



P.O. Box 187, Oakland, Maine 04963 • Ph. 207-465-7357 • Fax 207-465-9118

OAKLAND TOWN COUNCIL AGENDA
1/22/2025
6:00 pm
OAKLAND FIRE STATION

- I. Call to order
- II. Pledge of Allegiance
- III. Roll Call
- IV. To consider approving the minutes from January 8, 2025, and signing the weekly payables warrant.
- V. Business Agenda:

New Business:

1. Order 46-2425 - Sign Certificate of Commitment for Q4 Sewer Users
2. Order 47-2425 - Second Reading of Appeals Board Ordinance
3. Order 48-2425 - Donald Decker, Animal Control Update
4. Order 49-2425 – Appointment Kathy Paradis as Registrar of Voters for a 3-year term
5. Order 51-2425 – Appointment of Shannon Bizier as Deputy Registrar of Voters for a 3-year term
6. Order 52-2425 - Acceptance of Forestry Grant Award – Fire Department
7. Order 53-2425 – CSX Update
8. Order 54-2425 – Approximate: 50X1500 Request to purchase a piece of land from Town
9. Order 55-2425 – Cascade Mill Update

Manager Updates (if any)

Executive Session: Union Negotiations, 1 MRSA § 405(6)(D)
Executive Session: Personnel Matters, 1 MRSA § 405(6)(A)

Adjournment

Upcoming Meetings:

January 30, 2025 - Downtown TIF Committee – Cascade Room - 3:30 p.m.
February 5, 2025 – Budget Meeting - Fire Station 6:00 p.m.
February 11, 2025 – Budget Meeting – Fire Station 6:00 p.m.
February 12, 2025 – Council Meeting – Fire Station 6:00 p.m.
February 13, 2025 – Budget Meeting – Fire Station 6:00 p.m.

TOWN COUNCIL MEETING MINUTES JANUARY 8TH 2025

Council Members Present:

Michael Perkins, Chairman
Robert Nutting
Kelley Roderick

Dana Wrigley, Vice Chairman
David Groder

Others Present:

Kelly Pinney Michaud, Town Manager
Nathan Smart, Code Enforcement Officer
Chris Cowan, Police Lieutenant
Anita Chadderton
Michelle Fontaine
Harvey Bickford
Don Decker, ACO
Mike Rossignol
Angela Jurdak

Kathleen Paradis, Town Clerk
Rick Stubbert, Police Chief
Janice Porter
Janet Lund
Patricia Bickford
Ray Gruber
Arthur Morrisette
Janice Porter
Jon Cox

The meeting was called to order by Town Clerk Kathleen Paradis and led those present in the reciting of the Pledge of Allegiance.

1. Town Clerk Kathleen Paradis asked the council to vote for a Chair and Vice Chair. The votes were tallied and were as follows:

It was voted 4-1 for Michael Perkins for Council Chair.
It was voted 4-1 for Dana Wrigley for Council Vice Chair.

2. Roll Call: Roll call was taken and all five council members were present.
3. It was moved by Dana Wrigley seconded by David Groder and voted 4-1 to approve the minutes of the December 18th, 2024, meeting. Kelley Roderick abstained from voting on the minutes.

Business Agenda:

1. Craig Costello From Brantner, Thibodeau & Associates gave the June 20, 2024 audit presentation via zoom. Craig stated that the town is in healthy financial position again this year. He also explained that there was a material weakness sited due to some reclassifications of funds when the new account structure was developed. Town Manager Kelly Pinney Michaud explained that the former Finance Director that was hired at the end of May and was released of her duties on August 1 had made these changes, but they are now where they should be and all is accounted for. The town finished the year with \$168,252 in excess revenues and \$723,514 in unspent appropriations.

Town of Oakland		
Reserve for Capital Improvements Calculation		
6/30/2024		
Excess Revenues		168,252.00
Unspent Appropriations	723,514.00	
Less: Balances Carried Forward	106,150.00	
		617,364.00
Total		785,616.00
25% of Excess Revenues & Unspent Approp.		196,404.00
75% of Excess Revenues & Unspent Approp		589,212.00

2. The Town manager explained that 25 % of unspent appropriations and excess revenues will go to the Capital Improvement Reserve and the remaining 75% will go to the fund balance. This will help build/offset next year’s budget.

