

AGENDA

ITEM

5. a.

**TOWN OF CLINTON
BOARD OF SELECTMEN
JEFFREY TOWNE, CHAIRMAN**

Members: Stephen Hatch, Randy Clark, Chester Nutting and Joe Massey

SELECTMEN'S MEETING MINUTES

Date: January 23, 2007

Time: 6:30 P.M.

Place: Selectmen's Room /Town Office

Present: Stephen Hatch, Randy Clark, Chester Nutting, Joe Massey, Jeffrey Towne, Dale Morris, Holly Stebbins, James Rhodes, Malcolm Trott

Guest: (12)

Pledge of Allegiance

Approve Selectmen's Minutes January 9, 2007

Motion to Accept: Randy

Second: Steve

Unanimous

1. Scheduled Appointments:

a. Malcolm Trott – Proclamation

Selectmen Proclaim January 23 to be Malcolm Trott Day. The Selectman Thank Mr. Trott for his years of volunteer work in the town of Clinton.

Selectmen present Dale Morris with a proclamation thanking him for his two years as Town Manager and wish him and his family Good Luck in the future.

2. Action Items:

a. Appointment of James Rhodes as Town Manager, Treasurer, Road Commissioner, KVCOG Representative as of Monday, January 29, 2007, 12:00 am.

Randy motions to appoint James Rhodes as Town Manager as of January 29 2007 12:00am.

Second: Joe

Unanimous

Randy motions to appoint James Rhodes as Treasurer until June 30, 2007

Second: Joe

Unanimous

Randy motions to appoint James Rhodes as Road Commissioner until June 30, 2007

Second: Joe

Unanimous

Randy motions to appoint James Rhodes as KVCOG Representative until June 30, 2007

Randy motions to accept Disbursement Payroll Warrant Policy

Second: Joe

Unanimous

3. Discussion Issues:

a. Transition Items

- **Revenue/Expense Detail Reports**
- See Attached Report

- **Six Month Issue List**
See Attached Report

4. Supplements & Abatements:

- **Randy motions to accept abatement # 13- 2006 in the amount of \$270.00**
Second: Steve
Unanimous
- **Randy motions to accept Certificate of Settlement for 1998 tax year**
Second: Steve
Unanimous
- **Randy motions to accept Certificate of Settlement for 1999 tax Year**
Second: Steve
Unanimous
- **Randy motions to accept Certificate of Settlement for 2000 tax year.**
Second: Steve
Unanimous

5. Town Manager's Report: Nothing to Report

6.Old / New Business Information:

None

Audience Participation:

Linda Raven of the Hinckley Road requested information as to what is needed to get approval to have a 24-hour Police Department. It was explained she could approach the Budget Committee at the Public Hearing to be held on April 4, 2007 or try for a petition to have the question put on the Town Warrant Ballot.

Warrant: #52 in the amount of \$ 60503.95

Motion to accept by Randy

Second by Chet

Unanimous

Joe motions to accept Payroll Warrant for Dale Morris's vacation and 1/3rd of sick time, accrued pursuant to the Personal Policy, in the amount of \$3798.74

Second: Randy

Unanimous

Next Agenda Items: February 13, 2007

Land Use- Cheryl Reynold's

CEO to Attend and address Land Use Violations

Audit

Town Managers prospect of Budget

Adjourn

Motion: by Chet

Second: by Steve

Time adjourned: 7:40 pm

AGENDA

ITEM

5. b.



Town of Clinton

27 Baker Street

426-8511 phone

Clinton, ME 04927

426-8323 fax

February 7, 2007

Honorable Board of Selectmen
Clinton Town Hall
27 Baker Street
Clinton, ME 04927

Re: Local Health Officer Appointment

Dear Board Members:

Pursuant to the Clinton Town Charter, Chapter IV, Section 4.02 – Appointed & Elected Positions, subsection (b) (2) (3), I hereby appoint Code Enforcement Officer Robert Sharkey as the Local Health Officer for the Town of Clinton effective February 14, 2007.

Mr. Sharkey is also the Local Health Officer for the Town of Benton. Enclosed is a summary of Health Officer duties.

Request Board of Selectmen confirmation of this appointment.

Sincerely,

James W. Rhodes
Town Manager

Enclosure

SUMMARY OF HEALTH OFFICER DUTIES

provided by the Division of Health Engineering, Bureau of Health, State of Maine

Appointment of Health Officers

Maine's statutes establish a state health agency -- the Department of Health & Human Services -- and a system of municipal Local Health Officers. The Department of Health & Human Services has primary responsibility for the general health and well-being of the people of the State and for enforcement of health laws. This general responsibility includes supervision of Local Health Officers, whose duties include enforcement of all relevant laws, the rules of the Department of Health & Human Services, and local health ordinances. The Department of Health & Human Services is expected to provide Local Health Officers with information and with educational resources pertaining to the regulation of health issues.

On the local level, each municipality is mandated to appoint a Local Health Officer (22 M.R.S.A. §451). The Department of Health & Human Services has general policy-making responsibility to protect the public health. The Local Health Officers, Animal Control Officers, Boards of Selectmen, City Councils, and other officials assist with the enforcement of the rules and regulations of the Department of Health & Human Services. For example, additional authority related to public health is granted to municipalities in Title 30-A, which in some instances is not subject to Department of Health & Human Services control. This authority includes such things as local plumbing and sewage disposal rules. These and other functions are usually the responsibilities of Local Plumbing Inspectors or Code Enforcement Officers.

Every municipality in the State shall employ an official who shall be known as the Local Health Officer. The Local Health Officer shall be appointed for a term of 3 years or until his/her successor is appointed, provided that on expiration of the term of office the municipal officers shall appoint a successor within 30 days of such resignation or expiration. Within 10 days, the municipal officers of all municipalities shall notify the Department of Health & Human Services in writing of the appointment of a Local Health Officer, stating the Local Health Officer's name, age, address and date of appointment and beginning of 3-year term (22 M.R.S.A. §451). The Local Health Officer in towns or plantations contiguous to unorganized territory shall perform the duties of Local Health Officer in such territory (22 M.R.S.A. §451).

