a cost not to exceed \$23,500.

Be it further resolved that the cost of preparing the plan be paid from Tax Incremental Revenues.

**Adopted 12-14-2006**

**Yes**\_\_\_\_, **No**\_\_\_\_, **Abstained** \_\_\_\_

**Attested by Town Clerk**

**RESOLVE #R-2006-81 ACCEPTING FUNDS FOR CHALLENGING CHOICES/DIVERSION PROGRAM**

Whereas, the Town of Bucksport has been approved for the following grants:

Maine Community Foundation	\$15,000
Bangor Savings Bank	5,000
Hancock County Planning (SPEP) Grant	5,000
Children's Cabinet	10,000
Donations	3,500
Camden National Bank	10,000

Whereas, these grants were solicited for the purpose of creating a Youth Program Coordinator position with the goal of providing recreational services under the Challenging Choices Program and intervention services under the Bucksport Youth Diversion Program; and,

Whereas, funds have been offered and or received to sustain this position with benefits for one year; and,

Whereas, this position will be under the supervision of the Recreation Director:

Be it resolved by the Bucksport Town Council in town council assembled that funds as listed above and offered to support a Youth Program Coordinator position with the goal of providing recreation and intervention services to youth be accepted and such funds expended accordingly.

**Adopted 12-14-2006**

**Yes** \_\_\_\_, **No** \_\_\_\_, **Abstained** \_\_\_\_

**Attested by Town Clerk**

**RESOLVE #R-2006-72 AUTHORIZING TOWN MANAGER TO  
SUBMIT AN APPLCATION TO DECD FOR A HOUSING  
ASSISTANCE GRANT**

Whereas, the construction cost to renovate the Gardner School into 26 units of low income elderly housing is higher than available funds by approximately \$400,000; and,

Whereas, efforts are being made to obtain approximately \$200,000 of additional funds from HUD; and,

Whereas, the contingency fund has been reduced to a point of concern; and,

Whereas, there is a possibility of applying to the Office of Community Development for gap funding under the CDBG Housing Assistance Grant to complete the project; and,

Whereas, if the Town plans on submitting an application for these funds, a Letter of Intent has to be filed on or before January 12, 2007; and,

Whereas, the program requires a 20% match which could be the value of the building:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to submit a Letter Of Intent indicating the town's interest to file an application to the Office of Community Development for a Housing Assistance Grant in the amount of \$250,000 to provide gap funding for development of the Gardner School into 26 units of low income elderly housing.

**Adopted 12-14-2006**

**Yes\_\_\_\_, No\_\_\_\_, Abstained \_\_\_\_**

**Attested by Town Clerk**

**RESOLVE #R-2006-73 AUTHORIZING APPLICATION FOR A 2007 CANOPY ASSISTANCE GRANT**

Whereas, the Maine Forest Service has announced that grants are available for planting and maintenance of shade trees; and,

Whereas, the maximum grant amount available is \$5,000;and,

Whereas, there is a 50% match requirement which can include in-kind services; and,

Whereas, the Conservation Committee has identified areas of the community where new shade trees could be planted; and,

Whereas, the deadline for submitting an application is March 16, 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 Forest Service for a grant to plant shade trees along public streets located in the compact area under the direction of the Conservation Committee.

Be it further resolved that the local share be derived from in-kind services of the Highway Department, members of the Conservation Committee and Town Manager.

**Adopted 12-14-2006**

**Yes\_\_\_\_, No\_\_\_\_, Abstained \_\_\_\_**

**Attested by Town Clerk**

**RESOLVE #R-2006-74 AUTHORIZING REQUEST FOR ENGINEERING SERVICES TO DETERMINE THE ALTERNATIVES AND COST TO EXTEND PUBLIC WATER AND SEWER TO LOT 4 OF MAP 37**

Whereas, the Economic Development Director has been working with a company to establish a manufacturing business on the so-called Sprague North Site; and,

Whereas, the developer has indicated a need for public water and sewer; and,

Whereas, in order for the Town to seek the necessary funding to complete this project, it has to determine the best alternative(s) and cost:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to obtain quotes from three firms to determine the cost of identifying the most feasible alternative to extend public water and sewer to Lot 4 of Map 37 (North Sprague Site) and that such proposal(s) be brought back to the Town Council at its next regularly scheduled meeting for consideration.

**Adopted 12-14-2006**

**Yes** \_\_\_\_, **No** \_\_\_\_, **Abstained** \_\_\_\_

**Attested by Town Clerk**

**RESOLVE #R-2006-76 AUTHORIZING COST TO REPAIR AMBULANCE 2**

Whereas, it became necessary to replace the entire front end of the 1998 ambulance; and

Whereas, this vehicle has over 130,000 miles and will not be replaced until 2008; and,

Whereas, \$2,600 dollars was raised in the equipment repair account, but these funds are to undertake routine repair and maintenance of two ambulances; and

Whereas, the cost of completing the repairs was \$1523.11:

Be it resolved by the Bucksport Town Council in town council assembled that the cost of repairing the front end of ambulance 2 in the amount of \$1,523.11 be charged to the Ambulance Equipment Reserve Account in an amount not to exceed \$1,524.00.

**Adopted 12-14-2006**

**Yes**\_\_\_\_, **No**\_\_\_\_, **Abstained** \_\_\_\_

**Attested by Town Clerk**

**RESOLVE #R-2006-77 AUTHORIZING COST OF REPAIR AT THE  
COMMUNITY CENTER**

Whereas, unexpected repairs were required to the freezer at the Community Center; and,

Whereas, the cost of these repairs was \$821.56; and,

Whereas, funds were not included in the budget to fund any repair of this extent:

Be it resolved by the Bucksport Town Council in town council assembled that the cost of repairing the freezer at the Jewett School in the amount of \$821.56 be charged to the Jewett School Reserve Account.

**Adopted 12-14-2006**

**Yes**\_\_\_\_, **No**\_\_\_\_, **Abstained** \_\_\_\_

**Attested by Town Clerk**

**RESOLVE #R-2006-78 AUTHORIZING EXPENDITURES FOR WATERFRONT  
WALKWAY EXTENSION**

Whereas, plans are set to begin the walkway extension to Hannaford Shop and Save as soon as the easement from Irving Oil is received; and,

Whereas, the Bucksport Highway Department will be undertaking this project; and,

Whereas, the Public Works Director has estimated the cost of materials to construct the base is \$8,000; and,

Whereas, \$10,000 was budgeted in the current Capital Improvement Plan:

Be it resolved by the Bucksport Town Council in town council assembled that the cost of purchasing materials for the waterfront walkway extension in the amount not to exceed \$8,000 be authorized.

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

**Adopted 12-14-2006**

**Yes\_\_\_\_, No\_\_\_\_, Abstained \_\_\_\_**

**Attested by Town Clerk**

**RESOLVE #R-2006-79 AUTHORIZING EXPENDITURES FOR LIGHT AT  
INTERSECTION OF POND AND SCHOOL STREET**

Whereas, an inquiry was made by the Town Council to improve the lighting at the corner of School and Pond Street; and,

Whereas, Steve Drake, representative with CMP completed a site visit and recommended the following:

1. change bulb from 70 watt high pressure sodium to 100 watt high pressure sodium
2. replace current 6' bracket with a 12' bracket at a cost of \$3.02 monthly
3. Re-angle bracket about 30 degrees towards Pond Street
4. trim some of the existing Pine tree that is adjacent to the pole/fixture

Be it resolved by the Bucksport Town Council in town council assembled that the recommendations of CMP to improve the lighting at the intersection of Pond and School Street be adopted.

Be it further resolved that the additional cost of the longer bracket be charged to the Street Lighting Account #516-92.

**Adopted 12-14-2006**

**Yes** \_\_\_\_, **No** \_\_\_\_, **Abstained** \_\_\_\_

**Attested by Town Clerk**

**RESOLVE #R-2006-80 REFERRING UPDATE OF PERSONNEL RULES AND  
WORK POLICIES TO THE FINANCE COMMITTEE**

Whereas, the Personnel Rules have not been updated since 1985; and,

Whereas, the Personnel Rules are part of the Town Code which is now being reviewed;  
and,

Whereas, there is a need to review the rules and make changes as deemed necessary:

Be it resolved by the Bucksport Town Council in town council assembled that update and review of the Personnel Rules and work policies be referred to the Finance Committee and the results of the committee's review be returned to the Town Council for final consideration.

**Adopted 12-14-2006**

**Yes\_\_\_\_, No\_\_\_\_, Abstained \_\_\_\_**

**Attested by Town Clerk**

## **TOWN MANAGER'S REPORT**

**Gardner School Project-** Problems to obtain final fund commitment continues due to the overall project cost exceeding available funds by approximately \$400,000. HUD has been asked to fill the gap by allowing the predevelopment funds totaling approximately \$195,000 to be counted separately from the original project funds and for HUD to advance an additional \$200,000 from funds they receive each year from Maine State Housing Authority for gap financing. It will not be known what HUD's decision is until late January. If HUD is unable to grant the additional funds, it will be necessary to either rebid the project or find the needed funds from other sources.

**CSO Project-** The design phase is moving ahead as planned. We expect to have plans for review by the committee in the next few weeks. I am in the process of obtaining an appraisal for the property and obtaining the temporary financing for the project from DEP and the Municipal Bond Bank.

**Ramp Replacement:** The engineering agreement has been approved by MDOT and Pine Tree Engineering will have the preliminary plans completed by the end of December. I plan on having a meeting with the Waterfront Committee prior to the January regular Town Council meeting so the ramp can be put out to bid by February 1, 2007.

**Silver Lake Project:** Trail development continues on the site. Most of the campground trail has been improved so that a light vehicle can access it. A new trail along the south property line has been cleared and should be completed within the next few weeks. The Highway Department will be clearing the last trail that will extend along the south side of Silver Lake to the access road. Once these tasks have been completed, there will be over three miles of trails on this site. The campgrounds will be ready for use early next summer. There continues to have a lot of downed trees along the campground trail. This may delay the opening of the campgrounds due to the high risk of a forest fire. I will be working this winter with the Extension Service to develop a plan to clear and trim the apple tree on the peninsula.

**Miles Lane Walking Trail-** the Highway Department is currently working on completing this project. This includes completing the necessary drainage improvements and placing six inches of additional crusher dust over the 2.4 miles of trail. Directional and informational signs will be install along the trail early next spring.

**Bathroom Facility-High School and Miles Lane** - The committee met this week to review the preliminary sketches. Minor changes were made to the plan. The project will include bathroom facilities and a concession stand. Attached is a copy of the plans that were reviewed by the committee. The committee will be proposing that the facility be located off Miles Lane between the football field and Miles Lane just below the Miles Lane School. Once the final preliminary plans are complete, the committee will forward their recommendation to the Town Council for consideration

**Financials Ending 11-30-2006-** Attached is a copy of the revenue and expense statements for the period ending 11-30-2006. Expense accounts are in line with projections except for the audit account that will realize a significant overdraft due to the time spend by the auditor on the potential embezzlement. All major revenue accounts should meet or exceed projections. It is worthy to note that revenues are extremely flat with exception of earnings on investments. Even through the earnings in the interest account are lagging last year's figures, most of the investments are in Certificates of Deposit which mature at the end of the fiscal year. I expect interest from investments will exceed \$350,000 this year. Please see me if you have any questions.

**Land Purchase Industrial Park-** The owner of the property has informed me that he expects to receive his appraisal within the next few weeks. Once he provides me with a copy, I will be forwarding it to the town's appraiser for his comments. Once this has been completed, I will begin my talks with the property owner.

**Tree Along Summer Street-** I pursued the request from the Town Council regarding a bad tree along Summer Street. I am unable to suggest any corrective action since I identified at least three trees in the general area that seemed to meet the description of the one tree the Town Council shared concerns about. I will need more information from the Town Council before I can suggest corrective action.

**RESOLVE #R-2007-1 REGARDING THE REMOVAL OF A TREE AT MAP 29  
LOT 5**

Whereas, the Bucksport Town Council received a request from several residents living along Oak Street to remove a publicly owned tree along Oak Street adjacent to the residence referred to as Lot 5 of Map 29; and,

Whereas, the Town Council referred the matter to the Public Works Director to review and to return a recommendation; and,

Whereas, the Public Works Director has inspected the tree and has concluded that there is no reason to remove the tree because of its condition; and,

Whereas, it is not the practice of the town to remove a publicly owned tree at public expense unless there is an urgent public or safety need to do so; and,

Whereas, it may be necessary to trim the tree since the crown has spread over Oak Street right of way and to adjacent properties causing a nuisance for those property owners:

Be it resolved by the Bucksport Town Council in town council assembled that the request to remove the publicly owned tree located on Oak Street in the vicinity of Lot 5 Map 29 be denied.

Be it further resolved that the Public Works Director be authorized to request the service of a licensed tree arborist to trim the tree in order to control the crown and to minimize the nuisance the tree is creating for neighboring property owners.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-2 AWARDING CONTRACT FOR ADMINISTRATIVE SERVICES FOR THE 2007 HOUSING ASSISTANCE CDBG**

Whereas, the Town of Bucksport proposes to apply for a 2007 Housing Assistance Community Development Block Grant (CDBG); and,

Whereas, it is necessary to identify a qualified individual or firm to administer the grant if the grant is approved; and,

Whereas, proposals were requested from interested and qualified firms to provide such service; and,

Whereas, a proposal was received from Ronald Harriman and Associates to provide such service at a cost of no fee to prepare the Phase II application and to negotiate at a later date, if the grant is received, the cost for Phase III:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for administrative services for a 2007 Housing Assistance Community Development Block Grant be awarded to Ron Harriman Associates for no fee to prepare the Phase II application and for a fee to be negotiated at a later date and approved by the Town Council and the Office of Economic and Community Development for Phase III, if the grant is awarded.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-3 AWARDING PROPOSAL TO PROVIDE A LEGAL  
DESCRIPTION FOR PUBLIC WAY CONNECTING ELM STREET AND  
MECHANIC STREET**

Whereas, the Town Council seeks the service of a registered land surveyor to provide a legal description for a proposed town way connecting Elm Street with Mechanic Street across property referred to as the Luman Warren School property defined in Book 601, Page 383 in the Hancock County Registry of Deeds; and,

Whereas, a proposal has been received from the firm Plisga & Day, Land Surveyors whose assigned surveyor is familiar with the property, and,

Whereas, the firm proposes to complete the work necessary to provide a legal description of the proposed way for a fee and expenses estimated at \$2,200:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to provide a legal description for a proposed public way connecting Elm Street with Mechanic Street across property referred to as the Luman Warren School property be awarded to Plisga & Day for a cost not to exceed \$2,200.

Be it further resolved that such cost be charged to Undesignated Fund Balance.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-4 APPROVING PLANS FOR A NEW RAMP FOR THE  
TOWN DOCK**

Whereas, Pine Tree Engineering has provided the town with plans for a replacement ramp leading from the town dock to the floats; and,

Whereas, the members of the Waterfront Committee have reviewed the plans and find them acceptable; and,

Whereas, Maine Department of Transportation is providing a portion of the funding for the project and must approve the plans before the town can seek proposals:

Be it resolved by the Bucksport Town Council in town council assembled that the plans for a new ramp leading from the town dock to the floats as prepared by Pine Tree Engineering be approved with the condition that the plans be approved by Maine Department of Transportation before seeking competitive proposals.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-5 AWARDDING CONTRACT FOR ENGINEERING  
SERVICES TO PREPARE A PRELIMINARY PLANS FOR SEWER AND  
WATERLINE EXTENSION TO LOT 4 OF MAP 37**

Whereas, a developer has indicated an interest to develop the so-called Sprague North Site also referred to as Lot 4 of Map 37, creating potentially 50 to 100 jobs; and,

Whereas, if the site is developed there will be a need to extend public water and sewer to the site; and,

Whereas, it has to be determined whether it is feasible and what the cost would be of extending public water and sewer to the area; and,

Whereas, this can be determined by a qualified engineer; and,

Whereas, proposals were requested from two firms that normally have provided similar services to the Town in the past; and,

Whereas, Millett Associate has proposed to prepare preliminary plans and to provide a cost estimate for a fee \$3,400 while Pine Tree Engineering has proposed to complete the work for a fee of \$21,300; and,

Whereas, this project could be paid for from Tax Incremental Financing (TIF) Revenues since this project would create economic development opportunities:

Be it resolved by the Bucksport Town Council in town council assembled that Millett Associates be engaged to prepare preliminary plans and cost estimates to extend public water and sewer to serve Lot 4 Map 37 currently referred to as Sprague North.

