



MARCH 5, 2018
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 February 20, 2018 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)**

Suggested motion: Resolved, the Old Town City Council hereby approves the Suggested motions under New Business items 1, 2, 3 & 4 as presented.

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

X. NEW BUSINESS

1. The City Council will consider approval of a renewal application for a Malt Liquor License for Clark Cardimino, d/b/a Old Town Bowling Center, 156 Center Street.

Suggested motion: Resolved, the Old Town City Council hereby approves a renewal application for a Malt Liquor License for Clark Cardimino, d/b/a Old Town Bowling Center, 156 Center Street.

2. The City Council will consider approval of a Construction Over-limit Permit for the Maine Department of Transportation Ultra-Thin Bonded Wearing Course for a section of highway under construction located on Interstate 95 Northbound beginning in Bangor and extending norther 14.02 miles, ending at the Alton/Argyle town line.

Suggested motion: Resolved, the Old Town City Council hereby approves a Construction Over-limit Permit for the Maine Department of Transportation Ultra-Thin Bonded Wearing Course for a section of highway under construction located on located on Interstate 95 Northbound beginning in Bangor and extending norther 14.02 miles, ending at the Alton/Argyle town line. Project No.: NHPP-2085(500)

3. The City Council will consider authorizing the City Manager to execute a Bill of Sale to Emera Maine releasing all interest the City has to a utility line located on the end of Penny Road.

Suggested motion: Resolved, the Old Town Council hereby approves authorizing the City Manager to execute a Bill of Sale to Emera Maine releasing all interest the City has to a utility line consisting of two (2) 35 foot utility poles, one push brace support pole, anchors and guy wires, 725 1/0 primary and neutral wire and all other fixtures and supports located on land owned by the City at the end of Penny Road that is providing service to the cell tower.

4. The City Council will consider accepting an after deadline redemption on foreclosed property for Robyn R. Dart located at 291 Woodland Avenue for payment of Real Estate Taxes in the total amount of \$3,150.24.

Suggested motion: Resolved, the Old Town City Council hereby accepts an after deadline redemption on foreclosed property for Robyn R. Dart located at 291 Woodland Avenue for payment of 2016 through 2018 RE taxes in the amount of \$2,842.13 plus \$308.11 for interest and lien costs for a total amount of \$3,150.24 and further authorize the City Manager to execute a Municipal Quit-Claim Deed.

5. 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. Both properties currently have buildings that will need to be razed.

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 as recommended by the Administrative Services Committee:

<u>Address</u>	<u>Type</u>	<u>Condition</u>	<u>Occupancy</u>	<u>Purpose of retention</u>
70 Front Street/3 Unit Bldg		Poor	Vacant	To extend Gray's Lane
2444 Bennoch Rd/Mobile Home		Poor	Vacant	To provide parking for the
Pea Cove Cemetery				

(Councilor Nuttall)

6. The City Council will consider accepting a bid for the demolition of City owned property at 70 Front Street. This item was recommended by the Administrative Services Committee.

Suggested motion: Resolved, the Old Town City Council will consider accepting the bid from _____ in the amount of \$_____ for the demolition of City owned property at 70 Front Street.

(Councilor Brisette)

7. The City Council will consider issuance of a Proclamation supporting Team Hailey Hugs and declaring the month of September as National Childhood Cancer Awareness month.

Suggested motion: Resolved, the Old Town City Council hereby approves issuance of a Proclamation supporting Team Hailey Hugs and declaring the month of September as National Childhood Cancer Awareness month.

(Councilor May)

XI. ADJOURNMENT



SPECIAL COUNCIL MEETING – FEBRUARY 20, 2018

Council convened February 20, 2018 in the Old Town City Council Chambers at 265 Main Street.

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

Administration present: Bill Mayo, Katie Foster, Danielle Berube, Patty Brochu, Dave Daniels, Ron Harriman, Cindy Jennings, John Rouleau, Travis Roy, David Russell and Scott Wilcox.

Others present: One citizen in the audience.

Council President Mahan called the meeting to order at 6:53 p.m.

Councilor May, seconded by Councilor Nuttall, moved to approve the Minutes of the January 26, 2018 Special Meeting and the February 5, 2018 Regular Council Meeting. **Approved all in favor, 5-0.**

REPORTS

Manager Mayo reminded everyone the Community Food Drive was this coming Saturday at Hannaford.

NEW BUSINESS

The City Council considered authorizing the Finance Director to carry forward the balances in the Municipal General Fund accounts and Pollution Control accounts. This is an annual year-end accounting authorization.