3. First Reading of the Appeals Board Ordinance: The reading was put in front of council members to change the quorum from 3 to 4. Bob Nutting stated that there was some language in section 2.2 and section 2.4 that needed to be fixed and in section 3.3 there is a “marked that needs to be removed. Kelley Roderick then questioned if there is a problem getting a quorum? Nate Smart then answered yes that there was. It was moved by Dana Wrigley seconded by Dave Groder and voted 5-0. The second reading will be at the January 22, 2025, council meeting.

4. Council appointment of TWO (1) year appointment for Budget & Advisory Committee: The council then voted by paper ballot and the results were:
Rick MacKenzie and Arthur Morrisette with 4 votes and Mark Fisher with 1 vote.

5. Fuel Bids: Fabian #2 \$2.579 & Propane \$1.399 came in the lowest price. The Town Manager advised the council that she would like to lock in with Fabian Oil for #2 and Propane. She would like to wait to lock in a price with gas and diesel until after the new President is in office. She feels the prices may come down. She advised that we could lock in by March 1st and still be able to adjust the budget, if needed. It was moved by David Groder, seconded by Dana Wrigley, and voted 5-0 to go with the advice from the Town Manager to lock in with #2 and propane but wait on Gas & Diesel.

Other Business:

Town Manager advised that the Zackary LeHay has completed a project for Eagle Scouts. He has designed a Flag disposal box and would like to put it somewhere in town where the citizens could access it and dispose of Flags properly. It was moved by Dana Wrigley and seconded by Kelley Roderick to approve the Eagle Scouts project of the planters.

Bob Nutting then stated that he and Dana Wrigley had spoken to the retiring Town Clerk, Jan Porter regarding having a function for her to thank her, but she did not want anything to that extent. Bob then asked Jan to come forward and read a proclamation from the State of Maine thanking her for 47 years of service.

It was moved by Dana Wrigley and seconded by David Groder and voted 5-0 to adjourn and go into Executive Session: - Union Negotiations, 1 MRSA § 405(6)(D) at 6:31 p.m.

Executive Session:

It was moved by Michael Perkins and seconded by Dana to end the executive session at 7:06pm

It was moved by David Groder and seconded by Dana Wrigley and voted 5-0 to adjourn the meeting at 7:09pm.

Oakland Board of Appeals

Section 1. Establishment

There is hereby created the Oakland Board of Appeals pursuant to Title 30 MRSA Section 2411.

Section 2. Appointment

2.1 Members of the Board of Appeals shall be registered voters of said town and reside therein throughout their term. Members are appointed by the Municipal Officers who shall determine their compensation and be sworn by the Municipal Clerk or other person authorized to administer oaths.

2.2 The Board shall consist of (5) members and two (2) alternate members.

2.3 The term of each member shall be three (3) years, except the initial appointments which shall be for one, two, or three years, with alternate members appointed for three years.

2.4 When there is a permanent vacancy, the Municipal Officers shall appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member fails to attend four (4) consecutive regular meetings, or when a member ceases to be a voting resident of the town. The Board may recommend to the Municipal Officers to approve or disapprove the recommendation. The Municipal Officers may remove members of the Board of Appeals by majority vote, for cause, after notice and hearing.

2.5 A Municipal Officer or any member of their immediate family may not serve as a member or alternate members of the Board of Appeals

Section 3. Organization, Rules, and Procedures

3.1 The Board shall elect a Chairperson and a Vice Chairperson from among its regular Members. A secretary may be from members of the Board, or an appointed secretary, or the Code Enforcement Officer. The term of all offices shall be for one (1) year with eligibility for re-election.

3.2 When a member is unable to act because of conflict of interest, physical incapacity, lateness or absence, the Chairperson shall designate an alternate as a voting member for that relevant portion of the meeting.

3.3 Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon shall be decided by a majority vote of the members, except the member who is being challenged.

3.4 An alternate member may attend all meetings of the board and participate in its' proceedings but may vote only when he/she has been designated by the Chairperson to sit for a member.

3.5 The Appeals board shall hold at least one regular meeting a month as established by vote of the Board members. The Chairperson may waive a regular meeting if there is no business to conduct. If the date should fall on a holiday, the board members may select a different date for that month.

3.6 No meeting of the Board shall be held without a quorum consisting of ~~three (3)~~ **four (4)** members or alternate members authorized to vote. No action shall be taken by the board without at least three (3) concurring votes on the issue before the Board.

