

**BUCKSPORT TOWN COUNCIL MEETING**  
**7:00 P.M., THURSDAY, FEBRUARY 22, 2018**  
**TOWN COUNCIL CHAMBERS – BUCKSPORT TOWN OFFICE**  
**AGENDA**

1. **Call Meeting To Order**
2. **Roll Call**
3. **Presentation of any Town Council Recognitions**
  - a. Sgt. David Winchester – Bravery Award – Maine Chiefs’ of Police
4. **Consider minutes of previous meetings**
  - a. February 1, 2018 Special Council Meeting
  - b. February 8, 2018 Town Council Meeting
5. **Receive and review correspondence and documents**
  - a. Downeast Transportation – January Ridership Bus & Taxi
6. **Ordinances to Consider/Introduce**
  - a. Draft Contract Zone Agreement Ordinance – 1<sup>st</sup> Reading
7. **Discussion Items (Manager Clarification and Direction, or Council Discussion and/or Input on Issues)**
  - a. Finance Committee Update – 2-22-18 Meeting
    1. Spectrum line extension – Millvale & Bucksmills
  - b. Ordinance Committee Update – 2-22-18 meeting
    1. Committee Structure
    2. Food Sovereignty Ordinance
    3. Chapter 5 Review
  - c. Appointments Committee Update – 2-22-18
    1. Annual Appointments
8. **Agenda Items**
  - a. To adopt Resolve #2018-41 to approve the application for a ConnectME grant for cable line extensions on Millvale and Bucksmills Roads
9. **Resignations, Appointments, Assignments, and Elections**
10. **Approval of Quit Claims, Discharges, and Deeds**
11. **Town Manager Report**
12. **Set Public Hearings, and/or Hold Public Hearings and Approval of any Licenses or Permits**
13. **Discussion of Items Not on the Agenda for Council and Public**
14. **Upcoming Public Hearings, Designation of Topics for Committee Assignment, and Scheduling of Committee Meeting**
  - a. Schedule Ordinance Committee to discuss Chapter 5, Fees Ordinance
15. **Adjournment**

**SPECIAL TOWN COUNCIL MEETING  
6:00 P.M., THURSDAY, FEBRUARY 1, 2018  
BUCKSPORT TOWN OFFICE – TOWN COUNCIL CHAMBERS**

4a

*MINUTES*

**1. ROLL CALL**

*The meeting was called to order by Mayor David Keene at 6:00 PM.*

*Members Present: Mark Eastman, Paul Rabs, David Keene, Peter Steward, Paul Gauvin.*

*Members Absent: David Kee, Robert Carmichael, Jr.*

**2. GOALS & OBJECTIVES DISCUSSION**

**a. Review Department submissions**

*The Town Manager explained that the purpose of the meeting is for the town council to discuss items that they would like to see worked on for the upcoming year and in the future. The Manager requested that all department heads provide input on their department future goals. The Town Council has been provided with copies of those reports in order to provide a background of needs as seen by the Department Heads. The Council will make a list and prioritize the list for items to work on this year and in subsequent years.*

*Councilor Kee emailed, that it was a priority for the Town to work on the marina and waterfront development.*

*The following is a list of the items identified by the Town Council and audience members who attended:*

**b. Council Priorities**

1. *Waterfront Development*
  - Marina*
2. *Recreation*
  - Grant for Splash Pad*
  - Fields Maintenance w/Sprinklers Trails*
  - Restroom*
  - Existing Bathroom Options*
3. *Fire & Police / EMS Employees (Public Safety)*
4. *Broad Band Waterfront*
5. *Infrastructure*
6. *Solar*
7. *Sewer Treatment*
  - Parks St/Broadway*
  - Forest Avenue Ext*
8. *Economic Dev. Plan / Business*
9. *27 Main Street*
10. *Human Resources*
  - Health Reimbursement*
  - Employees Raises*
  - Retirement System Options*
11. *Grant for Underline Power Lines - Main St*