Councilor Peterson, seconded by Councilor Brissette, Resolved, the Old Town City Council hereby approves authorizing the Finance Director to carry forward funds in the Municipal General Fund accounts and Pollution Control accounts as listed in Attachment #1. **Approved all in favor, 5-0.**

The City Council considered transferring funds for the Safety Committee. This was supposed to be part of the Carry Forwards but was omitted before the Audit.

Councilor May, seconded by Councilor Nuttall, Resolved, the Old Town City Council hereby authorizes the Finance Director to transfer \$6,716.41 from Account #03800 Fund Balance to Appropriations Account #1015-0268. This transfer is part of the Carry Forwards. **Approved all in favor, 5-0.**

The City Council considered going into Executive Session for the purpose of hearing an application for an abatement of taxes based on poverty.

Councilor Nuttall, seconded by Councilor Brissette, Resolved, the Old Town City Council hereby approves going into Executive Session at 6:57 p.m. pursuant to Title 36, M.R.S.A., §841(2) for the purpose of considering an application for an abatement of taxes based on poverty. **Approved all in favor, 5-0.**

Councilor Peterson, seconded by Councilor Nuttall, moved to come out of Executive Session at 7:10 p.m. **Approved all in favor, 5-0.**

Councilor Brissette, seconded by Councilor May, moved to table the application for an abatement of taxes based on poverty until the June 4, 2018 Regular Council Meeting. The Council further directs the City Manager to enter into a written agreement with the applicant agreeing to the date of tabling. **Approved all in favor, 5-0.**

The City Council considered going into Executive Session for the purpose of discussing an economic development item.

Councilor Brissette, seconded by Councilor May, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:15 p.m. pursuant to Title I MRSA Section 405, §(6) (C) for the purpose of discussing an economic development item. **Approved all in favor, 5-0.**

Councilor Peterson, seconded by Councilor Brissette, moved to come out of Executive Session at 7:57 p.m. **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 Mill.

Councilor May, seconded by Councilor Brissette, Resolved, the Old Town City Council hereby approves going into Executive Session at 7:57 p.m. pursuant to Title I MRSA Section 405, §(6) (C) for the purpose of discussing an economic development update relating to the Mill. **Approved all in favor, 5-0.**

Councilor Peterson, seconded by Councilor Nuttall, moved to come out of Executive Session at 8:15 p.m. **Approved all in favor, 5-0.**

Councilor Brissette, seconded by Councilor Peterson, moved to adjourn at 8:15 p.m. **Approved all in favor, 5-0.**

Adjourned,

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



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Dally

FEB 09 2018

Paul R. LePage
GOVERNOR

David Bernhardt
COMMISSIONER

William Mayo, City Manager
City of Old Town
265 Main Street
Old Town, ME 04468

2/6/18

Subject: Ultra Thin Bonded Wearing
Course
Project No.: NHPP-2085(500)
Cities of Bangor and Old Town and Towns
of Alton and Orono

Dear Mr. Mayo:

The Maine Department of Transportation will soon advertise the subject project for construction, and pursuant to 29-A MRSA § 2382 (7) we have established a "Construction Area". A copy of 29-A § 2382 is enclosed for your information. Also included is an agreement, which requires signature by the municipal officers, and additional background documents.

The agreement stipulates that the municipality will issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment (backhoes, bulldozers, etc.) that exceed legal weight limits, over municipal roads. The agreement acknowledges the municipality's right to require a bond from the contractor to "guarantee suitable repair or payment of damages" per 29-A MRSA.

29-A MRSA § 2382 (7) states that "*the suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers*". In other words, municipal officers determine the suitability of repairs on municipal ways and bridges.

The State cannot force municipalities to allow overweight vehicles to travel on posted municipal roads. Municipal postings supersede overweight permits. However, the agreement requires municipalities to make reasonable accommodations for overweight vehicles that are operated by contractors and the MDOT in connection with the construction project.

The specific municipal roads involved are not necessarily known at present, as the contractor's plan of operation won't be known until just prior to the start of work. If the municipality plans to require a bond; the amount of the bond should be determined prior to the start of work. If the project number administratively changes, you will be notified, and the agreement modified accordingly. Please return the completed agreement to my attention. Should you have any questions, please contact me at 624-3410.

Sincerely,

George Macdougall,
Contracts & Specifications Engineer
Bureau of Project Development



PRINTED ON RECYCLED PAPER

Return this AGREEMENT, when completed, to:

Maine Department of Transportation
ATTN.: Mr. George Macdougall, Contracts & Specifications Engineer
#16 State House Station, Child Street
Augusta, Maine 04333-0016

Project No.: 20855.00
Location: Cities of Bangor & Old Town and
Towns of Alton and Orono

Pursuant to 29-A MRSA § 2382, the undersigned municipal officers of the **City of Old Town** agree that a construction overlimit permit will be issued to the Contractor for the above-referenced project allowing the contractor to use overweight equipment and loads on municipal ways.