Departmental Intervention

If the Local Health Officer, or individual designated as the Local Health Officer pursuant to §451, fails to perform the duties of the Local Health Officer as those duties are described under this section, the department may intervene to perform those duties as the Director of the Bureau of Health is the State Health Officer.

Incapacity or Absence of a Local Health Officer

In the event of incapacity or absence of the Local Health Officer, the municipal officers shall appoint a person to act as Local Health Officer during such incapacity or absence. Failing such appointment, the chairman of the municipal officers shall perform the duties of Local Health Officer until the regular Local Health Officer is returned to duty or appointment of another person has been made (22 M.R.S.A. §451).

Compensation of Local Health Officers

The current statutes make no mention of compensation for Local Health Officers. Compensation, if given, varies greatly from locality to locality as do the specified duties of Local Health Officers, many of whom combine their duties as Local Health Officer with those of school physician, school nurse, public health nurse, local plumbing inspector, code enforcement officer or other health and/or local-government related role.

GENERAL DUTIES AND RESPONSIBILITIES

Reporting Diseases to Department of Health & Human Services

Local Health Officers are required to assist in the reporting, prevention and suppression of diseases and all conditions injurious to health, and shall be subject to the supervision and direction of the Department of Health & Human Services. Prompt reporting of notifiable diseases and occupational diseases, which are brought to their attention within their jurisdictional limits, is also required (22 M.R.S.A. §1030). Physicians are instructed to notify the Department of Health & Human Services

directly when they have reason to believe that a person they are treating is afflicted with a notifiable disease. Reporting these diseases is an important responsibility that should not be minimized. Rules of the Department of Health & Human Services specify the manner and time for reporting specific cases of diseases (22 M.R.S.A. §454 and 22 M.R.S.A. C. 259-A).

Complaints

The Local Health Officer receives and examines all complaints concerning nuisances dangerous to life and health within the limits of his/her jurisdiction.

The Local Health Officer may enter upon or within any place or premises where nuisances or conditions dangerous to life and health are known or believed to exist, and personally, or by appointed agents, inspect and examine the same. All owners, agents and occupants shall permit such sanitary examinations. The Local Health Officer may wish to consult with his/her town attorney to determine if or when an inspection warrant is necessary. The Local Health Officer may order the suppression and removal of nuisances and conditions detrimental to life and health found to exist within the limits of his/her jurisdiction.

Enforcement

It is the duty of the Local Health Officer to require that all state laws, rules of the Department of Health & Human Services and local health ordinances be strictly enforced in their respective communities. When and if they are concerned about bodily harm in the performance of these duties, they have the legal authority to call for assistance from any police officer (22 M.R.S.A. §1014).

Miscellaneous nuisances

The Local Health Officer is, under the existing statutes of the State of Maine, the only health official having the authority to abate miscellaneous nuisances. Maine law, 17 M.R.S.A. §2702 discusses the abatement of nuisances and details the manner in which they are to be resolved in a municipality. Title 17 § 2741 covers some common nuisances and the jurisdiction to abate them. Some common nuisances are referred to 17 M.R.S.A. §2802. Failure to remove the nuisance may result in a fine (22 M.R.S.A. §1561).

- Malfunctioning disposal systems are a nuisance, as stated in 30-A M.R.S.A. §3428
- Local Health Officers are frequently called upon to take action regarding dangerous buildings
- Protecting drinking water and water sources resulting from floods, power outages, and fires
- Evaluate public bathing beaches
- Smoking in public places
- Child or adult abuse or neglect (22 M.R.S.A. §4011 or 22 M.R.S.A. §3477)

Others include offensive smells, filthy substances and discarded motor vehicles

Working with Animal Control Officers

Pursuant to Title 7 M.R.S.A. §3947, each municipality must appoint one or more animal control officers whose duties are enforcement of various sections in law including disposing of large dead animals (e.g., horses, cows, etc.) and responding to reports of animals suspected of having rabies.

Municipalities are required to control dogs running at large (Title 7, §3947). Law enforcement officers and animal control officers are required to take a stray animal to its owner, if known, or, if the owner is unknown, to an animal shelter and

ensure that any injured animal that is at large or in a public way is given proper medical attention.

A municipality must also control domesticated animals that are a cause of complaint in the community. A municipality shall control animals that pose a threat to public health or safety. A municipality may control undomesticated animals in matters on which no other department is charged by law to regulate.

§3949(7) requires Municipal clerks, annually, on or before April 1st, to certify to the Commissioner of the Department of Agriculture, Food and Rural Resources of the name and location of the animal shelter with which the municipality has entered into a contract to accept stray animals.

AGENDA

ITEM

5. c.



Town of Clinton
27 Baker Street

426-8511 phone

Clinton, ME 04927

426-8323 fax

February 7, 2007

Honorable Board of Selectmen
Clinton Town Hall
27 Baker Street
Clinton, ME 04927

Re: Appointment of Town Manager as the Web Site Manager (Web Master)

Dear Board Members:

I am recommending the Board of Selectmen appoint the Town Manager as the Town of Clinton Web Site Manager (Web Master): Pursuant to the Clinton Town Charter Chapter III Town Manager, Section 3.04 Powers and Duties of Town Manager, (or Perform such other duties as specified in this charter or may be required by the Board of Selectmen.

The Town Manager, by Town Charter, is the Chief Executive and Administrative Officer of the town and shall be responsible to the Board of Selectmen for the effective administration of all Town affairs placed in the Town Manager's charge.

The Town Manager needs to be in charge of the Web Site to ensure the content is current since the Web Site is the "Electronic Gateway" to the Town of Clinton. The Web site should be used to communicate with residents, businesses and visitors.