12. *Review Sidewalks / Parking*
13. *Drainage Solutions*
  - Parking Lot off Main St (behind Flower Shop)*
  - Woodland Heights*
14. *Increase participation in local government*
15. *Memorial to Paper Making*
16. *Historical Society Building*
17. *Chamber Building Upgrade*
18. *Storage Needs*
19. *Abandoned Rail Road lines along Waterfront*
  - Contact Rail Road, clean up eye sore*
20. *Wilson Hall*
21. *Food sovereignty*
  - Ordinance*
22. *Public Transportation*
23. *Sub-station - Fire*
24. *Review the continuation of town code and ordinances*
25. *Redevelopment of Mill Site*
26. *Housing*
  - Senior*
  - All ages*
  - Nursing Home*
27. *Recreation Opportunities in*
  - Rural areas of community*
28. *Bike lanes/Bike racks*
29. *Van for Recreational Department Use*
30. *Council Rules update*
  - Absences*
  - Electronic Record keeping/maintenance*
  - Website maintenance assigned as job description*
  - Social Media Policy*
  - Emergency Action Plan regarding dam, Waterfront*
  - Town wide alarm system*
  - Center for people with Disabilities for life skills/education*
  - Housing Rehab grants*
  - Central Street sidewalk*
31. *IT Needs*

c. **Budget Goals**

1. **Budget Priorities**

- Mil Rate as is or lower*
- Continue to provide essential services*
- Review Cable Consortium funding*

*The Town Manager will consolidate the information by topic along with the information from the Department Heads and provide it to the Town Council for their review at a future meeting.*

**3. ADJOURN**

*Motion by Councilor Stewart, seconded by Councilor Eastman to adjourn at 7:22 p.m.  
Vote: 5 - 0*

*Respectfully submitted*

*Kathy L. Downes  
Council Secretary*

**BUCKSPORT TOWN COUNCIL MEETING**  
**7:00 P.M., THURSDAY, FEBRUARY 8, 2018**  
**TOWN COUNCIL CHAMBERS – BUCKSPORT TOWN OFFICE**  
**MINUTES**

46

**1. Call Meeting To Order**

*The meeting was called to order by Mayor David Keene at 7:00 pm.*

**2. Roll Call**

*Members Present: Mark Eastman, David Kee, David Keene, Peter Stewart, Paul Gauvin. Members Absent: Paul Rabs and Robert Carmichael, Jr.*

**3. Presentation of any Town Council Recognitions - None**

**a. Wilson Hall Project Update – Richard Campbell**

*Mr. Campbell gave a presentation on concept drafts for plans for development at Wilson Hall which has increased from 24 to 36 residents and includes an additional building to be built and connected to Wilson Hall. The proposal includes replacing a porch back for the atrium, a community room, a commercial kitchen, storage, an elevator, and an undercover porch. The first floor, 2nd floor and 3rd floor of Wilson Hall would mirror each other with 8 bedrooms per floor. The kitchen would be in the basement.*

*Councilor Stewart asked when the five month planning window was up.*

*Mr. Campbell responded that it was in April. Mr. Campbell also stated that he and his team are still working on funding. He anticipated that an operational design will be done within the week and will be back at the first Council meeting in March to provide another update.*

**4. Consider minutes of previous meetings**

**a. January 25, 2018 Town Council Minutes**

*Motion by Councilor Gauvin, seconded by Councilor Eastman to approve January 25, 2018 Town Council meeting minutes as presented. Vote: 5 - 0*

**5. Receive and review correspondence and documents**

**a. Governor LePage Letter to Residents**

*The Town Manager reported that the letter related to the impacts of non-taxed property in regard to land trusts.*

*Resident Chris Johnson provided information that the Great Pond Mountain Conservation Trust had not taken property off the tax rolls. All of their properties in Bucksport pay property taxes.*

**6. Ordinances to Consider/Introduce - None**

**7. Discussion Items (Manager Clarification and Direction, or Council Discussion and/or Input on Issues)**

**a. Foreclosures - Request to Advertise for Public Sale**

*The Town Manager provided a list of 20 properties that are in foreclosure for unpaid property taxes and some with sewer foreclosures. Two on the list - Dorothy Miller & David Witham – paid and need to be removed from the list. Many of the properties are land only and those with buildings are not occupied. She asked for permission to put the properties out for sale using a sealed bids process so the Council can sell to new owners. Two properties are multi-family dwellings and she requested that stipulations be made in the bidding that the properties remain as multi-family units. The Housing Committee had discussed this idea and rental housing in the downtown area is a need identified in the Comprehensive Plan.*