The municipality may require the contractor to obtain a satisfactory bond pursuant to 29-A MRSA § 2388 to cover the cost of any damage that might occur as a result of the overweight loads. If a bond is required, the exact amount of said bond should be determined prior to the use of any municipal way. The Maine DOT will assist in determining the amount of the bond if requested. A suggested format for a general construction overlimit bond is attached. A suggested format for a construction overlimit permit is also attached. This construction overlimit permit does not supersede rules that restrict the use of public ways, such as posting of public ways, pursuant to 29-A MRSA § 2395.

The maximum speed limit for trucks on any municipal way will be 25 mph (40 km per hour) unless a higher speed limit is specifically agreed upon, in writing, by the Municipal Officers.

CITY OF OLD TOWN
By the Municipal Officials

BILL OF SALE

CITY OF OLD TOWN, a Maine municipal corporation of Old Town, Maine, being the owner of certain goods and chattels described below and being located in the City of Old Town, County of Penobscot, State of Maine, for consideration given by **EMERA MAINE**, a Maine corporation having a place of business at 970 Illinois Avenue, Bangor, County of Penobscot, State of Maine, the receipt whereof is hereby acknowledged, does hereby release, convey, transfer and deliver, unto the said Emera Maine, the following described goods and chattels, namely:

Any and all interest it has in and to a utility line consisting of two (2) 35 foot utility poles, one push brace support pole, anchors and guy wires, 725 1/0 primary and neutral wire and all other fixtures and supports, all as now located on land owned by City of Old Town at the end of Penny Road in Old Town, Maine and providing service to the cell tower.

IN WITNESS WHEREOF, it, the said City of Old Town, has caused this instrument to be executed by its duly authorized representative this _____ day of _____, 2018.

Witness:

CITY OF OLD TOWN

By: William Mayo, Its Manager

Proclamation



The State of Maine is Going Gold in the month of September from this year forth in support of Childhood Cancer Awareness.

Whereas, Cancer is the leading cause of death by disease among U.S. Children and is detected in more than 15,000 of our country's sons and daughters every year; and

Whereas, In the State of Maine cancer affects more than 50 new children and families annually, where more than 400 children are undergoing treatment currently and where we are ranked in the top range of incidence of all cancers at 468.3 per 100,00 people; and

Whereas, September is nationally recognized as Childhood Cancer Awareness Month; and

Whereas, thanks to ongoing advances in research and treatment, the five year survival rate for all childhood cancers has climbed from less than 50 percent to 80 percent over the last several decades; and

Whereas, innovative studies are leading to real breakthroughs reminding us of the importance of supporting scientific discovery and moving closer to finding cures, though much work remains to be done; and

Whereas, 1 in 5 children diagnosed will not survive.

During *National Childhood Cancer Awareness Month* we remember the many children who have been taken from us too soon and we extend our support to all those who continue to battle this illness with incredible strength and courage.

Now, therefore, As _____ of Town/City of _____, I, _____, proclaim that the Town/City of _____ will help Maine Go Gold in support of *Team Hailey Hugs* and all of the children and families affected by Childhood Cancer. In doing so, from this day forward, we will recognize September as *Maine Childhood Cancer Awareness Month*. This is our way of paying tribute to the families, friends, professionals and communities who lend their strength to children fighting pediatric cancer.

Dated this ____ day of _____, 2018

Printed _____

Signed _____



2018

Dear Valued Supporter of Team Hailey Hugs,

Team Hailey Hugs, a non-profit organization, was established in 2016 with a mission to bring awareness to Childhood Cancer. Hailey Steward, along with her mom Tabaita, created Team Hailey Hugs for a way to raise money to help families affected by childhood cancer. Many of these families cannot hold regular jobs due to the many hospital stays and visits. The gas, housing, and meals are financial burdens. Sometimes these families need a little help to pay some past due bills, buy food or even help with their child's Christmas or Birthday. With that said, Team Hailey Hugs has helped many families financially, emotionally and will continue to do so with donations and sponsors from the community.

You, the Friends of Team Hailey Hugs, can make Hailey's dream come true. Hailey passed away during September of 2017 leaving a vacant space in all our hearts. She touched so many people and families throughout Maine and extending on to other states. The wish.... Hailey fought for everyone to "Go Gold Maine Do It" for Childhood Cancer Awareness! We, along with Hailey, want to adopt September as Go Gold Maine Do It for Childhood Cancer Month! September 2, 2017 we held our first annual Go Gold Maine Do It Kick Off Event and what a success! We brought in over \$12,000 from vendors, live auction, go gold accessories, 50/50 and donations a plenty. A parade was held along with ALL day entertainment. These memories will always be dear to our heart as Hailey was there to celebrate with us and stayed for the fireworks show.

