

City Council Minutes
November 18, 2013

Regular Meeting
City Hall Council Chambers

Monday, November 18, 2013
6:00 p.m.

The regular meeting was called to order by Chairman Kevin O'Connell.
The city clerk called the roll:

| | | | | | |
|------------------|---|---------|--------------------|---|---------|
| Councilor Ferris | - | present | Councilor Vachon | - | present |
| Councilor Verow | - | present | Chairman O'Connell | - | present |
| Councilor Goss | - | present | | | |

Chairman O'Connell declared a quorum present. City Manager Bost and City Solicitor Dearborn were also present.

Chairman O'Connell led members of the council and others present in reciting the pledge of allegiance to the flag of the United States of America.

Chairman O'Connell read the notice for the regular meeting.

TO: Joseph Ferris, Arthur Verow, Jerry Goss, Kevin O'Connell and Matthew Vachon
MEMBERS OF THE BREWER CITY COUNCIL You are hereby notified a regular meeting of the City Council will be held on Monday, November 18, 2013 at 6:00 p.m. in the Council Chambers at Brewer City Hall to consider and act on the items on the attached agenda.

s/Kevin O'Connell
Mayor and Chairman of the City Council
or
Majority of the City Council

a true copy, attest: s/Pamela J. Ryan
City Clerk

OFFICER'S RETURN

I have on the date(s) and time(s) indicated given notice of this meeting by giving in hand or by leaving at the usual dwelling place of the within named an attested copy of this notice of meeting:

| Given/Delivered to: | by (person delivering) | Title | Date | Time |
|-----------------------|------------------------|-------|----------|----------|
| Joseph Ferris | Wilson | Off. | 11/14/13 | 1429 |
| Matthew Vachon | C. Landes | DCC | 11/14/13 | 4:00p.m. |
| Arthur Verow | Wilson | Off. | 11/14/13 | 1454 |
| Jerry Goss | Wilson | Off. | 11/14/13 | 1458 |
| Kevin O'Connell | C. Landes | DCC | 11/14/13 | 3:50p.m. |
| Council-Elect: | | | | |
| Beverly Uhlenhake | Wilson | Off. | 11/14/13 | 1454 |

CITY COUNCIL REGULAR MEETING
Monday, November 18, 2013 6:00 P.M.
Brewer City Hall Council Chambers

- I. Call to Order.** (Mayor Kevin O’Connell)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.**
(Mayor Goss)
- A. Minutes of October 8, 2013 Regular Meeting.** (Councilor Verow)
- B. Awards, Petitions and Public Comments.**
 - 1. (2013-B064) RESOLVE, Recognize the Many Years of Dedicated Service of Councilor Arthur C. Verow. (Mayor O’Connell, Councilors Ferris, Goss and Vachon)
 - 2. (2013-B065) RESOLVE, Recognize Mary Stuart, Technology Director The City of Brewer, for 27 Years of Dedicated Service. (Councilor Goss)
 - 3. (2013-B066) RESOLVE, Recognize Arden Jones for his 39 Years of Public Service. (Mayor O’Connell)
 - 4. Public Comments.
- C. Consent Calendar.**
 - 1. (2013-A182) ORDER, Accept Contribution to the Brewer Public Library From Kiwanis Club of Brewer and Authorize Use of these Funds to Support the Children’s Services and Programs. (Councilor Vachon)
 - 2. (2013-A183) ORDER, Waive Foreclosure of Certain Mobile Home Properties Located in Brewer, Maine. (Councilor Verow)
 - 3. (2013-A184) ORDER, Issue Release Deed to Kathleen M. Piper for Property Located at 22 Oak Street (Tax Map 22, Lot 159). (Councilor Ferris)
 - 4. (2013-A185) ORDER, Accept Donation to the Brewer Fire Museum from Wayne and Letha Spofford. (Councilor Goss)
 - 5. (2013-A186) ORDER, Authorize Establishment of an Economic Development Revolving Loan Fund to Support Business Development in Brewer. (Councilor Vachon)
 - 6. (2013-A187) ORDER, Authorize Contract to Nancy Marshall Communications of Augusta, Maine for Strategic Implementation of the GoBrewer.com Campaign for the City of Brewer’s Founding Partners Sponsorship. (Councilor Verow)

