

The County of Cumberland is committed to providing quality services to all citizens equitably, in a responsive and caring manner.

COMMISSIONERS' MEETING

MINUTES

August 24, 2009

The Board of Cumberland County Commissioners Malory O. Shaughnessy, Richard J. Feeney and James F. Cloutier convened a meeting at the Cumberland County Courthouse in the Peter J. Feeney Conference room.

Chairperson Shaughnessy called the meeting to order at 7:15 PM. The following business was conducted.

Minutes of the Cumberland County Commissioners Special meeting held on July 27, 2009 and the Regular meeting held on July 27, 2009 were read and approved unanimously.

Comments from the County Manager:

The County Manager indicated he would yield his time for comments due to the length of the workshop held previously to the Commissioners meeting.

Comments from the Commissioners:

Commissioner Feeney:

Commissioner Feeney yielded his time for comments.

Commissioner Cloutier:

Commissioner Cloutier yielded his time for comments..

Chairperson Shaughnessy:

Chair Shaughnessy noted that Sheriff Dion received a letter from Fritz Appleby, Park Manager of Bradbury Mountain State Park in Pownal. Mr. Appleby thanked the County for the positive work attitude the inmates demonstrated while working for a 5 week period on the Community Service Program. They painted the exterior of the 150 + year old farmhouse at the park entrance. Due to cutbacks and the poor economy the state park was not able to perform the work. This was a very positive experience. Chair Shaughnessy encouraged communities to contact

the Sheriff's Office for assistance from the inmates on community projects under the Community Service Program.

Comments from the Public:

Chair Shaughnessy asked if there were any comments from the public. Hearing none, she asked for the Action Items to be presented.

Action Items:

09 – 089 Approval, Cumberland County Regional Communications Center – AT&T Tower Lease Agreement - Casco

Chair Shaughnessy asked the County Manager for comments.

The Manager indicated there are 5 staff reports that Director Bill Holmes of the Cumberland County Regional Communications Center will be reporting on at this meeting. The first is the AT& T Tower Lease Agreement in Casco. He indicated Director Holmes has worked very hard along with a number of individuals to try and bring this to a conclusion including Malcolm Ulmer who manages the Maine County Commissioners Risk Pool, as well as Pat Dunn, our County Attorney of Jensen, Baird, Gardner. He concurs with the recommendation.

Director Holmes reported Cumberland County is in the process of installing a 6 site microwave radio infrastructure throughout the County. One of the recommended sites includes the tower in Casco, Maine. Our consultants have identified the AT&T tower in Casco as the best possible location for the system to function well in this area. This is the last Tower Agreement that we need to approve for full system operation. This lease agreement has been reviewed extensively by the County Attorney, Pat Dunn, and our insurance representative, Malcolm Ulmer. After months of dialogue, both Pat and Malcolm have approved the lease language. AT&T has agreed to allow the County use of its tower in Casco at no costs in exchange for a reduction in their lease with the County for space on our EMA Tower in Windham. AT&T currently pays EMA approximately \$20,000 per year for use of the tower in Windham. They have supported our proposal to reduce their lease costs by \$1000 per month and reduce the yearly escalator from 3% to 2%.

The Manager indicated that he recently attended the Annual Meeting of the Town-City Management Association where David Cole, Gorham Town Manager, indicated that the town has saved over \$1 million by joining the Cumberland County Regional Communications Center in 2005.

The County revenues from EMA will be reduced by approximately \$12,000 per year. Peter Crichton, Bill Whitten and Jim Budway have each been consulted on this recommendation and have expressed support of the agreement. By way of comparison, we currently pay another tower vendor approximately \$1200 per dish per month. Because we are installing 2 dishes at the Casco site, we are avoiding an estimated \$28,000 per year in exchange for a \$12,000 per year revenue reduction. The initial agreement is for a 5 year period with 4 additional 5 year automatic renewals. A discussion followed.

Commissioner Feeney made a Motion that the Commissioners move passage of the AT&T Lease Agreement. Commissioner Cloutier seconded the Motion. All voted unanimously.

09 – 090 Approval, Cumberland County Regional Communications Center – Town of Gorham Communications Contract

Chair Shaughnessy asked Director Holmes to present the item. The County Manager concurs with the recommendation.

Director Holmes reported the Town of Gorham has agreed to a 4 year contract with an automatic 3% yearly escalator. This pricing structure has been reviewed and approved by the CCRCC Board of Directors with the support of the County for use through FY2013. The current contract -expires December 31, 2009. A discussion followed.