Sincerely,

James W. Rhodes
Town Manager

CERTIFICATE OF APPOINTMENT
(Title 30, M.R.S.A. 2253)

Selectmen's Office

MUNICIPALITY OF CLINTON

February 13, A.D. 2007

To Town Manager, James Rhodes of Clinton the County of Kennebec and the State of Maine: There being an additional duty required for the Town Manager, the Selectmen of the Municipality of Clinton do, in accordance with the provisions of the law of the State of Maine, hereby appoint you as a WEB MANAGER (WEB MASTER) within and for the Municipality of Clinton, such appointment to be effective until June 30, 2007.

Given under our hand this _____ day of _____, 20_____

_____ Selectmen
of
Clinton

STATE OF MAINE

County of Kennebec

_____, 20_____

Personally appeared the above named _____
who has been duly appointed by the Selectmen as a _____
_____ in said Municipality, and took the oath necessary to qualify him to
discharge said duties for the term specified above according to law. Before me,

_____ Municipal Clerk

**This Certificate and the Certificate of Oath shall be returned
to the Municipal Clerk for filing.**

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5. d.

NOTICE

The Town of Clinton will actively enforce the Automobile Graveyard and Junk Yard Ordinances adopted by the Town.

If you have three or more unregistered and/or un-inspected automobiles, or any junk items on your property, you will be found in violation of Section 4 Subsection H of the Town's Land Use Ordinances, and subject to fines of from \$100.00 to \$2,500.00 per day for each day the violation continues.

All Clinton properties will be subjected to inspections and fines if found to be in violation of the above stated ordinance.

Inspections shall commence April 1, 2007. If you have any questions, call the Clinton Town Office.

Dale,

I would like to print a letter similar to this, but worded differently perhaps and place it in the Morning Sentinel for a couple of days.

It would give some owners an opportunity to clean up their yards and lessen the work load or possible legal actions for non-compliance.

What do you think?

Bob

AGENDA

ITEM

6. a.

INSPECTION REPORT

TO: Jim Rhodes
FM: Bob Sharkey
DATE: February 13, 2007

1. **REYNOLDS 496 HINCKLEY RD. 2-35 DANGEROUS BUILDING. TEMPORARY STRUCTURAL IMPROVEMENTS HAVE BEEN SATISFACTORILY COMPLETED.**
Re-inspected 2-13-07 10:15 AM. Met with Ms. Cheryl Reynolds, The Builder and Mechanical Engineer. All structural work same as in photos. The "water shield" fabric placed over the roof has partially been removed due to windstorms. The owner has made arrangements for a local contractor to refasten the material. The dilapidated garage has been satisfactorily removed from the premises. There should be no further problems until the property has been sold and the intentions of the new owner are known.
2. **BLANCHARD 23 PEARL ST. 17-109A INSPECT, PHOTOS, MTG REPORT 2-1-07**
Re-inspected 2-13-07 10:45AM Little or no movement to comply. See letter from Mr. Blanchard's Attorney refuting what was agreed to in a meeting with the Town Manager and Bob Sharkey. Request Permission to Prosecute – Rule 80K
3. **WELLS 2027 BANGOR RD. 8-60 TAKE LEGAL ACTION. Re-inspected 2-13-07**
Violations remain the same. Placed letter in storm door advising Wells of intent to obtain Court Hearing date at 9:00AM on 2-25-07. Also sent a Certified Letter with same information. Notice letter still in doorway today
4. **KRUEGER 270 HILL RD. 7-25 2 WEEK WARNING AND TAKE LEGAL ACTION IF NECESSARY.** Re-inspected 2-13-07 11:00AM Some progress noted. Dumpster 85% filled with Junk metal. Notified by phone and hand delivered letter of Court meeting on 2-15-07 for Hearing date.
5. **LAGASSE 334 HINCKLEY ST. 3-13 AFTER 2 WEEKS NOTICE TAKE LEGAL ACTION**
Re-inspected 2-13-07 10:50 AM 3 or 4 more vehicles removed since last inspection. Will prosecute if necessary after the Wells and Krueger cases are resolved/
6. **MCINTYRE 167 MAIN ST. 17-82 NO PERMIT FOR BOX TRLR. MONITOR CLEAN UP**
April 15,2007 Compliance Date. Re-inspected 2-13-07 No change noted. Informed C. McIntyre that the Town would not issue a permit for box trailer
7. **DUNPHY 67 MUTTON LN. 22-22 ADMIN INSP. WARRANT.**
Re-inspection 2-13-07 11:20 Violations remain the same. Left letter in door, and mailed copy of certified letter Thursday 2-8-07. Will obtain an Administrative Inspection Warrant
8. **SANDER 943 HINCKLEY RD. 6-13 REINSPECT REAR AREA OF PROPERTY.**
Re-inspected 2-13-07 10:30 AM. Asked owner's wife for permission to inspect rear property. Permission granted. Found that owner is in violation of Junkyard and Automobile Graveyard Ordinances and Laws. A letter will be sent certified requiring an abatement of the violation within 30 days to avoid possible prosecution.

NOTE: Problems with digital camera prevented photographs during this inspection.

SHERMAN & SANDY
Attorneys At Law

Alan C. Sherman
(1936-1984)

Robert E. Sandy, Jr.
Thomas W. Bell

Joan Phillips-Sandy
(Of Counsel)

74 Silver Street
P. O. Box 499
Waterville, ME 04903-0499

207/872-7727
873-5638
FAX: 207/873-3379

e-mail: info@shermanandsandy.com

February 7, 2007

Robert G. Sharkey
Code Enforcement Officer
Town of Clinton
27 Baker St.
Clinton, ME 04927

Re: Edward Blanchard

Dear Mr. Sharkey:

I am writing on behalf of my client, Edward Blanchard, to formally request a list of the activities or items that take place or are located at 23 Pearl Street, Clinton, Maine, that constitute violations of the Clinton Town Ordinance Section 4H, as asserted in your letter of January 16, 2007. You have requested that my client appear before the Town Selectmen Meeting scheduled for February 13, 2007, in order to present his plan for addressing these violations. However, without a formal list of violations, my client cannot be expected to make such a plan, and until such time as he receives this list, he will not appear before the Selectmen, nor will I be authorized to appear on his behalf. In support of this position, I would direct your attention to Clinton Town Ordinance Section 6F(1)(a), "If the Code Enforcement Officer shall find that any provision is being violated, he or she shall notify *in writing* the person responsible for such violation, *indicating the nature of the violation and ordering the action necessary to correct it*" (emphasis added).