7. (2013-A188) ORDER, Accept Proceeds from Sale of Surplus Materials and Appropriate for Use. (Councilor Ferris)
8. (2013-A189) ORDER, Reallocate Debt Service Budget to Support FY14 Capital Projects in Accordance with Approved FY14 CIP. (Councilor Goss)
9. (2013-A190) ORDER, Close Out Special Revenue Accounts and Reallocate Balances to Related Purposes. (Councilor Vachon)
10. (2013-A191) ORDER, Authorize the Purchase and Installation of a Security System for the Recently Completed Penobscot Landing Trail. (Councilor Verow)
11. (2013-A192) ORDER, Authorize Penta Corporation to Complete the Sludge Press Roller Replacement Project on Belt Filter Press #1. (Councilor Ferris)
12. (2013-A193) ORDER, Authorize Penta Corporation to Complete the Hardy Street Pump Station Modifications and Roof Replacement Projects. (Councilor Goss)
13. (2013-A194) ORDER, Accept US Department Of Justice (US DOJ) Bulletproof Vest Grant. (Councilor Vachon)
14. (2013-A195) ORDER, Authorize Purchase of Water Meters for Water Department. (Councilor Ferris)

D. Monthly Reports. (Councilor Verow)

E. Nominations, Appointments, Elections.

1. (2013-A196) ORDER, Establish and Appoint Members to the Economic Development Revolving Loan Committee and Authorize them to Award Loan and Grant Funds to Successful Applicants Under the Economic Development Revolving Loan Fund Program. (Councilor Goss)
2. (2013-B067) RESOLVE, Declare the Results of the November 5, 2013 City of Brewer Annual Municipal Election, City of Brewer School Bond Referendum Election and the State of Maine Referendum Election. (Councilor Vachon)
3. (2013-B068) RESOLVE, Accept Resignation of Travis Landes as a Member of the Brewer Board of Appeals and as a Member of the Brewer Conservation Commission. (Councilor Verow)

F. Unfinished Business. (no items)

G. New Business.

H. New Items with Leave of Council.

I. ADJOURN.

A. Minutes of October 8, 2013 Regular Meeting.

ACTION: Councilor Verow moved that the minutes be accepted and placed on file. The motion was seconded and passed by unanimous vote.

B. Awards, Petitions and Public Comments.

2013-B064

November 18, 2013

TITLE: RESOLVE, RECOGNIZE THE MANY YEARS OF DEDICATED SERVICE OF COUNCILOR ARTHUR C. VEROW.

filed November 12, 2013
by Kevin O'Connell,
Joseph Ferris, Jerry Goss
and Matthew Vachon

WHEREAS, Councilor Arthur C. Verow has dutifully and diligently served the City of Brewer as a City Councilor for six years and before that as City Clerk for forty years; and

WHEREAS, Councilor Verow was first elected to the Brewer City Council in November of 2007 and has served for six years on the Brewer City Council, twice having been elected Mayor during his tenure; and

WHEREAS, Councilor Verow has also been serving as a member of the State of Maine House of Representatives for the past year having been elected to that position in November, 2012; and

WHEREAS, Councilor Verow has been a consistent voice and representative of the people of Brewer;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, expresses their heartfelt gratitude to Councilor Verow for his unwavering commitment to the Council, his family, friends and his beloved community.

ACTION: Councilor Ferris moved that the resolve be adopted. The motion was seconded and passed.

Chairman O'Connell read the resolve into the record while presenting it to Councilor Verow and also presented him with a plaque.

Councilor Verow said he was happy that he accomplished two of his major goals, credit and debit card use at City Hall and making the building truly handicap accessible.

Councilor Ferris said that he had known Archie for over forty years and always admired his thoroughness and institutional memory.

Councilor Goss thanked him for his service on the council and knew he would continue to work in the best interest of the people he serves.

