



TOWN COUNCIL MEETING
MONDAY, MARCH 13, 2023 AT 5:00 P.M.
COUNCIL CHAMBER, 59 MAIN STREET, ORONO, MAINE

MINUTES

1. Roll Call

Present: Council Vice Chair Meghan Gardner, Leo Kenney, Cheryl Robertson, Geoffrey Wingard, Sonja Birthisel, Robert Laraway, Council Chair Tom Perry (remote via Zoom), and Town Manager Sophie Wilson.

2. Agenda Review (*Video record time 0:0:28 - 0:02:17*)

Ms. Gardner stated that the following items will be removed from the agenda if there are no objections:

Order 23-38 Order, setting the date of April 10, 2023 at 5PM for a Public Hearing to consider the Repeal and Replacement of Chapter 18, Article VIII Floodplain Management of the Town of Orono Ordinances to conform to the State of Maine Model Floodplain Ordinance, which will be taken up next month for a May public hearing; and Executive Session: Pursuant to 1 MRSA § 405 (6)(D) for Discussions Related to Collective Bargaining with the Town Attorney, which has been canceled for tonight. No objections were stated.

Ms. Wilson stated the Town and Union met today with the Executive Director of the Maine Labor Relations Board and the parties have agreed to share information and the attorneys plan to meet later this week for further discussions. While the parties are engaged in dialogue seeking informal agreement, the Board will be noticing a hearing date of March 24, 2023 in the event that there are any matters that remain unresolved by the parties.

3. Approval of Minutes of February 13, 2023 (*Video record time 0:2:18 - 0:03:01*)

Motion by Cheryl Robertson and seconded by Rob Laraway to approve the minutes. All voted in favor, 7-0.

4. Public Comments (*Video record time 0:3:02 - 0:49:10*)

Former Councilor Geoffrey Gordon commented that he is re-engaging in the Town after 15 years on Council and five years away. He stated he was impressed with the improved changes to the agendas, minutes (with record times) and videos available to watch. He also commented that he did not feel Councilors should be able to abstain from voting without stating a reason. He encouraged Council to establish a policy, that if a Councilor abstains from a vote, they should state the reason why.

Resident Jim Dunning and manager of Casella Waste, read an email sent to the Town Manager regarding the generosity and hospitality of the residents of 13 Hamlin Street in welcoming his crew into their home on a bitter cold day to warm up and have refreshments when their truck broke down.

Orono Public Library employee Lindsey Varnum spoke on behalf of the library staff to voice their disappointment with members of the public who made assumptions without talking with them first. She stated the staff is satisfied with their working conditions and feel supported and heard by their Director and the Town Manager.

Resident Claire Ackroyd stated she would like to know more about the reason for the union movement at the Town Office. She would like to know Councilors' response to the AFL CIO letter, and when/how to address any underlying issues.

Resident John Welden asked about the process regarding the bargaining unit discussion and the motive for objecting.

Resident Emma Schroeder asked what prompted the secondary objections regarding part-time employees. She urged the Council to reconsider including the part-time employees. Ms. Wilson clarified the part-time positions.

Leo Kenney and Meghan Gardner attempted to add clarification to the public comments and concerns.

Resident Sam Kunz noted the public is well intended, but things have been blown out of proportion, while the Council has been attempting to be thorough and legal. Everyone needs to take a breath, and seek first to understand versus being understood.

A resident asked for clarification about the part-time workers not being part of the bargaining unit. Ms. Wilson noted the differences with part-time worker hours, and such.

Tristan Friend asked for additional information about the union efforts. Ms. Gardner stated the information is, and will be, available on the Town's website.

5. Public Hearings - (None Scheduled)

6. Acknowledgments by Council Members *(Video record time 0:49:11 - 0:55:15)*

Sonja Birthisel acknowledged the Napoleon, Bangladashian and Indian community members who celebrated the Holi Festival this past week.

Leo Kenney acknowledged the public for its participation in the Council meetings. He also acknowledged the Orono Red Riot Basketball Team for winning the State Championship.