*Resident Rusty Waite spoke in support of keeping the multi-family units as rental properties and told about a citizen who had lived in Bucksport for many years but when she had to sell her house to downsize she had to move to Bangor because there was no housing available.*

b. Spectrum line extension – Millvale & Bucks Mills – Finance Committee recommendation

*This item was tabled because all information for it was not available to the Committee at the meeting. It will be included on the February 22<sup>nd</sup> Council Agenda*

c. Bid – Automatic Door Opener – Town Office

*The Town Manager explained that two years ago money was budgeted for entrance improvements at the Town Office. The downstairs door was done and this agenda contains an item to award the installation of a handicapped accessible entrance at the main entry to the Town Office to PDQ Door for \$5,200.*

*Resident Pearl Swenson expressed the thanks of the Senior Resource Committee for the handicapped accessible entrance project and thanked the Council and Manager for all the work being done to improve accessibility in Bucksport.*

d. Recreation Committee recommendation – regarding: new treadmills

*Nick Tymoczko, YMCA Director for Bucksport, reported that the Recreation Committee had met and discussed the need to replace the current treadmills due to their age and condition. Also, due to the increase in use, the committee recommended the purchase of three treadmills which the Y can get for a significant discount due to the volume of business that they do with the equipment company.*

e. Committee Structure – Ordinance Committee Report

*Councilor Stewart reported that the Ordinance Committee had reviewed two options for changing the Committee structure of the Council. In order for all Councilors to weigh in on this topic, that information will be sent to all Councilors for review and comment and the item will be back on the agenda for February 22, 2018.*

f. Citizen complaint – Upper Long Pond Discontinued section

*Town Manager reported that she received calls from two residents who live on the non-town maintained section of Upper Long Pond Road who were upset that the town would not maintain the road above sludge site. They indicated that if the town did not do something*

*they would seek legal action. The Town Manager researched the issue and spoke with Roger Raymond, former Town Manager. He indicated that there had been no maintenance since at least 1981 and that lack of maintenance for 30 years creates a presumption of abandonment and releases the town from all/any liability of any type of maintenance on the road. In 2006 the Town attorney provided an opinion that the part of the road going to the sludge site is the area of responsibility on Upper Long Pond Road for the Town. CEO Jeff Hammond verified that there are two households living past the sludge site.*

*The Council took no action on this matter.*

**8. Agenda Items**

- a. To adopt Resolve #2018-40 to advertise properties for public sale via sealed bids.

Motion by Councilor Gauvin, seconded by Councilor Stewart to approve with the correction of the removal of the Witham and Miller properties from the list. Vote: 5 - 0

- b. To adopt Resolve #2018-41 to approve the application for a ConnectME grant for cable line extensions on Millvale and Bucksmills Roads

*This item was tabled until the February 22, 2018 meeting.*

- c. To adopt Resolve #2018-42 to approve a contract with PDQ Door for \$5,200 to installed handicapped accessible entrance at the Town Office

*Motion by Councilor Kee, seconded by Councilor Gauvin to approve. Vote: 5 - 0*

- d. To adopt Resolve #2018-43 to use funds from Recreation Reserve to purchase 3 new treadmills for the fitness facility.

*Motion by Councilor Gauvin, seconded by Councilor Eastman to approve. Vote: 5 - 0*

- e. To adopt Resolve #2018-44 to approve the borrowing of \$144,938 for a three year term for the 2018 Freightliner Plow Truck

*Motion by Councilor Gauvin, seconded by Councilor Eastman to approve. Vote: 5 - 0*

- f. To adopt Resolve 2018-45 to convey a parcel of land owned by the Town of Bucksport and located in the Buckstown Heritage Park, Phase 2 Lot 4 to Greenhead Lobster.

*Community & Economic Development Director Rich Rotella introduced Hugh Reynolds from Greenhead Lobster. The company has been looking for a place with water and sewer, and they found this site to be a very attractive property. Rich also explained the amount of investment to be made, and the payback time period for the price of the lots*

*sale price with property taxes.*

*Motion by Councilor Stewart, seconded by Councilor Gauvin to approve. Vote: 5 - 0*

- g. Resolve 2018--46 to convey a parcel of land owned by the Town of Bucksport and located in the Buckstown Heritage Park, Phase 2 Lot 5 to Pemaquid Mussel Farm