Councilor Vachon said it was not easy to be the new one on the council and sitting next to Archie helped ease the stressful situations cause he was always there to help.

The resolve was adopted by unanimous vote.

2013-B065

November 18, 2013

TITLE: RESOLVE, RECOGNIZE MARY STUART, TECHNOLOGY DIRECTOR FOR THE CITY OF BREWER, FOR 27 YEARS OF DEDICATED SERVICE.

filed November 12, 2013
by Jerry Goss

WHEREAS, on October 6, 2013, Mary Stuart, Technology Director for the City of Brewer, completed twenty-seven (27) years of dedicated service as an employee of the City of Brewer; and

WHEREAS, Ms. Stuart has been an indispensable member of the City of Brewer team and has helped keep all municipal departments running smoothly. As a Certified Government Chief Information Officer, Ms. Stuart has ensured that the City's computer and operating systems continually function properly and efficiently. Her guidance and assistance allows for many of the City employees to successfully perform their duties; and

WHEREAS, Ms. Stuart started her career in 1986 as the Data Processing Manager in Finance and later took over as the Technology Director. She has provided outstanding leadership throughout her tenure with the City of Brewer and has been a shining example of a model employee. She has been on the forefront of helping to modernize the City computer and technological systems and to ensure the safety of vital information and records; and

WHEREAS, on the occasion of her completing twenty-seven (27) years of service to the City of Brewer, the Brewer City Council wishes to publicly recognize Mary Stuart for her commitment to excellence to our City;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith congratulate Mary Stuart for her long and outstanding service and thank her for her exacting professionalism and dedication that has made our community, a great place to live and work.

ACTION: Councilor Goss moved that the resolve be adopted. The motion was seconded and passed.

Councilor Goss read the resolve into the record while presenting it to Mary.

Councilor Goss said it takes a lot of hard work to keep the City up on the newest technology and was glad that the City had a person such as Mary to keep everything running smoothly.

The resolve was adopted by unanimous vote.

2013-B066

November 18, 2013

TITLE: RESOLVE, RECOGNIZE ARDEN JONES FOR HIS 39 YEARS OF PUBLIC SERVICE.

filed November 12, 2013
by Kevin O'Connell,

WHEREAS, Sgt. Arden Jones began his law enforcement career in Old Town Maine rising to the rank of Sergeant; and

WHEREAS, Sgt. Arden Jones also served with the Camden Police Department and University of Maine Police Department; and

WHEREAS, Sgt. Arden Jones served 10 years in law enforcement before joining the Brewer Police Department as a patrol officer in 1984;

WHEREAS, Sgt. Jones was promoted to the rank of Corporal in 1987 and promoted to the rank of Patrol Sergeant in 1995 and served as a Patrol Sergeant until his retirement from the Brewer Police Department on September 27, 2013 bringing his total law enforcement service to over 39 years;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of Brewer, herewith recognizes and commends Brewer Police Patrol Sergeant Arden Jones for serving the Citizens of Brewer as a Brewer Police Officer for over 29 years and for serving for over 39 years as a police officer within the State of Maine . The Brewer City Council and on behalf of the Citizens of Brewer wish to congratulate Sgt. Arden Jones on his retirement and wish him the very best in his future endeavors.

ACTION: Councilor Ferris moved that the resolve be adopted. The motion was seconded and passed.

Mayor O'Connell read the resolve into the record while presenting it to Sgt. Jones.

Director of Public Safety Perry Antone said that the biggest thing about Jones was his consistency and that he was someone who he could rely on to come in and do what needed to be done day after day. He said that he is greatly missed and will be missed every day for a long time to come.

The resolve was adopted by unanimous vote.

PUBLIC COMMENTS.

There were no public comments.

C. Consent Calendar.

ACTION: Councilor Verow moved that the orders on the consent calendar have passage. The motion was seconded and passed by unanimous vote.

