



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

**COUNCIL CHAMBER, 59 MAIN STREET, ORONO, MAINE**

**MINUTES**

**1. Roll Call**

Present: Council Chair Tom Perry, Leo Kenney, Cheryl Robertson, Geoffrey Wingard, Sonja Birthisel, Robert Laraway, Town Manager Sophie Wilson. Absent: Meghan Gardner.

**2. Agenda Review** (*Video record time 0:0:24 - 0:01:18*)

Councilor Kenney requested taking Order 22-214 off the consent agenda to be taken up under New Business.

**3. Approval of Minutes of October 17, 2022** (*Video record time 0:1:19 - 0:01:47*)

Moved by Cheryl Robertson and seconded by Sonja Birthisel. All voted in favor, 6-0.

**4. Public Comments** (*Video record time 0:1:48 - 0:02:50*)

Jullian Blohm, University of Maine Student Government Liaison, introduced himself to the Council.

**5. Public Hearings** (*Video record time 0:2:51 - 0:06:54*)

- a. To consider an Amendment to the Town of Orono Ordinances, Chapter 18, Sec. 135 Off-street Parking and Loading, (b)(2), to reduce Minimum Parking Spaces for Residential Uses.**

Public hearing a. opened at 5:03 p.m. Town Planner Kyle Drexler provided a brief overview of the proposed amendment to reduce the minimum parking spaces for residential uses. He noted that the Comprehensive Plan recommended taking a look at the off-street parking requirements for residential uses. He noted that currently the ordinance requires three parking spaces for new dwelling units. He noted the one size approach does not take into account the size of the dwelling unit. He noted that needless additional parking spaces creates more impervious spaces and stormwater problems. The new ordinance amendment is more flexible for efficiency and one to two bedroom dwellings and would require one to two parking spaces. Ms. Wilson commented that the Council will consider adopting this land use amendment next month. No public comments were made. Public hearing b. closed at 5:06 p.m.

**6. Acknowledgments by Council Members** (*Video record time 0:6:55 - 0:13:00*)

Cheryl Robertson thanked everyone involved in the Orono Efficiency Fair and the Window Dressers build. She thanked the Public Works crew for their assistance. Ms. Robertson stated that over 200 window dressers were built. She also thanked the Orono High School

Environment Committee for their assistance. She noted it was a very successful community project.

Leo Kenney noted the window dressers build was an impressive operation. He acknowledged the University of Maine Facilities Department for replacing the flags on the Brandon Silk Bridge. He also acknowledged Parks and Recreation for the great job with the Trunk or Treat event.

Sonja Birthisel acknowledged the Orono High School students for their performance of Mamma Mia this past weekend.

Geoffrey Wingard acknowledged the election staff and volunteers for their hard work with the recent election. Rob Laraway seconded Mr. Wingard's comments. Ms. Wilson noted that the Town's election was audited by a national group and found that they did a great job.

Cheryl Robertson noted that the SunRule in Webster Park was dedicated over the weekend. She noted that several 5th graders attended the dedication.

Tom Perry acknowledged Town Clerk Shelly Crosby and her election staff and volunteers for their work with the election. He noted he was very impressed with their operation. He also acknowledged the Orono High School Football team that played in the State Championship game and the Girls' Cross Country team for winning their State Championship game again this year. He congratulated Coach White and his daughter Ruth for winning the New England Championship for the second year in a row.

7. **Unfinished Business** - None

8. **Consent Agenda** (*Video record time 0:13:05 - 0:13:57*)

Councilors requested removing Order 22-210, Order 22-211, and Order 22-214 from the consent agenda to be taken up separately under new business.

**Order 22-205 Order, changing the time of the December 12, 2022 Regular Council Meeting from 7:00 PM to 5:00 PM.**

**Order 22-206 Order, setting the date of December 12, 2022 at 5:00 PM to consider a Contract Zone Application by Zachary Pike located at 74 Mill Street, Tax Map 27-12 Lot 35. The application proposes to change the zoning district for the parcel from Medium Density Residential to Village Commercial, with certain restrictions put in place.**

**Order 22-207 Order, setting the date of December 12, 2022 at 5:00 PM to consider an Ordinance Amendment to the Town of Orono Ordinances, Chapter 34 Traffic and Vehicles, Article III Stopping, Standing and Parking, Section 34-94, to authorize the Town Manager discretion with the date that enforcement of the of the Winter Parking Ban will begin and the date enforcement will end based upon Seasonal Conditions.**

**Order 22-208** Order, setting the date of December 12, 2022 at 5:00 PM to allow for public input regarding the use of the Town's remaining ARPA Funds (\$708,550).

