

**AUGUST 7, 2017
7:00 P.M.**



**AGENDA
REGULAR COUNCIL MEETING
City Council Chambers, 2nd Floor
265 Main Street-Old Town, Maine**

- I. CALL TO ORDER** (Please turn off or silent cell phones)
- II. FLAG SALUTE**
- III. ROLL CALL**
- IV.** Approval of the Minutes of the July 17, 2017 Special Council Meeting.
- V. PETITIONS, COMMUNICATIONS AND CITIZENS' REQUESTS**
- VI. REPORTS**
 - A. Council President**
 - B. Standing Committees (Finance, Public, Administrative & Economic Services; Landfill, Legislative, Sewer, Airport & Housing sub-committees)**
 - C. City Councilors**
 - D. City Attorney**
 - E. Special Committees**
 - F. City Manager**
- VII. CONSENT AGENDA (New Business items 1, 2, 3, 4, 6 & 7)**

Suggested motion: Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2, 3, 4, 6 & 7 as presented.
(Councilor Nuttall)
- VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

Public Hearings

1. The City Council will conduct a Public Hearing to discuss acceptance of a Micro-Enterprise Assistance CDBG Grant in the amount of \$100,000. The purpose of the grant is to rehab facades in the downtown.

IX. OLD BUSINESS

X. NEW BUSINESS

1. The City Council will consider accepting a bid for a 2017 Ford Utility Police Intercept cruiser as recommended by the Finance Committee.

Suggested motion: Resolved, the Old Town City Council hereby accepts the bid from Darlings Ford in the amount of \$31,014.00 for 2017 Ford Utility Police Intercept cruiser as recommended by the Finance Committee. The Council further approves the expenditure of \$2,932.52 for installation of new equipment required for the cruiser. The Funds will come from Account #7000-0414 Capital Heavy Equipment Reserve.

2. The City Council will consider accept a bid for two 2018 GMC Crew Cab pickups for the Public Works Department as recommended by the Finance Committee.

Suggested motion: Resolved, the Old Town City Council hereby accepts the bid from O'Connor GMC of Augusta in the amount of \$47,736.00 for the purchase of two 2018 GMC Crew Cab pickups for the Public Works Department as recommended by the Finance Committee.

3. The City Council will consider authorizing the expenditure of \$100,000 for the Environmental cleanup of the former Jefferson Street School building as recommended by the Finance Committee.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the expenditure of \$100,000 for the Environmental cleanup of the former Jefferson Street School building as recommended by the Finance Committee. Funds will come from Account #03800 Fund Balance.

4. The City Council will consider approval on a renewal application for a Malt Liquor License for Krisanthi Shanos, d/b/a Angelo's Pizzeria, 484 Stillwater Avenue.

Suggested motion: Resolved, the Old Town City Council hereby approves a renewal application for a Malt Liquor License for Krisanthi Shanos, d/b/a Angelo's Pizzeria, 484 Stillwater Avenue.

5. The City Council will consider voting for the Vice President and three members to serve on the Board of Directors for the Maine Municipal Associations Executive Committee.

Suggested motion: Resolved, the Old Town City Council hereby votes for the Slate of Officers to the MMA Executive Board as presented on the MMA Voting Ballot.

6. The City Council will consider authorizing the expenditure of an amount not to exceed \$86,000.00 for the additional cost of renovating the Green Hangar at the Airport.

Suggested motion: Resolved, The Old Town City Council hereby approves authorizing the expenditure of an amount not to exceed \$86,000.00 for the additional cost of renovating the Green Hangar at the Airport as recommended by the Finance Committee. Funds are to come from Account #03560 Airport Hangar Reserve.

7. The City Council will consider retaining foreclosed property at 811 Main Street and authorize the demolition of the building, survey work and to write off the sewer fees.

Suggested motion: Resolved, the Old Town City Council hereby approves retaining foreclosed property at 811 Main Street and to accept the low bid from Street's Landscaping in the amount of \$4,000 for demolition of the building to allow for reconfiguration of the Penny Road and Main Street Intersection. The Council further authorizes the expenditure of an amount not to exceed \$1,000 for Down to Earth Surveying to complete work due to a boundary line issue and authorize the Finance Director to write off the Sewer fees in the amount of \$2,747.81. Funds for the demolition & survey will come from Account #RO236 Sale of Tax Properties.

8. The City Council will consider an amendment to the Appropriations Resolution 2017-1 to include 3 Reserve Accounts that were discussed but not included in the Resolution. The Reserve Accounts are Recreation Center Reserve-\$28,500; Juniper Ridge Tipping Reserve-\$34,958 and Highway Block Grant Reserve-\$200,000 for a total of \$263,458.00

Suggested motion: Resolved, the Old Town City Council hereby amends the Appropriations Resolution 2017-1 to include using additional Reserve Accounts in the total amount of \$263,458 for a net property tax requirement of \$9,749,848.00.