2013-A182

November 18, 2013

TITLE: ORDER, ACCEPT CONTRIBUTION TO THE BREWER PUBLIC LIBRARY FROM KIWANIS CLUB OF BREWER AND AUTHORIZE USE OF THESE FUNDS TO SUPPORT CHILDREN'S SERVICES AND PROGRAMS.

filed November 12, 2013
by Matthew Vachon

WHEREAS, the Brewer Public Library has received a contribution of \$500.00 from the Kiwanis Club of Brewer; and

WHEREAS, the library would like the funds to be used to promote children's services and programs for the library;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts the contribution of \$500.00 from Brewer Kiwanis; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the funds be deposited in account 0600072 360000 72011 (Brewer Kiwanis Grant Revenue) and be appropriated and expended from account 0600072 560000 72011 (Brewer Kiwanis Grant Expenses).

NOTE: The Brewer Public Library sends a letter of acknowledgement and appreciation on behalf of the City Council and the Library to all who contribute to the library.

2013-A183

November 18, 2013

TITLE: ORDER, WAIVE FORECLOSURE OF CERTAIN MOBILE
HOME PROPERTIES LOCATED IN BREWER, MAINE.

filed November 12, 2013
by Arthur Verow

WHEREAS, on June 11, 2012, after notices were provided in accordance with state law, the City of Brewer filed at the Penobscot Registry of Deeds liens against the mobile homes listed below for failure to pay FY2012 taxes in full; and

WHEREAS, FY2012 taxes on these properties remain unpaid and the statutory foreclosure will take place on December 11, 2013; and

WHEREAS, it is not in the best interest of the City of Brewer to allow the foreclosure of said properties to take place because they all rest on rented land and foreclosure could possibly result in the City being liable for rents and/or other expenses due;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith agrees to waive foreclosure on the properties listed below located in Brewer, Maine, for the 2012 tax year and authorizes the City Deputy Treasurer to sign statutory waivers of foreclosure and record them in the Penobscot County Registry of Deeds;

BE IT FURTHER ORDERED, that the Deputy Treasurer is authorized to take any and all other actions that may be necessary to carry out the terms and conditions of this order.

2013-A184

November 18, 2013

TITLE: ORDER, ISSUE RELEASE DEED TO KATHLEEN M. PIPER
FOR PROPERTY LOCATED AT 22 OAK STREET
(TAX MAP 22, LOT 159).

filed November 12, 2013
by Joseph Ferris

ORDERED, that a municipal release deed be issued to Kathleen M. Piper, for property located at 22 Oak Street releasing to her all rights, title and interest the City of Brewer may have acquired in the property located on 22 Oak Street (City Tax Map 22, Lot 159) by virtue of City of Brewer tax or sewer lines recorded in the Penobscot County Registry of Deeds in the following volumes and pages:

| Volume | Page |
|--------|------|
| 13228 | 46 |
| 12847 | 328 |
| 12747 | 166 |
| 12932 | 152 |
| 13119 | 268 |
| 13339 | 34 |

AND FURTHER ORDERED, that the City Manager, or his designee, is herewith authorized to execute the said municipal release deed on behalf of the City of Brewer, Maine.

NOTE: A total of \$6,016.49 in principal was collected, along with \$285.06 in interest and \$170.94 in costs.

2013-A185

November 18, 2013

TITLE: ORDER, ACCEPT DONATION TO THE BREWER FIRE
MUSEUM FROM WAYNE AND LETHA SPOFFORD.

filed November 12, 2013
by Jerry Goss

WHEREAS, the Brewer Fire Department has received a donation of \$25.00 from Wayne and Letha Spofford; and

WHEREAS, the Fire Department would like the funds to be used for the Brewer Fire Museum;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts the contribution of \$25.00 from Wayne and Letha Spofford; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the funds be deposited in account 0200000 320000 59009 (Fire Museum Donations) and be appropriated and expended from account 0200000 520000 59009 (Fire Museum Expense).

NOTE: The Brewer Fire Department sends a letter of acknowledgement and appreciation on behalf of the City Council and the Fire Department to all who contribute to the Fire Museum.