**Order 22-209** Order, setting the date of December 12, 2022 at 5:00 PM to allow for public input regarding proposed amendments to the Town of Orono Fee Schedule.

**Order 22-212** Order, confirming the Town's participation in the Maine Workforce Development Compact, and authorizing the Town Manager to execute any agreements.

**Order 22-213** Order, authorizing the Town Manager to execute a purchase and sale agreement allowing the owner of 40 Pond Street to repurchase their property acquired through non-payment of real estate taxes and sewer use fees.

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

## 9. New Business

**Order 22-210** Order, authorizing the Town Manager to accept and expend up to \$2,255 of Byrne Memorial Justice Assistance Grant Funds, along with expending up to \$1,931 in State Asset Forfeiture Funds, for the purchase of a Toughbook and installation costs for the Police Department. *(Video record time 0:13:58 - 0:16:58)*

Moved by Geoffrey Wingard and seconded by Leo Kenney. The vote was in favor, 4-0-2 (with Sonja Birthisel and Rob Laraway abstaining).

Ms. Wilson stated that each year the Police Department receives an allocation of grant funds. This year the department is requesting to use the funds to purchase a Toughbook and cover the installation costs.

**Order 22-211** Order, authorizing the Town Manager to expend an additional amount of up to \$13,000 for the Council Chamber Technology Upgrade, due to a change of Project Scope in the previously executed agreement between the Town and Connectivity Point Design and Installation, LLC of Auburn, Maine; and, further, adjusting the American Rescue Plan Act (ARPA) Expense Budget for this project to reflect this increased expenditure. *(Video record time 0:16:59 - 0:22:16)*

Moved by Cheryl Robertson and seconded by Leo Kenney. The vote was in favor, 5-1 (with Sonja Birthisel opposed).

Assistant Town Manager Belle Ryder stated the additional funds will be used to mount the larger screens to the ceiling (due to their weight) and for the rack with cooling fans and cabling. She noted that two electrical circuits will also be installed.

Mr. Laraway asked why the television screens were being replaced. Ms. Ryder stated the existing TVs will be repurposed to the back of the room. The new screens will be larger, easier to read, with less shadowing, and will be better quality.

**Order 22-214 Order, casting a Ballot for Ella Bowman of Oakland, Maine to serve on the Municipal Review Committee Board of Directors for a Three-Year Term from January 1, 2023-December 31, 2025. (Video record time 0:22:18 - 0:37:14)**

Moved by Cheryl Robertson and seconded by Sonja Birthisel.

Motion to amend by Leo Kenny and seconded by Cheryl Robertson to cast a ballot for Eric Treworgy (instead of Ella Bowman). The vote failed, 2-3-1 (with Cheryl Robertson, Sonja Birthisel, and Geoff Wingard opposed, and Rob Laraway abstaining).

The vote on the original motion was in favor, 6-0.

Ms. Wilson stated that each year the Municipal Review Committee elects three members to the Board of Directors to serve three year terms. As a Joining member, the Town of Orono is eligible to cast one ballot weighted with 3,750 votes. The three highest vote getters (of the five candidates) will be seated on the Board. Ms. Wilson noted that in the past, the Town has cast a ballot to a candidate that has asked for the vote. This year Ella Bowman was the only candidate who called the Town Manager requesting the Town's vote.

Mr. Kenney suggested casting a vote for Eric Treworgy, because he has a chemical engineering background, has not been on the MRC Board before, provided a Plan B for the interim situation with the plant and was not in favor of expanding Juniper Ridge.

Councilors discussed details about the candidates. Ms. Wilson stated the MRC Board has had considerable turnover in the past few years. She noted the complexity of the Board information and the need for someone with experience. Ms. Robertson supported Ms. Wilson concerns.

Mr. Perry noted the public hearings that will be on the December 12, 2022 Council Meeting agenda.