In addition, I would direct your attention to the language of Clinton Town Ordinance Section 4H, which specifically references "automobile graveyards." Under M.R.S.A. 30-A §3752, a definition of automobile graveyards is given, along with several very clear examples of operations that do not constitute an automobile graveyard. Specifically, the statute states, "Automobile graveyard" does not include: (1) An area used for temporary storage of vehicles or vehicle parts by an establishment or place of business that is primarily engaged in doing vehicle repair work to make repairs to render a motor vehicle serviceable." In the past, the Town has acknowledged that my client is engaged in a vehicle repair business. As such, the business operating at Mr. Blanchard's property does not fall under the provisions of Clinton Town Ordinance Section 4H.

The Town of Clinton has pursued actions against my client in the past, up to and including the referral of his case to the District Attorney's office, to no avail. There was an Administrative Inspection Warrant issued by the Waterville District Court on May 23, 2006, followed by an inspection of Mr. Blanchard's property. My client has yet to receive a copy of the report generated by this inspection or notice of any violations found during this recent inspection. My client has repeatedly asked for a specific

Robert G. Sharkey
February 7, 2007
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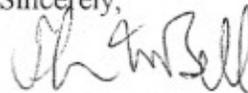
list of things that he would need to correct in order to resolve this matter, and he has been repeatedly denied this. Before he can possibly comply with any alleged violations of the Town Ordinances, he needs know the ways in which he has been found in violation.

On February 1, 2007, my client and I met with both you and the Town Manager, James Rhodes, to discuss this situation. It was the understanding of both myself and my client that this meeting was to take place in order for you to inspect the property at 23 Pearl St. This did not happen, but you stated that you would still like to inspect the property. Please contact Mr. Blanchard in order to set up this inspection with the understanding that we require a copy of any report generated by your efforts. If this is not acceptable, then Mr. Blanchard will not voluntarily consent to you inspecting the premises, and you will need to obtain an administrative warrant to do so.

This situation has been ongoing for quite some time now, and I understand that you were not present for most of it. However, my client has had his business interrupted on several occasions and has been forced to spend money on attorneys to resolve this matter. Clearly, by authorizing you to prosecute my client for alleged violations of the Town Ordinance, the Town must have some specific examples of activities or items that violate the law. My client simply wants a list of those specific violations, as he is entitled to under the Town Ordinance, so he can rectify the situation once and for all, and can conduct his livelihood in peace, free from threats of legal action.

I look forward to receiving your list. The sooner I receive it, the sooner my client can rectify any legally valid concerns.

Sincerely,



Thomas W. Bell, Esq.

TWB/gav

cc: Edward Blanchard

AGENDA

ITEM

8. b.



CITY OF WATERVILLE

Office of the
City Manager

January 22, 2007

James Rhodes, Town Manager
Town of Clinton
27 Baker Street
Clinton, Maine 04927

Dear Jim:

First, welcome back to the north central Maine area.

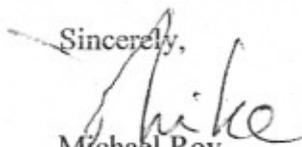
I have attached a proposal for dispatch services should your community need or desire to use our Communication Center in your next fiscal year. We are requesting a fee of \$1,000/month or \$12,000/annually.

I think you are well aware of the level of training and competency of our dispatch team, so I won't go into a long explanation of that. We would be pleased to have the Town of Clinton on board along with the towns of Oakland and Winslow and Delta Ambulance.

Legislation has been submitted to designate Waterville as an additional PSAP center for Kennebec County. Much will rest on the success of that bill.

Please feel free to contact me, or Chief Morris, should you have any further questions.

Sincerely,


Michael Roy
City Manager

MR/abd

cc: John Morris, Chief of Police
Joseph Massey, Deputy Chief

WATERVILLE COMMUNICATIONS CENTER

Implementation Plan to Provide Public Safety Dispatching For The Town of Clinton, Maine

I. Police Department

The Clinton Police Department is currently dispatched by the Kennebec County Sheriff's Office. They also use the Sheriff's Office records management system by both terminal access at the Clinton Police Station and via Mobile Data Terminals (M.D.T.). The Sheriff Department uses Information Management Corporation (I.M.C.), as their software vendor. The City of Waterville Police Department uses the same version software and vendor for their records management system. The process for the City of Waterville to assume dispatching for the Clinton Police Department would require two things.

First, reprogramming the Clinton Police Department radios to our primary police department frequency. Based on the limited radio traffic that assuming Clinton Police Department dispatching would involve, it is my suggestion that they be dispatched on our current Waterville Police Department Frequency. I have spoken to Yankee Communications, the radio service used by Clinton Police. Yankee has advised that reprogramming of the Clinton Police Department radios could be accomplished for approximately two hundred dollars. (\$200.00).

Second, the current access to the Sheriff's Departments records management system would need to be reconfigured to the Waterville Police Departments records management system. We made a similar switch when the Oakland Police Department went from using the Sheriff's Office records managements system to using our records management system. The reconfiguration to our records management system can be accomplished by the city's Information Technology staff. The reconfiguration of the Clinton Police Department mobile data terminals can be accomplished by Hussey Communications programming the data radio server. The historical Clinton Police Department data should be extracted from the Sheriff's Office records management system and then placed in the Clinton Police Department data base that would be maintained on our server. Reconfiguration of Clinton Police Department computers can be done by the City of Waterville IT staff; there is little or no cost for this. The obtaining of historical data from

the Sheriff's Office must be done by I.M.C. The cost quote by I.M.C. for this is still pending from I.M.C. This would be paid by the town of Clinton.

