



JANUARY 16, 2018
TUESDAY
6:30 P.M.

**CITY OF OLD TOWN
FINANCE COMMITTEE
AGENDA**

City Hall-Council Chambers, 2nd Floor
265 Main Street-Old Town, ME

1. **Call to Order** (Please silence or turn off cell phones)

2. **MEP for Public Safety Building**

The Committee will review the Mechanical, Electrical & Plumbing (MEP) for the Public Safety Building.

3. **Traffic Light Poles**

Manager Mayo will update on the status of the Traffic Lights downtown.

4. **Public Works**

Cemetery Mini Excavator discussion.

5. **Adjournment**

FUTURE AGENDA ITEMS

Heavy Equipment Replacement Capital Account Discussion

Public Safety, Library,

UDAG Loan Discussion

Foreclosures

IT-Phones, Upgrade, IT Staffing

Legislative Affairs

RSU #34 Update

Note: The Finance Committee is composed of Councilors Peterson (Chair), May, Nuttall and Council President Mahan.



Colin C. Hewett, PE

Kenneth W. Whitney, PE

September 8, 2017

Mike Pullen AIA, LEED AP
Ames Associates
128 Broadway
Bangor, Maine 04401

Re: Old Town Public Safety Building

Dear Mike:

The facility was visited by Colin Hewett P.E. and Ken Whitney P.E. on 8/31/17. Captain David Daniel and the Head of Facilities, Eric Jones, attended the walk-through. The following is a report relating to the plumbing, HVAC and electrical systems at the site, however the main focus of the visit was for the HVAC system. The other systems were touched on briefly but no major concerns were noted at the time of the visit by the occupants. The facility underwent a substantial upgrade in 2005 that affected a significant portion of the building and included some additions. Some of the old mechanical equipment remained in some sections of the building.

Electrical Service and Distribution

Existing electrical service is 208/120 volt, three phase, 4 wire into a 400 amp main enclosed circuit breaker. There is a emergency generator that provides backup power to select loads fed from a 400 amp distribution panelboard. The electrical distribution is in good condition and appears to be code compliant.

Lighting

Existing lighting is a mixture of fluorescent fixtures with T8 or T5 lamps. Lighting upgrade to LED fixtures is underway. Continue to upgrade to LED fixtures for increased energy efficiency and long lamp life.

Existing exit signs are LED and are located at the exits. The emergency lighting appears to be adequate.

Fire Alarm System

Existing:

The existing fire alarm system has pull stations at the exits and smoke and detection throughout the facility. It has audio/visual units to alert the occupants. The fire alarm system appears to be code compliant.

Communications Systems

The existing data, telephone, P.A. and cable television systems are in good condition. There is a coaxial cable tv cable going through the basement loosely over valves and pipes that should be supported per the NEC.

Recommendations:

Overall the electrical systems appear to be in good condition. Reportedly, there weren't any issues with the electrical systems to investigate.

Plumbing Systems

Existing:

The facility is fed with town water through a 2"± entrance with water meter and backflow preventer located in the apparatus bay. Toilets are flush valve type and there are ADA fixtures located throughout the facility. Piping was insulated in the mechanical room and it is assumed to be insulated throughout however that was not verified. Hot water is generated by the boilers with an indirect fired water heater piped off the heating loop.

Comments / Problems:

1. Eric indicated that sometimes it takes a while for hot water to get to the kitchen. There was no recirculation pump noted in the boiler room. Eric was not aware of one being installed anywhere in the facility, however plumbing plans from the 2005 renovation were reviewed and they indicate that a recirculation loop is present in the facility but the location of the pump could not be determined.
2. Meeting minutes from June 6, 2017 indicate that an on demand water heater is to be considered to prevent overheating in the boiler room.
3. In general there were no other plumbing system problems indicated or observed.

Recommendations:

The location of the recirculation pump should be determined. The pump could possibly be off or it could have failed. If one can be located it should be checked to see if it's operating properly and replaced if necessary. If there is no pump in the facility a recirculation system could be added.

Opinion of Probable Cost for New Pump: \$ 500

Opinion of Probable Cost for Pump and Piping: \$3,500

At this time it is recommended that a new water heater not be provided. There are approximately seven showers in the facility which can result in a fairly high demand of domestic hot water. A new, on demand, water heater would have to have the capacity to meet this demand. This would mean finding more space in the boiler room for the unit itself, its venting and its combustion air piping.

HVAC System

Existing:

The facility is air conditioned and ventilated by several rooftop air conditioning units (RTU's), several small split system air conditioners and at least one mini-split air conditioner for the IT closet. In general, the units are zoned per exposure or use however, there are instances where a zone may wrap around a corner room.

