



**TOWN COUNCIL MEETING  
MONDAY, MARCH 14, 2022 AT 5:00 P.M.**

**COUNCIL CHAMBER, 59 MAIN STREET, ORONO, MAINE  
WATCH ONLINE AT <https://zoom.us/j/92503440965>**

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**MINUTES**

**1. Roll Call**

Present: (In person) Acting Council Chair Cheryl Robertson, Meghan Gardner, Geoffrey Wingard, Town Manager Sophie Wilson, and (remote) Tom Perry, and Laurie Osher (at 5:01 pm). Absent: Terry Greenier.

**2. Agenda Review** (*Video record time 0:01:40 - 0:02:22*)

Moved by Meghan Gardner and seconded by Geoffrey Wingard to add Order 22-49 to the agenda at the end of New Business. All voted in favor, 4-0.

**3. Presentation** (*Video record time 0:02:39 - 0:03:33*)

Councilor Osher joined the meeting at 5:01 pm. Councilor Robertson presented Ms. Osher with a plaque for her 4.5 years of dedicated service to the citizens of Orono. Ms. Robertson wished her well with her work at the State Legislature representing District 123.

**4. Approval of Minutes of February 14, 2022** (*Video record time 0:03:34 - 0:04:12*)

Moved by Meghan Gardner and seconded by Geoffrey Wingard. All voted in favor, 5-0.

**5. Public Hearings** (*Video record time 0:04:13 - 0:13:40*)

**a. To consider a Victualer's License for Legacy CP Maine, LLC d/b/a Wendy's Old Fashioned Hamburgers, 4 Stillwater Avenue.**

Public hearing a. 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 a. closed at 5:04 p.m.

**b. 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.**

Public hearing b. opened at 5:04 p.m. Town Planner Kyle Drexler stated the zone change from Medium Density Residential to Village Commercial will allow the library to consider an expansion at the front of the building. He noted the Comprehensive Plan states that expansion on the borders of the Village Commercial District makes sense. The change affects three lots at 39 Pine and 10 Birch Streets.

He noted that adding the Library and Senior Center to the Village Commercial District makes sense. No public comments were made. Public hearing b. closed at 5:08 p.m.

**c. 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.**

Public hearing c. opened at 5:09 p.m. Mr. Drexler stated that currently, the Town of Orono Code of Ordinances does not allow short-term rentals (for example, Airbnb or VRBO). Over the last several months, the Town Council has been working with staff to develop a proposed amendment to the current Homestay Ordinance and the schedule of uses to allow for and regulate short-term rental activity. The Planning Board held its public hearing and review on December 15, 2021 with no changes. Mr. Drexler described the two types of Homestays (Homestay 1 - owner occupied requiring a permit from the Code Enforcement Officer and Homestay 2 - not owner occupied requiring Planning Board review before approval). He noted that a local agent provision has been added to the ordinance for non-owner occupied locations.

Ms. Gardner spoke in support of moving forward with this ordinance. Public hearing c. closed at 5:12 p.m.

**6. Acknowledgments by Council Members** *(Video record time 0:13:41 - 0:18:18)*

Meghan Gardner acknowledged the Orono High School Chess Club for winning their third championship in a row. She also recognized Dr. Michelle Toder because she is going to ride her bicycle across the country starting April 30, 2022.

Geoffrey Wingard acknowledged Councilors Greenier and Osher for being gracious mentors to him on Council.

Tom Perry acknowledged Councilors Greenier and Osher for their service to the community. He also acknowledged Acting Council Chair Robertson for assisting tonight; noting Maine law requires the Council Chair to be in person for the meetings.

Cheryl Robertson acknowledged the election staff for their efforts with the recent election. She also acknowledged the Town's leadership over the last two years in dealing with Covid-19 requirements and keeping us safe. She thanked the staff for their efforts during a difficult time.

Laurie Osher acknowledged the great election turnout. She also acknowledged the Orono athletic department for hosting the recent unified basketball tournament.

**7. Unfinished Business - None**

**8. Consent Agenda** *(Video record time 0:18:30 - 0:98:00)*

**Order 22-34 Order, approving a Victualer's License for Legacy CP Maine, LLC d/b/a Wendy's Old Fashioned Hamburgers, 4 Stillwater Avenue.**