2013-A186

November 18, 2013

TITLE: ORDER, AUTHORIZE ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT REVOLVING LOAN FUND TO SUPPORT BUSINESS DEVELOPMENT IN BREWER.

filed November 12, 2013
by Matthew Vachon

WHEREAS, the use of TIF funds to capitalize a revolving loan fund is a state-approved, eligible TIF expense for Brewer and the TIF fund has an adequate balance to support this expense; and

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby authorizes the establishment of the Economic Development Revolving Loan Fund (ED-RLF) intended to support and promote business development in Brewer; and

BE IT FURTHER ORDERED, that the ED-RLF program shall be governed by the attached guidelines, which may be amended from time to time; and

FURTHER ORDERED, that the City Council authorizes the appropriation of \$100,000.00 to provide startup capital for this fund and that these funds shall come from the City's TIF Special Revenue Fund.

2013-A187

November 18, 2013

TITLE: ORDER, AUTHORIZE CONTRACT TO NANCY MARSHALL COMMUNICATIONS OF AUGUSTA, MAINE FOR STRATEGIC IMPLEMENTATION OF THE GOBREW.COM CAMPAIGN FOR THE CITY OF BREWER'S FOUNDING PARTNERS SPONSORSHIP.

filed November 12, 2013
by Arthur Verow

WHEREAS, in December 2012 the City Council authorized a contract to become a Founding Partner in the new Cross Insurance Center; and

WHEREAS, to maximize the Founding Partners sponsorship to the fullest extent, Nancy Marshall Communications (NMC), a marketing and communications firm in Augusta, was retained to help the City create a comprehensive marketing and communication plan; and

WHEREAS, NMC has submitted a proposal to implement the final comprehensive strategic marketing and communications plan, which includes strategies and tactics to accomplish the plan's goals and establish tracking mechanisms to measure success; and

WHEREAS, the implementation includes a one-time cost to build out the GoBrewer.com website as well as a monthly retainer fee to develop and execute other elements of the GoBrewer campaign; and

WHEREAS, NMC has extensive experience in the implementation of strategic marketing and communications plans with respect to this type of sponsorship opportunity;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to execute a contract with Nancy Marshall Communications of Augusta to implement the strategic marketing plan for the GoBrewer.com campaign, including design and development of the GoBrewer.com website; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of \$29,000 from 0115701- 501540 (Marketing) to pay for this TIF-eligible economic development related expense and that the funding for this plan shall come from the TIF Special Revenue Fund; and

BE IT FURTHER ORDRED, that funding of the monthly retainer fee past June 30, 2014 shall be subject to appropriation through the annual budget process.

BE IT FURTHER ORDERED, that the City Council herewith exercises its authority under Chapter 36, Section 404 of the Charter, Codes and Ordinances of the City of Brewer in the purchasing of these consulting services.

2013-A188

November 18, 2013

TITLE: ORDER, ACCEPT PROCEEDS FROM SALE OF SURPLUS
MATERIALS AND APPROPRIATE FOR USE.

filed November 12, 2013
by Joseph Ferris

WHEREAS, the Fire Department has received two checks in the amount of \$408.65 and \$158.00 from the sale of scrap materials from cleanup of its old training area; and

WHEREAS, the Fire Department desires to use these unanticipated proceeds to refurbish the training area, including the construction of a maze to use for training purposes;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith orders the \$566.65 in proceeds from the sale of this surplus property be deposited into 0105904-300490 (Fire – Miscellaneous Revenue) and appropriated for expenditure from 0115911-502900 (Fire – Miscellaneous Supplies and Expenses) to support improvements to the Fire training area.

2013-A189

November 18, 2013

TITLE: ORDER, REALLOCATE DEBT SERVICE BUDGET TO SUPPORT
FY14 CAPITAL PROJECTS IN ACCORDANCE WITH
APPROVED FY14 CIP.

filed November 12, 2013
by Jerry Goss

WHEREAS, the FY2014 Capital Improvement Program (CIP) approved by the City Council in June 2013 called for the allocation of \$65,000 from the City general fund; and

WHEREAS, these funds were included in the FY14 City budget approved by Council in the Debt Service Interest expense account; and

WHEREAS, these budgeted funds represent debt service cost associated with the May 2013 bond issued to support the FY13 CIP but for which full payments will not begin until 2014;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the reallocation of \$65,000 in unneeded debt service from account 0118701-509010 (Debt Interest – City GF) to Fund 5000 (City Capital Improvement Program) to fund capital projects approved as part of the City's FY14 CIP.