What better way to honor Hailey's legacy by encouraging our towns, schools, and businesses in Maine to GO GOLD DO IT for the month of September. The Town Municipalities can sign a proclamation declaring September as Childhood Cancer Awareness Month. Everyone can decorate in gold for the month to participate. Let's make Hailey proud of us and carry out her dream. Please send a copy of your signed proclamation to the address listed below.

Donations are always accepted by mailing to:

Team Hailey Hugs, P.O. Box 636, Bethel, ME 04217

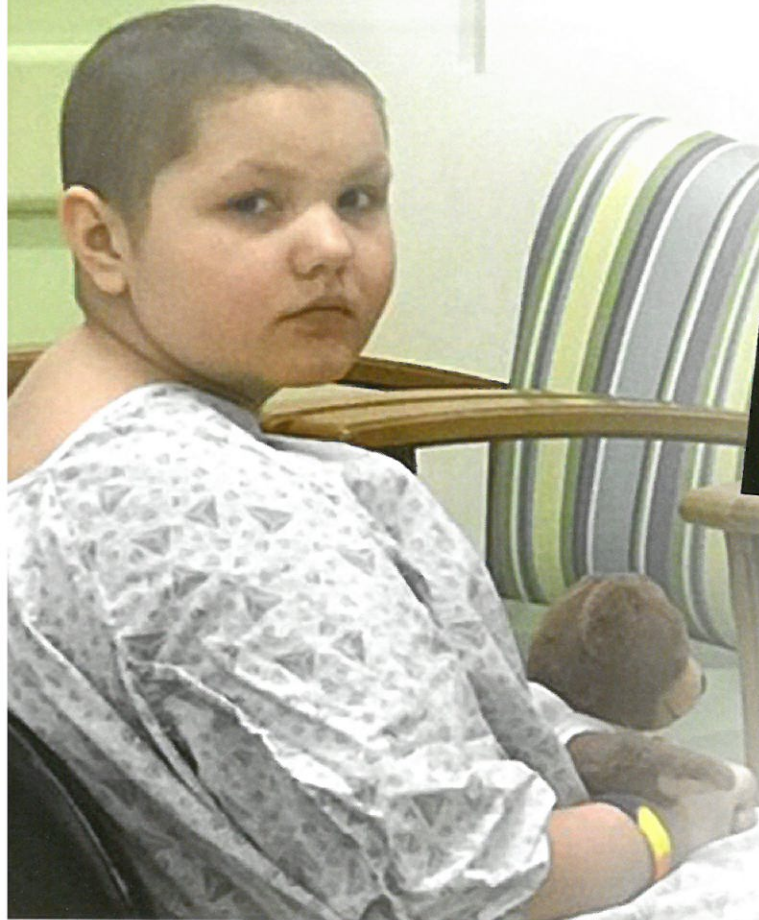
For more information please visit us on Facebook and haileyhugs.org .

Tabaita Steward, Founder & Board Member

Tasha Chapman, Board Member



FOR EVERY Child WHO FACES CANCER



YOU DON'T FIGHT ALONE.

**To sign up for a Go Gold Plate, please complete this form and mail with \$35* to:
Team Hailey Hugs • PO Box 636 • Bethel, ME 04217**

Full Name:

Address:

State:

Current License Plate Number:

Phone Number:

E-mail Address:

City:

Zip:

Quantity:

**\$35 plate reservation fee*



Hailey Hugs is a non-profit charitable organization that champions fundraising and awareness. We award grants directly to families living with the financial strain of Childhood Cancer. Hailey Hugs provides funding for everyday expenses in times of crisis, writes grants, presents awards, and provides financial relief for families's everyday expenses associated to childhood cancer treatment.

Hailey Hugs focuses on FOUR main areas:

- Supporting families financially while their child faces cancer treatment
- Supporting local hospitals, facilities, and research clinics—by financial assistance of items needed to support families during hospital stays
- Supporting legislative documents in order to raise awareness and funds to support children with cancer.
- Organizing and managing multiple events to fund the organizations efforts.

.....
YES! I would like to support families who are in crisis as a result of the effects of childhood cancer!

Name: _____ Donation Amount: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____

Phone: _____

***Thank You for Your Tax-Deductible Contribution
to Team Hailey Hugs!***

Our mission is to help support families affected by childhood cancer.

For more information on our cause please contact:

Tabaitha Steward • 281-917-5331 • teamhaileyhugs@gmail.com • PO Box 636 Bethel, ME 04217