*Community & Economic Development Director Rich Rotella introduced Carter Newell from Pemaquid Mussel Farms. LLC. Mr. Newell was impressed with the location and the power, water and sewer available there. They plan to increase production to a million lbs. a year with the addition of this location – but do all processing on the barge so there are no waste products at the site.*

*Motion by Councilor Gauvin, seconded by Councilor Stewart to approve. Vote: 5 - 0*

**9. Resignations, Appointments, Assignments, and Elections - None**

**10. Approval of Quit Claims, Discharges, and Deeds**

- a. Isaac Raymond, Town Farm Road, Map 8 Lot 3 real estate taxes 2016, 2017

*Motion by Councilor Stewart, seconded by Councilor Gauvin to approve. Vote: 5 - 0*

- b. Keith & Betty French, 1861 State Route 46, Map 21 Lot 37, real estate taxes 2016, 2017

*Motion by Councilor Stewart, seconded by Councilor Gauvin to approve. Vote: 5 - 0*

- c. Leta Leighton & Christine Longtin, Town Farm Road, Map 8 Lot 3-12, 2016 real estate taxes

*Motion by Councilor Stewart, seconded by Councilor Gauvin to approve. Vote: 5 - 0*

- d. Dale Henderson, Williams Pond Road, Map 18 Lot 11, 2016 real estate taxes

*Motion by Councilor Stewart, seconded by Councilor Gauvin to approve. Vote: 5 - 0*

- e. Dale Henderson, Williams Pond Road, Map 18 Lot 12, 2016 real estate taxes

*Motion by Councilor Stewart, seconded by Councilor Gauvin to approve. Vote: 5 - 0*

**11. Town Manager Report**

- a. Department Head Reports
- b. Town Manager's Report

*The Town Manager's report is hereby attached to and made a part of the minutes.*

**12. Set Public Hearings, and/or Hold Public Hearings and Approval of any Licenses or Permits**

*Motion by Councilor Stewart, seconded by Councilor Eastman to approve Richard Gray, d/b/a Blue Water Seafood for Outdoor Vendor Business License. Vote: 5 - 0*

**13. Discussion of Items Not on the Agenda for Council and Public**

*Rich Rotella noted that at Heart & Soul headquarters an event was being held on Saturday, February 10th from 9:30 a.m. to 12:30p.m. and on February 28th from 5:30 p.m. - 8:30 p.m. to vote on citizen-generated ideas to create an action plan for Bucksport's future. The voting will be anonymous by an electronic clicker voting system and the results will be known immediately.*

*On February 15<sup>th</sup> Rich is taking 20 students to the State Capitol to be "LePage" for the day in the House and Senate.*

**14. Upcoming Public Hearings, Designation of Topics for Committee Assignment, and Scheduling of Committee Meeting**

- a. Schedule Ordinance Committee to discuss Food Sovereignty Ordinance

*Ordinance Committee meeting on Thursday, February 22<sup>nd</sup> at 5:30 p.m. to include continued Chapter 5 review, and the Committee Structure.*

*Finance Committee meeting on Thursday, February 22<sup>nd</sup> at 6:30 pm. to discuss the Spectrum line extension.*

*Appointments Committed meeting on Thursday, February 22<sup>nd</sup> at 6:45 p.m. to discuss annual appointments.*

**15. Adjournment**

*Motion by Councilor Gauvin, seconded by Councilor Eastman to adjourn at 8:06 p.m. Vote 5 - 0*

*Respectfully Submitted,*

*Kathy L. Downes  
Council Secretary*

**Downeast Transportaton, Inc.**  
PO Box 914, Ellsworth, ME 04605-0914  
667-5796

5a

## Bucksport Shuttle Riders 2018

	Jan	YTD
Senior Center	2	2
Day Care	0	0
Health Center	0	0
Wen-Belle	0	0
Public Safety	0	0
Food Pantry	1	1
Knox Apts.	5	5
Credit Union	1	1
Main St	0	0
Gardner Commons	11	11
Drug Store	0	0
Family Medicine	3	3
McDonald's	0	0
Hannaford's	18	18
Rite-Aid	0	0
Hardware Store	0	0
Family Dollar	0	0
Eye Care	0	0
Other	0	0
<b>TOTAL</b>	<b>41</b>	<b>41</b>
Taxi Transfers	0	0
Tokens	1	1