The police department non emergency line currently rings at the police facility located at the town office. During periods when the police department personnel are not present to answer the business line they use an answering machine that gives the message to call the Kennebec County Sheriff's Office or 9-1-1 if the call is an emergency. The Chief of Police has expressed concern about continuing this practice. He would prefer that a call forwarding function be activated that would automatically direct calls coming in on the police department business line to the Waterville Communications Center, during those times when Clinton Police Department personnel are not available to answer the telephone. Oakland Police Department currently uses this method for their non-emergency business line. The function can be activated and deactivated at the telephone rather easily and quickly. The cost of this function would be the responsibility of the Town of Clinton.

II. Fire Department

The fire department provides fire service protection as well as a full service EMS transporting ambulance service. The department responds to between five hundred and six hundred calls for service a year. The department is manned twenty four hours a day three hundred and sixty five days a year. Calls for emergencies are typically received by the Sheriff's Office and then radio dispatched to the personnel at the station as well as call personnel that are equipped with pagers. The Waterville Communications Center currently dispatches for three municipal fire departments using, essentially, the same method. The radio capacity and equipment are currently in place at the Waterville Communications Center. Reprogramming of the dispatch console at the communications center can be accomplished in two to four hours. The cost for Hussey Communications to make the required programming changes would be approximately \$400.00 . No reprogramming of the pagers used by the Clinton Fire and Rescue personnel would be required. No reprogramming of the fire department mobile and portable radios would be required.

The fire department maintains in house dispatching at the fire station therefore no need exists for the Waterville Communications Center to man the non-emergency business line. In most instances follow up calls relating to a call for service, such as to Central Maine Power etc... would be made by the dispatcher at the Clinton fire station. Exceptions would be when a call needs to be made during the short period of time that the on duty firefighter has left the station to respond to a call and someone has not yet responded to the station to take their place.

FCC LICENSING

All licensing must be done by the Town of Clinton. Switching to the Waterville Communications Center, from the Kennebec County sheriff's Office would require that the license be amended. The amendment process can be taking place after and change in service. It will not be necessary to have this accomplished prior to any changes in the dispatch service provider.

AGENDA

ITEM

8. C.



Town of Clinton

27 Baker Street

426-8511 phone

Clinton, ME 04927

426-8323 fax

February 7, 2007

Honorable Board of Selectmen
Clinton Town Hall
27 Baker Street
Clinton, ME 04927

Re: Audit Presentation Schedule

Dear Board Members:

The Auditor will be available on Tuesday, February 27, 2007 to present the audit to the Board.

Sincerely,

James W. Rhodes
Town Manager

AGENDA

ITEM

8. d.

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
COVER SHEET AND CERTIFICATIONS**

Community Enterprise Grant Program

A. Applicant Identification

Applicant:	Town of Clinton		
Address:	27 Baker Street		
Town/City/County:	Clinton, ME Kennebec, County		
Zip Code:	04927		
Chief Executive Officer:	James W. Rhodes, Town Manager		
Phone Number:	426-8322	E-mail:	clintonm@adelphia.net
Contact Person:	James W. Rhodes		
Phone Number:	426-8322	E-mail:	clintonm@adelphia.net
Census Tract(s) Where Proposed CE Activities will occur: 1000			

B. The Applicant Certifies That:

1. State Certifications

- a. To the best of my knowledge and belief, the information in this Application is true and correct;
- b. the governing body of the applicant has duly endorsed the document;
- c. the proposed project has been reviewed and it complies with the Community's comprehensive plan and/or applicable state and local land use requirements;
- d. it will work with the Office of Community Development to develop a detailed project if it receives a conditional award; and
- e. it will comply with all applicable State laws and regulations.

2. Federal Certifications

- a. it will take actions to affirmatively further fair housing and implement CDBG activities in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968;
- b. it will not attempt to recover capital costs for the construction of public improvements, assisted in whole or in part with CDBG funds, by charging special assessments or fees against properties owned and occupied by persons of low and moderate income, including any fee, charge or assessment made as a condition of obtaining access to such public improvements, unless:

(i) CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds; or

(ii) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, and the applicant certifies that it lacks sufficient CDBG funds to comply with the requirements of clause (i) above.

c. prior to expenditure of CDBG funds, it will establish a local community development plan that identifies the Community's housing and community development needs, including the needs of low and moderate income, and the activities to be undertaken to meet them;

d. it will provide in a timely manner for citizen participation, public hearings, and access to information with respect to the Maine CDBG Program and the proposed local CDBG project/program. Indicate in public notices and at public hearings that the State program is competitive, the maximum grant amount that can be requested, and the general type of activities contained in the proposed local program. Also announce in public notices the availability of the local program plan/application, describe the Community's previous CDBG performance (if any), and how the Community will collect, consider and maintain all oral and written comments received on the proposal;

e. it will adopt and follow a residential anti-displacement and relocation assistance plan which complies with Section 104 (d) of the Housing and Community Development Act of 1974, as amended, that at a minimum provides for the replacement of all low/moderate income dwelling units that are demolished or converted to a non-LMI housing use as a direct result of CDBG assistance, and a relocation assistance component;

f. it is not listed on U. S. Dept of Labor's Debarred and Suspended Contractor's List and will not employ contractors or subcontractors on this list;

g. it will comply with the requirements of Section 319 of Public Law 101-121 regarding government-wide restrictions on lobbying; and

h. with the exception of administrative or personnel costs, it will verify that no person who is an employee, agent, consultant, officer, or elected official or appointed official of state or local government or of any designated public agencies, or subrecipients which are receiving CDBG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to CDBG activities.

	Town of Clinton	02/08/2007
Signature of Chief Executive Officer	Name of Community	Date: mm/dd/year

COMMUNITY ENTERPRISE GRANT PROGRAM ACTIVITY DESIGNATION SHEET

1. Activity Declaration

a. List the activities you will be doing in your proposed project: Construction of a 6 foot wide, 400 foot long Waterfront Trail with lookout platform and Gazebo, installation and wiring of underground electrical conduits for electrical service to the entire mill site, repair and resurface of the 22,000 square foot I-shape concrete pad and purchase /installation of planters and benches for the mill site.