Heat is provided by three Weil McLain boilers. The two older and smaller, 259 MBH net, boilers are natural gas fired and the larger, 783 MBH net, boiler is dual fuel, natural gas and number 2 oil. There are two 275 gallon fuel oil tanks in the boiler room. The boilers are pumped in an injection loop configuration with three main heating loop pumps serving the police station, the fire station and the domestic hot water heater respectively. The pumps serving the fire and police station areas pump water to duct heating coils, unit heaters, cabinet unit heaters and finned-tube radiation throughout the facility. Controls are LON based Trane DDC stand alone with no head end computer software. A Reznor gas fired heater was added to the sallyport.

Exhaust fans are provided for bathrooms, the kitchen hood, the sallyport and locker rooms. The apparatus bay has two vehicle exhaust systems, one for the ambulances and one for the fire trucks. There is a "fan in a can" supply fan and a wall mounted exhaust fan in the boiler room.

Comments / Problems / Code Issues:

1. Eric indicated that some of the older split system AC units do not work. David indicated that these units have been in the facility since at least 1998 making them approximately 20 years old or more. In general the units are past their useful lives and should be replaced.
2. An HVAC balancing report from the 2005 construction project was requested for review. Eric and David were not aware of the existence of such a report. It is unknown if balancing was done at the time of the 2005 renovation or not.
3. The ventilation code ASHRAE 62.1 requires that ventilation be introduced into a space. Based on the existing plan it appears as though ventilation is being provided by the rooftop units in the fire station, however it also appears as though no ventilation is coming into the police station. Ventilation should be provided to all areas of the facility per the ventilation code.
4. Eric indicated that temperature control and airflow is a problem throughout the facility. It should be noted that in the cooling mode a single RTU controls the temperature in several rooms. This is typical for this type of system however there are instances where a unit controls rooms on two exposures such as the bunk room unit RTU-2. In cases such as this the temperature can be expected to fluctuate a bit and not be consistent in all rooms.
5. There is no head end computer control for the facilities HVAC controls. This is helpful in maintaining temperature and monitoring the system for potential problems.
6. Some areas of the facility have changed function from the 2005 renovation. For example, the Breakroom 125 has been redesignated as an exercise room and is quite often hot. An interview room was also converted to a women's locker room. Change of use such as this can affect the ability of the system to control temperature.
7. A couple of thermostats controlling RTU's were noted to be set at 55°F and the rooms were not at 55°F. An example of this is the day room in the fire station.
8. Several of the RTU's do not have return ductwork extending into all the rooms it serves and have one or two centrally located return grilles. RTU-2 serving the bunk rooms is an example of this. In this case, when the doors are closed to the bunk rooms airflow can be restricted to these rooms affecting temperature control.
9. Several of the rooms have linear slot air diffusers mounted right at the exterior wall. This is typically done if there is no finned-tube radiation to provide a warm wall in the heating mode. The drawback to this arrangement is that in the cooling mode it can be uncomfortable sitting under the diffusers due to cold air drafts. This facility has finned-tube radiation throughout the office spaces so it is unclear why this was done.
10. The boiler room is hot. There is a supply fan and an exhaust fan in the boiler room. Neither fans were running at the time of the visit. Code requires that they provide combustion air for the boilers anytime the boilers are firing. Additionally, the supply fan should provide outside air to cool the boiler room anytime the temperature is excessive in the room. It is assumed that the units may have been disconnected to prevent freezing in the room in the winter time. An exhaust fan is not recommended in a boiler room due to the possibility of boiler exhaust fumes being drawn back into the boiler room.
11. Prior to the site visit it was indicated that one of the vehicle exhaust fans might be installed or wired backwards. If this was the case the systems would not provide any suction at the outlets. Both systems were activated and were functioning, however it is unclear if the systems were moving the appropriate amount of air for the vehicles. It was also noted that several of the hoses did not slide smoothly along the tracks. David indicated that the magnets do not hold the hose on the tailpipes tightly, in particular when they get dirty or bent.
12. Eric indicated that anytime the heating system cools down leaks occur throughout the facility in the piping. He believed it was mostly at the control valves.

Recommendations:

The recommendations for corrective measures are expressed in two options. Option 1 involves a sequence of relatively inexpensive steps that can be taken to improve the operation of the facility while not necessarily solving all the issues. Option 2 is a more comprehensive capital improvement to the facility in terms of the HVAC systems. Neither option assumes additions or architectural modifications to the facility. That would need to be addressed when the program is more defined.

Option 1: In general, the following items are in the order of how they should be addressed.