Time	Date	Pick Up At	Dropping At	Amount	Tip
1/10	930	& Joan st	Dunkin Donuts		100 00
2.	955	Dunkin Donuts	68 MAIN st		
3.	1015	396 Central st	Toizers		
4.	1015	396 Central st	Toizers		
5.	1025	309 Central st	Congo church		
6.	1029	Congo church	121 main st		
7.	1029	Congo church	121 main st		
8.	1032	121 main st	Edison Drive		
9.	1032	121 main st	Edison Drive		
10.	1032	121 main st	True Value		
11.	1046	True Value	Family Dollar		
12.	1051	115 main st	396 Central st		
13.	1051	115 main st	396 Central st		
14.	1134	Congo church	309 central st		
15.	1144	Family Dollar	Hanaford		
16.	1158	Hanaford	121 main st		
17.	1200	11 mercer lane	Hanaford		
18.	1215	988 Acadia Highway	Family Dollar		
19.	1235	Hanaford	11 mercer lane		
20.	1256	Family Dollar	988 Acadia Highway		
21.	112	High School	& Joan st		
1/17	1	930 & Joan st	Dunkin Donuts		100 00
2.	947	90 school house rd	Hanaford		
3.	947	90 school house rd	Hanaford		
4.	947	90 school house rd	Dunkin Donuts		
5.	1002	Dunkin Donuts	68 main st		
6.	1007	121 main st	Family Dollar		
7.	1011	Dunkin Donuts	90 school house rd		
8.	1030	15 1st st	Health Center		
9.	1030	15 1st st	Health Center		
10.	1039	Hanaford	90 school house rd		
11.	1039	Hanaford	90 school house rd		
12.	1053	Family Dollar	Hanaford		
13.	1123	Hanaford	121 MAIN st		
Total:				Driver Over:	
Office:				Cash:	
Driver:				Cab Supplies:	
				Driver Short:	

continued

Due	Date Pick Up At	Dropping At	Amount	Tip
	DTI PO Box 914 Eliaworth ME			
	City CAR 186 Parkview Ave Bangor ME	Bucksport (San 2014)		

1/3	1. 930 8 Jean St	Donkin Donuts		100 00
	2. 945 90 school house RD	True Value		
	3. 945 90 school house RD	True Value		
	4. 945 90 school house RD	High School		
	5. 1000 Edison Drive	Laundry mat		
	6. 1000 Edison Drive	Laundry mat		
	7. 1015 15 First St	Health Center		
	8. 1015 15 First St	Health Center		
(23)	9. 1054 988 Acadia highway	Hannaford		
	10. 1100 Family Dollar	Hannaford		
	11. 1100 Family Dollar	Hannaford		
	12. 1110 121 main st	Family Dollar		
	13. 1111 Right AW	Hannaford		
	14. 1120 Health Center	15 First St		
	15. 1120 Health Center	15 First St		
	16. 1130 Hannaford	988 Acadia Highway		
	17. 1145 Family Dollar	121 main st		
	18. 1213 Laundry mat	Edison Drive		
	19. 1213 Laundry mat	Edison Drive		
	20. 120 Hannaford	90 school house RD		
	21. 120 Hannaford	90 school house RD		
	22. 120 High School	90 school house RD		
	23. 130 Family Dollar	8 Jean St		

Total:		Driver Over:
Office:	Cash:	
Driver:	Cab Supplies:	Driver Short:

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TOWN COUNCIL FIRST READING 2-22-18: A proposed amendment to the Official Zoning Map of the Town of Bucksport to establish a Contract Zone identified as the *Central Street Mobile Home Park Contract Zone*, which will allow an up to 60-lot mobile home park in a Rural 1 District where mobile home parks are currently prohibited. The Contract Zone received approval by the Planning Board on February 6, 2018, and it is now subject to Town Council approval. The Contract Zone Agreement reads as follows:

### CONTRACT ZONE AGREEMENT

This Contract Zone Agreement (the "Agreement") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between the Town of Bucksport, a municipal corporation (the "Town"), and Michael Hawes (the "Owner"), pursuant to the Conditional and Contract Rezoning Provisions set forth in 30-A M.R.S.A. Section 4352(8) and Section 9.2 of the Bucksport Town Code, Appendix K Land Use Ordinance, as amended (the "Zoning Ordinance").

