

Mechanic Falls Town Council

October 1, 2018

MEMBERS PRESENT:

Cathy Fifield, Chair
Stephen Bolduc, Vice Chair
Nicholas Konstantoulakis
Kieth Bennett
Wayne Hackett

STAFF PRESENT:

Zakk Maher – Town Manager
Miranda Hinkley – Town Clerk
Jeffrey Goss – Chief of Police

OTHERS PRESENT:

Eriks Petersons, Reporter	Rick Dionne	Paula Stotts
Bobbi Jo Nugent	Cathy Dionne	
Tim Nugent	Terry Hewitt	

1.0 Councilor Fifield called the meeting to order at 6:00pm.

2.0 We stood and saluted the flag.

3.0 All members present.

Councilor Bennett moves to suspend Robert's Rules of Order to allow an additional item be added to the agenda. Seconded by Councilor Konstantoulakis and voted unanimously to allow. Appointment of Election Clerks/Warden added to agenda.

4.0 General Reports:

4.1 Council Meeting Minutes for September 4, 2018 and September 10, 2018

4.2 Municipal Financial Reports

Councilor Hackett moves to accept the Minutes and Reports as submitted, seconded by Councilor Bolduc. All in favor, so voted.

4.3 Report on Standing Committees & Departments

Councilor Konstantoulakis states the Recreation Committee is not against the Coordinator Position, however they feel the position needs better definition. The Committee is not meeting quorum as too many volunteers are needed at this point (10-member committee). Councilor Bolduc has not attended a school meeting as of this time. The Planning Board will meet October 15th at 6:30pm. The County budget does not seem too bad this year. They have found way to cut money and there is not an abundance of arguing. Zakk Maher (Town Manager) reports that Les Johnson (Transfer Station Manager) has given his resignation as he plans to retire in December. Zakk will be looking to fill this position prior to the beginning of the Calendar Year.

5.0 Public Hearings:

5.1 The Little Brick Pub Liquor and Special Amusement Licenses.

The Council reviewed the proposed business plan presented by Timothy and Bobbi Nugent. The couple have purchased the building located at 15 Elm Street. They will be going to the Planning Board with request for conditional use on Oct 15th. They are requesting a liquor license approval which was submitted and approved by Chief Goss. They are also requesting Special Amusement Permit to allow for live music. They state this will be 2-3 people bands as the building is not large enough for larger performances. There were no public concerns regarding this request.

5.2 Changes to General Assistance Rules.

The Town Manager presented the new General Assistance maximums Effective 10/01/18-9/30/19. These figures were prepared by Maine Municipal Association and take into account the raise in cost of living. The increase was minimal ranging from \$10 to \$64 depending on household size. No objections or comments from the public regarding this matter.

6.0 Comments from the Public: NONE

7.0 Old Business:

7.1 Volunteer Code of Conduct

The Town Manager made requested changes to document and requests vote to approve. Councilor Bolduc moves to approve Volunteer Code of Conduct as written. Seconded by Councilor Konstantoulakis. All in favor, so voted.

7.2 Information Security Policy

The Town Manager presents a policy for all users of Town of Mechanic Falls hardware, software, websites, and social media accounts regarding security and improper use. The Council asked about associated cost with implementing the change. Zakk states the costs are minimal as we are relocating and realigning anyway. Councilor Bolduc moves to accept policy as written, seconded by Councilor Hackett. Unanimous.

8.0 New Business:

8.1 New Motor Vehicle Agent

Zakk would like to name Julie Ward as Motor Vehicle Agent for the Town of Mechanic Falls as this duty is primarily a Tax function (Excise Tax Collection). Miranda explains that the prior Town Manager assigned this duty from the previous Tax Clerk to her for reasons unknown. Councilor Konstantoulakis moves to appoint Julie Ward as Motor Vehicle Agent for the Town of Mechanic Falls. Motion seconded by Councilor Bennett and voted unanimously to accept.

8.2 Police Tasers Bid

The Police Department is looking to accept a bid on new Tasers for the department. Each Officer should have their own as events sometimes require the call of additional officers and if only the "on-duty" officer is carrying a Taser, others may have to resort to other forms of force. Also, the Taser battery life would be extended by not being in use 24/7. Chief Goss would like to use a portion of the Civil Assets fund to purchase the contract. Battery replacement is included in the warranty which is the most expensive upkeep on the systems. Councilor Bolduc moves to allow the purchase of Contract for Police Tasers using Civil Asset Funds. Seconded by Councilor Konstantoulakis. All in favor, so voted.

8.3 Junior Service Day October 19th

We will have students volunteering with the Fire/Rescue and Police Departments for Junior Service Day. They will have tours, wash vehicles, prep the station for Open House, etc.

8.4 Video Recording of Council Meetings

The Town Manager has purchased a video recording device with tripod using discretionary funds for the purpose of recording and posting meetings for public viewing. He would like a vote to approve this use. Councilor Hackett feels that voice recording and minutes are enough to provide open access without having to video record. Others asked if this would encourage further lack of attendance. Zakk does not feel this is the case, he feels this will allow community members that are homebound or do not have time in their busy schedule to attend the opportunity to be informed. The videos will not be streamed live at this time, we are posting to the website for access at a later date. Councilor Konstantoulakis agrees this is a good idea and moves to allow the video recording and sharing of Council Meetings. Councilor Bennett seconds the motion. Councilors Konstantoulakis, Bennett, Bolduc, and Fifield vote for the motion, Councilor Hackett votes against. Motion passes.

8.5 Schedule Council Workshop

The Council would like a workshop to determine the short/long range focus of the town administration. All members agree that October 22 at 6:30pm is acceptable.

8.6 Real Estate Subordination

As a condition of sale for the property located at 15 Elm Street (Future home of the Lil Brick Pub), there was a clause placed that required the first floor to remain a commercial establishment. Failure to remain commercial results in the Town taking ownership of the premises. The purchasers have no intention of converting to residential, however for financing to approve their loan, they are requiring subordination by the Town. Councilor Hackett was concerned that the previous Council had placed this condition with reason and he felt it should be upheld/reviewed. The Grantors (Rick & Cathy Dionne) were present and felt that the subordination would not affect how the Town would proceed with violation. The subordination allows for the Bank to have repossession rights prior to the Town. Councilor Hackett presents the point that the Bank is not going to foreclose on a property that they are receiving payment for. Mr. Dionne feels that if he were to violate now with this clause, the Town would have to take him to court. The same would happen if the future owner violates, therefore there is no additional cost or procedure either way. Councilor Konstantoulakis moves to approve signing of the Subordination Agreement for 15 Elm Street, seconded by Councilor Bolduc and voted unanimously to approve. All Council Members signed as required.

8.7 **Addition to Agenda Appointment of Election Officials for November 6, 2018**

The Town Clerk is requesting appointment of Nancy Petersons as Warden and Michelle Emery and Jacqueline Preston as Election Clerks for the November 6th State General Election. Councilor Hackett moves to appoint as requested. Councilor Bolduc seconds. All in favor, so voted.

9.0 Ordinances, Resolves & Licenses:

9.1 General Assistance Rates

Vote required for accepting new General Assistance Rates as prepared by MMA. Motion: Councilor Hackett
Second: Councilor Bennett Vote: Unanimous

9.2 Little Brick Pub Licensure

Vote needed for liquor and special amusement permit approval for new business, Lil Brick Pub. Motion: Councilor Konstantoulakis
Second: Councilor Bolduc Vote: Unanimous

9.3 Abatement/Supplemental Requests

We have an application for abatement and supplemental billing for M10 L44 due to clerical/assessor error. The Abatement amount is \$467.68 and Supplemental amount is \$427.50. This leaves \$40.18 to be covered by existing overlay. Separate motions were entered for abatement and supplemental billing both by Councilor Hackett. Both motions seconded by Councilor Bolduc and both voted unanimously to accept.

9.4 Office Closure

We will be closed Monday, October 8, 2018 in observance of Columbus Day.

10.0 Executive Session:

Councilor Bolduc moves to enter executive session under Title MRSA Section 405(6) Sub-section C, seconded by Councilor Konstantoulakis and voted unanimously to enter executive session at 7:55pm.

The Council emerged from executive session at 8:37pm.

Councilor Konstantoulakis moves to hold a special town meeting on Tuesday, October 16th at 7pm to discuss leasing old Railroad Building at Depot Square, seconded by Councilor Bolduc. Voted unanimously to hold meeting as scheduled.

Boy Scout Troop 139 representative would like to replace old Legion Marquee sign with a new electric scrolling sign on the front of the building. No permit needed. Council approves.

11.0 Adjourn:

Councilor Konstantoulakis motioned to adjourn, Seconded by Councilor Bolduc. All in favor, so voted. Meeting Adjourned 8:43pm.