Be it further resolved that the cost of preparing the preliminary engineering study be paid for from Tax Incremental Financing (TIF) Revenues.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-6 REGARDING ENGINEERING SERVICES FOR  
REPLACEMENT OF BRIDGE ACROSS MOOSEHORN STREAM ON UPPER  
LONG POND ROAD**

Whereas, the Bucksport Town Council had authorized Millett Associates to prepare a report summarizing the findings and recommendations regarding Moosehorn Stream Bridge on Upper Long Pond Road; and,

Whereas, six alternatives were identified to resolve the matter; and,

Whereas, it is the consultant's recommendation that the most favorable option, if the Town plans continued use and maintenance of the bridge and roadway, is Alternative 5; and,

Whereas, Alternative 5, includes replacement of the existing bridge with a multi plate pipe arch; and,

Whereas, it is estimated that the cost of performing this task is \$100,000 to \$150,000 if the work is completed by a contractor; and,

Whereas, the cost could be reduced by 30-50% if the Town chooses to utilize its maintenance forces to do the work; and,

Whereas, the members of the Roads and Streets Committee have reviewed the report and recommend that the existing bridge be replaced with a multi plate pipe arch; and,

Whereas, Millett Associates has proposed to provide the necessary engineering for the bridge replacement which will include design/permitting for a budget amount of \$5,000 and \$2,500 for bidding /construction administration should that service be necessary:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for design and permitting for replacement of the bridge across Moosehorn Stream on Upper Long Pond Road be awarded to Millett Associates for a fee not to exceed \$5,000 to be paid from Highway Improvement Account.

Be it further resolved that design services will include further investigation to determine the most feasible alternative between Options 5 and 6.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-8 AWARDING BID FOR 1991 PICKUP AND 1997 POLICE CRUISER**

Whereas, the town requested bids for the second time for sale of the 1991 GMC pickup and the 1997 Crown Victoria police cruiser; and,

Whereas, bids were received as follows:

	Pickup	Police Cruiser
Alan Farnsworth	\$352.00	\$152.00
Rusty Lanpher	\$253.00	\$253.00

Be it resolved by the Bucksport Town Council in town council assembled that the sale of the 1991 GMC pickup be awarded to Alan Farnsworth in the amount of \$352.00 and the sale of the 1997 police cruiser be awarded to Rusty Lanpher in the amount of \$253.00.

Be it further resolved that the successful bidders be required to redeem their bids within five days after notice and the funds received from the sale of the vehicles be credited to the Police Equipment Reserve Account.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-7 REGARDING MEMBERSHIP TO THE MAINE SERVICE CENTERS COALITION**

Whereas, the Town of Bucksport has been a members of the Maine Service Coalition since its inception; and,

Whereas, the Maine Center Coalition consist of service center communities as identified by the State Planning Office whose objective is to monitor all bills considered by the Legislature to determine the impact the proposed legislation may have on service center communities; and,

Whereas, the cost to participate in the Coalition is \$.12 per capita; and

Whereas, Bucksport's annual dues have been set at \$588.96:

Be it resolved by the Bucksport Town Council in town council assembled that the Town of Bucksport continue its membership in the Maine Service Centers Coalition for 2007 including payment of dues in the amount of \$588.96 to be charged to the Contingency Account.

Be it further resolved that Roger Raymond, Town Manager be appointed as the Town's representative for the Maine Service Center Coalition and Jeff Robinson be designated as alternate.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-9 REFERRING APPOINTMENTS TO APPOINTMENTS  
COMMITTEE**

Whereas, the Town Clerk has put together a list of appointments that need to be made for the ensuing year; and,

Whereas, it is recommended that the matter be referred to the Appointments Committee for nominations:

Be it resolved by the Bucksport Town Council in town council assembled that the appointments for the ensuing year be referred to the Appointments Committee for nominations for the positions identified by the Town Clerk, a list of which has been attached to this Resolve.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-14 APPROVING AUDIT FOR THE PERIOD 7-1-2005 TO  
6-30-2006**

Whereas, the audit for the period 7-1-2005 to 6-30-2006 has been completed by the firm Foster, Carpenter and Black; and,

Whereas, copies of the audit report have been provided to members of the Town Council for review:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport Town Council accept the audit report prepared by the firm Foster, Carpenter & Black for the Town of Bucksport for the period 7-1-2005 to 6-30-2006 as submitted. Be it further resolved that a copy of the report be filed with the Town Clerk, such to be made as a permanent record of the town.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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## **RESOLVE #R-2007-11 ACCEPTING PARK STREET AS A TOWN WAY**

Whereas, John W. Wardwell has requested that the Town Council consider accepting a strip of land as a public way pursuant to 23 MRSA Section 3025; and,

Whereas, John W. Wardwell has proposed to provide a quitclaim deed to the Town conveying title in fee simple; and,

Whereas, John W. Wardwell has developed the road or made funds available through a Letter of Credit from Merrill Bank to the Town to bring the road to the Town's road standards as outlined by Chapter 10 Article 5 (Road and Street Standards for Approval) of the Bucksport Town Code; and,

Be it ordered by the Bucksport Town Council in town council assembled that the Town accept the dedication made by John W. Wardwell of title in fee simple in a strip of land bounded and described as follows:

A certain lot or parcel of land with the paved roadway and other improvements thereon situate in the Town of Bucksport, County of Hancock, State of Maine, being generally located on the northerly side of U.S. Route 1, so-called, approximately 310 feet westerly along said U.S. Route 1 from the centerline of Bayview Avenue, so-called, being more particularly described as follows:

Beginning at a  $\frac{3}{4}$ " iron rebar with plastic cap marked PLS 1211 set in 2002 on the northerly line of U.S. Route 1 as shown on **State of Maine Department of Transportation Right of Way Map, State Highway '42'**, Sheet 4 and 5 of 7 designated as DOT file No. 5-236, at the southeasterly corner of Lot #1 shown on a plan entitled: **Hillside Business Park, Hillside Avenue, Final Subdivision Plan**, by Woodard & Curran, dated August 1999, recorded at the Hancock County Registry of Deeds in File 29, No. 86;

Thence by and along said northerly line of Route 1 South seventy-nine degrees thirty-four minutes thirty-three seconds East (S.  $79^{\circ} 34' 33''$  E.) a distance of sixty-six (66) feet to another  $\frac{3}{4}$ " iron rebar similarly marked set in 2002;

Thence North ten degrees twenty-five minutes twenty-seven seconds East (N.  $10^{\circ} 25' 27''$  E.) a distance of one hundred thirty-four and forty-eight hundredths (134.48) feet to a point at a curve marked by another  $\frac{3}{4}$ " iron rebar similarly marked set in 2002;

Thence following a curve that is concave to the westerly, having a radius of nine hundred sixty-six (966.00) feet, an arc distance of three hundred thirty-four and seventy-one hundredths (334.71) feet to another  $\frac{3}{4}$ " iron rebar similarly marked set in the year 2002;

Thence North eight degrees forty minutes forty-nine seconds West (N. 08° 40' 49" W.) a distance of two hundred sixty-six and six tenths (266.6) feet to a point on a curve that is concave to the easterly;

Thence following said curve having a radius of two hundred forty-five (245.00) feet an arc distance of two hundred forty-two and seventy-seven hundredths (242.77) feet to another ¾" iron rebar similarly marked set in 2002;

Thence North forty-eight degrees five minutes thirty-seven seconds East (N. 48° 05' 37" E.) a distance of twelve and eighteen hundredths (12.18) feet to another ¾" iron rebar similarly marked set in 2002 at a point on a curve that is concave to the southerly;

Thence following a fillet curve that is concave to the southerly, that has a radius of twenty (20) feet, an arc distance of thirty and twenty-two hundredths (30.22) feet to a point of reverse curvature;

Thence following a curve to the left around the exterior of a cul-d-e-sac, with a radius of eighty (80) feet, and an arc length of three hundred seventy-two and nineteen hundredths (372.19) feet to a point at the most easterly corner of Lot #5 shown on said plan;

Thence South forty-eight degrees five minutes thirty-seven seconds West (S. 48° 05' 37" W.) a distance of one hundred twelve (112.00) feet to a point on a curve that is concave to the easterly;

Thence southwesterly following said curve with a radius of three hundred eleven (311.00) feet, an arc distance of one hundred seventeen and thirty-five hundredths (117.35) feet to another ¾" iron rebar similarly marked set in 2002 at the northeasterly corner of Lot #4 as shown on said plan;

Thence continuing on said curve with a radius of three hundred eleven (311.00) feet, an arc distance of one hundred eighty-nine and twenty-six hundredths (189.26) feet to another ¾" iron rebar similarly marked set in 2002 at the northeasterly corner of Lot #3;

Thence South eight degrees forty minutes forty-nine seconds East (S. 08° 40' 49" E.) a distance of one hundred ninety and fifty-one hundredths (190.51) feet to another ¾" iron rebar similarly marked set in 2002 at the northeasterly corner of Lot #2 shown on said plan;

Thence prolonging the same bearing of South eight degrees forty minutes forty-nine seconds East (S. 08° 40' 49" E.) a distance of ninety-two and twenty-eight hundredths (92.28) feet to another ¾" iron rebar similarly marked set at a point on a curve that is concave to the westerly;

Thence generally southerly following said curve with a radius of nine hundred (900.00) feet, an arc distance of one hundred twenty-three and eighteen hundredths (123.18) feet

to another ¾" iron rebar similarly marked set in 2002 at the northeasterly corner of said Lot #1 shown on said plan;

Thence continuing on said curve with radius of nine hundred (900.00) feet, an arc distance of one hundred seventy-six and ninety-two hundredths (176.92) feet to another ¾" iron rebar similarly marked set in 2002;

Thence South ten degrees twenty-five minutes twenty-seven seconds West (S. 10° 25' 27" W.) a distance of one hundred thirty-four and forty-eight hundredths (134.48) feet to the point of beginning.

Bearings referenced herein are oriented to Grid North, Maine State Coordinate System of 1927, East Zone, as determined by a survey conducted by Plisga & Day, Land Surveyors in 1998.

The above-described sixty-six (66) foot wide strip of land encompasses approximately 2.06 acres and is conveyed **SUBJECT TO** an Easement from John W. Wardwell to Central Maine Power Company dated November 29, 1999 recorded in Book 2883, Page 281 of the Hancock County Registry of Deeds. Reference is made to a deed to John W. Wardwell recorded in Book 2722, Page 616 of said Registry.

It should be recognized that the courses and curve data given on said plan recorded in File 29, #86 contains geometric data which is incorrect according to normally accepted standards. It is the intent of this description to encompass Hillside Avenue in the configuration and size shown on said plan.

The purpose of this conveyance is to allow the Inhabitants of the Town of Bucksport to accept, keep and maintain the same as a public way.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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## RESOLVE #R-2007-12 REGARDING TAX ACQUIRED PROPERTY

Whereas the following properties became tax acquired on 12-27-2006:

Burke, Roy  
Map Lot 30-80  
Power line Road  
(land)

Hutchinson, Raymond S. and Jennifer  
Map Lot 29-10  
11 Edison Drive  
(trailer)

Gifford, Todd E  
Map Lot 20-31  
Dresser Road  
(land and buildings)

Osborne Andrew Sr. & Ruth  
Map Lot 06-52  
32 Marsh Rd  
(land and trailer)

Rainey, Julie B.  
Map Lot 05-72  
32 Central Street  
(land & buildings)

Ranzoni, Joseph & Carol D.  
Map Lot 06-57  
Bucksmills Road  
(land and buildings)

Ranzoni, Joseph D & Carol D  
Map Lot 06-56  
Bucksmill Rd.  
(land & buildings)  
(land & buildings)

Skillin Donald  
Map Lot 15-95 00N10  
Church Rd.  
(trailer)

Unkown  
Map Lot 52-11  
Route 46  
(land)

White, Sarah  
Map Lot 15-95 00N2  
Church Rd.  
(trailer)

Woodman, Joey M. & Roxanna  
Map Lot 21-37  
1861 State Route 46  
(land & building)

Whereas, the Town Council adopted a policy regarding the disposition of real property acquired for non-payment of taxes, service charges or fees; and,

Whereas, Article 6 allows the former owner(s) to repurchase the tax acquired property if the purchaser agrees to enter into an installment re-purchase agreement only if the purchaser has demonstrated that he/she has the ability to pay; or

Whereas, allows the former owner to repurchase the property for full payment of taxes, interest or cost; or,

Whereas, the Town Council may vote to retain the property in accordance to Article 4 of the Policy; or

Whereas, the Town Council may choose to sell the property by competitive bid; and,

Whereas, it is the intent of the Town Council to give owners of record the opportunity to redeem their property for payment of tax, interest and cost when the property serves as the primary place of residence:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to contact all property owners listed above, except for the Unknown Lot Map 52-11 and provide the owners of record the opportunity to redeem the properties as outlined by Article 6.

Be it further resolved that the Town Manager be authorized to request bids for the Unknown lot located off Route 46 in accordance to Article 5 of the Policy.

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

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**RESOLVE #R-2007-13 REGARDING OUTSTANDING PERSONAL PROPERTY**

Whereas, attempts have been made to collect the following personal property taxes; and,

Whereas, it is recommended that the taxes be abated for the following reasons:

- Allen , Steven G 2003 - \$287.30 ( no longer in business and equipment taxed not available)
- Allen, Steve G. 2004 - \$283.90 (no longer in business and equipment taxed not available)
- Catalina Marketing Corporation- 2006 \$7.15 (interest only)
- Coinstar, Inc. 2006 \$26.37 (interest only)
- Northeast Engineering (original tax paid but interest forgiven in the amount of \$119.31)
- H & R Block Corporate Account 2004 - \$18.37 & 2006 \$27.17
- Hogan, Barbara 2003- \$ 13.52 (no longer in business)
- Wentworth, Lloyd 2006 \$24.28 (interest only)
- Jed Prouty Inn- 2000- \$320.32, 2001 - \$332.32, 2002- \$338.00, 2003- \$338.00, 2004- \$334.00 (business no longer in existence. Taxed currently being paid by new owner)

Be it resolved by the Bucksport Town Council in town council assembled that the following taxes be abated for the following reasons:

Steven Allen 2003- \$287.30 and 2004- \$283.90 (business no longer in existence and equipment is not on site)

Catalina Marketing Corporation- 2006- \$7.15 (equipment no longer in exist)

Coinstar, Inc 2006- \$26.37 (equipment no longer in exist)

Barbara Hogan 2003- \$13.52 (equipment no longer in exist)

H & R Block Corporate Acct 2004 \$18.37 & 2006 -\$27.17 (equipment not in exist)

Jed Prouty Inn 2000- \$320.32, 2001-\$332.33, 2002-\$338.00, 2003 -\$338.00 and 2004 - \$334.00 (equipment no longer owned by Jed Prouty Inn. Current taxes being paid by mortgage holder).

Northeast Engineering \$119.31 (original tax paid but interest forgiven)

**Adopted 1-12-2007**

**Voted Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested, Kathy Downes , Town Clerk**

\_\_\_\_\_

**RESOLVE #R-2007-11 SETTING FEES FOR DOCKING AND MOORINGS**

Whereas, the Bucksport Harbor Management Ordinance requires the Town Council to set the annual fees for mooring within the Bucksport Harbor and docking at the town dock pursuant to certain conditions; and,

Whereas, the current mooring fees are \$25 for any vessel 19' or less and \$40 for any vessel longer than 19'; and,

Whereas, the current docking fee with permission from the Harbor Master is \$1.00 per linear foot per night:

Be it resolved by the Bucksport Town Council in town council assembled that the fees for moorings be set at \$25 for any vessel 19' or less and \$40 for any vessel longer than 19', and the docking fee be set at \$1.00 per linear foot per night.