**Order 22-35 Order, changing the time of the April 11, 2022 Regular Council Meeting from 7PM to 5PM.**

- Order 22-36** Order, confirming the employment contract of Geoffrey Low as the Public Safety Director for the Town of Orono, effective November 5, 2021 to June 30, 2025.
- Order 22-37** Order, confirming the Town Manager's appointment of Geoffrey Low as the Health Officer, filling an unexpired 3-year term until April 2024.
- Order 22-38** Order, setting the date of April 11, 2022 at 5PM for a Public Hearing to consider Amendments to the Town of Orono Ordinances, Chapter 20 Law Enforcement to amend standards for recovery of costs for Police Services and Disorderly Property.
- Order 22-39** Order, adopting the Penobscot County Hazard Mitigation Plan Revision (2022) and authorizing the Town Manager to execute documents necessary to confirm said adoption.
- Order 22-40** Order, authorizing the Town Manager to execute an agreement with the Maine Department of Transportation for a Municipal Partnership Initiative Program for Pavement Surface Overlay from Main Street to the townline at an estimated project budget of \$610,000 with required matching funds, equalling 50% of the total project budget, drawn from the as yet to be approved FY23 Capital Infrastructure Budget.
- Order 22-41** Order, adopting revised Guidelines for Issuing Council Proclamations and Resolutions.

Moved by Meghan Gardner and seconded by Geoffrey Wingard to approve the consent agenda. All voted in favor, 5-0.

## 9. New Business

- Order 22-42** Order, accepting the FY21 Town of Orono Financial Audit. *(Video record time 0:19:01 - 0:33:48)*

Moved by Meghan Gardner and seconded by Geoffrey Wingard to approve the consent agenda. All voted in favor, 5-0.

Ms. Wilson stated she provided an in depth overview of the FY21 Audited Financial Statements at the March 7th Council Committees Meeting. She presented an overview of the audit, noting the importance of the narrative at the beginning of the document. She noted the revenues were more than expected and the expenses were less. Ms. Wilson reviewed the positive increase to the fund balance. She noted it was a clean audit with two minor notations. She commended her staff on a good job.

- Order 22-43** Order, authorizing the Town Manager to reimburse the University of Maine Police Department \$43,036 for Maine Criminal Justice Academy Basic Law Enforcement Training Program Reimbursement as required by State Statute (25 MRSA § 2808). *(Video record time 0:33:49 - 0:38:30)*

Moved by Meghan Gardner and seconded by Geoffrey Wingard. All voted in favor, 5-0.

Ms. Wilson stated that years ago, the State of Maine adopted statutory language that requires a municipality to reimburse the municipality from which the officer was hired if the officer had graduated from the Maine Criminal Justice Academy (MCJA) within the last five (5) years. The initial training reimbursement is established by the MCJA and gradually reduces until it reaches zero after year five is complete.

She noted that last month, the Town hired an officer from the University of Maine Police Department who graduated from the MCJA BLETP in 2021 which means that the Town is required to reimburse the UMPD 100% of the statutory training costs of \$43,036.

**Order 22-44 Order, authorizing the Town Manager to sign and execute an agreement with Maine Earth of Hampden for the Westwood Drive Sewer Improvements project in an amount not to exceed \$326,825 with funds drawn from WPCF Infrastructure Reserve. (Video record time 0:38:31 - 0:43:40)**

Moved by Meghan Gardner and seconded by Geoffrey Wingard. All voted in favor, 5-0.

WPCF Superintendent Chris Prue described the upgrades needed to the sewer mains on Westwood Drive. Ms. Wilson noted staff is recommending, based upon past experience with the low bidder and feedback from current references regarding the company, that the Council award the bid to the second lowest bidder (which is \$26,000 more).

Public Works Director Rob Yerxa described the timeline of the project and the possible delay of pipe material. He anticipated the project to be completed this summer.

**Order 22-45 Order, authorizing the Town Manager to enter into an agreement with Haley Ward of Bangor, Maine for a Community Facilities Assessment in an amount not to exceed \$55,000 with up to \$20,000 funded in FY22 from the Professional Development and Technical Assistance Reserve and the remainder from the as yet to be approved FY23 Capital Facilities Budget. (Video record time 0:43:41 - 0:49:36)**

Moved by Meghan Gardner and seconded by Geoffrey Wingard. All voted in favor, 5-0.

Ms. Wilson stated the Town issued a request for qualifications (RFQ) seeking consulting and technical engineering assistance to complete a community facility needs assessment and related long-term capital improvement plan. An internal staff working group, including Councilor Wingard, interviewed two qualified firms and recommended the Town move forward with Haley Ward.

Ms. Wilson confirmed the firm will utilize prior engineering documents with their work. She thanked Council Wingard for his assistance.

**Order 22-46 Order, authorizing the Town Manager to execute an agreement with the Maine Department of Transportation for the Locally Administered Orono Heads Up - Stillwater Avenue Sidewalk and Pedestrian Crossing Improvements Project at an estimated initial cost of \$100,000 for Project Development with an 80% State Reimbursement of up to \$80,000. (Video record time 0:49:37 - 0:52:48)**

Moved by Meghan Gardner and seconded by Geoffrey Wingard. All voted in favor, 5-0.