WHEREAS, the property subject to this Agreement consists of a 61.10 +/- acre undeveloped parcel of real estate located on Central Street, in the Town of Bucksport, Maine, identified on the Town's Tax Map 05 as Lot 22 (the "Property"), which Property is currently owned by the Owner by virtue of a certain Deed dated October 25, 2017, recorded in the Hancock County Registry of Deeds in Book 6852, Page 61; and

WHEREAS, the Property is located in three zoning districts identified in the Zoning Ordinance as the Rural 1 Development Corridor District (the "R1DCR District"), the R1 Silver Lake Section District (the "R1SL District") both as identified in Section 7.1.15.1 of the Zoning Ordinance, and the Resource Protection Shoreland Overlay District (the "RPO District") as identified in Section 7.1.12 of the Zoning Ordinance, and all three are identified on the Official Zoning Map for the Town; and

WHEREAS, the Property is also located in the Silver Lake Watershed, and Silver Lake is identified by the Maine Department of Environmental Protection as a waterbody most at risk from development; and

WHEREAS, the Owner would like to develop the Property with an up to 60 lots mobile home park for senior citizens (the "Project"); and

WHEREAS, the Project will be provided with an onsite drinking water supply and an engineered subsurface wastewater disposal system or a connection to the public sewer system; and

WHEREAS, the mobile home park will be located in the R1DCR District and the R1SL District and not in the RPO District, except for recreational trails for the occupants of the mobile home park; and

WHEREAS, a mobile home park is a prohibited land use in all three Zoning Districts as identified in the Table of Land Uses in Section 9 of the Zoning Ordinance; and

WHEREAS, the prohibition of mobile home parks in the three Zoning Districts prevents the permitting of the Project through conventional methods and the parties wish to establish a means by which the Project can be recognized as a legal land use on the Property; and

WHEREAS, the Town's Comprehensive Plan recognizes the need for more housing for senior citizens, and mobile homes on individual lots are allowed in the R1DCR District and the R1SL District; and

WHEREAS, both the Owner and the Town believe the Project can be developed on the Property in compliance with all Federal, State and Municipal laws, codes, rules and regulations;

NOW THEREFORE, the parties agree to enter into a Contract Zone Agreement to allow the Project on the Property, subject to the terms and conditions set forth herein.

#### TERMS & CONDITIONS:

The parties agree as follows:

##### I. Establishment of the Contract Zone:

1. The Town hereby agrees that the Property as described herein shall be a contract zone (the "Central Street Mobile Home Park Contract Zone") pursuant to the provisions of 30-A M.R.S.A. § 4352(8) and Section 9.2 of the Zoning Ordinance. This Agreement shall create an overlay zone on the Town's Official Zoning Map. Except as expressly modified or otherwise stated herein, the Property shall be subject to the requirements of the underlying R1DCR, R1SL and RPO Districts, as the same may be amended from time to time, together with all lot requirements and general requirements not modified herein.

##### II. Permitted Uses Within the Central Street Mobile Home Park Contract Zone:

The development permitted within the Central Street Mobile Home Park Contract Zone established in paragraph I above shall be as follows:

1. The Project, consisting of an up to 60 lots mobile home park, along with related site improvements, shall be an allowed occupancy within the Central Street Mobile Home Park Contract Zone.
2. The Project shall include an engineered subsurface wastewater disposal system or a connection to the Town's public sewer system.
3. The Project shall include a public water system licensed by the Maine Drinking Water Program.
4. All uses currently identified as allowed uses in the R1DCR District, the R1SL District and the RPO District shall have the same identity within the Central Street Mobile Home Park Contract Zone, except as otherwise identified in this Agreement.

##### III. Restrictions and Conditions applicable to the Central Street Mobile Home Park Contract Zone:

1. Subdivision approval must be obtained from the Planning Board before the Project may be permitted.
2. A mobile home park license must be obtained from the Maine Manufactured Housing Board before the Project may be permitted.
3. All required approvals from the Maine Department of Environmental Protection must be obtained before the Project may be permitted.
4. All required approvals from the Maine Department of Transportation must be obtained before the Project may be permitted.
5. The mobile home park shall have a written policy limiting occupancy to citizens 55 years of age or older. Any changes to this limitation must be approved by the Bucksport Town Council.
6. No commercial uses may be allowed in the mobile home park.
7. The mobile home park must be operated in compliance with all applicable rules, regulations and laws.

