

**TOWN OF ORONO
COUNCIL MEETING
MONDAY, JANUARY 10, 2022 AT 5:00 P.M.**

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MINUTES

1. Roll Call

Present: (In person) Council Chair Tom Perry, Geoffrey Wingard, Terry Greenier, Cheryl Robertson, Town Manager Sophie Wilson, and (remote) Meghan Gardner and Laurie Osher.

2. Agenda Review - None

3. Approval of Minutes of December 6, 2021 and December 13, 2021 (*Video record time 0:00:39 - 0:01:18*)

Moved by Cheryl Robertson and seconded by Geoffrey Wingard. All voted in favor, 6-0.

4. Public Hearings (*Video record time 0:01:19 - 0:02:56*)

a. To consider a Victualer's License for Global Montello Group Corp., d/b/a Alltown, 103 Park Street.

Public hearing a. opened at 5:02 p.m. Code Enforcement Officer Pat Estey stated staff has completed the inspections and is recommending approval, conditioned upon receipt of payment of the license. No public comments were made. Public hearing a. closed at 5:03 p.m.

b. To consider a Victualer's License for DMCP, LLC, d/b/a Dunkin Donuts, 103 Park Street.

Public hearing a. opened at 5:03 p.m. Code Enforcement Officer Pat Estey stated staff has completed the inspections and is recommending approval, conditioned upon receipt of payment of the license. No public comments were made. Public hearing a. closed at 5:04 p.m.

5. Acknowledgments by Council Members (*Video record time 0:02:57 - 0:04:26*)

Cheryl Robertson acknowledged the return of the light.

Meghan Gardner reminded everyone to bundle up tomorrow, because it will be dangerously cold. She acknowledged the residents who are running on the ballot for Town Council and RSU#26 School Board seats. Ms. Wilson confirmed Candidates' Night will be held via Zoom on Feb 3, 2022 at 6PM. Absentee Ballots will be available starting February 7, 2022.

Tom Perry joined Council Gardner in acknowledging Orono residents who stepped up to run for public office.

6. Unfinished Business - None

7. Consent Agenda *(Video record time 0:04:30 - 0:05:09)*

Order 22-01 Order, approving a Victualer's License for Global Montello Group Corp., d/b/a Alltown, 103 Park Street, conditioned upon receipt of payment.

Order 22-02 Order, approving a Victualer's License for DMCP, LLC, d/b/a Dunkin Donuts, 103 Park Street, conditioned upon receipt of payment.

Order 22-03 Order, pursuant to 29-A M.R.S.A., Sec. 2395, the Council hereby designates Bennoch Road from Main Street to the Orono-Old Town Line, Forest Avenue from Main Street to I-95, and Taylor Road from Forest Avenue to Putnam Road as being closed to vehicular traffic carrying heavy loads from January 15, 2022 until May 1, 2022 when necessary, unless solidly frozen and that said roads shall be subject to the same restrictions and definitions of heavy loads as promulgated by the Department of Transportation for State and State Aid Highways, which restrictions are incorporated herein by reference. The Town Manager shall be authorized to cause the enforcement thereof.

Order 22-04 Order, approving the Membership in the Maine Service Centers Coalition for 2022 and designating Sophia L. Wilson as the Voting Delegate Representative and designating Belle Ryder as the Alternate.

Order 22-05 Order, changing the time of the January 10, 2022 Regular Council Meeting from 7PM to 5PM.

Order 22-06 Order, approving the Warrants for the March 8, 2022 Annual Municipal Election, setting the hours of voting as 7:00am-8:00pm and the polling place as the Council Chambers of the Municipal Building for Ward 1, P1, 2 & 3.

Order 22-07 Order, changing the hours that the Registrar will accept registrations of applicants who appear in person as follows: On the last five business days before the March 8, 2022 Annual Municipal Election. [MRSA 21A, Sec. 122.6A(2) and Sec. 122.8] (Monday-Thursday 7:30am-5:30pm).

Order 22-08 Order, pursuant to 21-A MRSA § 501, approving the Town Clerk's appointment of Belle Ryder, Angela Kohtala and Judith Sullivan as Wardens and Patricia Davis and Danielle Nightingale as Deputy Wardens for the March 8, 2022 Annual Municipal Election.

Order 22-09 Order, confirming the employment contract of Christopher Prue as the WPCF Superintendent for the Town of Orono, effective December 30, 2021 to December 31, 2024.

Order 22-10 Order, authorizing the Town Manager to enter into a Regional Police Mutual Aid Agreement (renewal of existing agreement).

Order 22-11 Order, accepting the Maine Municipal Employees Health Trust Wellness Grant in the amount of \$2,480 for the Town's 2022 Employee Wellness Program.

Order 22-12 Order, authorizing the Town Manager to enter into an Agreement with Penobscot County for Regional Animal Control Services for one year, beginning January 1, 2022 to December 31, 2022.

Order 22-13 Order, proclaiming the Month of March as Science Month in the Town of Orono.

Order 22-14 Order, authorizing the Town Manager to engage Craig Freshley for Town Council Development at a cost not to exceed \$2,810 for workshop and \$200/hour for additional consulting services, if needed, with funds drawn from the Professional Development Reserve Fund.

