

**St. Agatha Board of Selectmen Meeting & Public Hearing
November 12, 2014
at the St. Agatha Town Office
MINUTES**

Public Hearing

The public hearing was called to order by Board Chair Dan Bechard. The Board members, Town Manager, Code Enforcement Office and six other residents were present. The hearing was to discuss the proposed change to the Winter Road Closing Order for Flat Mountain Rd. The public in attendance had no comments. No written comments were received. Ms. Sirois told those in attendance that the proposed change was discussed with the Public Works Department and they stated this change would make for an easier plow truck turn around. Public hearing was closed at 6:33pm.

Board of Selectmen Meeting

Present: Beurmond Banville, Dale Chamberland, Dan Bechard, Christy Sirois, Bob Pelletier, Bob Ouellet, Zenus Michaud, Patricia Sinclair, Leroy Ouellette, Line Ouellette and Linda Picard

Chairman Bechard called the meeting to order and established a quorum at 6:34pm.

Article 1 – Winter Road Closing change for Flat Mountain Rd

There was a request at the last board meeting to extend the winter maintenance on Flat Mountain Rd by 3/10ths of a mile (going to Guerrette Crossroad). A public meeting was held today for public comments as part of the process to make the change to the winter road closing order. There were no written comments for the public hearing but it was noted by Ms. Sirois that the Public Works Department was told about this proposed change and they stated this change would make it easier and safer for the plow truck to turn around. There was a motion by Mr. Banville to approve the winter maintenance of Flat Mountain Rd increase by 3/10ths of a mile (going to Guerrette Crossroad Intersection) to assist the winter plow truck turn around. This was seconded by Mr. Chamberland. All approved.

Article 2 – Ambulance Service

Line Ouellette a resident of St Agatha requested to meet with the Board to discuss ambulance service. She was accompanied by Leroy Ouellette, Patricia Sinclair all of St Agatha and Linda Picard of Frenchville. They are concerned because we no longer have an ambulance in town. The Board explained to them that the Town has been working with Ambulance Service for the last two years to help solve the problem which is lack of qualified individuals. The Board understands the importance and doesn't want to see the ambulance leave the Town. It was suggested that perhaps the group contact the St John Valley Technology Center and talk about offering a program for EMT's. No action was needed.

Article 3 – Pelletier Shoreland Zoning Violation Consent Agreement

The Code Enforcement Officer (Bob Ouellet) inspected Mr. Pelletier's property on Island Rd. The Board reviewed Mr. Ouellet's findings. The findings show that the consent agreement requirements have not been met. No further actions were taken. Any further actions are tabled until the Maine Department of Environmental Protection has made their decision in regards to their consent agreement with Mr. Pelletier. No action taken.

Article 4 – Labrie Farms Resolution

The Board wished to recognize the Labrie Farm Family for receiving Farm Family of the Year by McCain. There was a motion by Mr. Banville to approve a resolution for the Labrie Family and this was seconded by Mr. Chamberland. All approved.

Article 5 - Minutes

October 14, 2014– Motion by Mr. Chamberland and seconded by Mr. Banville to approve the minutes as written. All approved.

Article 6 - Financial Reports

Period ending October 31, 2014 – Motioned by Mr. Banville and seconded by Mr. Chamberland to approve the financial reports as presented. All approved.

Article 7 – Sewer Plant Demo Bond

The bond funding paperwork has been approved by the Maine Municipal Bond Bank. The Board reviewed a document outlining the details of the bond which includes the details of the vote. There was a motion by Mr. Banville and a second by Mr. Chamberland to approve the votes as worded in the document. All approved. A copy is attached to the minutes as exhibit A for record.

Article 8 – Planning Board Appointment

There are four seats up for renewal – Richard Marston, Gary Boucher, Don Daigle and Mary Michaud. There was a motion by Mr. Banville to reappoint the four individuals to the Planning Board for another three year term. Mr. Chamberland seconded this motion. All approved.

OTHER BUSINESS

Maine Public Employees Retirement System (MainePers)

The Town received notice that it will be receiving a reimbursement of approximately \$110,721 from MainePers. This is a surplus the Town had with the system and it was aware of it. It was being invested by MainePers and used to pay the Town's portion of costs for the employees' retirement program it is a member of. The Board will explore investment opportunities for the funds and continue to use it to pay for the Town's retirement costs. No action needed at this time.

Ballot Clerks

Three additional ballot clerks were submitted to the board for appointment – Theresa Ouellette, Gerard Castonguay and Christy Sirois. The appointment would be so they are eligible to count ballots or work at the polling place if needed during large elections. There was a motion by Mr. Banville which was seconded by Mr. Chamberland to approve the appointment of the noted individuals. It will be until December 2015 which is when the other election clerks terms expire. All approved.