(Councilor Nuttall)

9. The City Council will consider approval of Phase II requirements for the City's 2017 Community Development Block Grant Program.

Suggested motion: Resolved, the Old Town City Council hereby approves the Phase II items listed herein for the City's Micro-Enterprise CDBG program:

1. Self-Evaluation & Transition Plan
2. ADA/Section 504 Certification
3. Residential Ant-displacement
4. Council Resolution
5. Equal Employment Opportunity Policy Statement.
6. Fair Housing Resolution
7. Fair Housing Self-Assessment
8. Standards of Conduct.

(Councilor Roach)

10. The City Council will discuss a proposed "2017 Amendment of the City Charter" as presented in Exhibit A.

Suggested motion: Resolved, the Old Town City Council hereby orders that the proposed "2017 Amendment of the City Charter" that is presented in Exhibit A be placed on the agenda for further consideration at the Special Council meeting to be held on August 21, 2017.

(Councilor Klitch)

11. The City Council will consider accepting a bid for City Surplus Property located at 20 Union Street. This is vacant land with a special assessment due to the City's removal of the fire damaged building in 2009.

Suggested motion: Resolved, the Old Town City Council hereby accepts the bid from Robert Commeau in the amount of \$17,000 and authorize the City Manager to execute all necessary documents to complete the transaction. The City Council further authorizes the Finance Director to write off \$9,780.13 in back taxes and sewer fees.

(Councilor Peterson)

12. The City Council will consider accepting a bid for City Surplus Property located at 779 Stillwater Avenue. Two bids were received. 1) Ralph Damren (former owner) in the amount of \$31,001 and 2) Cram Properties in the amount of \$36,101. Bids cover all back taxes and sewer fees.

Suggested motion: Resolved, the Old Town City Council hereby accepts the bid from _____ in the amount of \$_____ for City Surplus Property located at 779 Stillwater Avenue. The Council further authorizes the City Manager to execute all necessary documents to complete the transaction.

(Councilor Roach)

13. The City Council will consider authorizing the City Manager to negotiate a Purchase & Sale Agreement for property located on Penny Road, Tax Map 13, Lot 3-A.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the City Manager to negotiate a Purchase & Sale Agreement for property located on Penny Road, Tax Map 13, Lot 3-A.

(Councilor McLeod)

14. The City Council will consider going into Executive Session for the purpose of discussing an economic development matter relating to the sale of Tax Acquired Property.

Suggested motion: Resolved, the Old Town City Council hereby approves going into Executive Session pursuant to Title I MRSA Section 405, §(6) (C) for the purpose of discussing an economic development matter relating to the sale of Tax Acquired Property.

(Councilor Klitch)

15. The City Council will consider going into Executive Session for the purpose of discussing a Personnel matter.

Suggested motion: Resolved, the Old Town City Council hereby approves going into Executive Session pursuant to Title I MRSA Section 405, §(6)(A) for the purpose of discussing a Personnel matter.

(Councilor May)

16. The City Council will consider going into Executive Session for the purpose of discussing an economic development update relating to the Expera Mill.

Suggested motion: Resolved, the Old Town City Council hereby approves going into Executive Session pursuant to Title I MRSA Section 405, §(6) (C) for the purpose of discussing an economic development update relating to the Expera Mill.

(Councilor Nuttall)

XI. ADJOURNMENT



SPECIAL COUNCIL MEETING – JULY 17, 2017

Council convened July 17, 2017 in the Old Town City Council Chambers at 265 Main Street.

Councilors present: President David Mahan, Jan Klitch, Carol May, John Nuttall, Eric Roach and Stan Peterson. Linda McLeod absent.

Administration present: Bill Mayo, Shannon Meister, Ron Harriman, John Rouleau, Scott Wilcox.

Four Citizens present.

Council President Mahan called the meeting to order at 6:30 p.m.

Councilor Klitch, seconded by Councilor May, moved to approve the Minutes of the June 5, 2017 Regular Council Meeting and the June 19, 2017 Special Council Meeting. **Approved all in favor, 6-0.**

REPORTS

Manager Mayo: 1) Working with Horizon Aviation regarding maintenance at Airport; 2) Updated Council on the Antique Fire Truck display. This will be in a separate building towards Brunswick Street; 3) Municipal Partnership Initiative Grant has been signed; 4) The Juniper Ridge landfill review expansion procedures and dates will be on the website.

CONSENT AGENDA

Councilor Roach, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves the Suggested motions under New Business Items 1, 2 & 3 as presented and as follows:

Item #1: Resolved, the Old Town City Council hereby accepts a Safety Enhancement Grant in the amount of \$1,984 from the Maine Municipal Association to be used exclusively for purchasing twelve SCBA Face pieces for the Fire Department as recommended by the Finance Committee. The total cost is \$2,976 with a city match of \$992.00 which is to come out of Account #7200-0350 Grant Match.