1. The Owner should hire a reputable, commercial, HVAC service company, such as Mechanical Services or Trane Company to visit the site and go over all HVAC equipment to determine if it is operating properly and to repair any equipment that is not. That would include:
 - a. (3) boilers
 - b. (6) pumps.
 - c. (9)± heating coil control valves.
 - d. (43)± radiation control valves.
 - e. (6)± unit heaters
 - f. (1) cabinet unit heater.
 - g. (8) RTU's
 - h. (6)± split system air conditioning units.
 - i. (11)± exhaust fans

Opinion of Probable Cost: \$3,000 (Cost does not include repairs, just evaluation)

2. After the equipment has been checked and or repaired the Owner should hire an HVAC balancing company such as Maine Air Balance to balance all equipment at the design flows indicated on the 2005 renovation drawings.

Opinion of Probable Cost: \$4,000

3. If the balancing report indicates airflow problems, depending on the available space above the ceiling, return ductwork could possibly be added to some of the units. It will need to be field verified on a room by room basis if there is enough space available to add ductwork to these units. Units that could have return airflow problems appear to be:

- a. RTU-2 serving the bunk rooms
- b. RTU-7
- c. RTU-8
- d. Split system EAHU-4.
- e. Split system EAHU-2.

Opinion of Probable Cost: \$10,500

4. The Owner should consider upgrading and reusing the existing controls in the facility to be web based and accessible over the internet. The Trane Company was contacted and the system at the site is an older LON based platform that could be upgraded to a new Tracer SC platform with head end and web based access. Costs assume that minimal repairs are necessary for the current control components.

Opinion of Probable Cost: \$10,000

5. If it is determined that the vehicle exhaust systems are operating properly in terms of airflow, the Owner should contact Plymovent to obtain a cost to repair or replace the tracks and magnets associated with the system.

Opinion of Probable Cost: \$TBD by Plymovent

6. The supply fan in the boiler room should be rewired to run anytime the any of the boilers are firing. Additionally, is should run anytime the temperature in the room exceeds thermostat setpoint. The exhaust fan should operate only when the supply fan is running and all the boilers are off, so as to prevent a negative pressure in the boiler room. A unit heater should be added to the boiler room to prevent freezing in the winter.

Opinion of Probable Cost: \$2,500

7. If, after balancing, discomfort is still felt in the rooms with linear slot diffusers, these grilles could be changed to ceiling type units.

Opinion of Probable Cost: \$4,000

8. Shut down all but one boiler for summer operation to reduce fuel use and heat gain from within the boiler room. If after checking all the control valves there is still leaking occurring, it may be necessary to keep the heating lines in the facility hot during the summer by changing the pump sequence. This is not the most efficient mode of operation but it will help to protect the facility from water leaks.

Opinion of Probable Cost: \$ 250

Option 2: This option assumes a more significant replacement and renovation of some of the HVAC systems within the facility and would include but not be limited to the following:

1. Recalculate all heating and cooling loads in the facility and reuse all existing rooftop units and ductwork from the 2005 renovation, provided they are operating satisfactorily and are sized properly for their respective applications.
2. Provide ventilation per the ASHRAE ventilation code.
3. Reconfigure ductwork and HVAC units as necessary for rooms that have changed function.
4. Reuse all baseboard radiation assuming floor plan changes are not occurring.
5. Due to their age, replace the existing older small boilers with a dual fuel unit similar to the larger boiler.
6. Due to their age, replace all the pre 1998 split system air conditioning units with new split systems, or rooftop units if possible.
7. Repair all leaks in the existing heating piping to allow for water temperature fluctuations.
8. Add return ductwork to all existing areas associated with RTU's that do not have adequate return ductwork.
9. Provide a new DDC control system for the entire facility including all new control valves for radiation and heating coils.
10. Replace the vehicle exhaust systems with new systems.
11. Correct the boiler room combustion air / overheating situation as indicated above.
12. Provide electrical wiring for the mechanical upgrades indicated above.

Opinion of Probable Cost for Option 2: \$280,000

Additional Items:

In general, as improvements are made, and if occupants are not comfortable, it would be helpful to document those instances by noting the actual temperature and the setpoint in the room. This will make problems easier to diagnose rather than just reporting rooms as being hot or cold in any particular instance.

In providing opinions of probable construction cost, Hewett & Whitney Engineers has no control over the cost of labor, materials or equipment, or over the contractor's method of pricing, or over competitive bidding or market conditions, and that opinions of probable construction cost provided for herein are made on the basis of HWE qualifications and experience. HWE makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs. Design costs are not included in any opinions of probable cost.

