

**TOWN OF ORONO
COUNCIL MEETING**

**MONDAY, FEBRUARY 14, 2022 AT 5:00 P.M.
COUNCIL CHAMBER, 59 MAIN STREET, ORONO, MAINE**

**WATCH ONLINE AT <https://zoom.us/j/99905805786>
For Dial in Only call 1-312-626-6799 Webinar ID: 999 0580 5786**

MINUTES

1. Roll Call

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

2. Agenda Review

Mr. Perry asked Council to consider adding Order 22-33 to the agenda and to consider revisions to Orders 22-28, 22-29 and 22-30.

Moved by Cheryl Robertson and seconded by Geoffrey Wingard to add Order 22-33 to the agenda and consider revisions to Orders 22-28, 22-29, and 22-30. All voted in favor, 6-0.

3. Approval of Minutes of January 10, 2022 *(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 0:00:39 - 0:01:18)*

a. To consider a Victualer's License for Nest Coffee, LLC, 24 Main 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 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 Black Bear Nutrition, LLC, 5 Mill Street, Suite 5.

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

5. Acknowledgments by Council Members *(Video record time 0:00:39 - 0:01:18)*

Geoffrey Wingard acknowledged the Penobscot Valley Ski Club for their success in recent races.

Cheryl Robertson acknowledged David Chase and Belle Ryder for their assistance with Candidates' Night February 3rd.

Meghan Gardner acknowledged the Riverside Adult Education brochure and highlighted a Holocaust History course being taught by Orono History Teacher, Mathy Terrill.

Laurie Osher acknowledged that over 100 residents from Orono have contacted her to elevate and support legislative issues. She noted many have contacted her regarding LD 1626, a Tribal Sovereignty bill that will be discussed in public hearing this week.

Terry Greenier acknowledged the seven olympians from the University of Maine and the countries they represent.

Tom Perry acknowledged the Public Works Department for their efforts in keeping the roads safe and the sidewalks open.

6. Unfinished Business - None

7. Consent Agenda *(Video record time 0:00:39 - 0:01:18)*

Order 22-21 Order, revising Order 22-20, approved on January 31, 2022, as follows: Order, authorizing the Town Manager to apply for a Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) Grant to fund 100% of the payroll expense related to three additional Firefighter/Paramedics for three years at a total grant amount of \$736,941; and, further, if awarded, accepting and authorizing the Town Manager to expend said funds in accordance with grant requirements.

Order 22-22 Order, approving a Victualer's License for Nest Coffee, LLC, 24 Main Street.

Order 22-23 Order, approving a Victualer's License for Black Bear Nutrition, LLC, 5 Mill Street, Suite 5.

Order 22-24 Order, approving a Class I Malt, Spirituous & Vinous Liquor License for Woodman's Brewing Co., d/b/a Orono Brewing Company, 61 Margin Street *(adding Spirituous to the current license).*

Order 22-25 Order, changing the time of the March 14, 2022 Regular Council Meeting from 7PM to 5PM.

Order 22-26 Order, setting the date of March 14, 2022 at 5PM for a Public Hearing to consider changing the Zoning of Map 27-2 Lots 118, 119, and 121 (39 Pine Street (Orono Public Library), 10 Birch Street (Senior Center), and related parking lot) from Medium Density Residential to Village Commercial.

Order 22-27 Order, approving the transfer of any portion of the Defendant(s) in Rem \$5,556.00, as set forth in Penobscot Court Criminal Action Docket No. CR-20-3731, State v. Brian T. Keenan, pursuant to 15 M.R.S.A. Sec. 5824(3) & Sec. 5826(6); further, authorizing the Town Manager, if approved by the court, to transfer 15% of the funds received to the Penobscot County District Attorney.

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

8. New Business

Order 22-28 Order, authorizing the Town Manager to apply for a Maine Fire Forest Service Project Canopy Grant for a Municipal Tree Inventory in an amount not to exceed ~~\$10,000~~ \$5,000 with the required match provided through in-kind contributions and/or funds drawn from the approved Municipal Operating Budget; and, further, accepting and authorizing the Town Manager to expend said funds in accordance with grant requirements.

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

Public Works Director Rob Yerxa acknowledged the work of Environmental Services Coordinator Megan Hess and the Tree Board for their efforts in writing the Forest Service Project Canopy Grant. He explained it is a planning grant to update the Tree Inventory. He noted the next step will be to update the Tree Management Plan (which is 20 years old). He stated the Tree Inventory will update all of the trees in the right-of-way, and the urban parks and such. Megan Hess noted that the cost of the Tree Inventory is estimated at approximately \$2,500.

Order 22-29 Order, authorizing the Town Manager to apply for a Maine Fire Forest Service Project Canopy Grant for Planting and Maintenance of Trees and Shrubbery in buffer areas related to the Maine Technology Park (Godfrey Drive area) in an amount not to exceed ~~\$8,000~~ \$1,500 with the required match provided through in-kind contributions and/or funds drawn from the approved Municipal Operating Budget; and, further, accepting and authorizing the Town Manager to expend said funds in accordance with grant requirements.