Be it further resolved that the fees collected for such purposes be credited to a Docking and Mooring Fee Account and such funds be used for the maintenance and care of the Town Dock Facility.

**Adopted 1-25-2007**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Attested to**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-10 APPROVING GAP FINANCING FOR THE GARDNER SCHOOL PROJECT**

Whereas, a gap exist in financing improvements to the Gardner School in the amount of approximately \$500,000+; and,

Whereas, HUD has received approval from Maine State Housing Authority for \$200,000 as part of the gap financing for the project; and,

Whereas, contribution of the Developer's Fee can be used to help bridge the funding gap by \$177,000; and,

Whereas, the Town of Bucksport can provide \$100,000 as gap financing which is the maximum amount the Town can expend on the project without voter approval; and,

Whereas, HUD will provide the remaining funds required to fund the project, and,

Whereas, the above listed gap financing will allow for HUD to issue the firm commitment which will allow Gardner Common to release the Notice to Proceed to the contractor once firm commitment is received:

Be it resolved by the Bucksport Town Council in town council assembled that gap financing in the amount of \$100,000 be authorized for the Gardner School Project on the condition that Maine State Housing Authority provides \$200,000 in gap financing and the remaining required funds to complete the project be provided by HUD.

Be it further resolved that the funds authorized for this project be charged to Undesignated Fund Balance.

**Adopted 1-25-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested to:**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**AMENDMENT TO CHAPTER 6 SECTION 2, SUBSECTION 6-216, TAXICABS,  
TAXI STANDS AND VEHICLES FOR HIRE**

Shall an ordinance entitled "Amendment to Chapter 6 Section 2 Subsection 6-216, Taxicabs, Taxi Stands and Vehicles for Hire" be introduced; such ordinance is for the purpose of amending the insurance requirements for taxicabs and other vehicles for hire, reading as follows:

Amend item 11 to read:

~~The applicant maintains at all times liability insurance coverage for the applicant and any drivers of taxicabs under this license in an amount not less than one hundred thousand dollars (\$100,000.00) each person and one hundred thousand dollars (\$100,000.00)~~

**11. The applicant maintains at all times minimum insurance requirements pursuant to MRSA Title 29-A Section 1611, or as amended and provides the Town Clerk a valid insurance certificate from an insurance company authorized by the Superintendent of Insurance to transact business in the State of Maine.**

**Introduced on 2-8-2007**

Yes \_\_\_\_ No \_\_\_\_\_

**Attested:**

\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE # R-2007-12 AUTHORIZING PURCHASE TO BE PAID FROM THE  
TOWN OFFICE EQUIPMENT RESERVE ACCOUNT**

Whereas, the Code Enforcement Officer has requested that the Town Council consider authorizing the purchase of an opaque projector that could be used when conducting presentations to the Planning Board including projection of photographs, maps, sketches, etc; and,

Whereas, the Code Enforcement Officer has identified a Buhl Mark IV Opus projector at the cost of \$900; and,

Whereas, this projector could also be used for other public meetings that are held in the Town Council Chamber such as town council and school board meetings; and,

Whereas, there is adequate funding in the Office Equipment Reserve Account to cover the cost of this purchase:

Be it resolved by the Bucksport Town Council in town council assembled that the Code Enforcement Officer be authorized to purchase a Buhl Mark IV Opus opaque projector in an amount not to exceed \$900 and that such cost be charged to the Town Office Equipment Reserve Account.

**Acted on 2-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2006-13 AUTHORIZING EXPENDITURE FROM FIRE  
EQUIPMENT RESERVE ACCOUNT**

Whereas, the electrical generator on Fire Engine 1 is in need of repairs; and,

Whereas, the cost of completing the repairs is \$1,250; and,

Whereas, these repairs were unexpected; therefore, there are no sufficient funds in the Fire Department Repair and Maintenance Account to absorb this cost; and,

Whereas, the Fire Department Equipment Reserve Fund is available to cover such unexpected repairs:

Be it resolved by the members of the Bucksport Town Council in town council assembled that an expenditure not to exceed \$1,250 be authorized from the Fire Department Equipment Reserve Account to repair the electrical generator for Engine 1.

**Acted on 2-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-14 AUTHORIZING CONTRACT TO DETERMINE MARKET FOR ASSISTED LIVING AND CONGREGATE HOUSING**

Whereas, the Town Council set as one of its goals for the 2006-2007 fiscal year to pursue development of retirement housing for low and moderate income households; and,

Whereas, in order to pursue that goal, it is necessary to determine the type of retirement housing and to what extent market supports exist in the Bucksport area to warrant the development of independent apartments with supportive services and/or residential care/assisted living units for local elders who wish to remain in Bucksport area as they age; and,

Whereas, it is also an objective of the Town Council to serve a moderate-income and/or value oriented clientele at affordable or prevailing rates with comparable facilities in the surrounding area; and,

Whereas, Planning Insight, a firm located in Yarmouth, Maine that has extensive experience in providing consulting services to determine such market need and to identify possible funding is available to provide the required services; and,

Whereas, Planning Insight proposes to provide services to determine the overall market support for independent apartments and residential care/assisted living units specifically the consulting effort to include (1) identification of the market area for both forms of retirement housing (2) an overview of the demographic trends in the Bucksport market area, including the target 75+ year old; and (a preliminary estimate of the total demand for the two forms of housing, and to identify possible funding sources that may be available to finance all or a portion of the retirement housing complex; and,

Whereas, the firm proposes to provide this preliminary service for a fee not to exceed \$4,500; and,

Whereas, funds are available in the Bucksport CDBG Program Income Account to provide funding for this study:

Be it resolved by the members of the Bucksport Town Council in town council assembled to authorize a contract with Planning Insights, Inc. to provide consulting services to determine the type of retirement housing and to what extent market supports exist in the Bucksport area to warrant the development of independent apartments with supportive services and/or residential care/assisted living units for low to moderate income local elders who wish to remain in Bucksport area as they age.

Be it further resolved that the fee for the outlined services will not exceed \$4,500 and that such fee will be paid from the CDBG Program Income Fund.

**Acted on 2-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-15 APPROVING BUCKSPORT ENERGY POLICY**

Whereas, the Town Manager with the input from Department Heads and key personnel, prepared an Energy Policy for municipal departments outlining specific steps to be taken by employees to conserve energy; and

Whereas, all town personnel will be required to participate to implement the provisions of the plan, if adopted by the Town Council; and,

Whereas, if personnel implements all of the provision of the plan, the Town should recognize a significant savings in energy cost and consumption:

Be it resolved by the Bucksport Town Council in town council assembled that the Bucksport Energy Plan be adopted as presented and that the Town Manager, Department Heads and key personnel implement the plan as outlined.

Be it further resolved that the Town Manager be required to report back to the Town Council after the plan has been in effect for one year to determine the status and results of the plan's implementation.

**Acted on 2-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-16 REGARDING TAX ABATEMENTS**

Whereas, the Town Council voted to abate the following taxes for the Jed Prouty Inn- for the tax years 2000- \$320.32, 2001 - \$332.32, 2002- \$338.00, 2003- \$338.00, & 2004- \$334.00; and,

Whereas, the Deputy Tax Collector was successful collecting the taxes from the current owner; therefore, there is no need to abate these taxes; and,

Whereas, the tax for Wentworth, Lloyd, for tax year 2006 in the amount of \$24.28 (interest only) was on the list but not included in the Town Council vote:

Be it resolved by the Bucksport Town Council in town council assembled that the abatements for the Jed Prouty Inn - for the tax years 2000- \$320.32, 2001 - \$332.32, 2002- \$338.00, 2003- \$338.00, & 2004- \$334.00 be rescinded.

Be it further resolved that the 2006 tax for Lloyd Wentworth in the amount of \$24.28 (interest only) be abated.

**Acted on 2-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-17 AUTHORIZING EXPENDITURE FROM RECREATION REVENUES FOR PURCHASE OF FITNESS EQUIPMENT**

Whereas, it would be beneficial to purchase one additional elipitical machine for the fitness center due to user demand; and,

Whereas, funds are available in the Recreation Revenue Fund Account to cover the cost of the new equipment; and,

Whereas, the cost of the new machine has been quoted at \$2,732:

Be it resolved by the Bucksport Town Council in town council assembled that the Recreation Director be authorized to purchase a new elipitical machine for use at the fitness center for an amount not to exceed \$2,732 and that such cost be charged to Recreation Revenue Account.

**Acted on 2-8-2007**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Attested**

\_\_\_\_\_

**Kathy Downes, Town Clerk**

**FINANCING PURCHASE OF LOT 1 MAP 32 AND OWNED BY CYNTHIA  
WOOD**

Shall an ordinance entitled “Financing Purchase of Lot 1 Map 32 and owned by Cynthia Wood” be introduced such ordinance being for the purpose of financing the purchase of the property and reading as follows:

Shall the Bucksport Town Council be authorized to expend an amount not to exceed \$120,000 plus customary closing cost for the purchase of land and building referred to by the Bucksport Tax Maps as Lot 1 of Map 32 and currently owned by Cynthia Wood and that \$95,000 be paid from local funds considering of \$55,000 from Undesignated Fund Balance, \$40,000 from Tax Incremental Financing Revenues (TIF) and the remaining balance plus closing cost be paid from Community Development Block Grant Income Program Funds.

**Acted on 2-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE # R-2007-18 REGARDING PURCHASE OF LOT 1 MAP 32**

Whereas, the Town of Bucksport has been extended the opportunity to purchase a lot of land and building located off Route 15-Main Street and referred to as Lot 1 of Map 32 and currently owned by Cynthia Wood; and,

Whereas, the listing price for the property is \$124,900; and,

Whereas, the Town Council has meet and is prepared to offer \$120,000 for the property; and,

Whereas, if the offer is accepted, conditions of the sale will include:

1. that clear title be transferred to the Town
2. that the building be vacant
3. that the ordinance entitled "Financing Purchase of Lot 1 Map 32 Owned By Cynthia Wood" is adopted by the Town Council after public hearing.

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to enter into a sales and purchase agreement to purchase property referred to as Lot 1 of Map 32 currently owned by Cynthia Wood for the amount of pursuant to conditions outlined above.

**Acted on 2-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

## TOWN MANAGER'S REPORT

**Financial Status-**I have attached a copy of the Revenue and Expense Reports for the period ending 1-31-2007. All revenues are on track to meet or exceed expectations except for Code Enforcement Fees and Veterans Reimbursement. It continues to be our expectation that Interest on Investment will exceed projections by \$200,000, Ambulance Revenues by \$60,000 and Excise Tax by \$150,000 and Supplemental Taxes \$30,000. Expenses continue to be on track except for the audit cost which will be over by \$18,000. We expect significant savings in the fuel and insurance accounts. You will note that MMA Dues Account is showing a large overdraft but that is due to a posting error that will be corrected.

**Interim Financing-** We have received notice from Maine Municipal Bond Bank that they will provide the temporary financing for the CSO Project at an interest rate of 3%. The lower interest rate should allow the Town to make up the cost of the interim financing by investing the balance in a higher interest rate account. A closing for interim financing will be delayed until bids are received for the project.

**Recycling Report-** I have attached a copy of the report I have forwarded to the State Planning Office outlining the results of the Bucksport Recycling Program for 2006.

**FINANCING PURCHASE OF LOT 1 MAP 32 AND OWNED BY CYNTHIA WOOD**

Shall an ordinance entitled “**Financing Purchase of Lot 1 Map 32 and owned by Cynthia Wood**” be adopted such ordinance being for the purpose of financing the purchase of the property and reading as follows:

Shall the Bucksport Town Council be authorized to expend an amount not to exceed \$120,000 plus customary closing cost for the purchase of land and building referred to by the Bucksport Tax Maps as Lot 1 of Map 32 and currently owned by Cynthia Wood and that \$95,000 be paid from local funds considering of \$55,000 from Undesignated Fund Balance, \$40,000 from Tax Incremental Financing Revenues (TIF) and the remaining balance plus closing cost be paid from Community Development Block Grant Income Program Funds.

**Acted on 2-22-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-19 AUTHORIZING EXPENDITURE FROM TOWN GARAGE RESERVE**

Whereas, an exterior door has deteriorated to the point that it needs to be replaced, four damaged door sections need to be replaced and the door openers need to be wired so that they will operate in constant contact close mode; and,

Whereas, the cost of completing the work is estimated at \$2,830; and,

Whereas, there are ample funds in the Town Garage Reserve fund to cover the cost of the improvements:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not to exceed \$2,830 be authorized for improvements to doors and openers at the Town Garage and that such cost be charged to Town Garage Reserve.

**Acted on 2-22-2007**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-20 APPROVING ABATEMENT FOR DONALD SKILLIN**

Be it resolved by the Bucksport Town Council in town council assembled that the real estate taxes on a mobile trailer located on Map 15 Lot 95 for years 2007, 2006 and 2005 in the amounts of \$101.87, \$91.52 and \$88.32 respectively and totaling \$281.71 be abated for reason that the mobile home no longer exists.

**Acted on 2-22-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**AMENDMENT TO CHAPTER 6 SECTION 2, SUBSECTION 6-216, TAXICABS,  
TAXI STANDS AND VEHICLES FOR HIRE**

Shall an ordinance entitled “Amendment to Chapter 6 Section 2 Subsection 6-216, Taxicabs, Taxi Stands and Vehicles for Hire” be adopted; such ordinance is for the purpose of amending the insurance requirements for taxicabs and other vehicles for hire, reading as follows:

Amend item 11 to read:

~~The applicant maintains at all times liability insurance coverage for the applicant and any drivers of taxicabs under this license in an amount not less than one hundred thousand dollars (\$100,000.00) each person and one hundred thousand dollars (\$100,000.00)~~

**11. The applicant maintains at all times minimum insurance requirements pursuant to MRSA Title 29-A Section 1611, or as amended and provides the Town Clerk a valid insurance certificate from an insurance company authorized by the Superintendent of Insurance to transact business in the State of Maine.**

**Adopted on 2-22-2007**

Yes \_\_\_\_ No \_\_\_\_\_

**Attested:**

**RESOLVE #R-2007-21 AWARDED BID FOR THE NEW TOWN DOCK  
GANGWAY**

Whereas, bids were requested for a new 4' X 35' gangway to replace the existing gangway extending from the town dock to the floats; and,

Whereas, bids were received from the following:

Dock Works, Inc.	\$ 6,700
Superior Docks	\$ 7,298
Prock Marine Co.	\$11,000

Whereas, all companies that submitted bids are fully qualified to satisfactorily complete the work; and,

Whereas, Maine Department of Transportation has to also approve this bid since they are providing 75% of the funding for the project; and,

Whereas, Pine Tree Engineering has reviewed the bids and recommends that the contract be awarded to the low bidder, Docks Works, Inc.:

Be it resolved by the Bucksport Town Council in town council assembled that the bid for the new gangway be awarded to Dock Works Inc. for the cost of \$6,700 and that such cost be paid for from the MDOT SHIP grant (75%) and Waterfront Reserve (25%).

Be it further resolved that the contract not be signed until it is approved by MDOT.

**Acted on 3-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-22 REGARDING APPOINTMENTS FOR THE ENSUING  
YEAR**

Whereas, the members of the Appointments Committee have recommended that the following individuals be appointed as follows:

That Arthur Sawyer continue his position as Sealer of Weights and Measurements, Douglas Gray as Harbor Master, Valerie Sulya as Health Officer; Kathy Downes as Registrar of Voters, and Jeffrey Hammond as Street Naming/Numbering Coordinator.

That Elaine Pelletier continues to serve on the Planning Board for a five-year term.