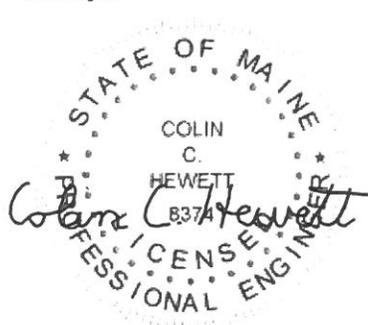
Sincerely,



Kenneth W. Whitney, P.E. LEED AP
Principal



Colin C. Hewett, P.E. LEED AP
Principal





JANUARY 16, 2018
TUESDAY
Immediately following the Finance Comm. Mtg.

CITY OF OLD TOWN
PUBLIC SERVICES COMMITTEE
AGENDA

Old Town City Hall
Council Chambers, 2nd floor
265 Main Street, Old Town, Maine

1. **Call to Order** (Please turn off or silent cell phones)

2. **Public Safety**

Public Safety Director Scott Wilcox would like to discuss a proposed Sex Offender Ordinance.

3. **City owned properties**

Review of progress on city owned properties.

4. **Adjournment**

FUTURE AGENDA ITEMS
Special Projects

Note: The Public Services Committee is composed of Councilors May (Chair), Ketchen, Brissette and Council President Mahan.

SAMPLE

13-114
MARCH 25, 2013

Assigned to Councilor Civiello



CITY OF BANGOR

(TITLE.) Ordinance, Amending the Code of the City of Bangor, Chapter 215, Police Regulations, by Adding New Section 215-13, Sex Offender Residency Restrictions

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT,

The Code of the City of Bangor be amended by adding Section 215-13 as follows:

§ 215-13. Sex Offender Residency Restrictions

A. Findings and Purpose.

- (1) The City of Bangor promotes and strives to create a safe environment for its citizens to live and raise families and considers the promotion of the safety and welfare of children to be of paramount importance;
- (2) The City of Bangor recognizes that sex offenders who prey upon children have a high rate of recidivism;
- (3) Notwithstanding the fact that certain persons convicted of sex offenses or sexually violent offenses are required to register pursuant to Title 34-A, chapter 15, in order to protect the public from potentially dangerous registrants and offenders by enhancing access to information concerning those registrants and offenders, the City finds that further protective measures are necessary and warranted to safeguard places where children congregate; and
- (4) The purpose of this section is to provide such further protective measures while balancing the interests and residential needs of sex offenders.

B. Authority. This Article is adopted in accordance with the provisions of 30-A M.R.S.A. § 3001 and 30-A M.R.S.A. § 3014.

C. Application. This ordinance applies to persons convicted of Class A, B or C sex offenses committed against persons who had not attained 14 years of age at the time of the offense, regardless of whether the offense was committed in the State of Maine or another jurisdiction. A person to whom this section applies is referred to as a "sex offender."

D. Restricted areas.

- (1) No sex offender shall reside within 750 feet of the property line of any public or private elementary, middle or secondary school.

MARCH 25, 2013

- (2) No sex offender shall reside within 750 feet of any publicly-owned property where children are the primary users. Without limiting the application of this subsection, any public park containing playground equipment or a municipal pool shall be deemed to be municipally owned property where children are the primary users. For the purpose of this section, if the area used by children is concentrated onto a portion of a larger parcel, the boundary of the property shall be deemed to be 100 feet from the nearest piece of equipment or area used by children or the property line, whichever distance is less.
 - (3) For a first offense only of this restriction, a sex offender shall have twenty-five, (25) days following the date of mailing or service as required by section F, below, to move from the residence to a residence not within the areas restricted by the provisions of this ordinance, and by so moving avoid the fines and penalties imposed by section F, below.
- E. Exemption. Any sex offender actually residing within a restricted area on the effective date of this section is not subject to the restrictions contained in subsection (D) while that person continues to reside in that dwelling. Upon moving from such dwelling, the sex offender shall comply with the restrictions contained in subsection (D).
- F. Violations and penalties. Any sex offender who, after written notice sent by regular mail or delivered by the City about the requirements of this section, remains in violation of this section for more than twenty-five (25) days, shall be subject to an action brought by the City in District Court to enforce the requirements of this ordinance.
- (1) The minimum penalty for a violation of this section is \$500 per violation. Each day shall be considered a separate violation;
 - (2) If the municipality is the prevailing party, the municipality must be awarded reasonable attorney fees, expert witness fees and costs, unless the court finds that special circumstances make the award of these fees and costs unjust; and
 - (3) The City shall seek injunctive relief to require compliance with this section.
- G. Effective Date. This ordinance shall take effect ten (10) days after the date of adoption by the Bangor City Council.



**JANUARY 16, 2017
TUESDAY**

Immediately following the Public Services Comm. Mtg.