Item #2: Resolved, the Old Town City Council approves appropriating \$25,000 from Account #03800 Fund Balance to fix the Traffic Lights in front of the Hannaford Plaza as recommended by the Finance Committee.

Item #3: Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for Richard L. Howard located at 43 Spring Street for payment of 2014 through 3/31/2017 Sewer fees in the amount of \$1,663.66 and 2016-2017 RE taxes in the amount of \$4,136.11 plus \$150 Late Redemption fee for a total amount of \$6,234.70 which includes interest and lien costs and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

Consent agenda items approved all in favor 6-0.

SECOND READINGS OF ORDINANCES

The City Council conducted a Second Reading on a proposal to amend Chapter 2 of the Old Town Code of Ordinances by establishing Division 13, titled Public Safety Direction, Section 190 to create the new position of Public Safety Director as presented in Attachment #1.

There being no comments, President Mahan closed the hearing.

The City Council will consider final approval on a proposal to amend Chapter 2 of the Old Town Code of Ordinances.

Councilor May, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves a proposal to amend Chapter 2 of the Old Tow Code of Ordinances by establishing Division 13, titled Public Safety Direction, Section 170 to create the new position of Public Safety Director as presented in Attachment #1.

Roll Call Vote:

<i>Councilor May</i>	<i>Yes</i>
<i>Councilor McLeod</i>	<i>Absent</i>
<i>Councilor Nuttall</i>	<i>Yes</i>
<i>Councilor Peterson</i>	<i>Yes</i>
<i>Councilor Roach</i>	<i>Yes</i>
<i>Councilor Klitch</i>	<i>Yes</i>
<i>Councilor Mahan</i>	<i>Yes</i>

Motion unanimously approved, 6-0.

The City Council conducted a Second Reading on a proposal to create Chapter 26, Sections 1-12 titled Recreational Marijuana Prohibition Ordinance in the Old Town Code of Ordinances.

There being no comments, President Mahan closed the hearing.

The City Council considered approval on a proposal to amend Chapter 26, Sections 1-12 titled Recreation Marijuana Prohibition.

Councilor Roach, seconded by Councilor May, Resolved, the Old Town City Council hereby approves a proposal to create Chapter 26, Sections 1-12 titled Recreational Marijuana Prohibition Ordinance in the Old Town Code of Ordinances.

Roll call Vote:

<i>Councilor McLeod</i>	<i>Absent</i>
<i>Councilor Nuttall</i>	<i>Yes</i>
<i>Councilor Peterson</i>	<i>Yes</i>
<i>Councilor Roach</i>	<i>Yes</i>
<i>Councilor Klitch</i>	<i>Yes</i>
<i>Councilor May</i>	<i>Yes</i>
<i>Councilor Mahan</i>	<i>Yes</i>

Motion unanimously approved, 6-0.

NEW BUSINESS

The City Council considered approving a Resolution for PNC Equipment Finance, LLC for procuring financing for a new Fire Truck.

Councilor Peterson, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby approves a Resolution for PNC Equipment Finance, LLC for procuring financing for a new Fire Truck. **Approved all in favor, 6-0.**

The City Council considered renewing the Legal Services Contract with Rudman and Winchell for legal services for the 2017-2018 Fiscal Year.

Councilor May, seconded by Councilor Nuttall, Resolved, the Old Town City Council hereby renews the Legal Services Contract with Rudman and Winchell for legal services for the 2017-2018 Fiscal Year effective July 1, 2017 to June 30, 2018. **Approved all in favor, 6-0.**

Councilor Klitch, seconded by Councilor Peterson, moved to take up an item not on the Agenda. **Approved all in favor, 6-0.**

The City Council considered accepting an after deadline redemption on foreclosed property for Hazel Ferland, 777 Stillwater Ave. #16, Property Tax Account F0072R in the total amount of \$2,036.02 and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

Councilor May, seconded by Councilor Klitch, Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for Hazel Ferland, 777 Stillwater Ave. #16, Property Tax Account F0072R in the total amount of \$2,036.02 and further authorize the City Manager to execute a Municipal Quit-Claim Deed. **Approved all in favor, 6-0.**

The City Council considered going into Executive Session for the purpose of discussing an economic development update relating to the Expera Mill.