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

Mr. Yerxa stated this is the second grant application under the Maine Forest Service that will fund the planting of about 125 trees in the Godfrey Drive buffer strip between Godfrey Drive and Sylvan Road. He noted the original buffer strip grew up and this grant will allow for new plantings. The budget for this project is approximately \$750.

Order 22-30 Order, authorizing the Town Manager to apply for FY22 Homeland Security Grant (through Penobscot Emergency Management Agency) for Hazmat Perimeter Detection Equipment in an amount not to exceed \$85,000 with ~~no~~ a local match of up to \$15,000 to paid from HazMat Reserve Funds; and, further, accepting and authorizing the Town Manager to expend said funds in accordance with grant requirements.

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

Deputy Fire Chief Kevin Sirois explained that the Fire Department (HazMat team) does not have perimeter monitoring equipment at this time. He provided details about the need for the equipment. Ms. Wilson noted that the Penobscot Emergency Management Agency has grant funds that can be used for this purpose. She spoke of providing a local match of \$15,000 from the HazMat Reserve due to the

large funding request. Deputy Chief Sirois noted that the Town currently borrows military equipment.

Order 22-31 Order, authorizing the Town Manager to enter into an agreement with Port City Architecture of Portland, Maine for a Public Safety Building Facility Assessment at a cost not to exceed \$30,000 with funds drawn from the approved FY22 Capital Facilities Budget; and, further, to re-allocate \$5,000 from the FY22 Overlay Budget to the FY22 Capital Facilities Budget for this project.

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

Ms. Wilson spoke of mechanical and structural issues with the Public Safety building. The Town Council allocated funds for a Public Safety building needs assessment. Staff issued a request for qualifications (RFQ) and received four responses. The Town is currently negotiating the scope of work with Port City Architecture. Ms. Wilson noted that Port City is highly regarded and known for their work with public safety buildings.

Order 22-33 Order, setting the date of March 14, 2022 at 5PM for a Public Hearing to consider an ordinance amendment to Sec. 18-31, Definitions, Sec. 18-106, Schedule of uses, and Sec. 18-131, Home occupations, to amend zoning and performance standards for Homestays.

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

9. Council Committee/Representative Reports

Environment Committee - Ms. Robertson reported the Committee met twice over the last month. At their meeting, they met Environmental Services Coordinator Megan Hess. She noted the Committee reviewed a grant, but decided not to apply for it. She noted the Committee is currently working on a Climate Action Grant that would involve the community, municipal buildings and an Orono weatherization campaign.

Community Development Committee - Ms. Gardner stated the Committee met on February 7th and discussed identifying priorities and next steps for developing a formal Town plan related to Diversity, Equity, and Inclusion (DEI). They reviewed the staff report, next steps for a formal charge for a committee, and a matrix for the DEI toolbox.

Comprehensive Plan Committee - Ms. Gardner reported the Committee met on January 31st and reviewed the Planning Board reports and next steps for a Zoning Map change for the library and related lots from Medium Density residential to Village Commercial and Ordinances revisions for Homestays.

Webster Park Neighborhood Meeting - Terry Greenier stated that on January 24th there was a staff report on the December 8th Webster Park neighborhood meeting. Staff agreed to have four regular community conversion forums with key staff members. The first forum will be on May 1, 2022.

Finance and Operations Committee - Tom Perry reported the Finance Committee met on February 7th to discuss the service and operational level for the municipal swimming pool and Gould's Landing facilities. The Committee recommends maintaining a thorough level of service at both places.

10. Future Agenda Items/Items of Concern

Mr. Perry stated a letter was received from an Orono resident regarding fluoridation of the water supply. Councilors noted that this issue has been discussed and Council determined not to take action at this time. They encouraged residents to follow the petition process, if desired. Ms. Osher felt this issue should be evaluated further, but the other Councilors agreed to point residents to the public petition process.

Ms. Robertson noted emails from parents about PFAS (per- and polyfluoroalkyl substances) in the river from Nine Dragons. She noted she is following the bills in the legislature and noted it is not for Orono to decide; it is a State issue.

11. Public Petitions - None

12. Public Comments - None

13. EXECUTIVE SESSION Pursuant to 36 MRSA, § 841 et seq. to Consider a Request for Poverty Tax Abatement Based on Poverty and/or Disability #2022-001.

At 5:43 p.m., Geoffrey Wingard motioned and Cheryl Robertson seconded to move into executive session to consider a request for a poverty tax abatement based on poverty and/or Disability #2022-001. All voted in favor, 6-0.

At 5:55 p.m., Cheryl Robertson motioned and Geoffrey Wingard seconded to move back into regular session. All voted in favor, 6-0.

Order 22-32 Order, to consider a Request for Poverty Tax Abatement Based on Poverty and/or Disability #2022-001.

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

Mr. Perry stated that he would be out of town for six weeks and be joining the meetings via Zoom. He noted Cheryl Robertson has agreed to be the Chair Pro Tem in the Council Chamber.

Ms. Wilson noted the Council Workshops with Craig Freshley on April 11th and April 25th.

14. Adjournment

Motion to adjourn by Geoff Wingard and seconded by Cheryl Robertson. All unanimously agreed. The Council Meeting adjourned at 5:59 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