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

- I. CALL TO ORDER (Please turn off or silence cell phones)**
- II. FLAG SALUTE**
- III. ROLL CALL**
- IV. Approval of the Minutes of the December 4, 2017 Organizational and Regular Council Meetings.**
- 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)**

Suggested motion: Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2 & 3 as presented.

(Councilor May)
- VIII. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**
- IX. OLD BUSINESS**

1. The City Council will consider removing an item regarding property at 159 Perkins Avenue that was tabled at the December 4, 2017 Regular Council Meeting.

Suggested motion: Resolved, the Old Town City Council hereby removes the item regarding property at 159 Perkins Avenue from the table.

(Councilor May)

2. The City Council will consider authorizing the City Manager to execute all necessary documents to transfer the property located at 159 Perkins Avenue to the Bangor Area Habitat for Humanity for the development of affordable housing.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the City Manager to execute all necessary documents to transfer the property located at 159 Perkins Avenue to the Bangor Area Habitat for Humanity.

(Councilor Ketchen)

3. The City Council will consider removing an item regarding the renewal of a Liquor License and Special Amusement Permit for the American Legion that was tabled at the December 4, 2017 Regular Council Meeting.

Suggested motion: Resolved, the Old Town City Council hereby removes the item regarding the renewal of a Liquor License and Special Amusement Permit for the American Legion from the table.

(Councilor Peterson)

4. The City Council will consider approval of a Liquor License and Special Amusement Permit for the American Legion.

Suggested motion: Resolved, the Old Town City Council hereby approves a renewal application for a Malt, Spirituous & Vinous Liquor License and Special Amusement Permit for the American Legion, Tedd-Lait Post #75, 20 Water Street.

(Councilor Klitch)

X. NEW BUSINESS

1. The City Council will consider accepting a donation towards the Community Food Drive.

Suggested motion: Resolved, the Old Town City Council hereby accepts the donation from Riverside House of Pizza in the amount of \$140.00. These funds will be

deposited into the City Community Food Drive Account #00180 which in turn will be paid out to the Good Shepard Food Bank.

2. The City Council will consider authorizing the City Manager to execute a Municipal Quitclaim Deed to clear Title of a 1988 undischarged Tax Lien for property located on Map 31, Lot 57

Suggested Motion: Resolved, the Old Town City Council hereby authorizes the City Manager to execute a Municipal Quitclaim Deed to clear the Title of a 1988 undischarged Taxi Lien for property located on Map 31, Lot 57 and owned by KRK, LLC/Munroe Jt. Irrevocable Trust.

3. The City Council will consider approval of a renewal application for a Malt, Spirituous & Vinous Liquor License for John Rondo, d/b/a Yamas, 268 Main Street.

Suggested motion: Resolved, the Old Town City Council hereby approves a renewal application for a Malt, Spirituous & Vinous Liquor License for John Rondo d/b/a Yamas, 268 Main Street.

4. The City Council will consider approval of a renewal application for a Malt, Vinous & Spirituous Liquor License & Special Amusement Permit for the Boomhouse Restaurant.

Suggested motion: Resolved, the Old Town City Council hereby approves a renewal application for a Malt, Spirituous & Vinous Liquor License and a Special Amusement Permit (No dancing) for Luke Duplessis and Matthew Duque, d/b/a The Boomhouse Restaurant, 170 Main Street.

(Councilor Peterson)

5. The City Council will consider renewing the annual Animal Control Agreement with Penobscot County for Animal Control Services in the City at the cost stated in the Agreement.

Suggested motion: Resolved, the Old Town City Council hereby approves renewing the annual Animal Control Agreement with Penobscot County at the cost stated in the Agreement for Animal Control Services in the City.

(Councilor Brissette)

6. The City Council will consider authorizing the City Manager to take all necessary steps to retain Tax Acquired properties pursuant to the mature tax lien process.

Suggested motion: Resolved, the Old Town City Council hereby authorizes the City Manager to take all necessary steps to retain the following Tax Acquired Properties:

1. 586 Main St., Map-28, Lot 1-Single Family-Brian & Lois Croman-Occupied
2. 8 Southgate Rd, Map 3, Lot 68-A-1997 Trailer/land-Herbert & Lisa Davis-Occupied
3. 70 Front St., Map 31, Lot 181-2 Unit home-Orange Blossom Spec.LLC-Vacant
4. 2444 Bennoch Rd, Map 3, Lot 44A-1968 Trailer/land-Estate of Paul Nadeau-Vacant
5. 1064 W. Old Town Rd, Map 2, Lot 24-1970 Trailer/land-Sherman Davis-Vacant
6. 942 W. Old Town Rd, Map 2, Lot 30A-Single Family-US Rural Housing-Vacant
7. 18 Bosworth St, Map 31, Lot 165-Vacant Land-Alan & Beverly Greenleaf

(Councilor Nuttall)

7. 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 MRSA Title 405, Section (6)(A) for the purpose of discussing a Personnel matter.