Councilor Klitch seconded by Councilor May, Resolved, the Old Town City Council hereby approves going into Executive Session pursuant to MRSA Title 405, Section (6) (C) for the purpose of discussing an economic development update relating to the Expera Mill at 7:09 p.m. *Approved all in favor, 6-0.*

Councilor Klitch, seconded by Councilor Nuttall, moved to come out of Executive Session at 7:52 p.m. *Approved All in favor, 6-0.*

Councilor Klitch seconded by Councilor May, moved to adjourn at 7:52 p.m. *Approved all in favor, 6-0.*

Adjourned,

Shannon M. Meister
Deputy Clerk-Old Town, ME



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 18, 2017

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Mary Sabins, Town Manager, Town of Vassalboro

DIRECTORS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

James Bennett, City Manager, City of Biddeford

Jill Duson, At-Large Councilor, City of Portland

Gary Fortier, Councilor, City of Ellsworth

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____

Municipality: _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____

Signature: _____

Position: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names:

Signatures:

Return To:

*MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358 or 626-5947
Email: tchavarie@memun.org*

GREEN HANGAR RECONSTRUCTION COST BREAKDOWN

Request additional funding from the hangar reserve, up to and not to exceed \$86,000.00 for the additional cost of the renovation

Jack and hold one 52' x 120' building. Remove two offices and utility room. Save walls to be reinstalled. Remove and dispose of 52' x 120' floor. Dis 16" x 16" haunch around perimeter of building. Grade stone material for slab. Install 2" Styrofoam for under 52' x 120' slab and side of haunch. Form and pour 4000 psi steel reinforced concrete 52' x 120' slab with haunch. Cut expansion joints as needed. Set building onto new slab, drill and pin sill to slab. Remove and replace damaged siding. Replace three entry doors. Reinstall both offices and utility room, to include new sheet rock and drop ceiling. Rewire and install LED overhead lighting in hangar.

Cost \$101,688.00

Install septic system, water/ oil catch tank and bathroom fixtures.

Cost \$18,000.00

Purchase/ Install Two (2) 16' x 49'9" bi-fold hangar doors

Cost \$46,000.00

New pavement from hangar to taxiway Bravo

Cost \$7,936.50

Purchase and installation of Gib crane

Cost \$6,500.00

Natural gas heating system

Cost \$180,124.00

**CITY OF OLD TOWN
 APPROPRIATION RESOLUTION 2017-1
 INBOARD OF COUNCIL, JUNE 19, 2017
 Municipal, RSU #34 and County Appropriation**

RESOLVED:

That whereas the annual budget for the fiscal year 2017-2018 after proper notice of hearing thereon and hearing in consideration thereof being had; now, therefore, be it resolved that the several sums of money in the recommended budget, as amended, be appropriated to the various accounts and the various sums of estimated revenues as listed in the budget be appropriated, and the net appropriation, as listed below, necessarily to be derived from general taxation, shall be assessed upon the taxable estates of the inhabitants of the City of Old Town, and upon estates of non-resident persons and proprietors within the City of Old Town, in accordance with the laws of Maine, and the provisions of the City Charter of the City of Old Town.

And be it further resolved that the Assessor of the City of Old Town be and is hereby instructed and authorized to assess upon said estates in the City of Old Town, as the same exist on the first day of April 2017.

The net totals of said grants & appropriations are as follows, to wit:

GENERAL FUND

	Municipal	RSU#34	Penobscot County	Total
Gross Appropriation	9,996,200	5,559,615	627,134	16,182,949
<u>Less:</u>				
TIF Financing Plan Transfer	171,232			171,232
Recreation Center Reserve Transfer	28,500			28,500
Juniper Ridge Tipping Reserve Transfer	34,958			34,958
Highway Block Grant Reserve Transfer	200,000			200,000
Highway Block Grant	75,000			75,000
State-Municipal Revenue	532,446			532,446
Other Estimated Revenue	5,390,965			5,390,965

Property Tax	3,563,099	5,559,615	627,134	9,749,848
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And be it further resolved that all taxes on real estate and personal estate within the present municipal year shall be due and payable upon approval of this Appropriation Resolution and one half (1/2) of all real estate and personal property taxes that remain unpaid on September 13, 2017 shall commence bearing interest on September 14, 2017 and that the final half (1/2) of all real estate and personal property taxes that remain unpaid on March 14, 2018 shall commence bearing interest March 15, 2018 at the highest rate per annum authorized by Maine law until paid and collected, and the Collector of Taxes and the City Treasurer of the City of Old Town are authorized and required to collect and receive thereof.

And be it further resolved, that the City Council authorizes the Finance Director to accept prepayment of real and personal property taxes.

And be it further resolved, that the Tax Collector shall apply all tax payments to the oldest balance due on that account regardless of any instructions the taxpayer may give. If, however, a tax lien has matured, the Tax Collector may not accept payment on that account unless a workout agreement is in place or approval has been granted by the City Council to accept payment. If a taxpayer has more than one tax account, any payment shall be applied to the oldest balance due unless the taxpayer specifies the account against which the payment is to be applied;

And be it further resolved, that pursuant to 36 M.R.S.A., Section 506-A, the City Council establishes an interest rate of **3% (4% less than late payment interest rate)** percent per annum to be paid on all real and personal taxes rebated to an over-assessment.