Commissioner Cloutier made a Motion that the Commissioners move passage of the Town of Gorham Agreement and the Chair of the Commission is authorized to sign on behalf of the County in executing this contract. Commissioner Feeney seconded the Motion. All voted unanimously.

09 – 091 Approval, Cumberland County Regional Communications Center – Town of Harpswell Shelter Removal Agreement

Chair Shaughnessy asked Director Holmes to present the item. The County Manager concurs with the recommendation.

Director Holmes reported the County is in the process of installing a 6 site microwave radio infrastructure throughout the County. One of the sites includes the tower in Harpswell, Maine. At that location, the County has purchased and is installing a shelter to house our radio equipment. The Town of Harpswell has agreed that in lieu of a removal bond, the County Commissioners simply sign a letter agreeing to remove the shelter once we no longer use it. A discussion followed.

Commissioner Cloutier made a Motion that the Commissioners move passage of signing the letter written by the Town of Harpswell requesting the County removes the shelter once the County no longer has use for it. Commissioner Feeney seconded the Motion. All voted unanimously.

09 – 092 Approval, Cumberland County Regional Communications Center – Town of Harrison Communications Contract

Chair Shaughnessy asked Director Holmes to present the item. The County Manager concurs with the recommendation.

Director Holmes reported the County has been providing the Town of Harrison with communications service for approximately six months. The town is now desirous of continuing to contract with the County to provide communications service to the Fire/Rescue departments for a

one year period. The Town of Harrison will pay the County \$13,560 for the period of July 1, 2009 to June 20, 2010. A discussion followed.

Commissioner Cloutier made a Motion that the Commissioners move passage of the one year contract in the amount of \$13,560. Commissioner Feeney seconded the Motion. All voted unanimously.

09 – 093 Approval, Cumberland County Regional Communications Center – Verizon Wireless Generator Use

Chair Shaughnessy asked Director Holmes to present the item. The County Manager concurs with the recommendation.

Director Holmes reported the County is in the process of installing a 6 site microwave radio infrastructure throughout the County. One of the sites includes the tower in Harrison, Maine. At that location, Verizon Wireless maintains an emergency backup generator and they have agreed to allow Cumberland County to use the generator as a back up to our new system at no charge. The written agreement has been reviewed and approved by our County Attorney, Pat Dunn, and our insurance representative Malcolm Ulmer. A discussion followed.

Commissioner Cloutier made a Motion that the Commissioners move passage of the County’s use of the Verizon Wireless’s generator as backup at no charge to the County. Commissioner Feeney seconded the Motion. All voted unanimously.

09 – 094 Cumberland County Courthouse – Ricoh MP2550SP Photocopier System

Chair Shaughnessy asked Bruce Tarbox, Facilities Manager, to present the item. The County Manager concurs with the recommendation.

Facilities Manager Tarbox reported the current photocopier that the Facilities Department is using now was initially acquired thru the rental process in 1998. The qualities of the copies are of poor quality. The Ricoh MP2550SP Digital Photocopier System includes a document feeder, dual front loading paper drawers, a 100 sheet by-pass and storage cabinet with fax capability and a scanner. At the present time we are paying .00950 per copy plus \$61.00 per month rental fee. He has been informed that Smith Office Systems has taken over maintenance on this machine and unlike in the past, they will asses a charge for repair. Also, we are being charged for toner which we were never billed for. The following options are available for the new unit:

- 24 Month Lease: \$216.54 per month + .0059 per copy
- 36 Month Lease: \$153.33 per month + .0059 per copy
- 48 Month Lease: \$121.00 per month + .0059 per copy

After reviewing the options, the Facilities Manager is recommending the 48 month lease rental for \$121.00 per month + .0059 per copy option. A discussion followed.

Commissioner Feeney made a Motion that the Commissioners move passage of Accepting the 49 month lease of the Ricoh MP2550SP Digital Photocopier System. Commissioner Cloutier seconded the Motion. All voted unanimously.

09 – 095 Approval, Cumberland County Parking Garage – Engineer Evaluation Report

Chair Shaughnessy asked Bruce Tarbox, Facilities Manager, to present the item. The County Manager concurs with the recommendation.