(Councilor May)

XI. ADJOURNMENT



ORGANIZATIONAL COUNCIL MEETING – DECEMBER 4, 2017

Council convened December 4, 2017 in the City Council Chambers at 265 Main Street. Councilors present: David Mahan, Carol May and Stan Peterson. Councilors elect Shirley Brissette and Donna Ketchen. Councilors Jan Klitch and John Nuttall absent.

Administration present: Patty Brochu, Ed Bearor, Danielle Berube, Lance Farrar, John Rouleau, Travis Roy, David Smith and Scott Wilcox.

Others present: Reverend Scott Benner, Linda McLeod, Eric Roach and three citizens in the audience

City Clerk Patty Brochu called the meeting to order at 6:30 pm.

The City Clerk introduced Reverend Scott Benner, from the United Baptist Church, and he gave an Invocation to the Council and audience.

The City Clerk administered the Oath of Office to Councilors Elect Shirley Brissette and Donna Ketch and RSU #34 Board Member elect Hunter Umphrey.

The City Clerk called for election of Council President and Vice President. Councilor May, seconded by Councilor Peterson moved to elect David Mahan as Council President. **Approved all in favor, 5-0.**

Councilor May, seconded by Councilor Ketchen, moved to elect Stan Peterson as Council Vice President. **Approved all in favor, 5-0.**

President Mahan presented to outgoing Councilors Linda McLeod and Eric Roach each a Plaque and Key to the City lapel pin.

The City Council considered adopting the Rules of Order and Procedure for conducting meetings.

Councilor May, seconded by Councilor Peterson, Resolved, the Old Town City Council hereby adopts the Old Town City Council’s Rules of Order and Procedure as presented. **Approved all in favor, 5-0.**

The City Council considered approving a Resolution for establishing a regular place and time for holding meetings.

Councilor Peterson, seconded by Councilor May, Resolved, the Old Town City Council hereby approves Resolution 2017-3 establishing a time and place for City Council Meetings.

Roll Call Vote:

<i>Councilor Peterson</i>	<i>Yes</i>
<i>Councilor Brissette</i>	<i>Yes</i>
<i>Councilor Ketch</i>	<i>Yes</i>
<i>Councilor Klitch</i>	<i>Absent</i>
<i>Councilor May</i>	<i>Yes</i>
<i>Councilor Nuttall</i>	<i>Absent</i>
<i>Councilor Mahan</i>	<i>Yes</i>

Motion unanimously approved 5-0.

Reverend Scott Benner gave a Benediction at the end of the meeting.

Councilor May, seconded by Councilor Peterson, moved to adjourn at 6:43 p.m.
Approved all in favor, 5-0.

Adjourned,

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



REGULAR COUNCIL MEETING – DECEMBER 4, 2017

Council convened December 4, 2017 in the Old Town City Council Chambers at 265 Main Street.

Councilors present: President David Mahan, Shirley Brissette, Donna Ketchen, Carol May, and Stan Peterson. Councilors Jan Klitch and John Nuttall absent.

Administration present: Ed Bearor, Patty Brochu, Danielle Berube, Lance Farrar, John Rouleau, David Smith and Scott Wilcox.

Others present: three citizens in the audience.

Council President Mahan called the meeting to order at 7:00 p.m.

Councilor May, seconded by Councilor Brissette, moved to approve the Minutes of the November 6, 2017 Regular Council Meeting and the November 8, 2017 Special Council Meeting. *Approved all in favor, 5-0.*

COMMUNICATIONS

Former Councilor Eric Roach thanked the City Council, Citizens and especially the City Staff for all their hard work they do for the City.

REPORTS

President Mahan had the City Clerk report on meetings next month. She informed everyone that due to the New Year and Martin Luther King Holidays falling on Mondays, the Council Meetings will be held on Tuesdays, the following day, respectively.

Public Safety Director Scott Wilcox informed everyone about mandatory NIMS training which includes Councilors. He said if the city doesn't comply with the training, it won't be eligible for any grants going forward. He said the only meeting he knows of right now is December 13th at 6:00 p.m. in Holden.

Councilor May reported that many people had commented to her about what a great job the Public Works department did after the wind storm.

CONSENT AGENDA

Councilor May, seconded by Councilor Brissette, 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 approves accepting \$2,202.54 in donations from the Old Town Community Food Drive.