##### IV. Miscellaneous Provisions:

1. **Survival Clause:** The terms and conditions of this Agreement shall run with the land and be binding upon and shall inure to the benefit of the respective successors, heirs and assigns of the parties hereto except as specifically set forth herein. This Agreement shall not be assignable without the prior approval of the Bucksport Town Council. A true copy of this Agreement shall be recorded in the Hancock County Registry of Deeds.
2. **Further Assurances.** In order to effectively and properly implement this Agreement, the parties agree to negotiate in good faith the terms and conditions of such further instruments and agreements as may be reasonably necessary from time to time to give effect to this Agreement.

3. The Owner agrees to reimburse the Town for costs incurred to establish the Contract Zone, including public hearing notice costs, and zoning map amendment costs.
4. Maine Agreement. This contract is a Maine agreement, entered into in the State of Maine and shall be governed by and enforced in accordance with the laws of the State of Maine.
5. Binding Covenants. The above-stated restrictions, provisions, and conditions are an essential part of this contract and shall run with the subject premises, shall bind the parties, their successors and assigns with respect to the Project or any part thereof or any interest therein, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit of and be enforceable by, the Town, by and through its duly authorized representatives. This Agreement may not be amended except by mutual written agreement by the parties.
6. Severability. In the event any one or more clauses of this Agreement shall be held to be void or unenforceable for any reason by any court of competent jurisdiction, such clause or clauses shall be deemed to be severable and of no force or effect in such jurisdiction, and the remainder of this Agreement shall be deemed to be valid and in full force and effect, and the terms of this Agreement shall be equitably adjusted if possible so as to compensate the appropriate party for any consideration lost because of the elimination of such clause or clauses.
7. Enforcement. The Town shall also have the ability to enforce any breach of this Agreement or any other violation of the Bucksport Town Code through the provisions of 30-A M.R.S.A. §4452.

V. Sunset Clause:

1. This Contract Zone Agreement will be null and void and of no further force and effect, and impose no limitation or obligation on the part of either party, two years from the date of approval by the Town, except that the parties may, by mutual agreement, extend or eliminate the terms of this Clause as may be appropriate to do so.
2. In the event this Contract Zone Agreement is deemed to be null and void, that determination shall also have the effect of removing the Central Street Mobile Home Park Contract Zone Overlay District from the Town's Official Zoning Map.

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

- 1) is consistent with the Comprehensive Plan duly adopted by the Town of Bucksport on April 10, 2017;
- 2) provides for a land use that is consistent with existing and permitted uses in the R1DCR District, R1SL District and RPO District;
- 3) has received planning board approval as a conditional use; and
- 4) includes appropriate conditions and restrictions relating to the physical development and use of the property.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed on the

\_\_\_\_\_ day of \_\_\_\_\_, 2018.

TOWN OF BUCKSPORT  
By Its Municipal Officers

\_\_\_\_\_  
David Keene, Council Chairman

\_\_\_\_\_  
David Kee, Council Member

\_\_\_\_\_  
Peter Stewart, Council Member

\_\_\_\_\_  
Mark Eastman, Council Member

\_\_\_\_\_  
Paul Rabs, Council Member

\_\_\_\_\_  
Robert Carmichael Jr, Council Member

\_\_\_\_\_  
Paul Gauvin, Council Member

PROPERTY OWNER:

