



## City of Old Town

### Regular Council Meeting Minutes October 04, 2021

Council convened October 04, 2021, in the Old Town City Council Chambers, 265 Main Street.

Councilor's present – Council President Smart, Councilors: Shirley Brissette, Tim Folster, David Wight, Carol May, Stan Peterson, and Linda McLeod.

Administration present – Bill Mayo, Laura Engstrom, Travis Roy, Danielle Berube, Lance Farrer, Irene Pehrson, David Smith, Scott Wilcox, and Cassandra Pool

Others present- Charles Longo (Old Town resident) and Ed Bearor, Esq. (City Attorney)

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Council President Smart called the meeting to order at 6:00 p.m.

#### **Approval of the Minutes:**

Resolved, the Old Town City Council hereby approves as presented September 21, 2021, Administrative, Finance and Special Council Committee meeting minutes.

*Motion made by Councilor Peterson, seconded by Councilor Folster. Approved, all in favor, 7-0 (Motion passes)*

#### **Petitions, Communications, and Citizens' Requests**

- Charles Longo at 2323 Bennoch Road stood up and introduced himself to the City Council and expressed his desire to be a write in candidate for the November 02, 2021, Election. Two seats open for City Council.

#### **Reports**

A. Council President

B. Standing Committees

Finance, Public, Administrative & Economic Services  
Landfill, Legislative, Sewer, Airport & Housing sub-committees

- C. City Councilor
- D. City Attorney
- E. Special Committees
- F. City Manager

City Manager Bill Mayo updated the City Council on the following items:

- Weston Sampson is going to be doing an audit on the Old Town Community Pool to access what repairs need to be done.
- Camaras to be installed inside of pipeline along the trail off 4<sup>th</sup> street by the boat landing.
- Drainage plan being done by engineering firms on drainage at Lawndale and St. Joseph's cemeteries.
- Received the 1.1-million-dollar bond grant for Taxi Way B.

#### **Consent Agenda: item 1**

1. Resolved, the Old Town City Council hereby approves the new applications for a Malt, Vinous & Spiritous Liquor License, and Victualer's License for Jeff Solari, d/b/a Kosta's, 266 Main Street, pending final inspections.

*Motion made by Councilor May to accept the Consent item on the agenda, seconded by Councilor Brissette. Approved all in favor, 7-0 (motion passes)*

#### **Public Hearings and Second Reading of Ordinances**

1. Resolved, the Old Town City Council hereby approves a proposal to amend Chapter 21, titled Welfare, Appendices A, B & C (Food, Housing & Heating Assistance Limits) of the General Assistance Maximum Amounts for the period October 1, 2021, through September 30, 2022.

*Motion made by Councilor Brissette, seconded by Councilor McLeod, Approved all in favor, Roll Call Vote 7-0 (motion passes)*

#### **Old Business**

**New Business:**

1. Resolved, the Old Town City Council hereby approves issuance of Municipal Warrants for the November 2, 2021, Regular Municipal Election.

*Motion made by Councilor Brissette, seconded by Councilor Wight, Approved all in favor, 7-0 (motion passes)*

2. Resolved, the Old Town City Council hereby approves the Registrar of Voters hours for the November 2, 2021, State Referendum & Regular Municipal Election, pursuant to Title 21A, M.R.S.A. §101(6) as presented and recommended by the City Clerk.

*Motion made by Councilor Wight, seconded by Councilor May, Approved all in favor, 7-0 (motion passes)*

3. Resolved, the Old Town City Council hereby accepts the following properties that were acquired pursuant to mature tax and/or sewer liens and authorizes the City Manager to take all necessary steps to dispose of the properties.
  - a. 85 Veazie Street – Vacant
  - b. 104 Veazie Street – Occupied
  - c. 91 Middle Street – Vacant
  - d. 802 Stillwater Ave – Vacant Land (Put out to abutters only)
  - e. 846 Main Street – Occupied

*Motion made by Councilor Brissette, seconded by Councilor Wight, Approved all in favor, 7-0 (motion passes)*

4. Resolved, the Old Town City Council hereby authorized the Finance Director to write off the uncollectable real estate taxes, interest, and lien cost owed for mobile homes moved unknowing as listed below.