Facilities Manager Tarbox reported the Cumberland County Parking Garage that is located at 188 Newbury Street is in need of repair. In June, 2001, a property condition assessment was done and again in 2009. The studies have provided defining information and testing results necessary for the required repairs. This structure is in definite need of repair. An RFP was sent out for securing an engineer firm to provide direction and oversee repairs necessary to the parking garage. A committee was established to interview for this firm. After placing a Public Notice in the paper, the following expressed interested:

- A.J. Gillum - Carl Walker, Inc.
- William Bentell – Oest Associates
- Chris Breau – T.Y. Lin International
- Bill Faucher - Allied Engineering
- Matt Galligher – Desmonds

Because of the size of the project (too small), T.Y. Lin International and Desmonds, chose not to be interviewed. The interview process was performance based with the committee asking for prior references. The selection committee included: Bill Whitten, Assistant County Manager, David O'Brien, Jr., Maintenance Supervisor, Mike Beveridge, Parking Garage Coordinator and the Facilities Manager. A CIP # 71-705-7523 in the amount of \$130,599.75 has been set aside for this project. The Facilities Manager is estimating \$35,000 for the Engineering services. The committee recommends Allied Engineering. They have done work for us in the past and have also worked with us regarding the parking garage. A discussion followed.

Commissioner Feeney made a Motion that the Commissioners move passage of this item and select Allied Engineering. Commissioner Cloutier seconded the Motion. All voted unanimously.

09 – 096 Approval, Cumberland County Request for Contingency Money

Chair Shaughnessy asked Bruce Tarbox, Facilities Manager, to present the item. The County Manager concurs with the recommendation.

Facilities Manager Tarbox reported the Cumberland County Facilities Department is requesting Contingency Money for two emergency projects: 1) Emergency lights for EMA/RCC parking/walkway areas. These areas are dark and it is a security issue; and 2) the Cumberland County Courthouse roof over Chief Justice Saufley's area is in need of repair. At the EMA/CCRCC – we need to provide and install two (2) Spectrum Everlast Fixtures with a concrete

base, pole, bulbs, wiring, trenching, saw, cut, tar and back filling for complete installation of fixtures. At the Cumberland County Courthouse the copper roof over Justice Saufley's area leaks and is in need of replacement. The lighting at EMA/RCC would be \$4,600.00. Following the county's purchasing procedure; three quotes were received, with the lowest Energize ME, Inc in the amount of \$4,600.00. To repair the roof at the courthouse will be an estimated \$34,000. The state will contribute \$4,000 for this project.

The Facilities Manager recommends that we proceed with the lighting of the walkway/parking lot at EMA/CCRCC and the roof repair at the courthouse. He is also asking that these projects be paid for through Emergency Funding account #11-141-5502 (which currently has a balance of \$40,000) as this was not a planned expense. The total cost will not exceed:

\$30,000 - roof repair
\$ 4,600 - lights
\$34,600 - Total

A discussion followed.

Commissioner Cloutier made a Motion that the Commissioners move passage of this item. Commissioner Feeney seconded the Motion. All voted unanimously.

09 – 097 Approval, Cumberland County Courthouse – Hot Water Header

Chair Shaughnessy asked Bruce Tarbox, Facilities Manager, to present the item. The County Manager concurs with the recommendation.

Facilities Manager Tarbox reported the Domestic Hot Water feed pipes are leaking due to rusted connections. These boilers are over 40 years old. An RFP was developed to obtain bidders for this project. The boilers cannot be started until the leak has been repaired. There were three bidders:

- Patriot Mechanical, LLC \$6,900.00
- Mechanical Services, Inc. \$7,144.00
- ATA Piping, Inc. \$7,245.00

All bidders attend the mandatory walk-thru. Six thousand two hundred ninety two dollars (\$6,292) in CIP account # 71-705-7557 was left from a previous boiler project. I am recommending that the balance be taken from our account # 11-105-6604. The Facilities Manager recommends Patriot Mechanical, LLC in the amount of \$6,900. They have done work here at the courthouse and have always provided quality services. A discussion followed.

Commissioner Feeney made a Motion that the Commissioners move passage of this item and grant Patriot Mechanical the bid. Commissioner Cloutier seconded the Motion. All voted unanimously.

09 – 098 Approval, Tax Abatement Hearing for Melody Lavers – Town of Pownal

Chair Shaughnessy asked for a Motion.

Commissioner Feeney made a Motion to accept the Appeal of Melody Lavers of the Town of Pownal, place it on file, and direct the Deputy Clerk to send out all the appropriate paperwork for a hearing at a later date. Commissioner Cloutier seconded the Motion. All voted unanimously.

There being no further business Commissioner Feeney made a Motion to adjourn the meeting at 7:15 PM. Seconded by Commissioner Cloutier. All voted unanimously.

Deputy Clerk

Barbara M. Buckley

Barbara Mary Buckley

The next regular Commissioners meeting will be held at 5:30 PM on Monday, September 14, 2009 in the Peter J. Feeney Conference Room, Cumberland County Courthouse Annex 1.