That Oliva Jacques continues to serve on the Board of Assessment Review for a three-year term.

That David Grant continues to serve on the Board of Assessment Review for a one-year term.

That Doug Robinson continues to serve on the Zoning Board of Appeals for a five-year term.

That Robert Mercer and Sean Geagan continue to serve on the Recreation Committee for a three-year term.

That Darci Bradstreet and Kathy Downes continue to serve on the Conservation Committee for a three-year term.

That Linda Plourde continues to serve on the Conservation Committee for a two-year term.

That Robert Carmichael, Oliva Jacques, Henry Bourgon, Tim Emery, Robert Briggs and Roger Raymond continue to serve on the Cemetery Committee.

Be it resolved by the Bucksport Town Council in town council assembled that the above listed individuals be appointed to the positions and for the terms as recommended by the Appointments Committee.

**Acted on 3-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-23 APPROVING BUDGET WORKSHOPS SCHEDULE TO  
REVIEW THE BUDGET FOR THE PERIOD 7-1-2007 TO 6-30-2008**

Be it resolved by the Bucksport Town Council in town council assembled that the following schedule of workshop dates be adopted in order to review the proposed budget for the period 7-1-2007 to 6-30-2008.

**PROPOSED SCHEDULE**

7:00 p.m., Thursday, March 22, 2007 – Protection (will include CIP)

7:00 p.m., Thursday, March 29, 2007- Recreation & Street & Ways (will include CIP)

7:00 p.m., Thursday, April 5, 2007- Health & Sanitation & Treatment Plant (will include CIP)

7:00 p.m., Thursday April 19, 2007 – Social Services, Cemeteries

7:00 p.m., Thursday, April 26, 2007- General Government, Revenues, Debt Service and remaining CIP

7:00 p.m., Thursday, May 3, 2007- Education

7:00 p.m., Thursday, May 17, 2007 Education, if needed

7:00 p.m., Tuesday, May 22, 2007 set preliminary budget

7:00 p.m., Thursday, May 31, 2007 hold public hearing and adopt final budget

**Acted on 3-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

## **RESOLVE #R-2007-25 REGARDING TAX ACQUIRED PROPERTY**

Whereas, the following properties became taxed acquired in December 2006; and,

Whereas, the Town Manager was instructed to notify the property owners to see if they wanted to redeem their property for taxes, interest and cost; and,

Whereas, the Town Manager was instructed to sell by sealed bid Map 52 Lot 11 taxed to Unknown; and,

Whereas, the following property owners responded as follows:

Todd Gifford, Map 20 -Lot 31- Offered payment arrangement of \$500 per month.

Julie Rainey, Map 05 Lot 72 -Offered payment arrangement of \$300 per month.

Joseph and Carol Ranzoni , Map 06 Lots 56 and 57- Offered payment arrangement of \$3,000 down payment and \$562 monthly.

Sarah White, Map 15 Lot 95 – Offered payment arrangement of \$100 monthly.

Joey and Roxanne Woodman, Map 21 Lot 37- No response but Mr. and Mrs. Keith French , son-in-law and daughter have offered to pay all taxes, interest and cost if the property is deeded to them. They are currently occupying the property as well as repairing the house.

Raymond and Jennifer Hutchinson, Map 29 Lot 10 – No response

Andrew and Ruth Osborne, Map 06 Lot 52 – No response

Unknown Lot, Map 52 Lot 11- Received one bid from Mark Bamford in the amount of \$1,100

Be it resolved by the Bucksport Town Council in town council assembled that the following action be authorized regarding the above listed tax acquired property:

1. Approve payment arrangements for Todd Gifford for Map 20 Lot 31, Julie Rainey for Map 5 Lot 72, Joseph and Carol Ranzoni for Map 6 Lots 56 and 57, and Sarah White for Map 15 Lot 95.
2. Accept bid from Mark Bamford for Map 52 Lot 11 in the amount of \$1,100 per condition that the balance of \$935 be paid within 5 days of receiving Notice of Award from the town.
3. That the property of Joey and Roxanne Woodman Map 21 Lot 37 be sold for taxes, interest and cost to Mr. and Mrs. Keith French daughter and son in law of the previous owner and currently occupants of the property.

4. Proceed with sale by bid of property formerly owned by Andrew Osborne Sr. and Ruth Osborne Map 06 Lot 52.
5. Proceed with eviction action and demolition of property Map 29- Lot 10 formerly owned by Raymond and Jennifer Hutchinson

**Acted on 3-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-24 OUTLINING INFORMATION REQUIRED BY TOWN  
COUNCIL IN CONJUNCTION WITH REVIEW AND APPROVAL OF THE  
SCHOOL BUDGET**

Be it resolved by the Bucksport Town Council in town council assembled and pursuant to Section 7.02 of the Town Charter that the Superintendent of Schools be informed that the following information will be required in conjunction with review and consideration of the 2007-2008 School Budget.

Be it further resolved that the Superintendent of Schools be required to submit the information two weeks prior to meeting with the Town Council to review the school budget.

**List of information to be submitted to Town Council for review of school budget**

Submit a list of actual expenditures by account for 2005-2006 and projected expenditures by account for 2006-2007. Also include amount and percent of increase or decrease for all accounts.

Submit a list of current and proposed salaries, stipends and benefits for all full-time and part-time administrative employees. This is to include but is not limited to all principals, assistant principals, superintendent of schools, special education director, curriculum director, office manager, adult education director, maintenance supervisor, technology director, guidance councilors, secretaries and lunch program director.

Submit information identifying the current and proposed cost of health insurance for all categories including single subscribers, family subscribers and employee with dependents (spouse or child), the employee and employer share for each category and number of employees in each category. Provide a list of all employees who will not provide an employee share of the health insurance premium for the proposed year.

Submit a copy of the current and proposed (if possible) teacher salary scale including all steps and COLA.

Submit a copy of the current and proposed (if possible) wage scale for all teacher aids and custodians.

Submit a list and associated cost for all positions to be eliminated or to be added.

Submit a list and associated cost for all programs and services to be eliminated or to be added.

Submit a summary of all significant budget increases or decreases.

Submit a list of all categories exceeding the essential program and service limits and rationale for exceeding the limits.

Submit comparison of Bucksport's per student cost verses the cost for other comparable communities and state.

Submit comparison of Bucksport's teacher salaries verses the cost for other comparable communities and state.

Submit a copy of all salary studies used to substantiate wage or salary increases.

Submit a copy of the 2005-2006-school audit report.

Submit budget in "line budget format" as outlined by Section 6.07 of the Town Charter.

Submit summary of test scores and comparisons with other similar communities and state.

Submit school population by grade for the last two years.

Submit a copy of the agreement to provide administrative services to Orland including details outlining the financial considerations.

Submit comparison of administrative cost to other comparable school systems.

**Acted on 3-8-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested**

\_\_\_\_\_  
**Kathy Downes, Town Clerk**

## **TOWN MANAGER'S REPORT**

Economic Development Plan- The consultant, The Chesapeake Group, Inc. has completed development of the telephone survey instrument, development of the logistics for the telephone survey of residents, development of the business survey instrument, initiated development of all printing and logistics for the business survey, including the development of a list of recipients, initiated and completed the preliminary comparative assessment. The next step will be to complete the telephone survey and the analysis using the survey results and other available data.

Housing Study- Planning Insight has completed their preliminary market study and are now meeting with the different funding agencies to determine the funding that might be available to carry out the housing activities that the market study will support. The report should be completed within the next few weeks.

Bathrooms and Concession Stand Project- The final plans are 95% complete. Once the committee has meet to review the final plans, which is expected to occur sometime in April, the plans will be brought to the Town Council and School Board for final approval.

Treatment Plant Improvements- The new pipe extending from the pretreatment to the clarifiers has been installed. The final pour of concrete should be completed during the week of March 12. All equipment should be installed by the first week of April and the project completed by April 15, just in time for the spring run-off.

Silver Lake Property- A new trail approximately one-half mile was cleared by the Highway Department this past winter. A map has been prepared outlining the entire trail system on the property. The site now offers approximately 3 miles of walking trails. Some of the trails are very accessible while others are quite remote.

CSO Project- The project was put out to bid on March 3, 2007. A pre-bid conference will be held on March 16 at 10:00 a.m. and bids will be accepted on March 30 at 2:00 p.m. During the week of March 12, several asbestos abatement contractors will be asked to submit quotes to remove the asbestos in the building. These will be brought to the Town Council for action during the March 29 town council meeting.

Gardner School Project- The construction contract should be signed within the next two weeks. The firm commitment should be received by the first week in April while the closing will occur the last week of May. Construction is expected to begin the first week in June. During the week of March 12, County Abatement will be removing the asbestos tiles from the building.

Wood Property Purchase- The town attorney is currently completing the title opinion and preparing the deed. We are currently on scheduled to close the week of March 19.

Land Use Ordinance Update- The Ordinance Committee has had five meetings to review the proposed ordinance. It is expected that five additional meetings will be necessary to complete the project. The goal is to have the project completed by late summer.

Miles Lane Trail - All work has been completed except for installing informational signs. The signs will be installed sometime in late April or early May. There is still a need for the Highway crew to add some crusher dust on the upper end of the trail which should be completed within the next few weeks. A map has been prepared outlining the trails.

Financial Update- I am providing for your review a summary of the revenues and expenditures to 2-28-2007. As previously reported, the revenues are in line or exceeding projections while expenditure are within projections except for the audit cost.

**RESOLVE #R-2007-26 AUTHORIZING EXPENDITURES FOR TRANSFER  
STATION RESERVE**

Whereas, the town is currently renting a shipping trailer to temporality store television sets and computer monitors until 16,000 pounds can be obtained to send for recycling; and,

Whereas, its has been determined that the existing rented trailer is to small and the town would be better served by having its own trailer that is large enough to handle 16,000 pounds; and,

Whereas, it is critical to have a minimum of 16,000 pounds in order to avoid shipping cost; and,

Whereas, it has been difficult to load the existing trailer because it is to small and does not provide the necessary height in the trailer to make it safe for workers; and,

Whereas, it has been determined that it would be more financially feasible for the Town to own the trailer; and,

Whereas, in order to use a truck trailer, it is necessary to extend the existing retaining wall to accommodate the new trailer; and,

Whereas, quotes were requested from area contractors and the following were received:

Wardwell Contracting	\$2,767.10
Wardwell Construction and Trucking	\$1,450.00

Be it resolved by the Bucksport Town Council in town council assembled that the contract be awarded to Wardwell Construction and Trucking Corporation in the amount of \$1,450 and the cost be charged to Transfer Station Reserve Account.

**RESOLVE #R-2007-27 AUTHORIZING EXPENDITURE FROM TOWN OFFICE  
EQUIPMENT RESERVE**

Whereas, the 2006-2007 Capital Improvement Plan called for installing an additional terminal and printer at the counter; and,

Whereas, to accommodate the new terminal a processor was also required; and,

Whereas, the cost to provide the new equipment is \$1,825.94:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of \$1,825.94 for a new terminal and printer be authorized in the amount of \$1,825.94 and that such cost be charged to the Town Office Equipment Reserve Account.

**RESOLVE #R-2007-28 APPROVING ASBESTOS STUDY FOR THE SO-CALLED WOOD PROPERTY**

Whereas, requests were made for proposals to conduct an Asbestos Impact Study for the so-called Wood Building recently acquired by the Town; and,

Whereas, one proposal was received from Eastern Skies Environmental Services in the amount of \$1,350; and,

Whereas, the study is necessary prior to demolition of the building:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to conduct an Asbestos Impact Survey of the Wood building be authorized in an amount not to exceed \$1,350 and that such cost be charged to the TIF Revenue Account.

**Adopted 3-29-2007**

Yes \_\_\_ No \_\_\_

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**Attested, Secretary Pro-Temp  
Roger Raymond, Town Manager**

**FINANCING REBUILD OF THE STREET SWEEPER**

Shall an ordinance entitled "Financing Repairs to the Street Sweeper" be adopted such ordinance reading as follows:

That the Town Council be authorized to raise and expend a sum not to exceed \$135,000 for the purpose of rebuilding the street sweeper.

Note: The cost of purchasing a new sweeper is \$200,000 while rebuilding the existing sweeper will achieve the same results for a lesser cost.

**Introduced 4-12-2007**

Yes \_\_\_\_ No \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-32 AWARDING CONTRACT FOR WINTER  
MAINTENANCE FOR ROUTE 46 FOR THE 2007-2008 SNOW SEASON**

Whereas, Eugene Berry d/b/a Berry's Septic Service has provided snow removal and sanding services on Route 46 for the previous four years; and

Whereas, Berry's Septic Service has offered to continue the contract for the 2007-2008 snow season for the same conditions as the previous year except that at a 4% inflation factor be added to the contract price increasing the amount to \$37,440; and,

Whereas, Berry's Septic has done a good job in the previous year fulfilling the terms of the contract:

Be it resolved by the Bucksport Town Council in town council assembled that the contract for plowing Route 46 with Gene Berry d/b/a Berry's Septic Service be extended for the 2007-2008 snow season pursuant to the same conditions as the previous contract with exception that the contract price be set at \$37,440.

**Adopted 4-12-2007**

Yes \_\_\_\_ No \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-33 EXTENDING CONTRACT FOR TRUCKING AND  
DISPOSAL OF DEMOLITION DEBRIS AND CLEAN WOOD FOR THE  
2007-2008 FISCAL YEAR**

Whereas, D. M. & J. has provided, since 2002, a site for disposal of clean wood and demolition debris from the Bucksport Transfer Station, rental of three roll-off containers and transported the containers to the appropriate disposal sites; and,

Whereas, D. M. & J. has proposed to continue this service for the same conditions as the previous year except that a fuel escalation provision be included in the contract as follows:

Wood Waste and Demo

Fuel Prices	Per Trip
Up to \$3.00	\$100.00
\$3.00 to \$3.25	\$102.50
\$3.26 to \$3.50	\$105.00
\$3.51 to \$3.75	\$107.50
\$3.76 to \$4.00	\$110.00
\$4.01 to \$4.25	\$112.50
\$4.26 to \$4.50	\$115.00
\$4.51 to \$4.75	\$117.50
\$4.76 to \$5.00	\$120.00

Asphalt Shingles

Up to \$3.00	\$425.00
\$3.00 to \$3.25	\$440.75
\$3.26 to \$3.50	\$456.50
\$3.51 to \$3.75	\$472.25
\$3.76 to \$4.00	\$488.00
\$4.01 to \$4.25	\$503.75
\$4.26 to \$4.50	\$519.50
\$4.51 to \$4.75	\$535.25
\$4.76 to \$5.00	\$551.00

Be it resolved by the Bucksport Town Council in town council assembled that the contract with D.M. & J. to dispose and transport clean wood and demolition debris, to transport asphalt shingles to Scarborough and to rent three roll-off containers be extended for the period 7-1-2007 to 6-30-2008 for the same conditions as the previous year except that the fuel escalator outlined above be included as part of the contract.

**Adopted 4-12-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-34 APPROVING EXPENDITURE FOR THE ANIMAL  
SHELTER**

Whereas, improvements had to be made to the animal shelter to comply with licensing requirements, and,

Whereas, these improvements included painting the interior of the building and installing new plywood separators between stalls; and,

Whereas, the cost of the improvements was \$203.64

Be it resolved by the Bucksport Town Council in town council assembled that expenditures totaling \$203.64 for repairs to the Animal Shelter be approved and that such costs be charged to the Dog Kennel Reserve Account.

**Adopted 4-12-2007**

**Yes** \_\_\_\_ **No** \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-35 APPROVING EXPENDITURE FROM THE  
AMBULANCE RESERVE ACCOUNT**

Whereas, emergency repairs had to be completed to Ambulance 2; and,

Whereas, the cost of these repairs was \$2,225.35:

Be it resolved by the Bucksport Town Council in town council assembled that emergency repairs to Ambulance 2 in the amount of \$2,225.35 be approved and such cost be charged to the Ambulance Reserve Account.