Cheryl Robertson acknowledged 8th grade scientists Leo Hasbrouck and Reed Quirk who are studying the ND Paper Mill odor and the environment. She also acknowledged Town Manager Sophie Wilson and her relationship building with the University and The Penobscot Nation, and that Orono has one of the best town managers in the state.

Tom Perry echoed Ms. Robertson's comments regarding Ms. Wilson and her dedication, and that the town is very fortunate to have her. He noted this would be his last official meeting.

Geoff Wingard acknowledged the Community Conversations and stated the next one is on Thursday, March 16th and encouraged people to attend.

Rob Laraway acknowledged the public for their input and for attending the Council meetings regarding the labor issue.

Meghan Gardner acknowledged the Town Office staff, volunteers, and Town Clerk for their efforts with the election process.

7. **Unfinished Business** - None

8. **Consent Agenda** (*Video record time 0:55:16 - 0:56:05*)

Order 23-36 Order, changing the time of the April 10, 2023 Regular Council Meeting from 7PM to 5PM.

Order 23-37 Order, setting the date of April 10, 2023 at 5PM for a Public Hearing to determine whether or not it is in the best interest of the Town to dispose of Tax Acquired Property located at 3 Water Street, Map 27-12 Map 40, pursuant to the Town of Orono Ordinance, Section 2-150(c).

~~**Order 23-38 Order, setting the date of April 10, 2023 at 5PM for a Public Hearing to consider the Repeal and Replacement of Chapter 18, Article VIII Floodplain Management of the Town of Orono Ordinances to conform to the State of Maine Model Floodplain Ordinance.**~~

Moved by Cheryl Robertson and seconded by Rob Laraway to approve the consent agenda. All voted in favor, 7-0.

9. **New Business**

Order 23-39 Order, authorizing the Town Manager to pay Rawcliffe's Service Center of Hampden \$5,012.39 for Police Cruiser Emergency Repairs with funds drawn from the approved FY23 Police Department Operating Budget. (*Video record time 0:56:06 - 0:59:33*)

Moved by Cheryl Robertson and seconded by Geoff Wingard. All voted in favor, 7-0.

Ms. Wilson stated this is a front line police response vehicle that suffered a breakdown that required computer diagnostics and was taken to a repair shop. The assessment identified issues with the cylinders, valve cover, transfer case, a catalytic converter that was falling apart, and sensors that needed to be replaced. This front line vehicle is a 2020 Ford Explorer with 67,794 miles and is slated to remain in the rotation for 3-5 more years. After evaluating potentially available vehicles for police patrol and finding the continued need for this front line vehicle as well as examining the long-term planned use of this vehicle, management gave the approval to effect the emergency repair estimated to be \$6,212. Fortunately, the repair required less labor than anticipated and the final amount billed was \$5,012.39.

In addition, staff worked through the dealer to submit a warranty claim for the catalytic converter which is expected to result in reimbursement of approximately \$850.

Order 23-40 Order, authorizing the Town Manager to pay Maine Public Employee Retirement System \$9,613.55 as billed for uncollected contributions identified for employer ICMA contributions from 2011-2022 with funds drawn from the approved FY23 Municipal Operating Budget. (Video record time 0:59:34 - 1:03:03)

Moved by Cheryl Robertson and seconded by Geoff Wingard. All voted in favor, 7-0.

Assistant Town Manager Belle Ryder stated that last summer Maine Public Employee Retirement System (MPERS) audited the Town's account and identified the Town had not calculated the employer MPERS contributions correctly for employer contributions to employee ICMA 457 Deferred Compensation accounts. MPERS worked with the Town to reclassify the MPERS account(s) for active employees, changed the billings to reflect correct contributions for both the employee and employer moving forward, and have assessed the employee and employer for contributions that should have been paid on the 457 contributions.