Item #2: Resolved, the Old Town City Council hereby authorizes the issuance of a check in the amount of \$2,202.54 made payable to the Good Shepherd Food Bank. Funds are to come from Account

Item #3: Resolved, the Old Town City Council hereby approves a renewal application for a Malt, Vinous & Spirituous Liquor License for the VFW Post 3381, 173 Main Street.

Consent agenda items approved all in favor, 5-0.

OLD BUSINESS

The City Council considered removing an item regarding property at 159 Perkins Avenue that was tabled at the November 6, 2017 Regular Council Meeting.

Councilor May, seconded by Councilor Peterson, Resolved, the Old Town City Council hereby removes the item regarding property at 159 Perkins Avenue from the table. **Approved all in favor, 5-0.**

The City Council considered authorizing the City Manager to execute all necessary documents to transfer the property located at 159 Perkins Avenue to the Bangor Area Habitat for Humanity for the development of affordable housing.

Councilor Peterson, seconded by Councilor May, Resolved, the Old Town City Council hereby authorizes the City Manager to execute all necessary documents to transfer the property located at 159 Perkins Avenue to the Bangor Area Habitat for Humanity.

Assessor Travis Roy introduced Lynn Hempen and Linwood Lufkin. Mr. Lufkin is chair of the Habitats construction part. He thanked the city for the 2 properties that they are already building new homes on and he said the City Staff has been great to work with. He said if the City agrees on transferring this property, they'll have some options they are looking at. They're looking at a Duplex right now as the lot is not big enough to split into two properties, but this would still give two families a home. Mr. Roy passed out a couple of sketches of what they looking at.

Lynn Hempen said their timeline would be roughly the same schedule of what is currently being done. The earliest they could get started would be July or August with completion in June of 2019. They will start looking for families hopefully by March and let the families work with them. Each adult in the house has to put in 200 hours each as their down payment. They have a strict criteria including credit ratings and income. The families are chosen from the 21 surrounding towns in the Bangor area.

Mr. Roy gave a little background information and stated the foreclosed property was donated to the city by Wells Fargo. He said Wells Fargo has a program that if the repairs exceed their limits, they will donate the property to the city and also a check for \$10,000. Lynn said they haven't gone the route with a duplex yet but other places have. She said worst case, there would only be one home instead of two.

President Mahan stated he was pretty happy with all they've done in the city so far. He asked the Councilors if they wanted to table this item again or go ahead and approve the motion. Councilors decided to table this.

Councilor May, seconded by Councilor Ketchen, moved to table this item to the next Council Meeting. **Approved all in favor, 4-0. Councilor Peterson abstained.**

NEW BUSINESS

The City Council considered approval of a Liquor License and Special Amusement Permit for the American Legion.

Councilor Peterson, seconded by Councilor Ketchen, Resolved, the Old Town City Council hereby approves a renewal application for a Malt, Spirituous & Vinous Liquor License and Special Amusement Permit for the American Legion, Tedd-Lait Post #75, 20 Water Street.

The City Clerk informed Councilors that the Inspectors reported there are some life safety issues and recommended tabling this until the first meeting in January.

Councilor Peterson, seconded by Councilor Ketchen, moved to table this item until the January 2, 2018 Meeting. **Approved all in favor, 5-0.**

The City Council considered accepting a Grant from the Tabitha & Steven King Foundation in the amount of \$8,000 for a Thermal Camera for the Fire Department.

Councilor May, seconded by Councilor Peterson, Resolved, the Old Town City Council hereby accepts a Grant from the Tabitha & Steven King Foundation in the amount of \$8,000 for a Thermal Camera for the Fire Department. This Grant requires matching funds in the amount of \$1,195 to come from Account 7200-0350. **Approved all in favor, 5-0.**

The City Council considered approving additional funds to complete the renovations at the former Sewall Aircraft Maintenance Hangar.

Airport Manager Lance Farrar reported they ran into issues with the heating system and all new wiring had to be replaced due to mice.

Councilor Peterson, seconded by Councilor May, Resolved, the Old Town City Council hereby approves additional funds in the amount of \$26,000 to complete the

renovations at the former Sewall Aircraft Maintenance Hangar. Funds will come from Account #03560 Airport Hangar Reserve. Approved all in favor, 5-0.

The City Council considered accepting a bid for a new Plow Truck for the Public Works Department. This item is budgeted in the FY 2017/2018 year.

Councilor Peterson, seconded by Councilor Ketchen, Resolved, the Old Town City Council hereby accepts the low bid from Daigle & Houghton for a 2018 International 7400 Plow Truck in the amount of \$127,787. Funds will come from Account 7000-0414 Capital Heavy Equipment Reserve. Approved all in favor, 5-0.