**Adopted 4-12-2007**

Yes \_\_\_\_ No \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-36 AWARDDING CONTRACT FOR HAULING SOLID  
WASTE TRAILERS TO PERC**

Whereas, Wardwell Construction and Trucking Corporation has proposed to extend its contract to haul the two solid waste compactor trailers from the Bucksport Transfer Station to PERC for the same contract conditions as the previous year except that a inflation factor of 5% be added to the contract price; and,

Whereas, Wardwell Construction and Contracting is satisfactory meeting its contract obligations for the current year:

Be it resolved by the Bucksport Town Council in town council assembled that the contract with Wardwell Construction and Trucking Corporation to haul the solid waste compactor trailer be extended for the 2007-2008 fiscal year pursuant to the same conditions as the current year with exception that the contract price be increased by 5% to \$157.50 per pull.

**Adopted 4-12-2007**

Yes \_\_\_\_ No \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**CONSIDER RESOLVE #R-2007-37 REGARDING OFFER TO PURCHASE  
LAND ADJACENT TO THE BUCKSPORT MIDDLE SCHOOL**

Whereas, Buck Estate owns 51.047 acres adjacent to the Bucksport Middle School; and,

Whereas, Buck Estate has offered to sell this property to the Town for a cost of \$99,000;and,

Whereas, this type of issue is normally referred to the Finance Committee for review and a recommendation:

Be it resolved by the Bucksport Town Council in town council assembled that the offer to purchase 50+ acres of property from the Bucksport Estate located adjacent to the Bucksport Middle School be referred to the Finance Committee for a recommendation.

**Adopted 4-12-2007**

**Yes** \_\_\_\_ **No** \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-38 AUTHORIZING EXPENDITURE TO ABATE A  
NUISANCE AT THE MURRAY PROPERTY**

Whereas, the Town of Bucksport received an order from Fifth District Court that Scott Murray remove the garbage from his building located on Nicholson Avenue within 30 days from receipt of the order; and

Whereas, Mr. Murray has not complied with the order of the Court; and,

Whereas, since Mr. Murray did not comply, the Town can enter the property to abate the site pursuant to 30-A M.R.S.A. Section 3758-(4) by removing all garbage to the satisfaction of the Code Enforcement Officer and the associated costs to abate taxed to the premises as a special assessment; and,

Whereas, the Town has received several proposals to complete the work; and

Whereas, the Town would provide a roll off container to dispose of the waste; and

Whereas, the cost is estimated not to exceed \$2,500

Be it resolved by the Bucksport Town Council in town council assembled that it be ordered that garbage located at the property of Scott Murray located on Nicholson Avenue be removed from the property as authorized by Court Order dated 2-6-2007 Docket CV-99-209 under the supervision of the Code Enforcement Officer for a cost not to exceed \$2,500.

Be it further ordered that a tax in the amount of the cost to abate the nuisance be assessed as a special assessment against the property as per 30-A M.R.S.A. Section 3758-A (4).

**Adopted 4-12-2007**

**Yes \_\_\_\_\_ No \_\_\_\_\_**

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-39 REFERRING MATTER OF IDLING EQUIPMENT TO  
THE ORDINANCE COMMITTEE**

Whereas, Sharon Dunbar has requested that the Town Council consider adopting an ordinance that will prohibit a property owner from allowing a vehicle to idle on their property when it is determined to cause a public nuisance; and,

Whereas, Ms. Dunbar has also requested that this ordinance extend to noisy vehicles traversing on Route 15 in the vicinity of her home; and,

Whereas, the Town Council previously discussed this issue and was hoping that the matter would be addressed on a voluntary basis without town council intervention; and,

Whereas, according to Ms. Dunbar that has not occurred:

Be it resolved by the Bucksport Town Council in town council assembled that the matter pertaining to noisy vehicles traversing the public way in the vicinity of Ms. Dunbar home is not a matter of standing with the Town Council since this would be difficult to regulate and enforce.

Be it further resolved that the matter of idling equipment be referred to the Ordinance Committee for a recommendation.

**Adopted 4-12-2007**

Yes \_\_\_\_ No \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-40 REFERRING PROPOSED AMENDMENT TO THE  
SHORELAND ZONING ORDINANCE, AND LAND USE ORDINANCE TO THE  
ORDINANCE COMMITTEE**

Whereas, the Economic Development Director, in conjunction with the Code Enforcement Officer, request that the Town Council consider amending the Shoreland Zoning Ordinance and Land Use Ordinance to include language that is consistent with both ordinances; such pertaining to the method to demonstrate right, title or interest in a property when applying for a Shoreland and Land Use permit; and,

Whereas, it has been also requested that the issue be addressed separately from the ordinance review that is currently ongoing; and,

Whereas such requests are usually referred to the Ordinance Committee for a recommendation:

Be it resolved by the Bucksport Town Council in town council assembled that the request made by the Economic Development Director in conjunction with the Code Enforcement Officer to have the Town Council adopt an amendment to the Shoreland Zoning Ordinance and Land Use Ordinance that will clarify the instruments to demonstrate legal right, title or interest in the property that an application is being submitted to the Ordinance Committee for a recommendation.

**Adopted 4-12-2007**

**Yes** \_\_\_\_ **No**\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-41 AUTHORIZING EXPENDITURE FROM THE TOWN GARAGE RESERVE**

Whereas, there was a need to pump the oil from the underground oil separation tank located at the Town Garage; and,

Whereas, this tank is normally pumped out every three to four years; and,

Whereas, it became necessary recently to have the tank pumped; and,

Whereas, this cost is normally charged to the Town Garage Reserve Account; and,

Whereas, the cost for the service and disposal was \$2,098.02:

Be it resolved by the Bucksport Town Council in town council assembled that the cost of pumping out the oil from the oil separation tank located at the Town Garage in the amount of \$2,098.02 be charged to the Town Garage Reserve Account.

**Adopted 4-12-2007**

Yes \_\_\_ No \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-42 AUTHORIZING REQUEST FOR PROPOSAL FOR THE ANNUAL AUDIT**

Whereas, it is recommended that Request for Proposals be authorized from interested firms to complete the general audit for the Town and School Department for the fiscal year beginning July 1, 2006 and ending June 30,2007; and,

Whereas a copy of the Request for Proposal prepared by the Finance Director and reviewed by the Town Manager and Superintendent of Schools has been provided to the Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that the Finance Director be authorized to seek proposals for the annual audit for the Town of Bucksport including the Bucksport School Department from qualified firms and that such proposals be brought back to the Town Council for consideration.

**Adopted 4-12-2007**

**Yes** \_\_\_\_ **No** \_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-29 AWARDDING CONTRACT FOR THE CSO PROJECT**

Whereas, the Town of Bucksport requested bids for construction of a Combined Sewer Overflow Project (CSO) to be located at so-called Perry's Landing; and,

Whereas, bids were received from four bidders as outlined by the attached bid tally sheet; and,

Whereas, the project engineer has recommended that the contract be awarded to the low bidder, Penta Corporation of Moultonboro, New Hampshire in the amount of \$1,937,900; and,

Whereas, as part of the bid, an additive alternate to construct the handicap access ramp and restroom fixtures and appurtenances in the amount of \$30,000 was included; and,

Whereas, the cost of the bathrooms does not qualify for Rural Development funds; and,

Whereas, the project engineer with the firm Wright-Pierce recommends that the contract be awarded to the low bidder, Penta Corporation; and,

Whereas, Penta Corporation is currently completing value engineering for the project and will provide recommendations to reduce the cost of the project, including the alternate:

Be it resolved by the Bucksport Town Council in town council assembled that the bid for the CSO Treatment Facility be awarded to Penta Corporation pending approval of the award by Rural Development and DEP and the project cost is to be paid from proceeds of the grant and loan received from Rural Development which were previously accepted by the Town Council.

Be it further resolved that the alternate for the bathroom facility be accepted in an amount not to exceed \$30,000 pursuant to the condition that Penta Corporation provides its recommendation on how to reduce the cost of the project and such recommendation be brought back to the Town Council for final approval.

**RESOLVE R-2007-30 AWARDING CONTRACT FOR ASBESTOS REMOVAL  
FROM THE BRAUN BUILDING**

Whereas, the Town of Bucksport requested proposals for removal of the asbestos from the so-called Braun Building; and,

Whereas, the following proposals were received:

Statewide Asbestos Removal	\$7,800
Meadows Abatement, Inc.	\$9,980
Riverside Lane Corporation	\$15,650
County Abatement	\$15,620

Be it resolved by the Bucksport Town Council in town council assembled that the contract for removal of asbestos from the so-called Braun Building be awarded to Statewide Asbestos Removal in the amount of \$7,800 pursuant to the condition that Rural Development approves the award.

Be it further resolved that the cost of the project be paid from proceeds of the grant and loan received from Rural Development which were previously accepted by the Town Council.

**RESOLVE #R-2007-31 AWARDING CONTRACT FOR DEMOLITION OF THE  
BRAUN AND WOOD BUILDINGS**

Whereas, proposals were requested to demolish and remove the debris from the Braun and Wood Buildings; and,

Whereas, quotes were received as follows:

Wardwell Construction and Trucking	\$38,500
Sitewerx	\$54,965
Wardwell Contracting	\$94,700
D.M. & J Enterprise, Inc.	\$95,000

Be it resolved by the Bucksport Town Council in town council assembled that the contract for demolition and removal of the debris from the former Braun and Curtis Wood Buildings be awarded to Wardwell Construction and Trucking in the amount of \$38,500 pending approval of the contract award by Rural Development.

Be it further resolved that the cost of removing the Braun Building be charged to the CSO Project and the cost of removing the Curtis Wood Building be charged to TIF Revenues.

**FINANCING REPAIRS TO THE STREET SWEEPER**

Shall an ordinance entitled "Financing Repairs to the Street Sweeper" be adopted, such ordinance reading as follows?

That the Town Council be authorized to raise and expend a sum not to exceed \$135,000 for the purpose of rebuilding the street sweeper.

Note: The cost of purchasing a new sweeper is \$200,000 while rebuilding the existing sweeper will achieve the same results and the cost will be paid from Highway Equipment Reserve.

**Adopted: April 26, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-32 AUTHORIZING TOWN MANAGER TO EXERCISE PURCHASE AND SALES AGREEMENT FOR THE BRAUN PROPERTY**

Whereas, the Town of Bucksport entered into a Purchase and Sales Agreement to purchase the so-called Braun's building located at the intersections of Route 15 and Route 1 to construct a Combined Sewer Overflow Project; and,

Whereas, the town Council has voted to award the construction project pending approval from rural Development; and,

Whereas, approval has been received; and,

Whereas, the Purchase and Sales Agreement expires April 30:

Be it resolved by the Bucksport Town Council in town council assembled that the Town Manager be authorized to exercise the Purchase and Sales Agreement to purchase the so-called Braun Property to construct a CSO Project pursuant to conditions outlined by the Purchase and Sales Agreement between Isaac-Pierce Building and the Town of Bucksport dated 11-9-2006.

**Adopted: April 26, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-33 AWARDDING CONTRACT FOR PURCHASE OF  
PAVEMENT**

Whereas, bids were requested for the Town's pavement needs for the 2007 construction season; and,

Whereas, bids were received as follows:

Item	Lane		Thibodeau	
Binder (ton)	\$59.95	\$66,245	\$57.90	\$63,980
Grinding (sq. yard)	\$15.00	600	\$12.00	480
Surface (ton)	\$62.95	115,451	\$57.90	106,189
Parking Lots Surface (ton)	\$70.00	7,000	\$75.00	7,500
Hand Placed (ton)	\$95.00	6,650	\$110.00	7,700
Maintenance Mix (ton)	\$63.00	12,600	\$ 62.00	12,400
Curbing (linear ft.)	\$ 6.00	9,600	\$ 4.75	7,600
Reclaiming (sq. yard)	\$ 1.25	11,000	.80	<u>7,040</u>
<b>Total based on estimated units</b>		<b>\$229,146</b>		<b>\$212,889</b>

Be it resolved by the Bucksport Town Council in town council assembled that the bid for pavement for the 2007 construction season be awarded to Vaughn Thibodeau & Sons, Inc. for the unit prices outlined above.

**Adopted: April 26, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-34 REASSIGNING MORTGAGE OF LINDA LAJEUNESSE  
D/B/A WATERWORLD SEAFOOD**

Whereas, Linda LaJeunesse has requested that she be allowed to transfer her mortgage on property owned in the industrial park to a new owner; and,

Whereas, this is the first such request received by the Town; and,

Whereas, conditions should be outlined by the Town Council that will allow for transfer of a mortgage deed for property in the industrial park:

Be it resolved by the Bucksport Town Council in town council assembled that the request of Linda LaJeunesse d/b/a Waterworld Seafood to transfer her mortgage in the industrial park be referred to the Finance Committee for a recommendation.

**Adopted: April 26, 2007**

**Yes** \_\_\_ **No** \_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-35 AWARDING CONTRACT FOR DISPOSAL OF SCRAP METAL AND TIN CANS COLLECTED AT THE TRANSFER STATION**

Whereas, the Town of Bucksport has received two proposals to dispose of scrap metal and tins cans collected at the Transfer Station; and,

Whereas, proposals were received from Industrial Metal and DM & J; and,

Whereas, Industrial Metal has been providing this service to the Town for over fifteen years; and,

Whereas, after evaluation of the proposals by the Town Manager, it has been determined that the most financially favorable proposal is that of Industrial Metal; and,

Whereas, the new proposal from Industrial Metal will result in a reduction for rental of three containers from \$3,000 to \$1,500 and payment for steel cans estimated to generate new revenue in the amount of \$1,500 annually:

Be it resolved by the Bucksport Town Council in town council assembled that the contract to remove and dispose of tin cans and scrap iron collected at the Transfer Station be awarded to Industrial Metal for the period 7-1-2007 to 6-30-2008 pursuant to the following conditions:

1. Contractor will provide three containers for a fee of \$500 annually for each container
2. Contractor will pay the town market price for tin cans and there will be no charge for transporting the container to market
3. Contractor will bill the town \$100 for each scrap metal service call
4. Contractor will charge \$12.00 per appliance containing R-12 freon and \$15.00 per appliance containing R-22 freon
5. Contractor will pay the Town 50% of the AMM Price Index for all scrap metal removed from the transfer station

**Adopted: April 26, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-36 APPROVING EXPENDITURE FROM THE PUBLIC  
ACCESS RESERVE ACCOUNT**

Whereas, the Capital Improvement Plan calls for adding one new camera and speaker in the Town Council Chamber; and,

Whereas, it is proposed to install capture capability in the media play system to be able to rebroadcast any production without having to man the equipment; and,

Whereas, a cost of \$2,172 has been presented by Castine Computer Services to provide and install the equipment:

Be it resolved by the Bucksport Town Council in town council assembled that expenditure not exceeding \$2,172 be authorized from the Public Access Reserve Account to install one new camera and speaker in the town council chamber and capture capability to rebroadcast without having to man the equipment.

**Adopted: April 26, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE R-2007-37 REGARDING POLICY TO WRITE-OFF BAD DEBT FOR  
THE AMBULANCE SERVICE**

Whereas, the Finance Director has been charged with the responsibility of organizing the financial records for the ambulance service and interfacing these records within the general fund of the town; and,

Whereas, as part of this task it is necessary to establish a Write-off Policy for bad debt and third party allowances; and,

Whereas, such a policy has been developed and is being proposed, a copy of which is attached to this resolve: and,

Whereas, it is proposed to write-off aged receivable from January 2004 and prior totaling \$66,885.27:

Be it resolved by the Bucksport Town Council in town council assembled that the Policy to Write-off Bad Debt and Third Party Allowances for the Bucksport Ambulance Service be adopted, a copy of which be made part of this resolve.

Be it further resolved that the Finance Director be authorized to write off aged accounts receivables including third party allowances for the period January 31, 2004 and prior in the amount of \$66,885.27.