Mr. Yerxa stated the Town was awarded a grant through the Heads Up Pedestrian Safety Program to fund sidewalks on the east side of Stillwater Avenue and three crosswalks between Godfrey Drive and the townline. This agreement and funding is for preliminary work which is estimated at \$100,000 and qualifies for a state reimbursement of 80% up to \$80,000. He noted the construction phase will occur in the summer of 2023.

**Order 22-47 Order, authorizing the Town Manager to execute an agreement with I&C Systems Engineering of Scarborough, Maine in an amount not to exceed \$11,400 to Upgrade the WPCF System Control and Data Acquisition (SCADA) System with funds to be drawn from WPCF Capital Equipment Reserve Fund. (Video record time 0:52:49 - 0:55:53)**

Moved by Meghan Gardner and seconded by Geoffrey Wingard. All voted in favor, 5-0.

Mr. Prue stated the WPCF SCADA software system needs to be upgraded in order to maintain system operations and compliance with the Town's state license requirements. Staff solicited quotes for this work and is recommending that the Town use I&C Systems Engineering which has significant experience with upgrading SCADA systems.

**Order 22-48 Order, authorizing the Town Manager to enter into an agreement with Connectivity Point Design & Installation of Auburn, Maine to update the Audio Visual Equipment in Council Chamber in an amount not to exceed \$88,400 paid from the Town's Coronavirus Local Fiscal Recovery Funds (also known as American Rescue Plan Act or ARPA funds). (Video record time 0:55:54 - 1:03:04)**

Moved by Meghan Gardner and seconded by Geoffrey Wingard. All voted in favor, 5-0.

Assistant Town Manager Belle Ryder stated the current technology in Council Chamber does not effectively support hybrid (in-person/remote) meetings. The proposed audio/visual upgrades to Council Chamber include high definition cameras that are larger with an automated meeting controller. Staff issued a request for proposals and received one bid for this specialized project. The Zoom meetings will be hybrid (in-person/remote) meetings. She noted the final bid price falls within budget estimates and qualifies for ARPA funding.

**Order 22-49 Order, authorizing the Town Manager to apply for Lt. Joseph P. DiBernardo Memorial Foundation Grant Funds in an amount not to exceed \$10,750 to purchase Personal Escape Systems for the Fire Department, and further, to accept said funds, if awarded, and authorize the Town Manager to expend said funds in accordance with Town Purchasing Policies. (Video record time 1:03:06 - 1:07:28)**

Moved by Meghan Gardner and seconded by Geoffrey Wingard. All voted in favor, 5-0.

Councilor Robertson noted that this order was added to the agenda.

Ms. Wilson stated this grant provides fire departments with needed personal safety equipment and training. The request is for 17 personal escape systems to replace the current equipment. She explained details of the equipment. Councilor Perry thanked staff for seeking out these types of grants.

**10. Council Committee/Representative Reports** *(Video record time 1:07:33 - 1:11:28)*

**Comprehensive Plan Committee** - Ms. Gardner stated the Committee met on February 7th and discussed the Disorderly Property Ordinance revisions. She stated the proposed language will move to the Council for its public hearing in April.

**Community Development Committee** - Ms. Gardner reported the Committee also met on March 7th and discussed the Community Facilities Assessment which was decided tonight. The Committee also reviewed the final signage and letterhead mock-up and the guidelines for Council proclamations and resolutions.

**Finance and Operations Committee** - Tom Perry reported the Finance Committee met on February 7th to discuss the FY21 Audit in detail and the WPCF new SCADA computer system.

**Environment Committee** - Ms. Robertson reported the Committee met on February 23rd and said good-bye to one of their members, Dr. Brie Berry who accepted a new teaching position as an Assistant Professor of Environmental Studies. The Committee discussed the Community Resilience Grant and some targeted areas for funding, including municipal energy assessments to establish baselines, and continued working on Orono's weatherization project for the fall of 2022.

**11. Future Agenda Items/Items of Concern** *(Video record time 1:11:29 - 1:16:03)*

Councilor Robertson reminded everyone of the Inauguration of new Councilors on March 21st.

Councilor Osher noted Maine Housing announced the 2022 Community Solutions Grant for communities to submit proposals for up to \$500,000 for affordable housing projects. She noted she has discussed this with OEDC to look into. She noted a needs assessment would have to be done.

**12. Public Petitions** - None

**13. Public Comments** - None

**14. Adjournment**

Motion to adjourn by Geoff Wingard and seconded by Meghan Gardner. All unanimously agreed. The Council Meeting adjourned at 6:15 p.m.

Minutes are not verbatim. A video-recorded version is available on the Town's website at [www.orono.org](http://www.orono.org).

Respectfully submitted,

Nancy W. Ward  
Executive Assistant