3.7 On matters to come before the Board, the Board of Appeals shall be empowered to hear:

1. Issues that require an interpretation of an ordinance. The Board shall act in a purely appellate capacity and shall be bound in its deliberations by the Findings of Fact made by the Planning Board or the Code Enforcement Officer. Should an error by the Planning Board be uncovered, the appeal shall be returned to the Planning Board with recommendations for a further review to correct the error; and
2. Variances, which shall not be granted unless the applicant demonstrates an undue hardship as defined in 30 MRSA Section 4963; and
3. Issues of Set Back Approval pursuant to the Letter of Intent Ordinance.

3.8 Setback Variance of up to 20% may be granted for structures providing the following criteria is met:

1. The need for the variance is due to the unique circumstances of the property; and
2. The granting of the variance will not alter the essential character of the locality or substantially reduce or impair the use of abutting property; and
3. The need for a variance is not the result of action taken by the applicant or a prior owner; and
4. No other feasible alternative is available; and
5. Disabled persons shall not need a variance to secure access or egress from a building. This access or egress shall include railing, wall, or roof systems necessary for the safety and effectiveness of the structure.

Section 4. Duties and Powers

4.1 The Board of Appeals shall adopt bylaws governing the Board functions.

4.2 The Board of Appeals shall adopt rules and procedures for transaction of business and the Secretary, along with the Code Enforcement Officer, shall keep a record of its' resolutions, transactions, correspondence, findings, and determinations.

4.3 The Board of Appeals shall file all bylaws, rules and procedures and subsequent revisions with the Municipal Clerk. Copies shall be provided to the Municipal Officers for their information.

4.4 The Board of Appeals shall perform such duties and exercise such powers as are provided by Oakland Ordinances and the laws of the State of Maine.

4.5 The Board of Appeals may obtain goods and services necessary to its' proper function within the limits of appropriations made for the purpose.

Section 5. Savings Provision

The creation of the Board of Appeals shall not nullify or affect in any way, any actions taken by a prior Board of Appeals.

Section 6. Severability Clause

Should the courts declare any section or provision of this Ordinance to be invalid, such decision shall not invalidate any other section or provision of this Ordinance. The effective date of this Ordinance is March 12, 1986, Revisions(s) to this Ordinance dated July 27, 1988, June 24, 1992, and February 9, 2016 and June 22, 2022.

Section 7. Definitions

Residents that are registered voters must live and reside in Oakland ten (10) out of twelve (12) months per year.

Section 8. Amendments

This Ordinance may be amended by a majority vote of the Town Council. Amendments may be initiated by the Town Council, a majority vote of the Planning Board, or written petition by the number of votes cast in the municipality in the last gubernatorial election.



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE FOREST SERVICE
 22 STATE HOUSE STATION
 AUGUSTA, MAINE 04333

JANET T. MILLS
 GOVERNOR

AMANDA E. BEAL
 COMMISSIONER

January 15, 2025

Oakland Fire Department
 PO Box 187 Oakland ME 04963

Dear Lieutenant Adam Clement,

My name is Terri Teller, and I have recently taken on the role of Forest Fire Prevention Specialist for the Maine Forest Service. For the past five years, I worked as a Forest Ranger in the Saco River District before moving to this position. Kent Nelson has moved into a different role with the Maine Forest Service and will be focusing his time on Community Wildfire Defense Grants. Kent got this year's Volunteer Fire Assistance (VFA) grant process off to a great start, which included the new digital application. I will be the primary point of contact for the remainder of this year's grant process, but Kent is providing lots of assistance, so we hope it will be a seamless transition for you. My full contact information is at the bottom of this letter.

The Maine Fire Chief Association's Forestry Committee and four Forest Rangers met on December 19, 2024, to review applications for this year's VFA grants. We are pleased to inform you that the Committee awarded your fire department / town **\$1548.00** in grant funds (to be used with an equal share of local funds) to purchase the following items:

Item(s):	Quantity:	Total award amount for item(s):
radio	2	396
pager	2	421
Forestry Hose	6	375
Forestry Hose Clamp	1	55
hose adapter	1	14
forestry nozzle	1	12
forestry hose carry/deployment bag	1	119
training shelter	1	156

PATTY CORMIER, DIRECTOR
 MAINE FOREST SERVICE
 18 ELKINS LANE, HARLOW BUILDING



PHONE: (207) 287-2791

WWW.MAINEFORESTSERVICE.GOV

We received 126 applications this year and due to several 2024 VFA grants that forfeited and were not reimbursed, there was a surplus amount of funds available for the 2025 VFA grants. However, the VFA grant committee still reviewed each application to ensure the requested items were within the scope of the program.