**Adopted: April 26, 2007**

**Yes**\_\_\_\_ **No**\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-38 AUTHORIZING EXPENDITURE FROM POLICE  
EQUIPMENT RESERVE ACCOUNT**

Whereas, the Bucksport Police Department proposes to purchase seven new ballistic vests for officers of Department at a cost of \$700 each; and,

Whereas, the current vests were purchased in 2001 and have reached expected life; and,

Whereas, the Department has the opportunity to apply for a grant equal to 50% of the cost of the vests from Gall's Incorporated; and,

Whereas, there is adequate funding in the Police Equipment Reserve Account to fund the local share of the cost of the new vests:

Be it resolved by the Bucksport Town Council in town council assembled that the Police Department be authorized to apply for a grant in the amount of \$2,450 from Gall's Incorporated to apply towards the purchase of seven new ballistic vests.

Be it further resolved that an expenditure not to exceed \$2,450 be authorized from the Police Equipment Reserve Account to fund the Town's portion of the purchase.

**Adopted: May 3, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-39 REGARDING OFFER TO PURCHASE LAND  
ADJACENT TO BUCKSPORT MIDDLE SCHOOL**

Whereas, the Town of Bucksport has been extended the opportunity to purchase 50+ acres adjacent to the Bucksport Middle School by Buck Estates; and,

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

Whereas, the members of the Finance Committee have met and recommend that the Town of Bucksport not pursue, at this time, the purchase of the 50+ acres adjacent to the Bucksport Middle School as offered by Buck Estates; and,

Whereas, the members appreciate the opportunity extended by the owners of Buck Estates, but the need for the property at this time is not apparent; therefore,

Be it resolved by the members of the Bucksport Town Council in town council assembled that the representative for Buck Estates be notified by the Town Manager that the Town declines the opportunity to purchase the property at this time.

Be it further resolved that the members of the Town Council extend their gratitude to the owners of Buck Estates for the opportunity extended to the Town.

**Adopted: May 10, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-40 AWARDED CONTRACT FOR SUBSURFACE  
DISPOSAL SYSTEM**

Whereas, the Town of Bucksport has received a grant award pursuant to the DEP Small Community Project Grant Program to construct a subsurface wastewater disposal system on property of Phillip Alberts; and,

Whereas, the Bucksport Town Council previously voted to accept the grant; and,

Whereas, competitive bids were obtained for the project and the low bidder was S.F. Eastman, LLC in the amount of \$10,575.00; and,

Whereas, it was recommended by the Code Enforcement Officer, Jeff Hammond, that the contract be awarded to S.F. Eastman, LLC; and,

Whereas, there is sufficient grant funds to cover the cost; therefore,

Be it resolved by the Bucksport Town Council in town council assembled that the contract for installation of a subsurface wastewater disposal system on property of Phillip Alberts, that was awarded to S. F. Eastman, LLC, be approved on the condition that the DEP Small Community Project Grant Program will cover all costs.

Be it further resolved that the contract, as awarded, be administered by the CEO according to the provisions of the program.

**Adopted: May 10, 2007**

**Yes** \_\_\_ **No** \_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-41 REGARDING GUARANTEED TONNAGE AT MRC**

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 2,350 tons while the last two years average is 1,980 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 150 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 150 tons, or to 2,200 tons.

**Adopted: May 10, 2007**

**Yes**\_\_\_\_ **No**\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-42 AWARDING CONTRACT FOR DISPOSAL OF  
ASPHALT SHINGLES**

Whereas, the Town has received a proposal from D.M. & J. to dispose of asphalt shingles collected at the Bucksport Transfer Station; and,

Whereas, the shingles are being shipped to Scarborough at a cost of approximately \$80 per ton; and,

Whereas, D.M. & J. has agreed to collect, transport and dispose of the shingles for \$70 per ton for the period 6-1-2007 to 6-30-2008; and,

Whereas, D.M. & J. currently has a contract with the Town to dispose of all demolition debris and clean wood as well as to transport the containers of shingles to Scarborough; and,

Whereas, the Town generates approximately 200 tons of shingles per year, resulting in a potential savings of \$2,000 annually; therefore,

Be it resolved by the Bucksport Town Council in town council assembled that the contract for disposal of shingles delivered to the Bucksport Transfer Station be awarded to D.M. & J. for a contract price per ton of \$70.00 that is to include a 30 cubic yard container, transportation and disposal.

Be it further resolved that the contract be for the period June 1, 2007 to June 30, 2008.

**Adopted: May 10, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

\_\_\_\_\_

**RESOLVE #R-2007-43 ACCEPTING CANOPY GRANT FROM MAINE FOREST SERVICE**

Whereas, the Town of Bucksport applied for a grant in the amount of \$3,035 from Maine Forest Service to plant shade trees along Forest Hill and Miles Lane and to establish a buffer along property owned by Sheldon Eastman located off Woodland Heights; and,

Whereas, the grant requires matching funds in the amount of \$2,235 from the Town; and,

Whereas, funds are available from the Forest Program Account to cover the local share; and,

Whereas, an in-kind match of \$1,164 will be provided in addition to the cash match; therefore,

Be it resolved by the Bucksport Town Council in town council assembled that a grant in the amount of \$3,035 from the Urban and Community Forestry Project Canopy Community Forest Assistance Program be accepted.

Be it further resolved that local funds not to exceed \$2,235 be authorized from the Forest Program Account.

**Adopted: May 10, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

\_\_\_\_\_

**RESOLVE #R-2007-44 AUTHORIZING PURCHASE OF A BOAT FOR USE BY  
THE HARBOR MASTER IN BUCKSPORT HARBOR**

Whereas, the Town of Bucksport is in need of a boat for use by the Harbor Master and/or designee to serve the Bucksport Harbor; and,

Whereas, a boat has been identified that should be suitable for the purpose at a cost not to exceed \$7,500; and,

Whereas, the members of the Boat Study Committee recommend the purchase until a larger boat can be obtained through the Federal Surplus Program; and,

Whereas; an additional \$500 is being requested to purchase necessary safety equipment for the boat; therefore,

Be it resolved by the Bucksport Town Council in town council assembled that the Harbor Master under the direction of the Boat Study Committee be authorized to expend an amount not to exceed \$8,000 to purchase a boat and necessary safety equipment for use by the Harbor Master and or his designee.

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

**Adopted: May 10, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

\_\_\_\_\_

**RESOLVE R-2007-45 AUTHORIZING EXPENDITURE FROM TOWN GARAGE RESERVE**

Whereas, modifications are needed of two monorail systems at the Town Garage, and such project was included as an activity in the 2006-2007 Capital Improvement Plan; and,

Whereas, a quote has been received from Somatex, a company qualified to complete the work in the amount of \$9,780; and,

Whereas, this project is necessary in order to satisfy safety regulations; therefore,

Be it resolved by the Bucksport Town Council in town council assembled that the contract to modify two existing monorails located at the Town Garage in order to comply with safety requirements be awarded to Somatex in an amount not to exceed \$9,780.

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

**Adopted: May 10, 2007**

Yes\_\_\_\_ No\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-46 SETTING RATE FOR DISPOSAL OF MERCURY  
ADDED PRODUCTS**

Whereas, the Town of Bucksport operates a facility that is licensed to accept mercury added products; and,

Whereas, the Town assesses a fee equal to the Town's actual cost of disposal; and,

Whereas, Uniwaste Services, LLC, the company currently serving the Transfer Station, has increased its fee as outlined by the attached fee schedule; therefore,

Be it resolved by the Bucksport Town Council in town council assembled that the fees to be charged to the citizens of Bucksport and Orland for disposal of mercury added products be set equal to the Town's cost of disposal.

Be it further resolved that the current fee schedule is attached as part of this resolve.

**Adopted: May 10, 2007**

**Yes**\_\_\_\_ **No**\_\_\_\_\_

**Attested: Kathy Downes, Town Clerk**

\_\_\_\_\_

**RESOLVE R-2007-47 AUTHORIZING CONTRACT FOR REMOVAL OF  
ASBESTOS AT THE FORMER WOOD PROPERTY**

Whereas, a quote has been received from Statewide Asbestos to remove the asbestos from the former Curtis Wood Building; and,

Whereas, the quote is for \$2,900; therefore,

Be it resolved by the Bucksport Town Council in town council assembled that the contract for removal of asbestos from the former Curtis Wood Building located on Perry's Landing be awarded to Statewide Asbestos in the amount of \$2,900.

Be it further resolved that the cost of the removal be charged to the CDBG Program Income Fund.

**Adopted: May 10, 2007**

**Yes** \_\_\_ **No** \_\_\_

**Attested: Kathy Downes, Town Clerk**

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## TOWN MANAGER'S REPORT

**Gardner School Project:** The deed transferring the property to Gardner Commons Development Corporation will be available for signing by the Town Council at the May 22nd meeting. The closing is still scheduled to occur June 1.

**CSO Project:** The former Braun's Building should be fully demolished by May 18. A preconstruction meeting has been scheduled for May 22. The Town Council will be asked to award the contract for temporary financing during the May 22nd Town Council meeting.

**New Ramp Town Dock-** The new ramp has been installed. A top plate merging the deck to the dock and ramp still has to be fabricated and installed. This should complete the project. I have requested that the contractor who fabricated the ramp provide the Town a quote to fabricate a plate to be installed at every joint on the main float. There are nine joints. Once I receive the quote, I plan to give my approval unless I think the cost is unreasonable. This will remedy what I believe to be an ongoing safety issue with the floats.

**Treatment Plant Operator-** I will have completed the preliminary interviews by Friday May 11. I plan to have the Appointments Committee schedule a meeting during the week of May 14<sup>th</sup> to interview three candidates and to render a recommendation to the Town Council by May 22.

**Town's Web Site-** Requests will be sent out by the end of May to obtain quotes from interested consultants to assist with development of the Town's web site. Once proposals are received and evaluated, the Town Council will be asked to make a selection.

**Road Projects-** The Highway Department has completed graveling the Power Line Road. The road should be paved by the end of June. A decision had to be made where to set the limits for the project. A portion of the Powerline Road, from Evergreen Cemetery to the Cole Road was discontinued in 1950. For that reason, the project was stopped 200 feet beyond the cemetery property or to the edge of the powerline property, in order to have a suitable area to maintain a turnaround. Beyond that point, the Town would have to obtain an easement from the property owners. That means we stopped short about 200' from where we usually turn around. Unless we claim that we have obtained rights by adverse possession, and that would only afford the town the area that has been actually used and not what is adequate for a proper road and turn around, we do not have the legal rights to go beyond where we stopped unless we get the necessary deed to the property.

**Financial Update-** Attached are the Expense and Revenue Reports ending 4-30-2007. There are no major surprises except those previously discussed. Should you have any questions regarding either of the reports, please feel free to contact me.

**RESOLVE #R-2007-48 ADOPTING TOWN BUDGET FOR PERIOD  
7-1-2007 TO 6-30-2008**

Be it resolved by the members of the Bucksport Town Council in town council assembled that expenditures for the town budget totaling \$16,990,823 for the period 7-1-2007 to 6-30-2008 be approved as follows:

50	General Government	\$ 1,278,236
51	Protection	1,322,991
52	Street & ways	804,415
53	Health & Sanitation	441,888
54	Community & social Agencies	56,502
55	Education	11,834,980
56	Recreation & Cultural	214,162
57	Capital Program	756,000
58	Debt Service	21,487
59	Cemetery	4,120
60	County Tax	256,042
	<b>Total Budget Expenditures</b>	<b>\$16,990,823</b>

Be it further resolved that revenues for the town budget totaling \$16,990,823 for the period 7-1-2007 to 6-30-2008 be approved as follows:

1001	Property Tax School	\$ 5,398,284
1001	Property Tax Municipal	2,632,261
1003	Motor Vehicle Excise	545,000
1004	Boat Excise	4,500
1005	Auto Registration Fees	16,000
1007	Interest on Taxes	18,000
1008	Interest on Investments	160,000
1009	Tax Lien Cost	5,700
1010	Town Clerk Fees	7,000
1011	TIF Revenues	107,500

1012	Surplus Revenues	\$ 367,000
1013	Miscellaneous Income	200
1201	Planning Board Fees	560
1202	Code Enforcement Fees	9,000
1203	Plumbing Inspector Fees	3,500
1301	General Assistance	5,000
1301	Tree Growth Reimbursement	9,000
1302	State Revenue Sharing	545,000
1303	Veteran Exemption Reimbursement	2,000
2001	Fire Protection Subsidies	24,300
2002	Ambulance User Fees	157,500
2003	Ambulance Subsidies	26,048
2004	Non Receipting Collection Revenues	98,075
2201	Police Revenues	1,800
2203	Animal control Fees	1,500
2401	Dispatch Subsidies	11,532
3001	Highway Department Revenues	1,000
3002	Highway Block Grant	69,464
4001	Solid Waste Subsidies	90,918
4002	Recycling Revenues	16,200
4003	Solid Waste Fees	46,500
4004	MCR Revenues	33,000
4005	Budgetary Solid Revenues	66,253
4006	Spofford Funds	4,500
6001	Educational Revenues General Schools	6,299,531
6002	Adult Education Revenues	137,165
7001	Recreation Subsidies	7,820
7002	Recreation Department Revenues	24,487
7004	Recreation Facility Rent	8,550
7006	Snowmobile Revenues	1,100
7007	Cable TV Revenues	27,000
7008	Mooring and Docking Fees	1,075

**Total Revenues** **\$16,990,823**

**Adopted 5-31-2007 Yes**  **No**

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-48 ADOPTING TOWN BUDGET FOR PERIOD  
7-1-2007 TO 6-30-2008**

Be it resolved by the members of the Bucksport Town Council in town council assembled that expenditures for the town budget totaling \$17,024,977 for the period 7-1-2007 to 6-30-2008 be approved as follows:

50	General Government	\$ 1,278,236
51	Protection	1,322,991
61	Street & ways	804,415
62	Health & Sanitation	441,888
63	Community & social Agencies	56,502
64	Education	11,869,134
65	Recreation & Cultural	214,162
66	Capital Program	756,000
67	Debt Service	21,487
68	Cemetery	4,120
69	County Tax	256,042
	<b>Total Budget Expenditures</b>	<b>\$17,024,977</b>

Be it further resolved that revenues for the town budget totaling \$17,024,977 for the period 7-1-2007 to 6-30-2008 be approved as follows:

1002	Property Tax School	\$ 5,398,284
1001	Property Tax Municipal	2,632,261
1003	Motor Vehicle Excise	545,000
1004	Boat Excise	4,500
1005	Auto Registration Fees	16,000
1007	Interest on Taxes	18,000
1008	Interest on Investments	160,000
1009	Tax Lien Cost	5,700
1011	Town Clerk Fees	7,000
1011	TIF Revenues	107,500

1012	Surplus Revenues	\$ 367,000
1014	Miscellaneous Income	200
1203	Planning Board Fees	560
1204	Code Enforcement Fees	9,000
1203	Plumbing Inspector Fees	3,500
1301	General Assistance	5,000
1304	Tree Growth Reimbursement	9,000
1305	State Revenue Sharing	545,000
1306	Veteran Exemption Reimbursement	2,000
2004	Fire Protection Subsidies	24,300
2005	Ambulance User Fees	157,500
2006	Ambulance Subsidies	26,048
2004	Non Receipting Collection Revenues	98,075
2202	Police Revenues	1,800
2203	Animal control Fees	1,500
2402	Dispatch Subsidies	11,532
3003	Highway Department Revenues	1,000
3004	Highway Block Grant	69,464
4007	Solid Waste Subsidies	90,918
4008	Recycling Revenues	16,200
4009	Solid Waste Fees	46,500
4010	MCR Revenues	33,000
4011	Budgetary Solid Revenues	66,253
4012	Spofford Funds	4,500
6001	Educational Revenues General Schools	6,333,685
6003	Adult Education Revenues	137,165
7003	Recreation Subsidies	7,820
7004	Recreation Department Revenues	24,487
7004	Recreation Facility Rent	8,550
7009	Snowmobile Revenues	1,100
7010	Cable TV Revenues	27,000
7011	Mooring and Docking Fees	1,075
	<b>Total Revenues</b>	<b>\$17,024,977</b>

Adopted 5-31-2007 Yes \_\_\_\_\_ No \_\_\_\_\_

Attested \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE # R-2007-52 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 7-1-2007 to 6-30-2008 are due and payable on July 1,2007.