2. CE Grant Funds Requested

Micro-Enterprise Grant/Loan

Amount Requested: _____

Business Façade Grants & Streetscapes

Amount Requested: _____

Streetscapes

Amount Requested: \$150,000

Total CE Requested: \$150,000

2. Multi-Jurisdictional Declaration

a. Is this a multi-jurisdictional project? ___ Yes X No

b. If yes, which local government has been designated as the lead applicant?

c. If yes, list all participating or benefiting local governments. _____

NOTE: Remember all participating or benefiting local governments must sign the Cover Sheet Certification Form.

Clinton Community Enterprise Fund – Streetscapes Application

The Town of Clinton is seeking Community Enterprise Funds - Streetscapes in the amount of \$150,000 to continue the ongoing efforts to revitalize Clinton's downtown.

In 2002, members of the Clinton Economic Development Committee, Parks & Recreation Board, Senior Housing Committee, and the Planning Board formed the Clinton Community Development Committee (CCDC). The CCDC provides an organized forum to help focus the efforts of each committee and board under a common goal of revitalizing the downtown area; promoting, developing and improving the Clinton community.

Impact

At the present time, Clinton's downtown is a very busy thorough way with service based businesses for citizens. Some of the local businesses have undertaken outside improvements, however there remain several blighted buildings, several vacant town-owned parcels of land; various code violations of residential owners, crumbling sidewalks and no public parking.

However, a hidden asset is the Sebasticook River that runs through the downtown area with a vacant town-owned lot (1.26 acres) known as the Mill Site abutting this scenic waterway.

The Mill Site could serve as the downtown common and would foster related improvements in the remaining downtown.

The existing situation at the Mill Site is spot-blight that detracts from the overall character of the downtown. The existing situation offers an emergent parcel of land that if developed could serve as a community gathering place for events and ultimately serve as an anchor to further revitalize the downtown area of Clinton.

Community Enterprise Funds are necessary for the Mill Site project because LD-1 has constrained funding opportunities at the municipal level of government. The Town of Clinton has lowered taxes for the previous years prior to LD-1 implementation and is penalized now by LD-1 because

the municipal commitment is lower and the property tax levy limit is now lower. LD-1 forces Clinton to carefully consider property tax relief during the budget process or propose increasing the tax levy limit at the annual town meeting for specific purposes.

Development Strategy

In 2003, the Clinton Community Development Committee applied for and was granted the seed funds needed to develop a Downtown Improvement Plan. The Community Development Committee worked with Kent Associates to study the downtown area. The Downtown Improvement Plan brings together the key components of community development - recreation and green space, business development, housing, pedestrian and traffic safety - in an effort to help make Downtown Clinton a place that will better support existing and new businesses and increase community pride.

The Community Development Committee and Kent Associates held public workshops to gain feedback and support. After the workshops were completed with the public, the consensus was to make the Mill Site one of the five strategies to revitalize the downtown area.

The main scope is to give a facelift to the Mill Site by constructing a waterfront trail with gazebo, installing planters, benches, underground electrical, and concrete pad.

Past efforts have included:

- Hiring of John M. Ackerman, Landscape Architect to develop conceptual drawings for the Mill Site Town Common.
- Town Meeting approving the Concept of Riverside Park, a .35 acre parcel that abuts the Mill Site.
- In May of 2004, completion of a Downtown Improvement Plan by Kent Associates.
- July of 2004, the Placement of Downtown Gateway Signs.

- In Fall of 2005, the Parks & Recreation Board developed a Trail Implementation Program with related costs working in conjunction with Maine Department of Conservation.
- In June of 2006, Clinton Town Meeting adopted a concept for the Mill Site into a Town Common that has the following approved uses; Farmer's Market, Veteran's Memorial, Gazebo for Cultural Events, Open Plaza for Community Events, and River Front Trail.
- In 2006 and 2006 aggressive enforcement of various Code Violations by the Code Enforcement Officer in the village area.
- In June of 2006, Clinton Town Meeting voted to approve the Slum and Blight Declaration for the downtown area.

Proposed Improvements will be:

- 1.) Concrete Pad: \$60,000 is requested to repair and resurface this 22,000 square foot L-Shaped pad. This pad will be the anchor that will serve future community events such as a Farmer's Market, Gazebo, and other Community Functions.
- 2.) Waterfront Trail: \$50,000 is requested to build Phase I of the downtown trail system. In the Downtown Improvement Plan, a downtown trail system was one of the five recommended strategies approved by the Community Development Committee after numerous input from the public. This 400 foot-trail will include a lookout platform that will allow walkers to enjoy the spectacular views of the Sebesticook River.
- 3.) Purchase and Installation of a Gazebo: \$20,000 is requested for the purchase and installation of a Gazebo that will serve as focal point of the revitalized Mill Site. This item will serve as Spring/Summer/Fall focal point.
- 4.) Electrical Conduits: \$10,000 is requested to install underground electrical service to the entire Mill Site that will allow events such as; Winter Holiday Tree Lighting ceremony, Farmer's Market, and Summer Concerts to take place.

- 5.) Planters & Benches: \$10,000 to purchase several landscaping planters to further beautify the Mill Site and several benches so people can relax and enjoy the site in the warm months.

The new Clinton Town Manager, Jim Rhodes, has volunteered to administer and manage the grant project. Jim Rhodes has 6-years Economic Development experience with the Kennebec Valley Council of Governments and the City of Waterville. Jim has administered grant projects for the City of Hallowell and the City of Waterville.

Citizen Participation

Over the last four years, the Community Development Committee held ten meetings, two public workshops plus a public hearing to solicit input on the Downtown Improvement Plan. Five central downtown initiatives have been developed using Committee and public participation input. Each is critical to the successful revitalization of Clinton's Downtown.

Two initiatives (Mill Site Development and Downtown Trail) are being proposed in this application.

Over the last two years, the work of Downtown Revitalization has been a goal of the Board of Selectmen with work to be carried out by the Clinton Community Development Committee and the Town Manager.

This past December, the Board of Selectmen hired a new Town Manager, and in the job advertisement the Board of Selectmen was looking for a professional with downtown revitalization experience.

A public hearing was held on Thursday, February 1, 2007 for the public to comment on this grant application.

The Town of Clinton has expended \$1,820 to install an electrical pole on the Mill Site.

**Community Development Block Grant
Community Enterprise Grant Program**

Budget Summary (Include Cash & In-Kind)

Cost Category	Column 1 CDBG	Column 2 Local	Column 3 State	Column 4 Utility	Column 5 Non- CDBG Federal	Column 6 Other	Column 7 Cost Category Total
Grants/Loans							
Legal Expenses							
Appraisals							
Relocation							
Demolition							
Site Work							
Architectural							
Engineering							
Administration							
Construction							
Materials							
Streetscapes	150,000						150,000
Façade Grants							
Inspection							
Other (List)							
1.							
2.							
3.							
TOTAL COSTS							150,000

Directions for Completing Budget Summary

1. For each applicable cost (cash and in-kind) in the Cost Category column, list the projected dollar amount for all applicable funding sources in columns 1-6.
2. List the total dollar amount for each cost category in column 7, Cost Category Total
3. Enter the total of all Cost Category amounts in column 7 in the TOTAL COSTS box directly under column 7.
4. **Submit a copy of this Budget Summary with the original and all five copies of the application.**

Morning Sentinel

ecuted quitclaim deed. The sale shall be made subject to: (a) any condition which a title search would reveal, (b) any unpaid taxes or assessments due to the Municipality of Jackman, and (c) any facts which an accurate survey of the premises might show. The property shall be sold as is and where is without any warranties whatsoever expressed, implied or otherwise. Other terms will be announced at the sale. Dated: December 29, 2006, S/John A. Doonan, Esq., BBO# 3250, Attorney for Washington Mutual Bank, FA, Doonan, Graves & Longoria, LLC, 100 Cummings Center, Suite 213C, Beverly, Massachusetts 01915, (978) 921-2670 (1511.52/Zebulske)(01/05/07, 01/12/07, 01/19/07)(75277)

Legal Advertisement

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered October 16, 2006 in the action entitled **Deutsche Bank National Trust Company, as Trustee of Ameriquest Mortgage Securities, Inc., Asset Backed Pass Through Certificates, Series 2004-R10 under the Pooling and Servicing Agreement Dated as of October 1, 2004, Without Recourse v. Ronda Young f/k/a Ronda J. Burrows and Aaron Young et al.**, by the Maine District Court, District Twelve, Division of Skowhegan, Docket No.

Portland, Maine 04101, 207-775-6223.

Legal Advertisement

PUBLIC HEARING NOTICE

The Clinton Community Development Committee will conduct a public hearing on Thursday, February 1, 2007 at 7:00 PM to hear comments on the Community Enterprise Application the town will make to the Maine Department of Economic and Community Development.

104 Community Announcements



Before you take that bite... Food Addicts in Recovery Anonymous (FA) can help. Meetings in Augusta, mid-coast, Portland. 775-2132.

HIV+? Need medical, dental or counseling services? Call Dayspring, 621-6201.

106 Lost & Found

ATTENTION: If you have lost or found something and would like to place an ad in this column, we will gladly run your ad for the first 7 days FREE. Maximum of three (3) lines which is approx. 10-12 words. If you need more than 7 days and/or more than 3 lines, our regular line rates will be applicable and prepayment is required. To place your FREE lost and found ad, call us toll-free at: 1-800-366-5601. Hours: Mon-Fri 8am-5pm.

FOUND: German Shepherd, large, black, on Pirate Lane, Fairfield, C-11 453-4453

Town of Clinton
Community Development Committee
Public Hearing Regarding Community Enterprise Grant
Feb. 1, 2007
Minutes

Those present: James Rhodes, Dale Morris, Jeff Towne, David Halliwell, Rebecca Turlo

Called to order at 7:05.

Chaired by David Halliwell, recorded by Rebecca Turlo

The Community Enterprise Grant application for Clinton will specifically target a trail head at the Sebasticook River with a boardwalk along the river's edge. The concrete slab area will be resurfaced with new concrete. For future events, underground electrical conduits will be installed. A gazebo for community events will be built on the corner near the River Access, overlooking the river bend. A wooden lookout platform will be built on the corner of the slab overlooking the river rapids. Plantings will be added for beautification, and benches will be requested from patrons.

In discussion-some changes will have to be made in the proposed trail plan done by the Conservation Corps- a boardwalk on the concrete will replace a gravel path planned for beyond the edge of the concrete. Dave Halliwell and Jim Rhodes will both be working on the new estimates. Dave mentioned that the trail plan and survey done by the Conservation Corps shows that we are moving forward with our downtown plan done by Kent and Associates. Phase one of our proposed trail system is the trail head at the park.

In discussion- Dale Morris provided a history of how we decided on a Community Enterprise Grant. Our original intent had been to apply for the larger CDBG, but at this time our chances for the Enterprise Grant seem better, and it is a good place to continue our efforts to implement our downtown plan.

In discussion-Dave Halliwell asked about the continued function of the Community Development Committee. Jim Rhodes said there will still need to be a group working to push the process of the downtown plan forward, as the process will take several years and there is much work yet to do.

A meeting was proposed for Tues., Feb. 6, @ 7:00 p.m. to review the application, due on Feb. 9. Hearing adjourned 8:45.