Order 23-41 Order, authorizing the Town Manager to execute an agreement with the Animal Orphanage of Old Town to continue providing Shelter for Stray and Abandoned Animals for a fee of \$9,000 for the period July 1, 2023 through June 30, 2024. (Video record time 1:03:04 - 1:06:20)

Moved by Rob Laraway and seconded by Tom Perry. All voted in favor, 7-0.

Ms. Wilson stated that State law requires all Maine municipalities to designate an animal shelter with which it has entered into a contract to accept stray animals or to have an arrangement for an animal shelter that will accept stray animals. The Town of Orono has a very long standing relationship with The Animal Orphanage in Old Town. The FY24 contract price is \$9,000, an increase of \$1,000 over the previous year. She noted this is an independent agreement between the shelter and Orono, although other communities have similar agreements.

Order 23-42 Order, authorizing the Town Manager to execute an agreement with the Town of Veazie to continue providing Emergency Medical Services for the period July 1, 2022 through June 30, 2025. (Video record time 1:06:21 - 1:11:39)

Moved by Cheryl Robertson and seconded by Tom Perry. All voted in favor, 7-0.

Ms. Wilson stated the Town of Orono has a long standing relationship with the Town of Veazie to provide emergency medical services. Under the terms of the agreement, Orono bills Veazie \$225/call to which it responds and bills the patient according to its adopted fee schedule. In addition, the Town of Orono brings in approximately \$90,000 per year. Management in both Orono and Veazie are recommending renewal of the previous contact without substantive revisions. Ms. Gardner noted that it is a 3-year renewal agreement.

Order 23-43 Order, resolving the Town Council's support for the Orono Public Library

Foundation's (OPLF) Application for Congressionally Directed Spending Funds to expand the Orono Public Library; and, further, to express the Town Council's support for the project and willingness to support the local fundraising efforts, within budgetary constraints. (Video record time 1:11:40 - 1:19:19)

Moved by Cheryl Robertson and seconded by Geoff Wingard. All voted in favor, 7-0.

Library Director Laurie Carpenter provided background information on the library efforts to date. She stated representatives from the Orono Public Library Foundation (OPLF) met with the Town Council Community Development Committee on September 19, 2022 to discuss its efforts related to creating conceptual designs, high level budget development, and initial (pre or seed) fundraising for an expansion to the Orono Public Library. At this meeting, Councilors expressed general support for the project, acknowledged the Town's budgetary constraints, and stated a willingness to consider this project in the context of its efforts to evaluate community needs and current Town-owned facilities.

Ms. Carpenter stated the OPLF is requesting a letter of support for an application that it would like to submit for Congressionally Directed Spending (CDS) to support this expansion effort. Ms. Wilson stated by passing this order, the Town Council would be resolving its sentiment of support for the OPLF's proposed library expansion fundraising efforts and its willingness to work within the resources reasonably available to the Town to support the OPLF fundraising efforts. The Council spoke in support of this effort.

Geoff Gordon spoke in support of library efforts.

10. Future Agenda Items/Items of Concern (Video record time 1:19:20 - 1:20:10)

Leo Kenney noted his only concern is to have Tom Perry leave the Council. Mr. Kenney thanked Mr. Perry for his years of service.

11. Public Petitions - None

12. Public Comments (Video record time 1:20:12 - 1:21:32)

Sam Kunz thanked Mr. Perry for his years of service to the community and for being a role model to Council.

13. ~~Executive Session: Pursuant to 1 MRSA § 405 (6)(D) for Discussions Related to Collective Bargaining with the Town Attorney~~

14. Executive Session: Pursuant to 1 MRSA §405 (6)(A) to Discuss a Personnel Matter.

At 6:30 p.m., Cheryl Robertson motioned and Geoff Wingard seconded to move into executive session to discuss a personnel matter. All voted in favor, 7-0.

At 6:53 p.m, Tom Perry motioned and Cheryl Robertson seconded to move into regular session. All voted in favor, 7-0.

15. Adjournment

Motion to adjourn by Cheryl Robertson and seconded by Geoff Wingard. All voted in favor, 7-0. The Council Meeting adjourned at 6:53 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