**Adopted 5-31-2007** Yes\_\_\_\_\_ No \_\_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-49 ADOPTING SEWER OPERATING BUDGET FOR THE  
PERIOD 7-1-2007 TO 6-30-2008**

Be it resolved by the members of the Bucksport Town Council in town council assembled that expenditures for the sewer operating budget totaling \$ 445,696 for the period 7-1-2007 to 6-30-2008 be approved as follows:

01 Regular Salaries	\$92,838
02 Extra & Overtime	3,457
22 Operator's Expense	900
25 Employee Benefits	54,957
31 Office Supplies	1,600
33 Postage	2,098
37 Plant Supplies	55,900
41 Equipment Purchase	500
51 Parts and Repair	21,500
61 Telephone	2,180
71 Fuel Heating	5,970
72 Fuel Vehicles	2,800
81 Electricity	35,844
85 Insurance	3,800
86 Testing Cost	3,200
87 Sludge Site Cost	15,400
89 Interest & Debt Cost	113,200
92 Audit	3,565
94 Orland Maintenance	4,397
95 Contingency	11,590
93 Reserve	10,000
<b>TOTAL EXPENDITURES</b>	<b>\$445,696</b>

Be it further resolved that the revenues totaling **\$445,696** for the period 7-1-2007 to 6-30-2008 be approved as follows:

<b>REVENUES</b>	
3500 Users Fees	415,000
3510 Entrance Fees	100
3520 Interest	8,000
3530 Verona Subsidies	6,920
3540 Miscellaneous Revenues	100
3550 Orland Subsidies	9,709
3560 Orland Maintenance	4,397
3570 Verona Maintenance	1,470
<b>TOTAL REVENUES</b>	<b>\$445,696</b>

Be it further resolved that the user rate be set at **\$3.15** per hundred cubic feet of water usage effective 7-1-2007

**Adopted 5-31-2007** Yes  No

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-53 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 2007-2008 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 12%.

Be it resolved by the Bucksport Town Council in town council assembled that interest shall be charged at the rate of 12% per annum for unpaid taxes, such interest to begin for the first 50% of the tax due on September 1, 2007 and on the remaining 50% on April 1, 2008.

**Adopted 5-31-2007** Yes\_\_\_\_\_ No \_\_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-54 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 12%

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 7-1-2007 for the period 7-1-2007 to 6-30-2008 will be set at 8%.

**Adopted 5-31-2007** Yes \_\_\_\_ No \_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOVLE #R-2007-55 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 to accept prepayment of taxes and to pay no interest for such.

**Adopted 5-31-2007 Yes**\_\_\_\_ **No** \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-56 APPROVING SALARIES AND WAGES FOR THE  
PERIOD 7-1-2007 TO 6-30-2008**

Be it resolved by the Bucksport Town Council in town council assembled that the following wages, salaries and expenses be approved for the period 7-1-2007 to 6-30-2008 for non-contractual employees:

<b>Position</b>	<b>Salary</b>	<b>Hourly Rate</b>	<b>Other</b>
Town Manager and Town Clerk	\$77,845.00 \$38,531.00		\$3,800 mileage expense stipend
Finance Director	\$43,155.00		
CEO		\$21.19	
Assessor	\$52,017.00		Works 10 wks 40 hours 42 wks. 32 hours
Economic Devel. Dir.	\$50,100.00		\$360 cell phone stipend
Director Emer. Ser.	\$53,677.00		Mileage stipend \$500
Police Chief	\$55,243.00		
Public Works Director	\$54,666.00		Use of vehicle to travel Home
Recreation Director	\$54,075.00		Expense stipend \$500
Treat. Plant Operator		\$21.15	
Police Sergeant		\$20.49	\$1,500 on-call stipend
Transfer St.. Oper.		\$15.52	10.03% recycling rev.
Asst. Trans. Oper.		\$10.87	10.03% recycling re.
Part-time opera.		\$9.25	
Office Clerks:			
6 months		\$14.55	
1-years		\$14.70	
2.years		\$14.96	
4-years		\$15.42	
5-years		\$15.58	
8- years		\$15.73	
Deputy Tax Collector			Stipend \$1,480.00
Deputy Treasurer			Stipend \$1,975.00
Sewer Department Clerk			Stipend \$1,000.00
Custodian I		\$8.75	
Custodian II		\$10.37	
Call Firemen		\$7.50	
Reserve Police Officer		\$11.48	
EMT		\$20 per two hour call/ \$7.50 per hour training	
EMT-I		\$24 per two hour call/ \$7.50 per hour training	
Paramedic		\$34.00 per two hour call/ \$7.50 per hour training	
Spare drivers-Highway		\$11.47	
Senior Citizens' Dir.		\$9.25	
Rec. Summer Assist.		\$11.82	
Part-time Assist.		\$11.05	
Maintenance-fulltime recreation		\$12.51	
Harbor Master			\$1,000 stipend
Animal Control			\$302 monthly

**Adopted 5-31-2007 Yes**  **No**

**Attested** \_\_\_\_\_ **Kathy Downes, Town Clerk**

**RESOLVE #R-2007-51 ADOPTING CAPITAL IMPROVEMENT PLAN FOR  
THE PERIOD 7-1-2007 TO 6-30-2008**

Be it resolved by the Bucksport Town Council in town council assembled that the Capital Improvement Plan for the period 7-1-2007 to 6-30-2008 be adopted as follows:

**CAPITAL IMPROVEMENT PLAN 7-1-2007 TO 6-30-2008**

**Accounts**

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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	130,000
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	38,000
Town Office Equipment Reserve	7,000
Town Office Reserve	7,500
Parking Lot Reserve	5,000
Gardner School	100,000
Jewett School	6,000
Silver Lake Property	3,000
Public Access Equipment	2,000
<b>Totals</b>	<b>\$756,000</b>
Tax Appropriation	396,000
TIF Revenues	30,000
Surplus	<u>330000</u>

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**Total** **\$756,000**

**Adopted 5-31-2007 Yes**  **No**

\_\_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

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**RESOLVE #R-2007-59 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 7-1-2007 to 6-30-2008:

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 5-31-2007 Yes**\_\_\_\_ **No** \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE R-2007-47 ADOPTING EDUCATION BUDGET FOR THE PERIOD  
7/1/2007 TO 6/30/2008**

Be it resolved by the Bucksport Town Council in town council assembled that the Town Council will appropriate **\$7,930,271** for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (School Board Recommends \$7,930,271 and the Bucksport Town Council will raise **\$4,110,228** 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. (School Board Recommends \$4,110,228).

**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 the Town must raise in order to receive the full amount of state dollars.**

That the Bucksport Town Council will raise **\$23,163** for the annual debt service payments on the non-state funded school construction project(s) and the non-state funded portion(s) of school construction project(s) as listed below, 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. (School Board Recommends \$23,163)

**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 that is not approved for state subsidy. The bonding of this long-term debt was approved by the voters of the Town as follows:**

**Bucksport High School Science & Technology Addition voted February 23, 1999**

**Bucksport Middle School voted June 13, 2001**

That the Bucksport Town Council will raise and appropriate **\$1,178,293** in additional local funds (School Board Recommends \$1,178,293), which exceeds the State's Essential Programs and Services funding model by \$1,178,293

The School Board recommends \$1,178,293 for the following reasons:

Essential Programs and Services does not recognize all costs associated with operating a comprehensive K-12 educational program.

**Explanation: The additional 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**

**debt service payment on non-state funded school construction projects and the non-state funded portion of school construction projects that will help achieve the Town's budget for educational programs.**

That the Bucksport Town Council will authorize the School Board to expend **\$11,645,369** for the fiscal year beginning July 1, 2007, and ending June 30, 2008, from the Town's contribution to the local 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. (School Board Recommends \$11,645,369).

The amount recommended equals the gross budget of the School System for the fiscal period as listed:

Applied Balance	\$ 184,154
Athletic Revenues	14,200
E-Rate Revenues	26,000
Miscellaneous Revenues	92,333
State EPS Allocation	3,820,043
Local EPS Allocation	4,110,228*
Local Only Debt Service	23,163*
Additional Local Allocation	1,178,293*
Regular Tuition	1,914,810
Special Education Tuition & Medicaid	<u>282,145</u>
	\$11,645,369

\*equal the total local appropriation of \$5,311,684

This budget does not include the estimated amount of \$1,038,260 in employer share of teacher retirement costs that is paid directly by the State.

That the total budget be allocated according 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

Be it further resolved that the Bucksport Town Council will appropriate for Adult Education **\$223,765** and shall raise as the local share **\$86,600** with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well being of the Adult Education Program.

**Adopted 5-31-2007** Yes  No

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-50 SETTING SEWER USER RATE FOR THE PERIOD  
7-1-2007 TO 6-30-2008**

Whereas, the sewer user rate needs to be adjusted to reflect the sewer operating budget for the period 7-1-2007 to 6-30-2008; and,

Whereas, a public hearing was advertised and held on 5-31-2007; 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 7-1-2007 to 6-30-2008 be set at \$3.15 per cubic feet of water used and the minimum fee per quarter be set at \$56.70.

**Adopted 5-31-2007 Yes**\_\_\_\_ **No** \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE R-2007-47 ADOPTING EDUCATION BUDGET FOR THE PERIOD  
7/1/2007 TO 6/30/2008**

Be it resolved by the Bucksport Town Council in town council assembled that the Town Council will appropriate \$ \_\_\_\_\_ for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (School Board Recommends \$7,930,271 and the Bucksport Town Council will raise \$ **4,110,228** 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. (School Board Recommends \$4,110,228).

**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 the Town must raise in order to receive the full amount of state dollars.**

That the Bucksport Town Council will raise **\$23,163** for the annual debt service payments on the non-state funded school construction project(s) and the non-state funded portion(s) of school construction project(s) as listed below, 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. (School Board Recommends \$23,163)

**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 that is not approved for state subsidy. The bonding of this long-term debt was approved by the voters of the Town as follows:**

**Bucksport High School Science & Technology Addition voted February 23, 1999**

**Bucksport Middle School voted June 13, 2001**

That the Bucksport Town Council will raise and appropriate **\$1,178,293** in additional local funds (School Board Recommends \$1,178,293), which exceeds the State's Essential Programs and Services funding model by \$1,178,293.

The School Board recommends \$1,178,293 for the following reasons:

Essential Programs and Services does not recognize all costs associated with operating a comprehensive K-12 educational program.

**Explanation: The additional 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**

**debt service payment on non-state funded school construction projects and the non-state funded portion of school construction projects that will help achieve the Town's budget for educational programs.**

That the Bucksport Town Council will authorize the School Board to expend **\$11,611,215** for the fiscal year beginning July 1, 2007, and ending June 30, 2008, from the Town's contribution to the local 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. (School Board Recommends \$11,645,369).

The amount recommended equals the gross budget of the School System for the fiscal period as listed:

Applied Balance	<b>\$ 150,000</b>
Athletic Revenues	14,200
E-Rate Revenues	26,000
Miscellaneous Revenues	92,333
State EPS Allocation	3,820,043
Local EPS Allocation	4,110,228*
Local Only Debt Service	23,163*
Additional Local Allocation	1,178,293*
Regular Tuition	1,914,810
Special Education Tuition & Medicaid	<u>282,145</u>
	<b>\$11,611,215</b>

\*equal the total local appropriation of \$5,311,684

This budget does not include the estimated amount of \$1,038,260 in employer share of teacher retirement costs that is paid directly by the State.

That the total budget be allocated according 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

Be it further resolved that the Bucksport Town Council will appropriate for Adult Education **\$223,765** and shall raise as the local share **\$86,600** with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and well being of the Adult Education Program.

**Adopted 5-31-2007** Yes  No

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-57 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 January 1, 2006; and,

Whereas, it is recommended that the rates be increased by 3%, and,

Whereas, the current and proposed rates are as follows:

<b>Code</b>	<b>Level of Service</b>	<b>Current Rates</b>	<b>Proposed Rates</b>
A0384	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	<b>\$9.00 (PLM)</b>
A0425	Ground mileage (18-50)	\$9.00 plm	<b>\$9.00 (PLM)</b>
A0426	ALS-Rate non-emergency	\$267.00	<b>\$275.00</b>
A0427	ALS-1 Rate emergency	\$423.00	<b>\$435.00</b>
A0428	BLS Rate non-emergency	\$223.00	<b>\$230.00</b>
A0429	BLS Rate emergency	\$355.00	<b>\$365.00</b>
A0433	ALS-2 Rate emergency	\$612.00	<b>\$630.00</b>

Be it resolved by the Bucksport Town Council in town council assembled that the fees for ambulance service be increased by 3% effective 7-1-2007, and the new fees be as noted above.

**Adopted 5-31-2007** Yes \_\_\_\_\_ No \_\_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-58 SETTING MILEAGE RATE FOR EMPLOYEE TRAVEL**

Whereas, from time to time, employees are authorized to use their private vehicles to travel to training sessions or meetings that relate to town business; and,

Whereas, the current rate for mileage reimbursement is \$.35 per mile; and,

Whereas, there has been a considerable increase in fuel cost since the last time mileage reimbursement was increased; and,

Whereas, it is recommended that the per mile cost be increased to \$.40 per mile:

Be it resolved by the Bucksport Town Council in town council assembled that the mileage reimbursement for authorized mileage be set at \$.40 per mile effective 7-1-2007.

**Adopted 5-31-2007** Yes\_\_\_\_ No \_\_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-60 AWARDING CONTRACT FOR AUDITING SERVICES**

Whereas, the Town of Bucksport requested proposals for auditing services for the period 7-1-2006 to 6-30-2007; and,

Whereas, two proposals were received and reviewed by the Finance Committee and Superintendent of Schools; and,

Whereas, proposals were received from RHR Smith & Company and Hollingsworth & Associates; and,

Whereas, the members of the Finance Committee recommend that the contract be awarded to RHR Smith & & Company, for a five year period, at the following cost annually:

Town	School	Wastewater	Grants
\$12,440	\$10,475	\$3,565	\$2,500

Whereas, these are maximum “not to exceed” audit fees for a five year period; and,

Whereas, Hollingsworth & Associate proposed a three year contract for the following fees:

Town	School	Wastewater	Grants
\$7,000	\$5,500	\$2,500	\$6,000

Whereas, the above fees for Hollingsworth & Associates will increase 8% each year and there is no “not to exceed” provision in the fee schedule:

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 as recommended by the Finance Committee.

Be it further resolved that the contract be for a five year period on the condition that work is satisfactorily completed on a year to year basis.

**Adopted 5-31-2007 Yes**\_\_\_\_ **No** \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-61 AUTHORIZING EXPENDITURE FROM THE SOLID WASTE EQUIPMENT RESERVE ACCOUNT FOR A STORAGE TRAILER**

Whereas, the Town proposes to purchase a used box trailer to store TV sets and computer monitors in preparation for recycling; and,

Whereas, the town is currently renting a unit at \$1,000 annually; and,

Whereas, the cost of a used trailer is \$2,500; therefore resulting in a payback of 2 ½ years; and,

Whereas, the used trailer proposed for purchase will be larger; therefore allowing for more storage space, resulting in lower transportation cost: and,

Whereas, the Public Works Director has received a quote of \$2,500 for a 48' storage trailer from Maine Trailer; and,

Whereas, the Public Works Director is also recommending the purchase of 30 railroad ties to stabilize the front of the trailer at a cost of \$337.50; and,

Whereas, this is a proposed activity in the 2006-2007 Capital Improvement Plan:

Be it resolved by the Bucksport Town Council in town council assembled that the purchase of a 48' used storage trailer and 30 railroad ties be authorized at a cost not to exceed \$2,850.