*Feb 8th, 2007 True copy of minutes
as presented by James Rhodes, Town Manager*

Michael M. Shuffler, Town Clerk

COST ESTIMATES AND PROJECTED PROJECT TIMELINE

COSTS ESTIMATE

24 ft. 12 sided Classic Gazebo Homeplace Structures New Holland, PA Contracted in Plant: \$14,600 Delivery: \$1,492 Assembly on site: \$3,908	\$20,000
Repair and Resurface of Concrete Pad Site work, concrete, labor Dragon Concrete.	\$60,000
Waterfront Trail 6 foot wide x 400 foot trail with overlook and railings. Estimate from Maine Conservation Corps	\$50,000
Electrical Conduits Conduit, trench work, electrical service to the mill site for community events Estimate from CMP.	\$10,000
Planters and Benches Purchase of landscaping planters and benches for the mil site. Material and labor. Estimate from Home Depot.	\$10,000

TIMELINE

The project would start 6/1/07 and be complete 5/1/08

AGENDA

ITEM

8. e.

**TOWN MANAGER PROPOSED BUDGET
FY 07-08
EXPENDITURE SUMMARY SHEET**

<u>Town Departments</u>	Approved			as of 2/12/07 Amended TM Proposed		as of 2/12/07 Budget Committee Recommended		Selectmen Recommended FY 07 / 08 Budget
	FY 06 / 07 Budget	TM Proposed FY 07 / 08 Budget	difference	FY 07 / 08 Budget	difference	FY 07 / 08 Budget		
1. Administrative	\$ 230,265.00	\$ 234,380.00	\$ 4,115.00	\$ 228,074	\$ (2,191)	\$ 228,074		
- Town Hall Maint	\$ 13,400.00	\$ 14,400.00	\$ 1,000.00	\$ 14,530	\$ 1,130	\$ 14,530		
- General Assistance	\$ 9,435.00	\$ 9,435.00	\$ -	\$ 9,435	\$ -	\$ 9,435		
- Code Enforcement	\$ 14,997.00	\$ 16,350.00	\$ 1,353.00	\$ 18,300	\$ 3,303	\$ 18,300		
2. Fire Department	\$ 220,685.00	\$ 234,396.00	\$ 13,711.00	\$ 235,051	\$ 14,366	\$ 240,051		
3. Police Department	\$ 146,702.00	\$ 173,702.00	\$ 27,000.00	\$ 173,797	\$ 27,095			
- Animal Control	\$ 11,080.00	\$ 11,800.00	\$ 720.00	\$ 11,705	\$ 625	\$ 11,105		
4. Highway Department	\$ 253,847.00	\$ 289,917.00	\$ 36,070.00	\$ 262,039	\$ 8,192			
5. Library	\$ 42,620.00	\$ 43,648.50	\$ 1,028.50	\$ 44,000	\$ 1,380	\$ 44,000		
6. Transfer Station	\$ 360,559.00	\$ 358,884.00	\$ (1,675.00)	\$ 360,844	\$ 285	\$ 360,469		
sub-total	\$ 1,303,590.00	\$ 1,386,912.50	\$ 83,322.50	\$ 1,357,775	\$ 54,185	\$ 925,964		
Fixed Costs								
Town Insurance	\$ 59,146.00	\$ 59,146.00	\$ -	\$ 65,188	\$ 6,042	\$ 65,188		
Debt Service	\$ 57,457.00	\$ 57,457.40	\$ 0.40	\$ 56,530	\$ (927)	\$ 56,530		
General Govt Protection	\$ 115,000.00	\$ 120,000.00	\$ 5,000.00	\$ 119,100	\$ 4,100	\$ 119,100		
E-911 Fire / Police Dispatch	\$ -	\$ -	\$ -	\$ 20,350	\$ 20,350			
sub-total	\$ 231,603.00	\$ 236,603.40	\$ 5,000.40	\$ 261,168	\$ 29,565	\$ 240,818		
Town Boards, Committees, & Non-Profits								
Recreation	\$ 16,835.00	\$ 16,960.00	\$ 125.00	\$ 18,160	\$ 1,325			
Cemetery	\$ 17,600.00	\$ 11,600.00	\$ (6,000.00)	\$ 14,000	\$ (3,600)	\$ 14,000		
Planning Board	\$ 4,500.00	\$ 1,500.00	\$ (3,000.00)	\$ 500	\$ (4,000)	\$ 500		
Community Dev./Economic Dev.	\$ 2,000.00	\$ 1,500.00	\$ (500.00)	\$ 500	\$ (1,500)	\$ 500		
Police Athletic League (PAL)	\$ 12,500.00	\$ 13,000.00	\$ 500.00	\$ 12,750	\$ 250			
Non-Profit Organizations	\$ 6,700.00	\$ 6,700.00	\$ -	\$ 6,696	\$ 4			
sub-total	\$ 60,135.00	\$ 51,260.00	\$ (8,875.00)	\$ 52,606	\$ (7,521)	\$ 15,000		
TOTAL MUNICIPAL BUDGET	\$ 1,595,328.00	\$ 1,674,775.90	\$ 79,447.90	\$ 1,671,549	\$ 76,221	\$ 76,221	4.97%	
Intergovernmental								
County Tax	\$ 138,613.00	\$ 137,461.00	\$ (1,152.00)	\$ 137,461	\$ (1,152)			
SAD 49	\$ 1,249,904.00							
sub-total	\$ 1,388,517.00							
TOTAL GOVERNMENTAL BUDGET	\$ 2,983,845.00							

**2007 / 2008 Proposed Budget
Balance of Revenues v. Expenditures**

<u>Revenue</u>	1/22/2007 INITIAL Town Manager Proposal	2/13/2007 AMENDED Town Manager Proposal
1. Non - Property Tax	\$ 820,200.00	\$ 834,850.00
2. State Funds	\$ 373,975.00	\$ 451,200.00
3. Tax Commitment	\$ 353,051.02	\$ 352,358.00
4. Undesignated Fund Balance or override of tax commitment		\$ 33,141.00
total	\$ 1,547,226.02	\$ 1,671,549.00
<u>Expenditures</u>		
1. Town Departments	\$ 1,386,912.50	\$ 1,357,775.00
2. Fixed Costs	\$ 236,603.40	\$ 261,168.00
3. Boards, Committees	\$ 51,260.00	\$ 52,606.00
total	\$ 1,674,775.90	\$ 1,671,549.00
Balance	\$ (127,549.88)	\$ -