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

Councilor May, seconded by Councilor Brissette, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:42 p.m. pursuant to Title I MRSA Section 405, §(6) (C) for the purpose of discussing an economic development update relating to the Expera Mill. Approved all in favor, 5-0.

Councilor Peterson, seconded by Councilor Ketchen, moved to come out of Executive Session at 8:02 p.m. Approved all in favor, 5-0.

Councilor Peterson, seconded by Councilor Brissette, moved to adjourn at 8:02 p.m. Approved all in favor, 5-0.

Adjourned,

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

ANIMAL CONTROL AGREEMENT

This Agreement is made this _____ day of January, 2018 by and between the **CITY OF OLD TOWN**, a political subdivision of the state of Maine located in Penobscot County (hereinafter referred to as the "Town") and **PENOBSCOT COUNTY**, a body politic within the State of Maine, having its principal office located in Bangor (hereinafter referred to as the "County").

1. **Term:** The term of this contract shall commence on January 16, 2018, and end on December 31, 2018.
2. **Scope of Services:** The County agrees to provide animal control services for purposes of MRSA Title 7, Chapter 725 to the Town through a Regional Animal Control Officer ("ACO") employed by the County. Such services include, but are not necessarily limited to:
 - a. Responding to domesticated animal complaints;
 - b. Control of dogs running at large;
 - c. Enforcement of rabies vaccination requirements and procedures to prevent the spread of rabies;
 - d. Providing medical care to injured animals;
 - e. Enforcement of municipal animal ordinances;
 - f. Remediation of animal trespass situations; and
 - g. Initial investigation of animal cruelty complaints (State Animal Welfare will be brought in if animal cruelty complaints are founded and require further attention).
3. **Response Times:** The ACO will be dispatched by the Penobscot Regional Communications Center and will be expected to respond to all calls within 24 hours. In addition, the ACO will respond to urgent or emergency calls as soon as possible. The ACO will immediately notify the Town of unusual situations such as dog bites, summonses, cruelty investigations, seizures and rabies cases.
4. **Record Keeping:** The ACO will keep detailed records of all calls relating to the Town, which records will be provided to the Town on a monthly basis. The call records will contain the following information: date of call, town name, physical address, the nature of the call, total call time, and total mileage.

5. **Training & Certification:** The ACO will be trained and certified as required under 7 M.R.S.A § 3906-B(4).
6. **Inoculations:** The Town agrees to share equally in the cost of rabies inoculations that may be required due to the performance of this contract.
7. **Town Responsibilities:** The Town shall:
 - a. Appoint the ACO as the Town's ACO;
 - b. Maintain a contract with an approved shelter as required by 7 M.R.S. §3949;
 - c. Remain in good standing with veterinarian clinics used for animal control related services;
 - d. Provide information related to registration of animals to the ACO;
 - e. Provide to the ACO copies of ordinances related to domesticated animals specific to the Town; and
 - f. Direct all animal control complaints to the ACO through the Penobscot County Regional Communications Center for relay to the ACO.
8. **Compensation:**
 - a. The Town agrees to pay the County **Thirteen dollars and 50 cents (\$13.50)** per hour and **Fifty cents (\$.50)** per mile for the time and travel the ACO logs while responding to animal complaints in the town. The County will invoice the Town for time and mileage on a quarterly basis, beginning on April 1, 2018.
 - b. In addition, the Town agrees to pay the County an administration fee of 3% of the total time and mileage each quarter.
 - c. Payment is due within thirty (30) days of receipt of the invoice. The County may charge interest on any unpaid balance after forty-five (45) days from the date of the invoice.
9. **Termination:** Either party may terminate this agreement for no cause upon thirty (30) days written notice.
10. **Indemnification and Hold Harmless:** The Town hereby agrees to indemnify, save harmless and defend the Penobscot County together with any officers, officials, managers, supervisory employees, as well as their agents, persons acting in their interests, predecessors, successors, subsidiaries, affiliates, attorneys, insurers and assigns, and any related or affiliated entity, from and against any and all liabilities, claims, penalties,

forfeitures, suits and costs and expenses incident thereto on account of or in any way arising out of this Agreement.

11. **Governing Law:** This Agreement has been executed and delivered in Maine and its interpretation, validity and performance shall be construed in conformance with the laws of Maine.

12. **Entire Agreement:** This Agreement contains the entire agreement between the County and Town with respect to this subject matter.

IN WITNESS WHEREOF, the parties hereunder duly authorized have executed and delivered this agreement.

**PENOBSCOT COUNTY
COMMISSIONERS**

Date

Its: Chairman

Commissioner

Commissioner

CITY OF OLD TOWN

Date

City Councilor

City Councilor

City Councilor

City Councilor