2013-A190

November 18, 2013

TITLE: ORDER, CLOSE OUT SPECIAL REVENUE ACCOUNTS AND REALLOCATE BALANCES TO RELATED PURPOSES.

filed November 12, 2013
by Matthew Vachon

WHEREAS, as part of the annual audit process, Finance identified four special revenue accounts in Fund 2000 with balances that had been inactive for some time; and

WHEREAS, the auditors recommended we close out these accounts effective June 30, 2013 and reallocate the unspent balances to related uses and to pay off the small over expense in one of the accounts;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the closeout of the 1995 Economic Development, MMA Recycling Grant and Pendleton Street Track accounts and authorizes the reallocation—retroactive to June 30, 2013—of the unspent balances in the Pendleton and Economic Development accounts to 1) pay off the balance in the Recycling grant account, 2) provide \$759.26 to the 2014 Chamberlain Golf Classic and 3) use the remaining to increase the balance of the Small Biz account to \$2,000.

FURTHER ORDERED, that the Small Biz Program account be renamed to Business Resources Program to align it with updated title of this Economic Development Department initiative.

| CURRENT | Balance at 6/30/13 | Proposal |
|---------------------------|---------------------------|--------------------------------------|
| Small Biz Program | \$350.92 | Rename to Business Resources Program |
| 1995 Economic Development | \$2,470.10 | Close |
| MMA Recycling Grant | (\$332.93) | Close |
| Pendleton Street Track | \$271.17 | Close |
| Total | \$2,759.26 | |

| PROPOSED | New Balance |
|----------------------------|--------------------|
| Business Resources Program | \$2,000.00 |
| Chamberlain Golf Classic | \$759.26 |
| Total | \$2,759.26 |

2013-A191

November 18, 2013

TITLE: ORDER, AUTHORIZE THE PURCHASE AND INSTALLATION
OF A SECURITY SYSTEM FOR THE RECENTLY
COMPLETED PENOBSCOT LANDING TRAIL.

filed November 12, 2013
by Arthur Verow

WHEREAS, the first phase of the Penobscot Landing Trail project was recently completed; and

WHEREAS, the Brewer City Council wishes to protect this valuable, popular and attractive asset from vandalism, malicious mischief and other malfeasance; and

WHEREAS, expenses associated with the waterfront trail are an eligible, state-approved use of TIF funds;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith authorizes the City Manager, in consultation with the City Engineering, Public Safety and Technology Departments, to design, specify, purchase and install a system of security cameras and associated equipment to monitor and protect the Penobscot Landing Trail; and

BE IT FURTHER ORDERED, that the costs for this project shall not exceed \$25,000 shall be charged to Waterfront Trail TIF account 0510121-551102 and shall be funded from the TIF Special Revenue Fund; and

BE IT FURTHER ORDERED, that the City Council herewith exercises its authority under Chapter 36, Section 404 of the City Purchasing Ordinance for the purchase and installation of this equipment.

2013-A192

November 18, 2013

TITLE: ORDER, AUTHORIZE PENTA CORPORATION TO COMPLETE
THE SLUDGE PRESS ROLLER REPLACEMENT
PROJECT ON BELT FILTER PRESS #1.

filed November 12, 2013
by Joseph Ferris

WHEREAS, at the June 4, 2013 Council Meeting, Council approved the purchase of stainless steel perforated rollers for Belt Filter Press #1 at Brewer Water Pollution Control Facility; and

WHEREAS, we have solicited quotes from contractors for the installation of the rollers; and

WHEREAS, Penta Corporation of Moultonboro, NH was the apparent low bidder at \$12,151.00;

NOW, THEREFORE BE IT ORDERED, that the City Council herewith authorizes the City Manager, or his designee, to issue a purchase order to hire Penta Corporation of Moultonboro, NH for \$12,151 to complete the Sludge Press Roller Replacement project on Belt Filter Press #1 at the Brewer Water Pollution Facility and charge the expenses to account number 0680212-560000.