Moved by Terry Greenier and seconded by Geoffrey Wingard to approve the consent agenda. All voted in favor, 6-0.

8. New Business

Order 22-15 Order, approving an Ordinance Amendment to the Town of Orono Ordinances, Chapter 18, Land Use, Section 18-153, Marijuana Establishments, Section 18-106, Schedule of Uses, and Section 18-31, Definitions, to amend zoning and performance standards for Marijuana Establishments. (Video record time 0:05:10 - 0:07:16)

Moved by Cheryl Robertson and seconded by Terry Greenier. All voted in favor, 6-0.

Town Planner Kyle Drexler stated that both the Planning Board and Town Council held public hearings on the ordinance amendment regarding marijuana establishments within the C-2 zoning district (along a portion of Park Street). The ordinance removes (prohibits) marijuana retail stores as an allowed use within the C-2 district and adds (allows) some marijuana cultivation activities within the LDR district.

Mr. Perry noted this item has been discussed many times in Council committees and workshops. It has been through the Planning Board process and Council has also held its public hearing.

Order 22-16 Order, authorizing a cost of living wage increase of 3.2% for all regularly paid Town staff effective January 2, 2022 and, further, authorizing the Town Manager to adjust the municipal operating departmental budgets to accommodate these wages increases with \$81,393 allocated from the existing Overlay Account. (Video record time 0:07:17 - 0:12:06)

Moved by Terry Greenier and seconded by Cheryl Robertson. All voted in favor, 6-0.

Town Manager Wilson stated this was discussed through Council Committees on December 3rd and 20th. She stated the Town's wages are significantly lower among regional comparable communities

and Council and management are committed to evaluating and revising pay scales as part of FY23 Municipal Budget process. She commented on a significant shift in the labor market and cost-of-living that has increased by approximately 6.8%. Ms. Wilson stated the Council Committee is recommending the Town provide a mid-year cost of living increase of 3.2%. She noted the wage increase equated to \$68,736 (the total costs with benefits is \$81,393).

Councilor Gardner acknowledged that staff has worked very hard (through Covid-19) under very difficult conditions. Tom Perry appreciated the information provided at the workshop by Deputy Finance Manager Zach Turner.

Order 22-17 Order, approving one-time premium wage payment of \$1,500 (gross) each with \$43,500 paid from the Town's Coronavirus Local Fiscal Recovery Funds (also known as American Rescue Plan Act or ARPA funds) and \$4,500 from the existing Overlay Account. (Video record time 0:12:07 - 0:14:33)

Moved by Cheryl Robertson and seconded by Terry Greenier. All voted in favor, 6-0.

Ms. Wilson stated these premium wage payments are for Orono's emergency first responders in the Police and Fire Departments who have been on the front line responding to public health and safety needs during the pandemic. In accordance with the premium pay provision of the American Rescue Plan Act, the Council Committee is recommending that each of our responders receive a one-time payment of \$1,500 with most of the funds paid from ARPA grant funds, and the remaining \$4,500 paid from the approved municipal budget's overlay account. She noted the split funding is due to an abundance of caution with the ARPA funds.

9. Council Committee/Representative Reports (Video record time 0:14:33 - 0:15:24)

Finance and Operations Committee - Tom Perry reported the Finance and Operations Committee met and discussed the non-union wage analysis, received an update on Regional Climate Action Planning efforts, and reviewed the proposed Council meeting schedule for the first quarter of 2022.

10. Future Agenda Items/Items of Concern (Video record time 0:15:25 - 0:16:30)

Ms. Wilson stated she will provide Councilors with an updated meeting schedule due to the Environment Committee meeting on the fourth Wednesday (not the third Wednesday) each month. She also noted the Passover holiday will be added to the 2022 Holiday Schedule. The new schedules will be sent to Council members.

11. Public Petitions - None

12. Public Comments - None

13. WORKSHOP

a. PRESENTATION: Community Resilience Program *(Video record time 0:16:47 - 0:38:06)*

Environmental Services Coordinator Megan Hess presented information on the State of Maine's Community Resilience Partnership grant opportunity for municipalities to begin to address climate change and implement initiatives aimed at meeting the State goals.

Ms. Hess presented the following topics with a Powerpoint: Climate Changes in Maine; Maine's Climate Action Plan; the Grant Opportunity; and Project Ideas with the Grant Funding.

Ms. Hess stated, in order to qualify for program funding, the Town will need to complete a pair of self assessments and identify potential municipal projects that would work best in Orono. This process will include a workshop for members of the Environment Committee and interested community members on January 26th. Then, at a special meeting on January 31st, the Council will consider adoption of a resolution that will articulate the Town's commitment to this process and desire to participate in the program.

Ms. Osher noted transportation energy efficiency is important and building energy efficiency is also important. She commented that Orono is a leader in helping citizens lower their carbon footprint. Ms. Hess agreed that homes and buildings energy efficiency is also an important topic for the state. She stated this could be discussed further at the Environment Committee meeting on January 26th.