\_\_\_\_\_  
Michael Hawes

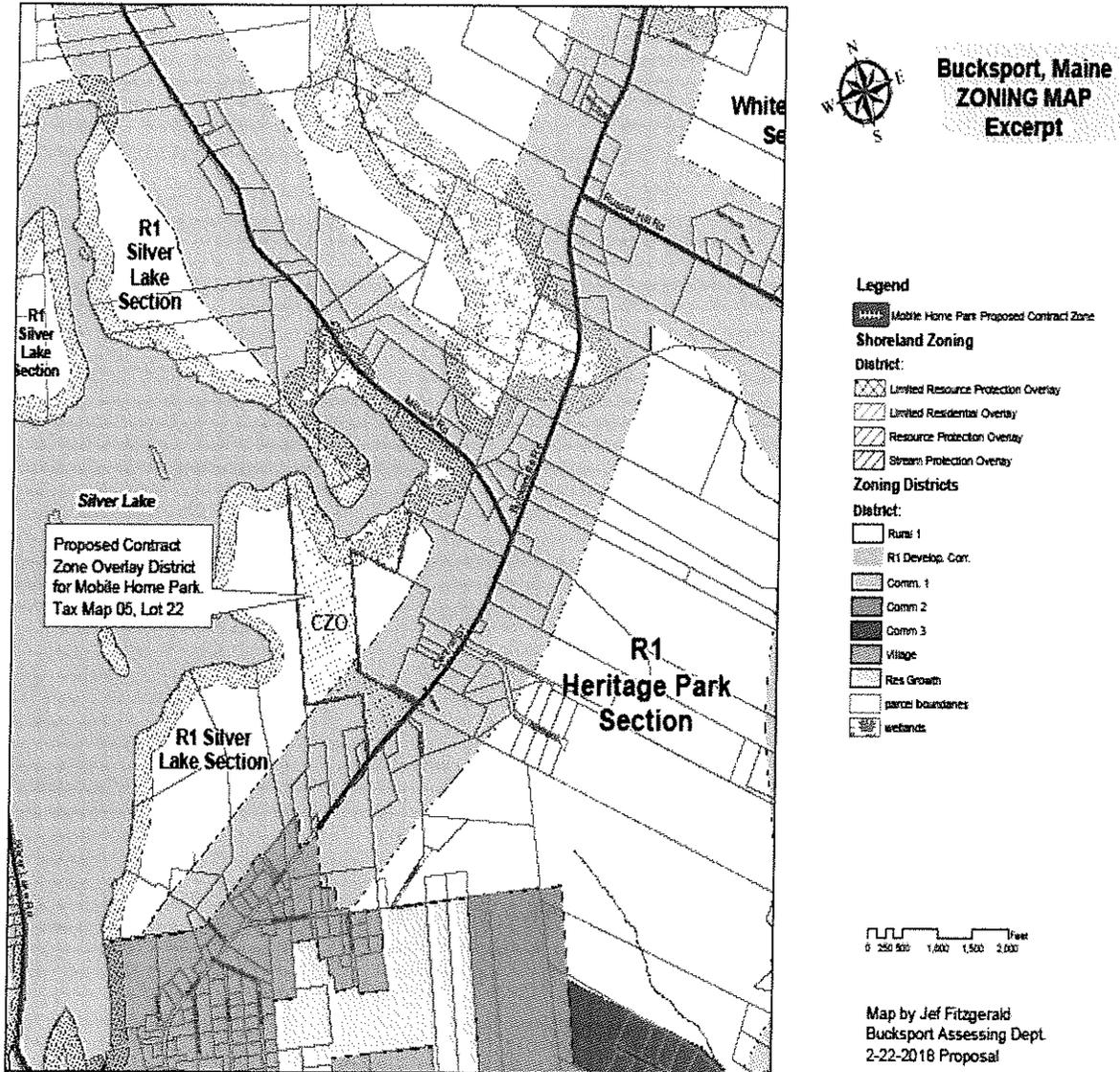
STATE OF MAINE  
HANCOCK COUNTY, ss.

\_\_\_\_\_, 2018

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

\_\_\_\_\_  
Notary Public

Proposed amendment to the Official Zoning Map for the Town of Bucksport to add the Central Street Mobile Home Park Contract Zone.



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**RESOLVE #R-2018-41 TO APPROVE APPLYING FOR A CONNECTME GRANT FOR  
50% OF THE COST OF CABLE LINE EXTENSIONS ON MILLVALE &  
BUCKSMILLS ROADS**

Whereas, the Town of Bucksport received a grant to study broadband internet access in the community, and

Whereas, it is a priority of the Town Council to improve internet availability in the community, and

Whereas, two areas have been identified as having no internet service available, those being a section of Millvale Road and a section of Bucksmills Road, and

Whereas, at the present time the housing density is not sufficient to require that Spectrum extend cable in these areas, and

Whereas, a ConnectME grant can pay 50% of the cost of the proposed project which is estimated at \$ \_\_\_\_\_,

Be it resolved by the Bucksport Town Council in town council assembled to approve a grant application to ConnectME for the project to add cable service on a section of Millvale and Bucksmills Road.

**Acted on February 22, 2018**

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

**Attested by Kathy Downes, Town Clerk**

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