**Order 22-215 Order, approving a change in the Maine Public Employees Retirement System Plan offered to qualifying members of the Orono Police Department for future service only effective December 1, 2022; and, further, authorizing the Town Manager to execute any and all documents necessary, including the Amended Agreement between the Town and the Maine Public Employees Retirement System, to effect this change that reflect the Town's agreement to:**

- a) Provide Special Plan 3C to its police officers who work more than 20 hours per week and are not seasonal or temporary as defined by the appendix to MainePERS Rule Chapter 802 for service rendered after November 30, 2022. Service rendered by police officers during the period from July 1, 2005 through November 30, 2022 remains under Special Plan 2C; service rendered during the period from July 1, 2002 through June 30, 2005 remains under Special Plan 4C**

and service rendered before July 1, 2002 remains under Special Plan 4N.

- b) **Continue to provide Special Plan 2C to its firefighters who work more than 20 hours per week and are not seasonal or temporary as defined by the appendix to MainePERS Rule Chapter 802. (Contractually, this change will occur effective July 1, 2023 with separate Town Council action.)**
- c) **Continue to provide Regular Plan AC to all other employees who work more than 20 hours per week and are not seasonal or temporary as defined by the appendix to MainePERS Rule Chapter.**
- d) **Continue to exclude employees who work 20 hours or less per week or who are seasonal or temporary as defined by the appendix to MainePERS Rule Chapter 802 and its elected/appointed officials from participating in the plan. (Video record time 0:37:15 - 0:39:30)**

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

Mr. Perry noted that this order completes the agreement that has already been approved and signed with the Police Union. Ms. Wilson noted the order does not change the terms of who is eligible or not eligible, but future service effective December 1, 2022.

**Order 22-216 Order, authorizing the Town Manager to enter into an agreement with Centerline Utility Services or Bangor, Maine for video inspection and flushing of approximately 10,000 linear feet of sewer main on Route 2 at a cost not to exceed \$17,725 with funds drawn from the Sewer Infrastructure Reserve Fund. (Video record time 0:39:31 - 0:46:38)**

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

WPCF Superintendent Chris Prue stated the Town needs to gather information about the condition of the pipes. Mr. Prue and Ms. Wilson provided information about the funding.

Ms. Wilson acknowledged the great work that the WPCF crew has done during the rain events.

**Order 22-217 Order, supporting proposed federal legislation HR 6707 - Advancing Equality for Wabanaki Nations Act; and, further, authorizing the Town Council Chair to sign letters indicating this support, as appropriate. (Video record time 0:46:39 - 1:05:50)**

Moved by Cheryl Robertson and seconded by Sonja Birthisel. The vote was in favor, 5-0-1 (with Leo Kenney abstaining).

Councilor Rob Laraway reviewed a draft letter supporting proposed federal legislation HR 6707. The group had a discussion about whether it was Council's role to use its voice in this matter.

Council discussed the letter and made minor changes. The group agreed to confirm with Ambassador Dana that the letter was appropriate, and that the Town Council Chair would sign the letter once confirmation was received.

**10. Council Committee/Representative Reports** *(Video record time 1:05:51 - 1:07:48)*

**Finance Committee** - Mr. Perry reported the Committee met on November 7th to consider changing the service delivery methods for curbside municipal solid waste and recycling collection, decided to hold a public hearing on the remaining ARPA funds, and acceptance of a grant to purchase police technology equipment.

**Community Development Committee** - Mr. Wingard reported the Committee met on November 3rd to review and discuss the Diversity, Equity, Including, and Belonging candidates. On November 7th, the Committee met to discuss an ordinance amendment to allow for discretion in the dates the overnight parking ban begins and ends.

**11. Town Manager Report** *(Video record time 1:07:50 - 1:15:56)*

Ms. Wilson reported on the following items:

- Winter Parking Ban
- Caribou Bog Outdoor Center
- Scott Scripture Memorial Community Dinner to be held November 17th at Birch Street Senior Center
- Employee Recognition Day, December 15th at the Black Bear Inn.

**12. Future Agenda Items/Items of Concern** *(Video record time 1:15:57 - 1:18:20)*

Leo Kenney requested an update from staff on off-street parking at a future Council Community Development Committee Meeting to have a discussion.

**13. Public Petitions** - None

**14. Public Comments** - None

**15. Adjournment**

Motion to adjourn by Leo Kenney and seconded by Rob Laraway. All voted in favor, 6-0. The Council Meeting adjourned at 6:19 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