The following bids were received for the Sludge Press Roller Replacement Project

| | |
|-------------------------|-------------|
| Penta Corporation | \$12,151.00 |
| Sullivan and Merritt | \$20,700.00 |
| T. Buck Construction | \$26,222.00 |
| Apex Construction, Inc. | \$27,600.00 |

2013-A193

November 18, 2013

TITLE: ORDER, AUTHORIZE PENTA CORPORATION TO COMPLETE THE HARDY STREET PUMP STATION MODIFICATIONS AND ROOF REPLACEMENT PROJECTS.

filed November 12, 2013
by Jerry Goss

WHEREAS, at the May 20, 2013 Council Meeting, Council approved three projects needed to spend \$200,000 of rural development grant money still available from the Jefferson Street Sewer Lateral Improvement and Tibbetts Street Sewer Separation projects loan; and

WHEREAS, two of the projects to be completed were Hardy Street Pump Station Modifications and Hardy Street Pump Station Roof Replacement; and

WHEREAS, the projects have been designed and we have solicited bids from contractors to complete the projects; and

WHEREAS, three contractors submitted bids on the project and Penta Corporation was the low bidder with a bid of \$73,900.00;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager, or his designee, to issue a purchase order to hire Penta Corporation of Moultonboro, NH to complete the Hardy Street Pump Station Improvement and Roof Replacement projects for \$73,900.00, plus 10% contingency for normal change orders typical for this type of project and charge the expenses to account numbers 0680605-560000 (Hardy Street Pump Station Modifications) and 0680607-560000 (Hardy Street Pump Station Roof Replacement).

The following bids were received for the Hardy Street Pump Station Modification and Roof Replacement Projects

| | |
|---------------------|-------------|
| Penta Corporation | \$73,900.00 |
| T Buck Construction | \$74,747.00 |
| Apex | \$86,400.00 |

2013-A194

November 18, 2013

TITLE: ORDER, ACCEPT US DEPARTMENT OF JUSTICE (US DOJ)
BULLETPROOF VEST GRANT.

filed November 12, 2013
by Matthew Vachon

WHEREAS, the City has been awarded \$874.17 from the U.S. Department of Justice Bulletproof Vest Program (BVP) to cover 50% of the cost of new vests for the Brewer Police Department; and

WHEREAS, the Police Department has funds to cover its 50% share for the vests;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby accepts the \$874.17 BVP grant funds and directs that they be deposited into the Bulletproof Vest—FY13 Grant Revenue account (0600058-360000-58026); and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of the grant and City match funds from the Bulletproof Vest—FY13 Grant Expense account (0600058-560000-58026) to procure new bulletproof vests for the department; and

FURTHER ORDERED, that the Police Department's grant match shall be charged to Police City Match—Misc Grants (0115811-550200).

2013-A195

November 18, 2013

TITLE: ORDER, AUTHORIZE PURCHASE OF WATER METERS FOR
WATER DEPARTMENT.

filed November 12, 2013
by Joseph Ferris

WHEREAS, the Water Department is replacing older failing/failed meters and remotes with new meters meeting current EPA Lead rules; and

WHEREAS, this is a planned item for replacement at the minimum rate of 5.4% yearly and was included in the Water Departments FY14 CIP approved by Council in June 2013;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to EJ Prescott's in the amount of \$12,000.00 for the purchase of a 100- 5/8 inch water meters; and

BE IT FURTHER ORDERED, that the City Council of the City of Brewer herewith exercises its authority under Section 404 of the City's Purchasing Ordinance, Chapter 36 of the Charter, Codes and Ordinances of the City of Brewer in the purchase of contractor services for this project; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to the Water Department CIP account 0571003-573012, titled, "Replace meters 5.4% per year".

D. Monthly Reports.

ACTION: Councilor Verow moved that the monthly reports from the city departments be accepted and placed on file. The motion was seconded and passed by unanimous vote.