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

**Adopted 5-31-2007 Yes\_\_\_\_\_ No \_\_\_\_\_**

**Attested\_\_\_\_\_**

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-63 AUTHORIZING TEMPORARY FINANCING FOR THE  
CSO PROJECT WITH THE MUNICIPAL BOND BANK**

Whereas, the Town requires temporary financing for the proposed CSO Project; and,

Whereas, proposals were obtained from private financial institutions and Municipal Bond Bank; and,

Whereas, after analysis, it was determined that the best option was to obtain the temporary financing from the Maine Municipal Bond Bank:

Be it voted by the Bucksport Town Council in town council assembled:

- (1) That the Council designates the Bond awarded to the United States of America, acting through the rural Utilities Service in the amount of \$2,240,000 as a “qualified tax-exempt obligation” under the provisions of Section 265(b)(3)(B)(1)(III) of the Internal Revenue Code.
- (2) That the Council hereby accepts a grant in the amount of \$750,000 from the United States of America, acting through Rural Utilities Service.
- (3) That the Treasurer and Chairman of the Town Council are authorized to issue Bonds of the Town up to the amount of \$2,240,000 at such rates, for a term and on such conditions as they deem to be in the best interest of the Town, to the United States of America, acting through Rural Utilities Service.
- (4) That the Treasurer and Chairman of the Town Council are authorized to execute and deliver all documents, and to take any and all actions necessary to carry into effect such financing, including, but not limited to, the execution and delivery of Form RD 400-1, Equal Opportunity Agreement, and Form RD 400-4, Assurance Agreement.
- (5) That the Town hereby irrevocable pledges user fees, rates assessments and other charges and ad valorem taxes of the Town for the payment of the Bond.
- (6) That the Treasurer and Chairman are hereby authorized, as they deem necessary, to issue a General Obligation Note to the Maine Municipal Bond Bank in the amount of up to \$2,240,000 on behalf of the Town at three percent (3%) interest for a term not to exceed one year, to fund the Project on an interim basis.
- (7) That the Town hereby irrevocable pledges the user fees, rates, assessments and other charges and ad valorem taxes of the Town for the payment of the principal of the bond and the interim Note.
- (8) That the Treasurer and Chairman are hereby authorized to execute and deliver such loan agreements with the Maine Municipal Bond Bank as the Maine Municipal Bond Bank may require.

(9) That the Town officers and officials are hereby authorized to execute and deliver any and all documents and certificates, and to take any and all actions, including affixing the seal of the Town as may be necessary or convenient to carry out the full purport intent of the foregoing authorization, or any one of them.

**Adopted 5-31-2007 Yes**\_\_\_\_ **No** \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-64 REGARDIING APPOINTMENT OF CHIEF OPERATOR  
FOR THE BUCKSPORT TREATMENT PLANT**

Whereas, the Appointments Committee has interviewed several candidates for the position of Chief Operator for the Wastewater Treatment Facility; and,

Whereas, their recommendation is to appoint Sharon Ostrander to the position:

Be it resolved by the Bucksport Town Council in town council assembled that Sharon Ostrander be appointed Chief Operator for the Bucksport Wastewater Treatment Facility and the conditions of employment be as follows:

- 1 Annual salary will be \$44,000 for 40 hours of employment weekly and overtime for all authorized hours over 40 hours.
3. Employee benefits will be for a full-time employee as outlined by the Personnel Policies.
4. Work conditions will be as outlined by the job description entitled "Chief Wastewater Treatment Operator".
5. Will be required to participate in shared weekend duties, and will take the time off during the workweek.
6. First day of employment will be June 18, 2007.
7. Will successfully pass the required physical exam.
8. Will accept the position by returning the "Acceptance Form" no later than June 4<sup>th</sup> 2007.

**Adopted 5-29-2007 Yes\_\_\_\_\_ No \_\_\_\_\_**

**Attested\_\_\_\_\_**

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-66 AWARDING CONTRACT FOR PURCHASE OF #2  
FUEL OIL**

Whereas, bids were obtained through Maine PowerOption for the town and school department's #2 fuel oil needs; and,

Whereas, bids were received as follows:

<b>Company</b>	<b>Fixed price</b>	<b>Mark-up +Rack</b>
C. N. Brown	\$2.2650	\$.20
Dead River	\$2.2290 to \$2.31	\$.18
No Frills Oil Co.		\$.065
Webber-Augusta	\$2.1466 to \$2.1966	\$.09 (Miles Lane .04)

Be it resolved by the Bucksport Town Council in town council assembled that the contract for fuel oil for the 2007-2008 heating season be awarded to Webber Oil for the fixed price of \$2.1966 per gallon and \$2.1466 for the Miles Lane School.

**Adopted 5-31-2007** Yes \_\_\_\_\_ No \_\_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE R-2007-65 AUTHORIZING EXPENDITURES FOR MARKETING BROCHURE**

Whereas, proposals were requested for design and printing of a marketing brochure for the Downtown which resulted from a recommendation outlined by the Marketing Plan for the Downtown; and,

Whereas, two proposals were received; and,

Whereas, the Chairpersons of the Economic Development Committee and Downtown Committee met and recommended that the contract for design of the brochure be awarded to Clown Bike for a fee of \$8,000; and,

Whereas, an additional \$4,000 will be required to print 20,000 copies of the brochure and \$1,000 for distribution to the State Visitors Centers:

Be it resolved by the Bucksport Town Council in town council assembled that expenditures not to exceed \$13,000 be authorized for design, printing and distribution of a Downtown brochure.

Be it further resolved that the cost of the project be paid from TIF Revenues.

**Adopted 5-31-2007** Yes\_\_\_\_\_ No \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-62 ADOPTING POLICY REGARDING UNDESIGNATED  
FUND BALANCE**

Whereas, the Town Council several years ago verbally discussed and agreed on a policy regarding the level of balance in Undesignated Fund Balance Account (Surplus Account); and,

Whereas, such policy should be in writing so that the public has access to it:

Be it resolved by the Bucksport Town Council in town council assembled that the policy regarding Undesignated Fund Balance (Surplus) be adopted as presented, a copy of which is attached to this Resolve.

**Adopted 5-31-2007 Yes** \_\_\_\_ **No** \_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE R-2007-67 APPROVING AGREEMENT WITH BUCKSPORT  
HARBOR TOURS FOR USE OF TOWN DOCK**

Whereas, David T. Gelinis, owner of Bucksport Harbor Tours proposes to operate a cruise boat service from the Bucksport Town Dock and has requested permission from the Town Council to do so; and,

Whereas, an Agreement has been provided to the members of the Bucksport Town Council for consideration that outlines the conditions for granting such request; and,

Whereas, the agreement consist of eighteen articles and eight pages and is for the period 6-20-2007 to October 15, 2007:

Be it resolved by the Bucksport Town Council in town council assembled that the agreement between the Town of Bucksport and David T. Gelinis, d/b/a Bucksport Harbor Tours LLC be approved.

Be it further resolved that the contract only be signed by the Town Manager upon submittal by Bucksport Harbor Tours, LLC to the Town Manager's Office the required Certificate of Insurance and a written statement from the Harbor Master and/or his designee a notice that the contract is acceptable.

**Adopted 6-14-2007** Yes \_\_\_\_ No \_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-74 AWARD CONTRACT FOR EQUIPMENT RENTAL**

Whereas, bids were requested for rental of equipment required to supplement the equipment needs of the Highway Department; and,

Whereas, the following bids were received:

	<b>Wardwell Contract.</b>		<b>Wardewell Construct. &amp; Trucking</b>	
	<b>With Oper.</b>	<b>W/Out Oper.</b>	<b>With Oper.</b>	<b>W/O Oper.</b>
12-14 Wheeler	\$44.00		\$42.00	
16-18 Wheeler	59.00		57.75	
Lowbed/tractor	65.00		71.40	
Bachhoe 416	60.00	38.00	73.50	\$52.50
Skid Steer/grinder	170.00			
D-5 Dozer	82.00	59.00	78.75	68.25
D-6 Dozer	85.00	62.00	89.25	78.75
Excavator 1 yd.	105.00	81.00	78.75	63.00
Excavator-2 yds.	125.00	101.00	99.75	73.50
Excavator/ramhoe	220.00			
220 EX	170.00		199.00	
Gradall/595	112.00	88.00	78.75	63.00
Gradall/495	105.00	81.00	78.75	63.00
Gradall/880	110.00	85.00	78.75	63.00
Grader	100.00	75.00	78.75	60.90
Roller 72"	66.00	46.00	68.25	52.50
Roller 84"	71.00	51.00	78.75	63.00
Loader 950	80.00	58.00	73.50	57.75
Loader 966	85.00	63.00	84.00	68.25
Read Screen	39.00		68.25	

Be it resolved by the Bucksport Town Council in town council assembled that the contract for equipment rental be awarded to the contractor who has the lowest cost for each item of equipment as bid and as required by the Highway Department.

**Adopted 6-14-2007** Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-68 AUTHORIZING TEMPORARY FUNDS FOR  
PURCHASE OF GRAND PIANO**

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 providing the necessary funds to pay for the balance of the purchase including soft cost of \$5,500 with the understanding that BACAS will refund the town as funds are raised; 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:

Be it resolved by the Bucksport Town Council in town council assembled that the Town provide the necessary funds (\$5,500) to pay for the balance of the grand piano pursuant to the following conditions:

1. that the disbursement not be made until 7-15-2007
2. that BACAS repay the note no later than 6-30-2008
3. that the transaction be approved by the Town's legal counsel
4. that the piano be insured against any and all losses during the period that the note is outstanding
5. the piano will be used solely for performances that BACAS is organized for

**Tabled 6-14-2007 Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-73 AUTHORIZING ACCEPTANCE OF FSNE GRANT**

Whereas, Child and Family Opportunities, Inc., has offered a grant pursuant to the Food Stamp Nutrition Education (FSNE) in the amount of \$5,150 to Bucksport Bay Healthy Communities to provide administrative services to mobilize communities to create opportunities for food stamp participants and low income community members to choose healthy foods; and,

Whereas, Mary Jane Bush, Director for Bucksport Bay Healthy Communities will provide the administrative services; and,

Whereas, this activity has been approved by the Bucksport Bay Healthy Communities Advisory Board; and,

Whereas, the funds will be used to help financially support the budget for Bucksport Bay Healthy Communities;

Be it resolved by the Bucksport Town Council in town council assembled that the contract to provide administrative services to Child and Family Opportunities to mobilize communities to create opportunities for food stamp participants and low-income community members to choose healthy foods be approved.

Be it further resolved that Bucksport Healthy Communities receive \$5,150 for these services that will be paid for with funds from the Food Stamp Nutrition Education program and these funds are to be used to offset the administrative cost of operating the Bucksport Bay Healthy Communities Coalition.

**Adopted 6-14-2007 Yes**  **No**

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-69 APPROVING ACTIVITY IN RESERVE ACCOUNTS FOR THE PERIOD 7-1-2006 TO 6-30-2007**

Whereas, there has been numerous activity in the reserve accounts; and,

Whereas, expenditures have been approved by the Town Council in accordance to the Purchasing Policy; and,

Whereas, several accounts were authorized but the amount changed due to unforeseen reason; and,

Whereas, several accounts were for small purchases that were not anticipated but the expenses were for capital improvements included in the 2006-2007 Plan that was approved by the Town Council; and,

Whereas, a prepared summary attached to this Resolve has been reviewed with the members of the Town Council:

Be it resolved by the Bucksport Town Council in town council assembled that the attached Summary of Activities in the Reserve Accounts for the period 7-1-2006 to 6-30-2007 be approved, such reflecting the expenditures and revenues approved for each reserve account.

**Adopted 6-14-2007** Yes \_\_\_\_ No \_\_\_\_

**Attested** \_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-70 AUTHORIZING BALANCES TO BE CARRIED FORWARD**

Be it resolved by the Bucksport Town Council in town council assembled that the balances for the following accounts be carried forward into the new fiscal year:

- 6001 Education Revenues
- 6002 Adult Education Revenues
- 4003 Solid Waste Revenues (22.8% Orland's Share)
- 531 Accounts Solid Waste (22.8% Orland's Share)
- 561 Accounts Reserves (balances to be charged or invested to investment account)

**Adopted 6-14-2007** Yes\_\_\_\_ No \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-71 AUTHORIZING YEAR END ADJUSTMENTS**

Be it resolved by the Bucksport Town Council in town council assembled that the following year end adjustments or transfers be authorized:

1. Transfer revenues from account 2201 (Police Revenues to Dog Pound Supplies 512-37 to cover overdraft)
2. Transfer from Overlay Account 380-01 \$19,902.50 to Audit Account 501-93 to cover overdraft
3. Transfer balance in Account 505-97 Unemployment Compensation to Account #330-28 Unemployment Reserve and invest funds
4. Transfer revenues from Account 5007 Cable TV Revenues to Account #541-93 Penobscot Consortium in the amount of \$473.60 to cover overdraft
5. Transfer funds from Account #731-93 Reserve (Sewer) to Account #400-19 2005 CDBG Housing Grant in the amount of \$5,696.75 to cover expenses previously approved by the Town Council for storm drain hookups.
6. Transfer funds from Overlay Account to cover accrued salaries and wages to 6-30-2007
7. Authorize transfer from Undesignated Fund Balance to Sick and Vacation Reserve to cover uncompensated absences as determined by the auditor, if any
8. Write off third party allowance and uncollectibles in the amount of \$29,186.56 for the period 1-1-2005 to December 31, 2005 and \$34,979.32 for the period January 1, 2006 to June 30, 2006.

**Adopted 6-14-2007 Yes**\_\_\_\_ **No** \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

**RESOLVE #R-2007-72 AUTHORIZING EXPENDITURE FOR PROJECT  
INSPECTOR**

Whereas, the project to replace 2,200 linear feet of sanitary sewer has commenced; and,

Whereas, it is in the best interest of the Town to have someone overlooking the project to assure that construction is completed as required by the plans and specifications; and,

Whereas, Daniel Stewart has been hired to provide these services; and,

Whereas, it is expected that the project will last five to six weeks; and,

Whereas, the weekly cost for this services will be \$1,100 per week:

Be it resolved by the Bucksport Town Council in town council assembled that the expenditure of \$6,600 be authorized to obtain services from Daniel Stewart to inspect sewer improvements for a cost of \$1,100 per week.

Be it further resolved that the cost of this service is to be charged to Sewer Reserve Account and is not to exceed \$6,600.

**Adopted 6-14-2007 Yes**\_\_\_\_ **No** \_\_\_\_\_

**Attested**\_\_\_\_\_

**Kathy Downes, Town Clerk**

## **TOWN MANAGER'S REPORT**

2005 Housing Rehab Program- The final contracts have been released and the project will be fully closed out by the end of September. All funds will have been expended.

CSO and Sewer Improvements- Lane Development has started to replace the 2,200 linear feet of new sewer. It is expected that the project will be completed by the beginning of August. Penta plans on beginning on the CSO Project by July 1.

Gardner Commons- The project has started. The contractor presently has a crew doing demolition. Within the next few weeks, work should be picking up.

Road Projects- The road base and drainage work has been completed on the section of Powerline Road that is believed to be public. Efforts have been made to work with Mrs. Woodman to determine the terminus to Powerline Road. The Highway Department will be starting work on Elm Street and the upper end of MacDonald Street once the new fiscal year begins.

Dock Facility- The new ramp is in as well as the covers for the gaps between the floats. The project went very well and was within project cost.

Financial Status to 5-31-2007- Revenues are within or exceeding projections in most cases except for several small accounts. Overall, revenues should exceed projections substantially. Expenditures in the Highway Equipment Repair Account and Salt Purchase Account will exceed budget amounts. However, unexpended balances in other Highway Accounts will easily offset these overdrafts. Overall, expenditures will be lower than projected by at least \$100,000 excluding schools. I have included copies of the Revenue and Expense Reports for your review. If you have any questions, please see me.