The next part of the process requires you to complete and sign the *Agreement for State Assistance and Assurances for non-Construction Projects* forms no later than March 14, 2025. As with the online VFA application, we are trying to streamline this portion of the project by using digital forms. They can be accessed online: <https://survey123.arcgis.com/share/58b54d522d124571a546149e26d8fecf> but if that won't work for your agency, we can send you a hard copy if you contact us at 207-287-4990.

The *Assurances* form requires a Unique Entity Identifier (UEI) from the Federal System for Award Management (SAM). **This UEI has replaced the Federal DUNS.** The UEI expiration date must also be listed. The *Agreement for State Assistance* specifically states that you must complete the project before submitting your invoices for reimbursement. The agreement also states that "if the recipient is unable to meet the deadline (of June 30), written notification must be made to the State Supervisor, Forest Protection Division, at least seven (7) days prior to June 30, 2025.

REIMBURSEMENTS

As soon as your purchases have been made, and as soon as your project is complete, you must send copies of the original invoice(s) and documented proof of payment. The following is a list of what is needed to process a reimbursement through the state accounting department:

If purchase is made by the town:

1. A copy of the town warrant sheet(s) indicating the vendor paid, date paid, check number and amount; If a credit card is used, then the credit card statement* should also be provided.
2. A copy of all invoices indicating the items purchased.

If purchase is made by the Fire Department:

1. A copy of the canceled check(s) or credit card statement*
2. A copy of the actual invoice(s) indicating the items purchased.

*If a personal credit card is used to purchase the items, then a credit card statement is acceptable, as long as the town or privately owned Fire Dept. can show proof that they reimbursed the person who initially paid with the credit card.

As soon as all documentation is received, your town or department will be reimbursed one-half of the authorized project costs. To qualify for reimbursement, the purchase(s) must be made after January 15, 2025. Only individual items listed as approved in this letter costing less than \$4,999 each will be reimbursed. **The deadline for completing projects and submitting all necessary paperwork is June 30, 2025.**

Reminders for deadlines are sent generally via email and posted on MFCA and MSFFF websites. Our goal is to reduce the amount of unclaimed grants, and to limit the time spent tracking down receipts required by the USDA Forest Service. Please check your email frequently for these notices. Any email correspondence should have "VFA" and your town in the subject line. If you have any questions about these procedures or deadlines, please call (207) 287-4993 or email me at terri.teller@maine.gov.