E. Nominations, Appointments, Elections.

2013-A196

November 18, 2013

TITLE: ORDER, ESTABLISH AND APPOINT MEMBERS TO THE ECONOMIC DEVELOPMENT REVOLVING LOAN COMMITTEE AND AUTHORIZE THEM TO AWARD LOAN AND GRANT FUNDS TO SUCCESSFUL APPLICANTS UNDER THE ECONOMIC DEVELOPMENT REVOLVING LOAN FUND PROGRAM.

filed November 12, 2013
by Jerry Goss

WHEREAS, Order 2013-A186 establishes the Economic Development Revolving Loan Fund (ED-RLF); and

WHEREAS, the ED-RLF calls for the creation of a loan committee that shall be responsible for reviewing RLF applications for financing of projects to support and promote business development in Brewer and either approving or denying those applications;

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby establishes the Economic Development Revolving Loan Committee and appoints to it the Economic Development Director, the Economic Development Specialist and the City Manager; and

BE IT FURTHER ORDERED, that the ED-RLF Committee shall have the right, now and in the future, to –subject to the availability of funds- award loans and grants to successful applicants who qualify under the ED-RLF program, under such terms and conditions as the said Committee feels to be in the best interest of the City. Final approval of grant awards shall rest with the City Council; and

FURTHER ORDERED, that the Economic Development Director shall be authorized to execute and all loan and grant documents on behalf of the City, and take any and all other actions necessary to carry out the terms and conditions of the said loans or grants.

ACTION: Councilor Goss moved that the order have passage. The motion was seconded and passed.

The order was passed by unanimous vote.

2013-B067

November 18, 2013

TITLE: RESOLVE, DECLARE THE RESULTS OF THE NOVEMBER 5, 2013 CITY OF BREWER ANNUAL MUNICIPAL ELECTION, CITY OF BREWER SCHOOL BOND REFERENDUM ELECTION AND THE STATE OF MAINE REFERENDUM ELECTION.

filed November 12, 2013
by Matthew Vachon

WHEREAS, the City of Brewer Annual Municipal Election, the City of Brewer School Bond Referendum Election and the State of Maine Referendum Election was held on November 5, 2013; and

WHEREAS, Brewer election officials tabulated the results for the vote in the City of Brewer and the City Clerk has verified these results;

NOW, THEREFORE, BE IT RESOLVED, that the City Council declares the results for the City of Brewer Annual Municipal Election, the City of Brewer School Bond Referendum Election and the State of Maine Referendum Election as follows:

ACTION: Councilor Vachon moved that the resolve be adopted. The motion was seconded and passed.

The resolve was adopted by unanimous vote.

2013-B068

November 18, 2013

TITLE: RESOLVE, ACCEPT RESIGNATION OF TRAVIS LANDES AS A MEMBER ON THE BREWER BOARD OF APPEALS AND THE BREWER CONSERVATION COMMISSION.

filed November 12, 2013
by Arthur Verow

WHEREAS, Travis Landes has submitted, by letter dated August 13, 2013, his resignation as a member on the Brewer Board of Appeals and the Brewer Conservation Commission; and

WHEREAS, the City Council is required to formally accept this resignation and declare a vacancy on the Brewer Board of Appeals and the Brewer Conservation Commission for the unexpired terms of Travis Landes before replacements can be appointed to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith accepts Travis Landes' resignation as a member on the Brewer Appeals Board and the Brewer Conservation Commission effective November 24, 2013 and declares a vacancy on these boards and the Council shall proceed to fill those vacancies.

ACTION: Councilor Verow moved that the be adopted. The motion was seconded and passed.

The resolve was adopted by unanimous vote.

F. Unfinished Business.

No items.

G. New Business.

No items.

H. New Items with Leave of Council.

Mayor O'Connell said that he had just one word to describe his year as Mayor – awesome. He said everyone in the room had made it an awesome time.

I. ADJOURN.

Chairman O'Connell said he would accept a motion for adjournment.

ACTION: Councilor Ferris moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting adjourned at 6:26 pm.

ADJOURNED, ATTEST: _____ Pamela J. Ryan
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine