

Agenda

Winterport Town Council

DATE	May 2, 2023
TIME	7:00 PM
LOCATION	44 Main Street, Winterport

1. COUNCIL MEMBERS IN ATTENDANCE

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF THE AGENDA

4. CONSENT AGENDA

1. SIGNATURES OF WARRANTS

2. APPROVAL OF MINUTES

3. COMMUNICATIONS

4. APPOINTMENTS & RESIGNATIONS

5. COMMITTEE MINUTES

5. PUBLIC COMMENTS

6. COMMITTEE REPORTS

7. UNFINISHED BUSINESS

8. NEW BUSINESS

1. Contract with DM&J

9. MANAGER'S REPORT

10. COUNCILOR'S COMMENTS

11. ADJOURNMENT

A / P Check Register
Bank: United Checking 8212769

Type	Check	Amount	Date	Wrnt	Payee
R	37235	466.99	05/03/23	100	0029 AIM FUND SERVICES, INC.
R	37236	3,428.56	05/03/23	100	0317 ATLANTIC COMMUNICATIONS INC.
R	37237	87.77	05/03/23	100	0999 Casey Ashey
R	37238	57.93	05/03/23	100	0875 Consolidated Communications
R	37239	634.64	05/03/23	100	1002 Edward Jones
R	37240	2,801.10	05/03/23	100	0727 Fire Tech & Safety
R	37241	41.92	05/03/23	100	0984 Marie Chausse
R	37242	314.40	05/03/23	100	0624 Maureen Black
R	37243	1,583.09	05/03/23	100	0146 PENOBSCOT ENERGY RECOVERY CO.
R	37244	3,365.32	05/03/23	100	0146 PENOBSCOT ENERGY RECOVERY CO.
R	37245	10,110.25	05/03/23	100	0175 SECRETARY OF STATE
R	37246	23.01	05/03/23	100	0959 State of Maine
R	37247	1,296.27	05/03/23	100	0679 Town of Winterport
R	37248	3,988.00	05/03/23	100	0350 TREASURER STATE OF MAINE
R	37249	57.00	05/03/23	100	0206 WALDO COUNTY REGISTRY OF DEEDS
R	37250	597.50	05/03/23	100	0258 WELLMAN PAVING INC
R	37251	449.75	05/03/23	100	0211 WIGHT'S SPORTING GOODS
Total		29,303.50			

Count	
Checks	17
Voids	0

A / P Warrant

Warrant 100

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
00029 AIM FUND SERVICES, INC.						
0434	37235	04	April 2023			
Employer Match			G 1-215-00		155.24	0.00
Employee Contribution			G 1-227-00		311.75	0.00
Vendor Total-					466.99	
00317 ATLANTIC COMMUNICATIONS INC.						
0434	37236	04	FD			
FD			E 35-20-30		3,428.56	0.00
Vendor Total-					3,428.56	
00999 Casey Ashe						
0434	37237	04	03/28-04/27			
03/28-04/27			E 20-70-16		87.77	0.00
Vendor Total-					87.77	
00875 Consolidated Communications						
0434	37238	04	April2023			
April2023			E 60-80-20		57.93	0.00
Vendor Total-					57.93	
01002 Edward Jones						
0434	37239	04	retirementApril 2023			
retirementApril 2023			G 1-215-00		317.32	0.00
retirementApril 2023			G 1-227-00		317.32	0.00
Vendor Total-					634.64	
00727 Fire Tech & Safety						
0434	37240	04	helmet, fit test, backpac			
helmet, fit test, backpac			E 35-20-10		495.00	0.00
helmet, fit test, backpac			E 35-20-10		1,706.10	0.00
helmet, fit test, backpac			E 35-20-10		600.00	0.00
Vendor Total-					2,801.10	
00984 Marie Chausse						
0434	37241	04	Mileage 04/24-25/2023			
Mileage 04/24-25/2023			E 20-70-16		41.92	0.00
Vendor Total-					41.92	
00624 Maureen Black						
0434	37242	04	Mileage03/29-04/27/2023			
Mileage			E 20-70-16		314.40	0.00
Vendor Total-					314.40	
00146 PENOBSCOT ENERGY RECOVERY CO.						
0434	37243	04	Solid Waste			
SOLID WASTE			E 60-90-10		1,296.66	0.00
Solid Waste			E 60-90-10		286.43	0.00
Invoice Total-					1,583.09	
*** SEPARATE ***						
0434	37244	04	Solid Waste			
SOLID WASTE			E 60-90-10		903.84	0.00
Solid Waste			E 60-90-10		2,461.48	0.00
Invoice Total-					3,365.32	
Vendor Total-					4,948.41	
00175 SECRETARY OF STATE						
0434	37245	04	BMVWKApr24-27,2023			
STATE FEES			G 1-205-00		4,634.75	0.00
TITLE FEES			G 1-204-00		198.00	0.00
SALES TAX			G 1-204-01		5,277.50	0.00

A / P Warrant

Warrant 100

Jrnl	Check	Month	Invoice Description	Reference	Encumbrance
Description	Account	Proj	Amount		
			Vendor Total-	10,110.25	
00959 State of Maine					
0434	37246	04	Levy		
Levy	G 1-226-01		23.01		0.00
			Vendor Total-	23.01	
00679 Town of Winterport					
0434	37247	04	Paywk04/24-30,2023		
Medicare	G 1-211-00		159.70		0.00
FICA	G 1-212-00		682.92		0.00
Federal	G 1-213-00		453.65		0.00
			Vendor Total-	1,296.27	
00350 TREASURER STATE OF MAINE					
0434	37248	04	IF&W April 2023		
HUNT/FISH LICENSES	G 1-206-00		495.00		0.00
ATV/BOAT/SNOWMOBILES	G 1-209-00		1,260.00		0.00
SALES TAX	G 1-210-00		2,233.00		0.00
			Vendor Total-	3,988.00	
00206 WALDO COUNTY REGISTRY OF DEEDS					
0434	37249	04	Lien Releases		
LIENS/DISCHARGES	E 20-30-37		57.00		0.00
			Vendor Total-	57.00	
00258 WELLMAN PAVING INC					
0434	37250	04	cold Patch		
cold Patch	E 50-20-80		597.50		0.00
			Vendor Total-	597.50	
00211 WIGHT'S SPORTING GOODS					
0434	37251	04	Paint white line		
Paint white line	E 65-20-10		449.75		0.00
			Vendor Total-	449.75	
			Prepaid Total-	0.00	
			Current Total-	29,303.50	
			EFT Total-	0.00	
			Warrant Total-	29,303.50	

STEPHEN COOPER

Kevin Kelley

Tammy Higgins

MARGARET ENGLISH-FLANAGAN

ANN RONCO

TOWN MANAGERS APPROVAL:

Minutes

Winterport Town Council

DATE April 18, 2023

TIME 7:00 PM

MEETING CALLED TO ORDER BY Maggie English-Flanagan at 7:00 PM

COUNCIL MEMBERS IN ATTENDANCE

Chair – Maggie English-Flanagan

Councilor Stephen Cooper

Councilor Kevin Kelley

Councilor Tammy Higgins

Councilor Ann Ronco

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Manager Ashe

APPROVAL OF THE AGENDA

Motion: *Councilor Ronco, 2nd Councilor Kelley*

Vote: *Passed 5-0*

Resolution:

CONSENT AGENDA

Motion: *Councilor Kelley, 2nd Councilor Ronco*

Vote: *Passed 5-0*

Resolution:

1. SIGNATURES OF WARRANTS
2. APPROVAL OF MINUTES
3. COMMUNICATIONS

A. FY 2024 BUDGET SCHEDULE

B. 2021 TAX FORECLOSURES

C. APPOINTMENTS & RESIGNATIONS

i. Nancy Gause – solid waste and recycling committee

ii. Alan Cohen – solid waste and recycling committee

iii. Mary Anne Royal – solid waste and recycling committee

iv. Joseph Doyon – associate member of the conservation commission

PUBLIC COMMENTS

COMMITTEE REPORTS

1. **Broadband Committee** – Councilor Kelley provided an update on the Broadband Committee. See Broadband Committee minutes and the recording for further details.

2. **Conservation Commission** – Mary-Ann Royal provided an update on the conservation commission. See Conservation Commission minutes and recording for further details.

UNFINISHED BUSINESS

1. **Remote Participation Policy** – Language was reviewed one final time and voted on by members of the council for adoption.

Motion: Councilor Ronco, 2nd Councilor Kelley

Vote: Passed 5-0

Resolution:

NEW BUSINESS

1. **Schedule Workshop on ARPA**
- Scheduled for Wednesday 4-26-2023 at 6PM

Motion: Councilor Ronco, 2nd Councilor Kelley

Vote: Passed – 5-0

Resolution:

MANAGER'S REPORT

Town Manager's report is attached as Exhibit A

1. *Manager Ashe*y presented the paving bids for the 2023 Paving Schedule. Wellman Paving was awarded the paving contract for 2023.

Motion: Councilor Kelley, 2nd Councilor Higgins

Vote: Passed – 5-0

Resolution:

COUNCILOR'S COMMENTS

1. **Councilor Higgins:** Expressed concern over the road supervisor position being open.
2. **Councilor Kelley:** No comment.
3. **Councilor Ronco:** Asked where we are holding voting. Manager Ashey replied, the Town meeting is being held at the school and elections are held at the Victoria Grant Civic Center
4. **Councilor Cooper:** Expressed concern over having the bank runs being completed daily at Camden National Bank in Brewer.
5. **Chair English-Flanagan:** No Comment

ADJOURNMENT

Meeting was adjourned at 7:40PM

Motion: Councilor Kelley, 2nd Councilor Higgins

Vote: Passed – 5-0

Resolution:

Respectfully submitted,



Town Manager

Note: All Winterport Town Council Meetings are recorded. See audio recording for further information.

Minutes

Winterport Town Council

DATE	April 26, 2023
TIME	6:00 PM
MEETING CALLED TO ORDER BY	Maggie English-Flanagan at 6:00 PM

COUNCIL MEMBERS IN ATTENDANCE

Chair – Maggie English-Flanagan

Councilor Stephen Cooper

Councilor Kevin Kelley

Councilor Tammy Higgins

Councilor Ann Ronco

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Manager Ashe

WORKSHOP ON ARPA

Motion: *Councilor Kelley, 2nd Councilor Ronco*

Vote: *Passed – 5-0*

Resolution: *Approve Manager Ashe to write two articles awarding \$250,000.00 of ARPA funds to Fire Truck and remaining funds of \$171,367.96 to Broadband.*

ADJOURNMENT

Meeting was adjourned at 6:34PM

Motion: *Councilor Kelley, 2nd Councilor Ronco*

Vote: *Passed – 5-0*

Resolution:

Respectfully submitted,



Town Manager

Note: All Winterport Town Council Meetings are recorded. See audio recording for further information.

Winterport
11:15 AM

Payroll Warrant
Pay Date: 05/03/2023

05/01/2023
Page 1

WARRANT: 99

Check	D / D	Check	Employee	Gross Pay
37226	0.00	1,107.84	192 Casey J Ashey	1,586.54
37227	0.00	217.50	194 Alan Barton	266.94
37228	0.00	203.79	212 Alan Barton	222.45
37229	0.00	717.83	135 Maureen Black	1,038.80
37230	0.00	518.21	206 Marie R Chausse	604.32
37231	0.00	539.32	178 Randy Kenneson	701.20
37232	0.00	208.43	48 DAVID L NASON	288.63
37233	0.00	335.75	207 Jay Temple	377.46
37234	0.00	368.70	209 Wendy Wallace	420.90
Total	0.00	4,217.37		5,507.24

Put into A/P **1,827.41**
Taken out of A/P **(0.00)**

Total Payroll 6,044.78

Count

Checks 9

STEPHEN COOPER

Kevin Kelley

Tammy Higgins

MARGARET ENGLISH-FLANAGAN

ANN RONCO

TOWN MANAGERS APPROVAL:

May 1, 2023

Dear Select Board,

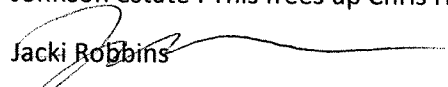
The property at Map R11 lot 245 Was originally owned by Roger Johnson. He gave or sold the land to Chris Hamor, his son.

The buildings were put in a LLC that does not really exist. Now the IRS is coming after all his buildings.

This includes his (Roger Johnson) wife 's house on Chris's land.

Chris is wanting to pay his taxes on the land he owns.

We recommend we do 2 abatements for 2021 and 2022 and then supplement them back to Roger Johnson estate . This frees up Chris Hamor to pay his portion of the bill and buy back his property.


Jacki Robbins
Winterport Assessor's Agent

+ MMA Lawyers Advised

SUPPLEMENTAL TAX CERTIFICATE
Title 36 M.R.S.A. Section 713

We, the undersigned, Assessors of the Municipality of _____, hereby certify that the foregoing list of estates and assessments thereon, recorded in page _____ through _____ of this book, were either invalid, void or omitted by mistake from our original invoice and valuation and list of assessments dated the 29 day of July, 2021, that these lists are supplemental to the aforesaid original invoice, valuation and list of assessments dated the 29 day of July, 2021, and are made by virtue of Title 36, Section 713, as amended.

Given under our hands this _____ day of _____, 20____.

MUNICIPAL ASSESSOR(S)

* Attach this form to the inside of the valuation book with a list of persons and their estates.

1889 Hamer 7261.63 --

No. _____

TAX ABATEMENT CERTIFICATE

To: CASEY ASHEY, Tax Collector of Winterport

We, the undersigned, ASSESSORS of the Municipality of Winterport

hereby certify that a real estate abatement has been issued to: # 1889 Hamner

for the Fiscal Year (2021) due to the following reasons: _____

step mothers house not his

Value of Real Estate abated \$ 487,500

Mill rate x 15.05

Tax abated \$ 7261.63

Given under our hands this _____ day of _____, 20____

ASSESSORS OF WINTERPORT

SUPPLEMENTAL TAX CERTIFICATE

Title 36 M.R.S.A. Section 713

We, the undersigned, Assessors of the Municipality of Wendover, hereby certify that the foregoing list of estates and assessments thereon, recorded in page _____ through _____ of this book, were either invalid, void or omitted by mistake from our original invoice and valuation and list of assessments dated the 10 day of Aug, 2020, that these lists are supplemental to the aforesaid original invoice, valuation and list of assessments dated the 10 day of Aug, 2020, and are made by virtue of Title 36, Section 713, as amended.

Given under our hands this 1 day of _____, 20 .

MUNICIPAL ASSESSOR(S)

* Attach this form to the inside of the valuation book with a list of persons and their estates.

1889 Harner 7113.32

No. _____

TAX ABATEMENT CERTIFICATE

To: **CASEY ASHEY, Tax Collector of Winterport**

We, the undersigned, ASSESSORS of the Municipality of Winterport

hereby certify that a real estate abatement has been issued to: #1889 Hammer

for the Fiscal Year 2022 due to the following reasons: _____

Step mothers house not his

Value of Real Estate abated \$ _____

Mill rate x _____

Tax abated \$ 7113.32

Given under our hands this _____ day of _____, 20_____

ASSESSORS OF WINTERPORT

Transportation and Disposal Contract

This agreement is between the Town of Winterport hereinafter referred to as “The Town” and DM&J Waste Management, Inc, hereinafter referred to as “DM&J.” The Term of this agreement is one year commencing July 1, 2023, with a one-year renewal option. The one-year renewal option is dependant upon the completion of one year of satisfactory service and successful negotiation of rates for the option year.

DM&J agrees to:

1. Provide transportation and disposal of The Town’s 45-yard closed top MSW container within 24 hours notification from The Town that a container is ready for shipment.
2. Provide one 50 cubic yard open top roll-off container, delivered to The Town’s transfer station, to be used for storage of acceptable demo debris and bulky waste.
3. Provide transportation of the Town’s containers within 4 working hours (working hours are 6am to 4pm) after notification from The Town that a container is ready for shipment.
4. Obtain and maintain public liability insurance with a single limit of liability of not less than \$1,000,000.00.
5. Obtain and maintain vehicular liability insurance covering all company owned vehicles to be used in the completion of this agreement with limits of coverage of not less than \$1,000,000.00.
6. Provide the Town with certificates of the insurance coverage described in items 4 & 5.
7. Meet with Town officials in May of 2024 to negotiate rates for the option year.

The Town agrees to:

1. Load said containers with acceptable MSW material as defined the DEP.
2. Load said container(s) with acceptable demo debris material, acceptable metal material, acceptable recycling material and acceptable MSW material respectively. Acceptable/Non-acceptable material sheets attached.
3. Load said containers no more than to the maximum fill level (top of container).
4. Provide a minimum of a 4 hour notification of a container being ready for shipment. (working hours)
5. Meet with DM&J in May of 2024 to negotiate rates for the option year.
6. Pay DM&J the following rates within 30 days of receipt of invoice:

A. Transportation to PERC	MSW	\$400.00 per trip*
B. Transportation to JRL	MSW (BYPASS)	\$650.00 per trip*
C. Disposal	Demo Debris	\$105.00 per ton
D. Transportation	Demo Debris	\$125.00 per trip*
E. Rental	Demo Container	\$175.00 per month
F. Recycling	Metal	\$ 60.00 per ton**
G. Recycling	Single Sort	\$315.00 per ton***
H. Transportation	Ash	\$450.00 per trip
I. Sunday Service	Any container	\$100.00 per day

* Fuel Surcharge Schedule applied to the transportation fee only per the schedule below. The fuel surcharge is based on the per gallon price of fuel at Dysart's Truck Center's (Hermon location) retail pump price on Monday mornings of each week.

<u>Fuel Price Per Gallon</u>	<u>Surcharge %</u>
Up to \$5.50	.00
\$5.51 - \$5.75	.04
\$5.76 - \$6.00	.08
\$6.01 - \$6.25	.12
\$6.26 - \$6.50	.16
\$6.51 - \$6.75	.20
\$6.76 - \$7.00	.24
\$7.01 - \$7.25	.28

**DM&J Waste will pay The Town on a per ton basis for the metal generated at the Town's Transfer Station. The price per ton will be based on current metal market conditions and the costs of transporting the metal.

***The cost of single sort recycling will rise & fall with the recycling markets. The price per ton will be based on recycling markets and the costs of transporting the recycling. If at any time the town would like to end their single sort recycling program, they would retain the option to do so.

The disposal and/or tipping fees in this agreement will be adjusted by any new taxes or fees imposed by local, state, or federal governments on or after the date of this contract. The disposal and/or tipping fees in this agreement will be adjusted by any increases in tipping fees received by the landfill or incineration facility after the date of this agreement.

In the event there is a closure or major restructure to the current MSW disposal facility utilized by DM&J, the MSW disposal and/or transportation rate may need to be renegotiated and agreed to by both parties in this agreement.

This Agreement represents the entire agreement of the parties hereto and supersedes all prior negotiations, representations or agreements, either written or oral.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the date first set forth above.

Town Administrator/Official

Date

For DM&J Waste Management, Inc.

Date

DM&J CONTRACT COMPARISON AND COST ANALYSIS

CONTRACT	DESCRIPTION	2020-2021	2021-2022	2022-2023	2023-2024	NOTES	ACCOUNT
TRANSPORTATION	MSW TO PERC	\$ 250.00	\$ 300.00	\$ 350.00	\$ 400.00	PER TRIP	60-90-10
RECYCLING	SINGLE SORT	\$ 188.00	\$ 165.00	\$ 205.00	\$ 315.00	PER TON	60-90-60
DISPOSAL	DEMO DEBRIS	\$ 85.00	\$ 85.00	\$ 92.00	\$ 105.00	PER TON	60-90-20
TRANSPORTATION	DEMO DEBRIS	\$ 75.00	\$ 75.00	\$ 100.00	\$ 125.00	PER TRIP	60-30-95
RENTAL	DEMO CONTAINER	\$ 100.00	\$ 125.00	\$ 175.00	\$ 175.00	PER MONTH	60-30-92
RECYCLING (METAL)	METAL	\$ 45.00	\$ 75.00	\$ 100.00	\$ 60.00	PER TON	REVENUE
TRANSPORTATION (ASH)	ASH TO JRL	\$ 300.00	\$ 350.00	\$ 400.00	\$ 650.00	PER TRIP	60-30-95
CONTAINER STORAGE	LAND LEASE	\$ 350.00	\$ 350.00	\$ 350.00		PER MONTH	REVENUE

ACCOUNT	22-23 Budget	% change			23-24 Budget	Change
60-90-10	\$ 105,000.00	14%			\$ 119,700.00	\$ 14,700.00
60-30-95	\$ 28,850.00	25%	Ash 1-yr 62.5%		\$ 36,312.00	\$ 7,462.00
60-90-60	\$ 27,350.00	54%			\$ 42,119.00	\$ 14,769.00
60-90-20	\$ 36,650.00	14%			\$ 41,781.00	\$ 5,131.00
60-30-92	\$ 2,100.00	0%			\$ -	\$ -
Land Lease	\$ 4,200.00	revenue				
metal	\$ 1,202.00	-40%			\$ 721.00	\$ (481.00)
					Total	\$ 42,062.00