NOW, THEREFORE, the estimated amount of said budget for the municipal year beginning July 1, 2017 and ending June 30, 2018 is included in the **2017-1** Appropriation Resolution.

APPROVED AS TO FORM:
 Edmond Bearor
 City Attorney

ATTEST: _____
 Patricia A. Brochu, CMC
 City Clerk-Old Town, ME

SECTION 504 SELF EVALUATION AND TRANSITION PLAN
STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CITY OF Old Town

The following individual is responsible for inquiries regarding this Section 504 Self-Evaluation and Transition Plan:

William Mayo
 (name)

City Manager
 (title)

265 Main Street, Old Town ME 04468
 (address)

827-3965 827-3966 bmayo@old-town.org
 (telephone) (fax) (e-mail)

The Section 504 Self Evaluation and Transition Plan was adopted by the following authorized individuals on behalf of the municipality:

DATE ADOPTED: August 7, 2017
 AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

1. EMPLOYMENT

1. Are job announcements put into newspapers that have general circulation?

Yes No

If No, describe how individuals are made aware of employment opportunities:

2. Do job announcements state that the municipality is an Equal Opportunity Employer?

Yes No

If No, explain why the "Equal Opportunity Employer" statement is not contained within job announcements:

3. Has the municipality adopted a Equal Employment Opportunity Policy Statement?

Yes No

4. Do job applications inquire as to whether an applicant is a disabled person or as to the nature or severity of a disability?

Yes No

If Yes, explain: _____

5. Describe the accommodations that can be made for the known physical and mental limitations of otherwise qualified disabled persons who are currently employed or applying for employment:

2. PROGRAM ACCESSIBILITY

1. Are any of the following services or benefits provided to residents directly by the municipality?

Yes No

(Please mark an "X" for all services provided by the municipality)

Transportation Services

Counseling Services

Health Services

Employment Services

Public Housing

Food Services

General

Social, Recreational, or Athletic
Services

(a) For those services that are provided, describe accommodations that can be taken to make them accessible and usable for persons with disabilities (e.g. provision of auxiliary aids, relocating programs to accessible facilities, use of alternative materials, home visits, etc.):

2. Are there any limitations on the number of qualified disabled persons who may participate in or be admitted to the program?

Yes No

If Yes, list the steps to eliminate the limitations:

3. Do applications for these services, in any way discriminate against persons with disabilities?

Yes No

4. Describe the nature of the qualifications that are needed in order to be eligible for each respective program:

Program

Qualifications

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

3. FACILITIES

Note: The definition of "facility" under Section 504 includes all or any portion of buildings, structures, equipment, roads, walks, parking lots or other real or personal property or interest in such property, owned, operated or leased by the municipality)

1. List below all facilities and the programs or operations for which each facility houses.

Facility

Programs or Operations Housed

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

Using the Uniform Federal Accessibility Standards (UFAS), each facility must be reviewed for compliance:

COMPLIANCE COMPONENT

FACILITIES

	#1	#2	#3	#4	#5	#6	#7
Accessible Route							
Outside Paths and Walks							
Parking							
Curb Ramps							
Ramps							
Entrances/interior Doors							
Elevators							
Lifts							
Toilet Rooms							
Drinking Fountains							
Warning Signals							
Assembly Areas							
Public Telephones							
Other Building Elements and Specialized Facilities							

- Place a "1" in the respective box if item is in compliance with UFAS
- Place a "2" in the respective box if item is not in compliance with UFAS
- Place a "3" in the respective box if item is not available and is not required

* #1 through #7 above must correspond to the specific facility with that same number identified on the preceding page.

2. For those facilities where a "2" was indicated for the specific component, list below the inaccessible feature that limits accessibility to the programs provided in that facility:

ADA/SECTION 504 CERTIFICATION

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City of Old Town Maine hereby certifies that it has complied with the following requirements pursuant to Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act and

1. Conducted a Section 504/ADA Transition Plan and Self Evaluation of all municipal facilities;
2. Advises the public, employees and job applicants that it does not discriminate on the basis of handicapped status in admission or access to or treatment or employment in its programs and activities; and
3. Has designated the following person as the contact to coordinate efforts to comply with these requirements.

Name: William Mayo Title: City Manager

(Signature of Authorized Municipal Official)

(Date)

Municipal Seal

RESIDENTIAL ANTIDISPLACEMENT & RELOCATION ASSISTANCE PLAN

City of Old Town

(under Section 104(d) of the Housing and Community Development Act of 1974, as amended).

I. PURPOSE:

This Plan is established following Section 104(d) of the Housing and Community Development Act of 1974, as amended. Its objective is to insure that persons displaced as a result of CDBG-assisted projects are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of a project designed for the benefit of the public as a whole.