Boat Landing at Cleveland Rd

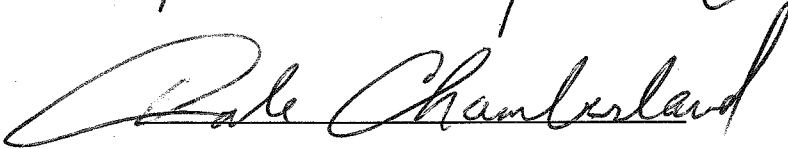
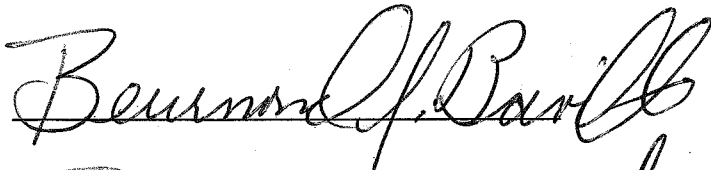
Ms. Sirois informed the Board that the Town had been approved for a second driveway at the Cleveland Rd boat landing. The Maine Department of Environmental Protection (MDEP) also did a site review and the Town will be able to do some brush cutting for the driveway and near the parking area because it is already an established site. Ms. Sirois will work on a work plan and complete the permit application with DEP. The project is anticipated to start this coming spring. No action needed.

Having no further business the meeting was adjourned at 9:15pm.

Respectfully Submitted,

Christy Sirois, Town Manager

Approved by the Board of Selectmen on the 8th day of December, 2014.



**TOWN OF ST. AGATHA, MAINE
VOTE OF SELECTMEN
ESTABLISHING CERTAIN DETAILS
OF ITS 2014 GENERAL OBLIGATION BOND
IN THE PRINCIPAL AMOUNT OF \$21,000**

WHEREAS, on June 10, 2014, the Town of St. Agatha, Maine at its Annual Town Meeting duly authorized the borrowing of Twenty-One Thousand Dollars (\$21,000) and acceptance of a grant in the amount of Fifty-nine Thousand Dollars (\$59,000) (to be forgiven) for the purpose of completing the regional wastewater project with Frenchville and demolition of the old wastewater treatment facility and various other buildings on behalf of the Town (the "Project"); and

WHEREAS, the Board of Selectmen desire to finance the Project through the Maine Municipal Bond Bank's CWSRF Program;

NOW, THEREFORE, it is hereby:

VOTED: That, the Town shall borrow up to \$21,000 from the Maine Municipal Bond Bank (the "Bank"), pursuant to the Bank's CWSRF program (which amount may be increased to include the \$59,000 to be forgiven) and that the Town shall issue its general obligation bonds therefore (the "Bond"), to finance the Project.

VOTED: The Bond shall be in such form and contain such terms and provisions not inconsistent with this Vote, as the Treasurer may approve, and said Bond shall be executed in the name and on behalf of the Town of St. Agatha by its Treasurer, shall be countersigned by a majority of its Board of Selectmen and shall bear the corporate seal of the Town of St. Agatha, Maine attested by its Clerk (the foregoing collectively referred to as the "Authorized Officers").

THAT: The Town shall enter into a loan agreement with the Bank in conjunction with the issuance of the Bond, with a maximum principal amount to be repaid not to exceed \$21,000.

THAT: The Bond shall be transferable only on registration books of the Town kept by the transfer agent, and said principal amount of the Bond of the same maturity (but not of any other maturity) in the denomination of \$5,000 plus any multiple of \$5,000 in excess thereof (or the full outstanding amount of the Bond) upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his attorney duly authorized in writing. Upon each exchange or transfer of the Bond the Town and the transfer agent shall make a charge sufficient to cover any tax, fee or any other governmental charge required to be payable with respect to such exchange or transfer, and with respect to such exchange or transfer, and subsequent to the first exchange or transfer, the cost of preparing a new Bond upon exchanges or transfer thereof to be paid by the person requesting the same;

THAT: The Board of Selectmen and Treasurer, from time to time shall execute such Bonds as may be required to provide for exchanges or transfers of Bonds as heretofore authorized, all such bonds to bear the signature of a majority of the Board of Selectmen and the Treasurer;

THAT: The Town covenants to establish, maintain, apportion, revise and collect assessments for sewer and wastewater services furnished by the Town, to pay when due current expenses of operating and maintaining the sewer system, to pay when due interest on the outstanding indebtedness of the Town incurred or assumed for sewer purposes, and to pay or provide for the payment of all indebtedness created or assumed by the Town.