**Listing of Mobile Homes no longer in Old Town**

Tax Payor	Acct	Year(s)	Principal	Interest	Lien Cost	Total
(Prior Owner) 11 Lonnie Loop	634	2019- 2020	469.77	88.56	121.80	680.13
(Prior Owner) 27 Billie Jo Court	841	2020	196.96	33.13	7.76	237.85
(Prior Owner) 8 Billie Jo Court	3909	2020	315.47	51.35	60.90	427.72
(Prior Owner) 4 Billie Jo Court	3910	2020	322.33	55.92	60.90	439.15
(Prior Owner) 6 Lance Court	3882	2020	315.47	51.35	60.90	427.72

***Motion made by Councilor Wight, seconded by Councilor Brissette,  
Approved all in favor, 7-0 (motion passes)***

5. Resolved, the Old Town City Council hereby authorized the Finance Director to write off the uncollectable personal property taxes and interest as listed below.

Tax Payor	Acct	Year(s)	Principal	Interest	Lien Cost	Total
C.C.B.inc	167	2018	151.46	20.00	0	171.46
Canteen Service Co.	66	2018- 2019	1,119.09	213.83	0	1,332.92
Yama's 268 Main St (downtown fire)	418	2018- 2021	956.29	167.55	0	1,123.84

- Discussion was made by the City Council if it was possible to involve legal action to collect these back Personal Property taxes. Danielle Berube, Finance Director explained she had sent out multiple letters to said parties for collecting. All 3 businesses are closed as of this time in Old Town. Ed Bearor, City Attorney was asked for his opinion on collecting the taxes and he stated that it might be in the Cities best interest to try to collect them through a small claims court action.

***Motion made by Councilor McLeod, seconded by Councilor Brissette,  
Motion fails to pass, 0 in favor, 7 opposed***

***Motion made by Councilor McLeod to pursue legal action to collect the personal Property taxes on the 3 listed properties as stated above, seconded by Councilor Brissette. Motion passes, 7-0.***

6. Resolved, The City Council hereby authorizes the finance director to adopt the provisions of 5 M.R.S. §18252-C as enacted by PL 2021, Chapter 286 as allowed by MainePERS Rule Chapter 803 for its non-participating employees with optional membership who previously declined to participate in MainePERS ("eligible employees") and to comply with the following requirements:
  - a. To offer by November 1, 2021, the opportunity to join MainePERS prospectively to all its eligible employees who have been employed for 5 years or more, to advise these employees that this will be their only opportunity to join, and to provide MainePERS with documentation of each eligible employee's election; and
  - b. Beginning in 2022, to annually offer eligible employees who have been employed for less than 5 years, and in 2022 eligible employees who had reached 5 years of employment between November 1, 2021, and November 1, 2022, the opportunity to join MainePERS on a prospective basis during an open enrollment period from September pt through November pt and to provide MainePERS with documentation of each election made by eligible employees under this provision: and
  - c. To withhold employee contributions for employees who join under this provision after all taxes have been withheld, and to remit them to MainePERS as after-tax contributions.
  - d. To authorize Bill Mayo, City Manager to sign the Amended Agreement between the Employer and the Maine Public Employees Retirement System.

**Motion made by Councilor Folster, seconded by Councilor Brissette,  
Approved all in favor, 7-0 (motion passes)**

**Adjournment:**

***Motion to adjourn at 6:27 pm made by Councilor McLeod, seconded by  
Councilor Wight. Approved, all in favor, 7-0 (motion passes)***

Respectfully submitted,

Laura Engstrom  
City Clerk