II. COMPLIANCE MEASURES:

The **City of Old Town** will replace all occupiable and vacant Low - Moderate Income dwelling units demolished OR converted with funds provided under the Housing and Community Development Act of 1974, as amended, in a way as described as follows:

1. The units must be located within the state recipient's jurisdiction and to the extent possible shall be located within the same neighborhood as the units replaced.
2. The units must be sufficient in number and size to house no less than the number of occupants who could have been housed in the units that are demolished or converted.
3. The units must be provided in standard condition.
4. The replacement units must be made available for occupancy during the period beginning one year before an agreement to convert or demolish the units in question is executed and ending three years after the commencement of the demolition or rehabilitation related to the conversion.

The units must remain Low-Moderate Income dwelling units for at least 10 years from the date of initial occupancy. Before the **City of Old Town** enters into an agreement to provide funds that will directly result in the demolition of Low-Moderate Income dwelling units or the conversion of Low-Moderate Income dwelling units, the **City of Old Town** will make public and submit the following information in writing to the State:

- 1) A description of the proposed assisted activity;
- 2) The location on a map and the number of dwelling units by size that will be demolished or converted to a use other than for Low-Moderate Income dwelling units as a direct result of the assisted activity;
- 3) A time schedule for the commencement and completion of the demolition or conversion;

- 4) The source of funding and a time schedule for the provision of replacement dwelling units;
- 5) The basis for concluding that each replacement dwelling unit will remain a Low-Moderate Income dwelling unit for at least 10 years from the date of initial occupancy;
- 6) Information demonstrating that any proposed replacement dwelling units with smaller dwelling units is consistent with the housing needs of Low-Moderate Income households in the jurisdiction.

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act, the **City of Old Town** will take all possible actions within its power to minimize the displacement of persons from their homes.

III. ASSISTANCE TO PERSONS DISPLACED:

The **City of Old Town** shall provide relocation assistance and payments as required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 or the Housing and Community Development Act of 1974, as amended, Section 104(d) for residents displaced as a result of CDBG funded activities. All displaced residents who are eligible for other housing programs will be helped through that agency's process. In addition, City staff shall provide housing counseling and referral services to assist those displaced to find alternative housing in the neighborhood.

IV. DEFINITIONS:

Displaced Person: Any person (family, individual, business, nonprofit organization or farm operation) that moves from real property, or moves personal property from real property, permanently and involuntarily, as a direct result of rehabilitation, demolition or acquisition (privately undertaken or public) for HUD-assisted program/project.

V. AGENCY RESPONSIBILITY:

The **City of Old Town** Community Development Department shall be responsible for the implementation of this Plan as well as ensuring compliance with applicable Federal and State law and regulations. The **City of Old Town** will identify and designate a Relocation Officer to perform functions concerning this Plan.

Any questions regarding this Plan or Federal and State laws regarding displacement should be addressed to William Mayo, City Manager.

VI. CERTIFICATIONS:

The **City of Old Town** hereby certifies that it will uphold the contents of this Plan and the intentions of the compliance measures stated.

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

Equal Employment Opportunity Policy Statement

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City Council of Old Town declares its intent that the City will pursue a policy of non-discrimination in personnel practices, including: recruiting, hiring, opportunities for transfer and promotion, conditions or privileges of employment, as well as compensation and benefits. Such practices or procedures shall not favor or penalize any person because of race, creed, color, sex, marital status, national origin, age, physical handicap, where these are not found to be bona fide occupational qualifications.

The City recognizes its responsibility to enhance the purposes set forth in the Maine Human Rights Act as well as Federal statutes which may apply as a result of its Federal grant activities.

Compliance with EEO requirements may be enhanced through adoption of appropriate personnel policies. Assistance in drafting such policies may be obtained through the Maine Municipal Association or your Community Development Office.

DATE ADOPTED: August 7, 2017

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

FAIR HOUSING RESOLUTION

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

LET IT BE KNOWN TO ALL PERSONS of the City of Old Town that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law). It is the policy of the City of Old Town to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin. Therefore, the City does hereby pass the following Resolution:

BE IT RESOLVED that within available resources the City will assist all persons who feel they have been discriminated against because of race, color, religion, sex, handicap, familial status or national origin to seek equity under federal and state laws by filing a complaint with the Maine Human Rights Commission or the U.S. Department of Housing and Urban Development, Boston Regional Office Compliance Division.

BE IT FURTHER RESOLVED that the City shall publicize this Resolution and through this publicity shall cause owners of real estate, developers and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and any applicable state and local laws or ordinances.

SAID PROGRAM will at a minimum include but not be limited to: (1) the printing and publicizing of this policy and other applicable fair housing information through local media and community contacts; (2) distribution of posters, flyers and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

DATE ADOPTED: August 7, 2017

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

FAIR HOUSING SELF ASSESSMENT

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

COMMUNITY OF OLD TOWN MAINE:

1. To the best of your knowledge has your community been involved in any complaints regarding discrimination the sale or rental of housing on the basis of race, color, religion, sex, national origin, familial status or handicap?