Sincerely,



Terri Teller
Forest Ranger Specialist

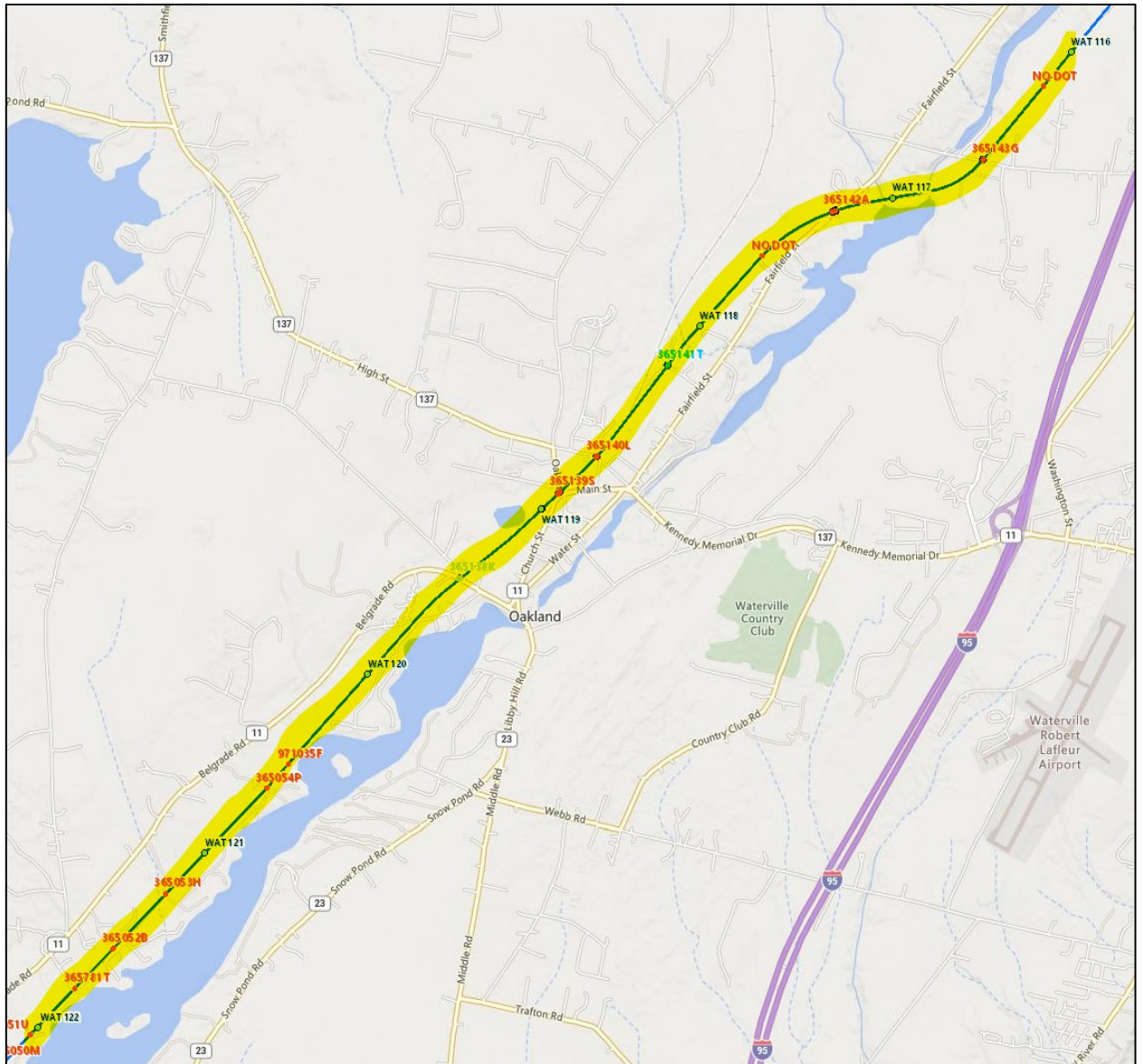


Robert Rohauer
Senior Manager of Strategic
Projects and Community Affairs

CSX Transportation
1 Bell Crossing
Selkirk, NY 12158

January 14, 2025

This is intended as a formal notice that CSX Transportation, Inc. ("CSX") which operates through Oakland, Maine, will be increasing its train speeds in the area from 25 miles per hour to 40 miles per hour between mileposts WAT 116 and WAT 122.





At CSX, safety encompasses every aspect of company operations. Guided by a policy to ensure the safety of our employees, our customers and the communities we serve, CSX works relentlessly to prevent injuries and accidents through education, programming and advocacy at all levels.

I ask that you please share the following information with your community –

Railroad Crossing Safety Tips

Safety is everyone's responsibility, and when it comes to railroads, your decisions have an impact on your safety and the safety of others. Keep in mind these safety tips every time you see a train or approach railroad tracks:

- Always look out for warning signs and signals. Flashing red lights indicate a train is approaching. Do not cross the tracks until the lights have stopped flashing and it is safe to do so.
- Always assume a train is coming. Look carefully in each direction before crossing the tracks. Trains can run on any track, in either direction, at any time.
- If it won't fit, don't commit! Be sure there is enough space to clear the crossing without stopping. For your safety, leave at least 15 feet between the rear of your vehicle and the tracks.
- If your vehicle stalls on a crossing, get everyone out immediately. Move far away from the tracks even if you don't see a train approaching. Call the emergency notification number posted on or near the crossing, or call local law enforcement.
- Trains cannot stop quickly. The average freight train traveling 55 miles per hour may take a mile or more to stop.
- Watch for vehicles such as school buses and trucks carrying hazardous materials that are required to come to a full stop at railroad crossings.
- Make sure you cross the tracks only at designated crossings, and never try to beat a train through a crossing.
- Any issue or incident on or near CSX tracks that risks the safety of any person should be reported immediately to our Public Safety Coordination Center at 800-232-0144.



This notice is also intended to ensure that in increasing its train speeds, CSX is following the rules and regulations promulgated by the federal government subsequent to the passage of the Federal Railroad Safety Act (the "Act"). In the early 1970s, Congress passed this Act to promote railroad safety, recognizing that the railroad industry is necessarily an interstate operation that is more appropriately governed by a uniform body of federal rules. After the passage of the Act, the federal government enacted regulations specifically relating to train speed which were intended to preempt any local ordinances on the subject.

Please be assured that this change in speed should not have any impact on grade crossing safety in your community. Accordingly, CSX will be operating its trains through Oakland, Maine in accordance with federal regulations embodied in 49 CFR Part 213.