THAT: The Treasurer and Clerk and other proper officials of the Town be, and hereby are authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, contracts, agreements, deeds, assignments, certificates, memoranda, abstracts, and other documents as may be necessary or advisable, with the advice of counsel for the Town, to carry out the provisions of the resolutions heretofore adopted at this meeting in connection with the Project, the issuance, execution, sale, and delivery by the Town of the Bond and the execution and delivery of the documents, including the entering into of a loan agreement or an interim loan agreement with the Bond Bank.

THAT: If any of the officers or officials of the Town who have signed or sealed the Bond hereinbefore authorized shall cease to be such officers or officials before the Bond so signed and sealed shall have been actually authenticated or delivered by the Town, such Bond nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bond had not ceased to be such officer or official; and also any such Bond may be signed and sealed on behalf of the Town by those persons who, at the actual date of the execution of such Bond, shall be the proper officers and officials of the Town, although at the nominal date of such Bond any such person shall not have been such officer or official.

THAT: If the Treasurer or Clerk are for any reason unavailable to approve and execute the Bond hereinbefore authorized, or any of the documents to be delivered with respect thereto, the person or persons then acting in any such capacity, whether as an assistant, a deputy, on an interim basis or otherwise, is authorized to act for such official with the same force and effect as if such person had herself performed such act.

THAT: The following resolutions required by Section C(4)(e) of the State of Maine Revolving Loan Fund Rules, Chapter 595, Department of Environmental Protection and the Bond Bank (the "SRF Regulations"), and governing the loan to be made to the Town under the State Revolving Loan Fund Program be and hereby are adopted:

(1) that a Project Account shall be created for the Projects which shall be separate from all other accounts of the Town. If operating revenues are to be used to retire the debt, a sub-account will be established.

(2) that the Project Account shall be maintained in accordance with standards set forth by the Maine Municipal Bond Bank and in accordance with generally accepted government account standards.

(3) that a final accounting shall be made to the Bond Bank of the total cost of the project upon completion of the Project performance certification as set out in Section G(3) of the SRF Regulations and the Town acknowledges that the Bond Bank reserves the right at its sole discretion to be provided with a cost certification of the Project as built.

(4) that an annual audit of the Town, prepared by a certified public accountant or licensed public accountant be provided to the Bond Bank for the term of the loan.

(5) that the Town shall maintain insurance coverage on the Project in an amount adequate to protect the Bond Bank's interest for the term of the loan with the Bond Bank named as loss payee.

(6) that the Town will comply with any special conditions specified by the Department of Environmental Protection's environmental determination until all financial obligations to the State have been discharged.

(7) that the Town certify to the Bond Bank that it has secured all permits, licenses and approvals necessary and that it has a dedicated source of revenue for repayment.

(8) that the Town establish a rate, charge or assessment schedule in order to pay principal and interest. Such rate change or schedule shall provide total operations and debt service coverage at a level at which the coverage for the Bond Bank is sufficient.

(9) that the Town must demonstrate the ability to pay reasonably anticipated costs of operating and maintaining the financed Project.

(10) that the Town abide by the SRF Regulations, as revised and amended and relevant State statutes of the State of Maine

PUBLIC NOTICE

The municipal officers of the Town of St Agatha will meet at the St Agatha Town Office on the 12th day of November 2014, at 6:30pm for the purpose of holding a public hearing on and hear comments on:

Amending the Winter Road Closing Listing for Flat Mountain Road

The public will be given an opportunity to be heard prior to the consideration of the above change to the Winter Road Closing Listing by the municipal officers. A copy of the current listing is available at the Town Office for review during regular business hours.

**St. Agatha Board of Selectmen Meeting To Be Held
November 12, 2014 Directly after Public Hearing
at the St. Agatha Town Office**

AGENDA

Chairman Bechard will call the meeting to order and establish a quorum.

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| Article 1 | To consider the proposed change for Winter Road Closing Listing for Flat Mountain Road |
| Article 2 | To hear presentation from Town resident in regards to Ambulance service in St Agatha |
| Article 3 | To review and discuss the findings of the Code Enforcement Officer in regards to the Pelletier Shoreland Zoning Violation Consent agreement |
| Article 4 | To consider the proposed resolution for the Labrie Farms Family |
| Article 5 | To consider the meeting minutes of October 14 th |
| Article 6 | To consider the general ledger report, and revenue & expense summary report for period ending October 31, 2014 |
| Article 7 | To approve the bond details for the sewer demolition project. |
| Article 8 | To appoint/reappoint members of the Planning Board whose terms are expiring |
| Article 9 | To consider any other business before the Board |

ADJOURNMENT