Yes No

2. If yes, give a brief description of the nature of any complaints and resolutions.

Yes No

3. Has your community adopted a Fair Housing Program to help local citizens be aware of their rights regarding fair housing under federal and state law, and in filing a complaint if discrimination is suspected?

Yes No

4. What do you perceive as the most potentially serious problem areas regarding discrimination in fair housing in your community?

Problem Area	Very Serious	Serious	Moderate	Not a Problem
Color				X
Familial Status				X
Handicap			X	
National Origin				X
Race				X
Religion				X
Sex				X

1. Does your community contain any subsidized housing units?

Yes No

6. As best as can be determined, do relevant public policies/practices regarding zoning and building codes have an adverse impact on the achievement of fair housing choice?

Yes No

7. Are you aware of any practices in the local real estate community as it relates to buying, selling and house rentals that may adversely affect the achievement of fair housing choice in your community?

Yes No

8. Do your community records contain data on the actual number and percentage of persons residing in the community by race, color, religion, sex, national origin, age, handicap and familial status, as well as income characteristics by group?

Yes No

9. Is information available to you that list major local employers by type and the number of people employed within your community by salary and racial group?

Yes No

10. Is there public transportation available in your community?

Yes No

11. Do your community records contain data on the total number of housing units in the community by type, and the number of vacant units?

Yes No

12. Does your community contain any housing for the handicapped such as group homes, independent living complexes, etc.?

Yes No

13. Has your community participated in the CDBG program prior to 1993?

Yes No

14. Has your community been involved with any other state or federal programs that required the reporting of specific fair housing information?

Yes No

Signature of Authorized Municipal Official

Date

STANDARDS OF CONDUCT

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT

INTRODUCTION

Elected officials, appointed officials, employees of Community Development Block Grant (CDBG) recipients, and contractors are those responsible for administering Maine's CDBG Program and are also responsible for its integrity. Following sound business practices, prescribed standards of conduct and Department of Housing and Urban Development (HUD) requirements will help protect these grant funds, but also those who administer the program.

PURPOSE

This notice provides information on specific activities you must avoid and identifies essential HUD requirements that must be met. The requirements will help to prevent fraud and program abuse by alerting essential officials to appropriate standards of conduct.

AUTHORITIES

Pertinent laws and requirements that you should have copies of are:

- ✓ Housing and Community Development Act of 1974 as amended in 1992.
- ✓ Community Development Block Grant Regulations (24 CFR Part 570).

PROGRAM REQUIREMENTS & PROHIBITED ACTIVITIES

The following sections reviewed prohibited activities and administrative requirements that must be followed by all CDBG communities.

1. Prohibition against conflicts of interest

CDBG regulations (25 CFR, Part 570.489 (h)) prohibit conflicts of interest. For all CDBG activities: no employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients may:

- a) Obtain personal or financial interest or benefits including money, favors, gratuities, entertainment or anything of value that might be interpreted as conflict of interest.
- b) Obtain a direct or indirect interest in any contract, subcontract or agreement for any CDBG activity. This prohibition extends to contract in which your spouse, minor child, dependent or business associate may have personal or financial interest. This prohibition extends for a period of one year after you leave your position with a CDBG activity or program.
- c) HUD may grant an exception to this conflict of interest provision if it determines that such exception will enhance the effectiveness of the CDBG project. Requests for such exceptions must be made in writing to this office.

2. Procurement and Contracting Requirements

Provisions of 24 CFR Part 85 and Part 36, Administrative Requirements apply to the CDBG Program grantees. These provisions prohibit the following practices in your procurement and contract administration.

a) Circumventing competitive bidding requirements by:

- 1) failing to advertise for sealed bids or soliciting proposals and engaging in noncompetitive negotiation;
- 2) failing to use established evaluation criteria in negotiations;

- 3) splitting bids by breaking down contracts into small parts so that purchase order procedures can be used except to meet Minority/Women Business Enterprise goals;
- 4) favoring or providing a competitive advantage to any one firm or individual; identifying the names of those invited to bid; and preparing fictitious bids to simulate competition.

b) Failing to adhere to contract award requirements by:

- 1) allowing excessive price charges;
- 2) awarding contract to other than low bidder without adequate justification; and
- 3) accepting a bid that does not contain a price for all items or services included in the bid invitation.

c) Failing to verify contractual and programmatic compliance by contractors by:

- 1) authorizing payment for work not completed;
- 2) falsifying inspection reports;
- 3) altering contractor invoices; and
- 4) misusing modification or change orders.

1. Financial Management and Recording Systems

You must comply with the following requirements of 24 CFR part 85.20 and 85.42 and CDBG regulations.