The Council was supportive of this process and looked forward to the next steps.

b. Councilor Requests to Consider Future Agenda Items:

i. Housing in Orono *(Video record time 0:38:08 - 1:12:54)*

Ms. Wilson stated that she, Councilor Perry and Councilor Osher met to discuss housing in Orono. She noted that the Town has been addressing this issue by adopting ordinance language related to reduction of lot size in the medium density residential zone, adoption of a Village Overlay District, and accessory dwelling units have been included for review. Ms. Wilson noted that Councilors received the State's Housing Commission Report via email in December.

Councilor Osher stated staff has been working on supporting and encouraging additional affordable housing units in Orono, especially for the elderly. She spoke of the housing article in the December 2021 Maine Town and City Magazine that spoke of this issue and she noted the state legislation that is being proposed. Ms. Osher also spoke of the need for high density housing for Orono's housing to grow.

Mr. Wingard agreed that discussing affordable housing and people's concerns is important. He also noted that opportunities for connecting streets in neighborhoods is also an important idea.

Mr. Drexler stated that the Town is already doing a lot of the State's recommendations. He suggested mapping potential areas for growth. He commented it will require additional information and education to the community.

Ms. Gardner noted the affordable housing crisis in the state and across the country and the need to make smart decisions and look at the impact on certain communities like Orono.

Ms. Osher would like to have the Town discuss ways to increase housing density in Orono and lower the carbon footprint. Mr. Perry noted this topic will be discussed further for next steps.

ii. Increasing Annual Pay for Councilors *(Video record time 1:12:55 - 1:29:55)*

Ms. Wilson stated this item was brought forward to determine whether there is interest in considering an increase in Council pay. The Town Charter establishes Town Council pay, directs the method of its payment, and empowers the Town Council to change the stipend amount through ordinance. Ms. Wilson noted that when the Town Charter was adopted in 1969, the stipend was initially set at \$800 for the Chairperson and \$600 for Councilors. In 1980, this section was revised to reflect \$1,200 for the Chairperson and \$1,000 for Councilors. Ms. Wilson noted a conflict in the language in that it retained the language that authorized Council to revise the stipend amount through ordinance, but then established the stipend with “shall be” language. Ms. Wilson stated she obtained a legal opinion from the Town Attorney that advises the Town Council has, indeed, retained the authority to change the annual stipend amount through ordinance. She advised changing the Charter language when it is opened again.

Ms. Robertson stated 40 years is a long time without an increase and suggested increasing the Council stipend to \$2,000 (and the Council Chair to \$2,400). Ms. Gardner commented it is an equity issue; many people who would like to run for office cannot afford to do so. Mr. Perry suggested looking at a comparison of Council stipends for like communities. Mr. Greenier noted the amount of work done by this Council as compared to other communities. Ms. Osher also supported increasing the wages for people to serve.

The Council agreed to discuss this item further at the January 24th Finance Committee Meeting.

c. FEMA SAFER Grant Opportunity *(Video record time 1:39:57 - 1:49:15)*

Ms. Wilson stated the Federal Emergency Management Agency is currently accepting applications under the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. She noted the management’s FY23 municipal budget will include a high priority request to hire additional firefighters to meet the department’s minimum staffing needs. Ms. Wilson spoke of the minimum staffing requirement of five responders per shift and significant overtime which stresses the budget and existing personnel. If awarded, the SAFER Grant funds could be used to fund a portion of the wages and benefits for firefighters hired to fill newly created positions for up to three years. In years 1 and 2, the grant would cover 75% and 35% in year 3 (based on Step 1). She noted the grant would provide an opportunity to evaluate the impact of higher staffing levels at considerable savings to the local taxpayer. She noted the Town is not required to maintain this staffing level at the end of the grant period; however, some attrition in staffing will occur.

Ms. Gardner stated she was in favor of applying for the grant for the safety and well being of the residents and staff, and to utilize federal funds.

Mr. Wingard suggested starting with one floater position. Mr. Perry spoke of the frustration of hiring four additional firefighters and still incurring overtime, etc.

Public Safety Director Geoff Low and Ms. Wilson stated, if Council is generally supportive of the idea, staff would develop a more formal staffing plan (including financial impact) and provide a formal draft for consideration at a Special Council Meeting on January 31st for consideration.

14. EXECUTIVE SESSION Pursuant to 1 MRSA § 405 (6)(D) for Discussion Related to Negotiation of Collective Bargaining Agreements with IAFF Local 3106 and Maine Association of Police - Orono Unit

At 6:49 p.m., Cheryl Robertson motioned and Geoffrey Wingard seconded to move into executive session for a discussion related to negotiation of collective bargaining agreements with IAFF Local 3106 and Maine Association of Police - Orono Unit. All voted in favor, 6-0.

At 7:48 p.m., Cheryl Robertson motioned and Geoffrey Wingard seconded to move back into regular session. All voted in favor, 6-0.

15. Adjournment

Motion to adjourn by Terry Greenier and seconded by Geoff Wingard. All unanimously agreed. The Council Meeting adjourned at 7:49 p.m.

Minutes are not verbatim. A video-recorded version is available on the Town's website at www.orono.org.

Respectfully submitted,

Nancy W. Ward
Executive Assistant