- a) Establish internal controls to safeguard cash, inventory and equipment.
- b) Establish a special ledger account for all CDBG monies.
- c) Maintain financial records including:
 - 1) A register of cash receipts and disbursements;
 - 2) record of all non-cash transactions;
 - 3) General ledger to show the status of each CDBG account;
 - 4) A fixed account ledger, and
 - 5) A record of drawdowns, funds received and balance of funds.
- d) Ensure you maintain financial records and maintain for three years from final closeout.
- e) Use income generated from grant activities for other eligible activities.
- f) Use program income before drawing additional grant funds to pay for allowable program expenses.
- g) Not request or draw down more funds than needed.

4. Cost Allowance

You must comply with OMB Circular A-87, Cost Principles for State and Local Governments. You may not spend CDBG funds on ineligible activities including:

- a) Expenses required to carry out the regular responsibilities of the general local government.

- b) Partisan political activities (e.g. contributions towards political campaigns, voter registration or candidate forums).

5. Program Monitoring

Regulation CFR Part 85.40 states you must monitor the performance of grant supported activities to assure compliance with federal requirements and that performance goals are being achieved. It is suggested you:

- a) Keep records for your on-site visits to sub grantees and contractors.
- b) Place special emphasis on your monitoring of the highest risk sub recipients and contractors.

DATE ADOPTED: August 7, 2017

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

City of Old Town, Maine
2017 Amendment of the City Charter

DRAFT

Part 1. Article IX of the Charter of the City of Old Town, as enacted by Chapter 49 of the 1945 Private and Special Laws of Maine, as amended, is further amended by revising sections 7 and 8 and by adding a new section 7-A as follows (overstruck text will be deleted and underlined text will be added):

Sec. 7. Borrowing.

The borrowing of money by and for the city shall be limited as to form and purpose by the provisions of section 8 and section 9 of Article IX of this charter. The credit of the city shall in no manner be loaned to any individual, association or corporation **except to the extent set forth in section 7-A of Article IX of this charter.**

Sec. 7-A. Loans and grants.

Bonds, which are issued in accordance with section 8 of Article IX of this charter for the public purpose of economic development and the proceeds of which are used to make any grant or loan to any individual, association, corporation or other entity in accordance with such terms as may be approved by order of the city council, shall at no time be outstanding in an aggregate principal amount which exceeds \$ _____.

Sec. 8. Bond issue.

Money may be borrowed ~~within the limits fixed by~~ **in accordance with** the constitution and statutes of the state now or hereafter applying to said ~~Old Town~~ by the issue and sale of bonds or notes pledged on the credit of the city, **or on the revenues and assets of the projects financed with the proceeds of any such borrowing, or on the revenues of the City specified by order of the city council,** the proceeds to be used for the ~~payment of indebtedness of~~ **any public purpose determined by** the city ~~contracted~~ **council, including** for the acquisition of land, the construction and equipment of buildings, the construction of streets and roads, and other permanent public improvements, ~~and for economic development to the extent determined by the city council to serve a public purpose, and for~~ the payment or refunding of bonds, notes and certificates of indebtedness previously issued. No order providing for the issue of bonds shall be passed without public notice given by posting notice of the same in two (2) public places in the City of Old Town, and publishing said notice in at least two (2) newspapers published in said Penobscot County at least two (2) weeks before the final action by the city council, and the approval of a majority of all the members of the city council. Every issue of bonds shall be payable within a fixed term of years; if said bonds are issued ~~in payment of indebtedness incurred for a permanent improvement~~ **for the purpose of financing a capital asset,** the term of such bonds shall not exceed the estimated period of utility of said ~~improvement~~ **asset** but the declaration of the city council embodied in the order authorizing the issue shall be a conclusive determination of the estimated period of utility thereof; and the term within which all bonds shall be made payable shall in no case exceed thirty (30) years. Bonds issued after the adoption of this charter shall be made payable in equal, annual, serial installments as pertains to principal, and interest shall be made payable semiannually, **provided that principal installments of bonds issued for economic development purposes need only be in amounts consistent with state law.** Every order for the issue of bonds shall provide for a tax-levy **of taxes, an appropriation of revenues or both** for each year of an amount necessary ~~to meet~~ **for** the payment of the annual, serial installment of principal and interest; and such amounts shall be

EXHIBIT A

included in the tax levy for each year until the debt is extinguished; provided, however, that **the provisions for payment of any** bonds **of the city** issued to refund any indebtedness of the City of Old Town existing prior to the adoption of **the 2017 amendment of this section 8 of Article IX of** this charter ~~or bonds issued to refund such bonds shall not be subject to the aforesaid requirement of being made payable in equal, annual, serial installments~~ **shall not be altered by such 2017 amendment.**

Part 2. If the amendment set forth in Part 1 hereof is approved by City voters on November 7, 2017, such amendment shall take effect on November 8, 2017.