

City Council Minutes
May 12, 2020

Regular Meeting
City Hall Council Chambers

Tuesday, May 12, 2020
6:00 p.m.

The regular meeting was called to order by Chairman Jerry Goss. The City Clerk called the roll:

Councilor Morelli-present
Councilor Phanthay-present
Councilor Daniels-present
Councilor Ferris-present
Chairman Goss-present

Chairman Goss declared a quorum present. City Manager Stephen Bost and City Solicitor Jonathan Pottle were also present.

Chairman Goss led members of the Council and others present in reciting the pledge of allegiance to the flag of the United States of America.

Chairman Goss read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Thomas Morelli, Michele Daniels and Soubanh Phanthay MEMBERS OF THE BREWER CITY COUNCIL you are hereby notified a regular meeting of the City Council will be held on Tuesday, May 12, 2020 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/Jerry Goss

Mayor and Chairman of the City Council
Or _____
Majority of the City Council

a true copy, attest: s/Ronda J. Hogan

City Clerk

I have on the date(s) and time(s) indicated given notice of this meeting by giving in hand of 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
Jerry Goss	Chubbuck	Off.	05/08/20	4:15 pm
Thomas Morelli	Chubbuck	Off.	05/08/20	4:28 pm
Joseph L. Ferris	Chubbuck	Off.	05/08/20	4:32 pm
Michele Daniels	Chubbuck	Off.	05/08/20	4:12 pm
Soubanh Phanthay	Chubbuck	Off.	05/08/20	4:20 pm

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CITY COUNCIL REGULAR MEETING
Tuesday, May 12, 2020 6:00 P.M.
Brewer City Hall Council Chambers

Virtual Meeting via Zoom due to the ongoing COVID-19 pandemic
Physical attendance by the public at City Hall is not permitted

General Public Link: https://us02web.zoom.us/webinar/register/WN_oK_9RGRmT-eQku96XlduZQ

- I. Call to Order** (Mayor Goss)
- II. Roll Call** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America** (Mayor Goss)
- A. Minutes of February 11, 2020 Regular Meeting and February 14, 2020 Emergency Special Meeting** (Councilor Daniels)
- B. Awards, Petitions and Public Comments**
 - 1. (2020-B004) RESOLVE Resolution of Respect for Thomas Greenquist (Councilor Ferris)
 - 2. (2020-B009) RESOLVE Resolution of Respect for Arthur Verow (Councilor Goss)
 - 3. (2020-B010) RESOLVE Resolution of Respect for Michael Eremita (Councilor Ferris)
 - 4. (2020-B011) RESOLVE Brewer Girls Indoor Track team (Councilor Morelli)
- C. Consent Calendar**
 - 1. (2020-A020) ORDER Commit sewer assessment to treasurer for collection (Councilor Phanthay)
 - 2. (2020-A021) ORDER Commit water assessment to treasurer for collection (Councilor Ferris)
 - 3. (2020-A022) ORDER Authorize a Municipal Partnership Initiative Agreement with the MDOT for the resurfacing of a portion of North Main Street in 2021 (Councilor Morelli)
 - 4. (2020-A023) ORDER Tax Release Deed, Map 10, Lot 10B, 73 Outback Lane (Councilor Daniels)
 - 5. (2020-A024) ORDER Accept grant from the Maine Community Foundation to the Brewer Public Library (Councilor Phanthay)
 - 6. (2020-A025) ORDER Authorize contract with Eastwood Contractors Inc. for the replacement of the water line located on Robinhood Drive (Councilor Ferris)
 - 7. (2020-A026) ORDER Accept donation to the Brewer Fire and Police Departments from Judy Street (Councilor Morelli)
 - 8. (2020-A027) ORDER Authorize purchase of rock salt (Councilor Daniels)
 - 9. (2020-A028) ORDER Tax release deed, Map 30, Lot 31, 185 North Main Street (Councilor Phanthay)
 - 10. (2020-A029) ORDER Authorize contract with John Turner Consulting for Robinhood Drive water line replacement inspection services (Councilor Ferris)
 - 11. (2020-A030) ORDER Accept insurance refund from Maine Municipal

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- Association (Councilor Daniels)
12. (2020-A031) ORDER Authorize amendment to Brewer's Health Reimbursement Arrangement Plan (Councilor Phanthay)
 13. (2020-A032) ORDER Accept asset forfeiture funds from Justice Department (Councilor Ferris)
 14. (2020-A033) ORDER Authorize temporary suspension of Brewer's Pay As You Throw trash tag program (Councilor Phanthay)
 15. (2020-A034) ORDER Authorize the waiver of interest charges on March 2020 sewer bill payments received after the due date (Councilor Ferris)
 16. (2020-A035) ORDER Tax Release Deed, Map 30, Lot 30, 199 No. Main Street (Councilor Morelli)
 17. (2020-A036) ORDER Award contract for street line painting contract (Councilor Daniels)
 18. (2020-A037) ORDER Award construction contract for aeration basin and building improvement project to Penta Corporation (Councilor Phanthay)
 19. (2020-A038) ORDER Award construction contract for wastewater process pumps replacement project to T. Buck (Councilor Morelli)
 20. (2020-B012) RESOLVE Elect to participate in the Maine Municipal Association Workers' Compensation Safety Incentive Program (Councilor Morelli)
 21. (2020-B013) RESOLVE Amend the schedule of City Council Regular meetings to include a special meeting (Councilor Phanthay)

D. Monthly Reports (Councilor Ferris)

E. Nominations, Appointments, Elections

1. (2020-A039) ORDER Reappoint Inspector of Buildings (Councilor Ferris)
2. (2020-A040) ORDER Reappoint Inspector of Plumbing (Councilor Morelli)
3. (2020-A041) ORDER Appoint and reappoint members to the Board of Appeals of the City of Brewer (Councilor Daniels)
4. (2020-A042) ORDER Appoint and reappoint members to the Board of Assessment Review of the City of Brewer (Councilor Phanthay)
5. (2020-A043) ORDER Appoint and reappoint members to the Cemetery Board of the City of Brewer (Councilor Ferris)
6. (2020-A044) ORDER Appoint and reappoint members to the Conservation Commission of the City of Brewer (Councilor Morelli)
7. (2020-A045) ORDER Reappoint member to the Housing Authority of the City of Brewer (Councilor Daniels)
8. (2020-A046) ORDER Appoint and reappoint members to the Library Board of Trustees of the City of Brewer (Councilor Phanthay)
9. (2020-A047) ORDER Appoint and reappoint members to the Parks & Recreational Advisory Commission of the City of Brewer (Councilor Ferris)
10. (2020-A048) ORDER Reappoint members to the Planning Board of the City of

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11. (2020-A049) ORDER Brewer (Councilor Morelli)
Appointment of Republican Election Clerks (Councilor Daniels)
12. (2020-A050) ORDER Appointment of Democratic Election Clerks (Councilor Phanthay)
13. (2020-B014) RESOLVE Confirm City Manager's appointments of Constables (Councilor Ferris)

- F. Unfinished Business**
- G. New Business**
- H. New Items with Leave of Council**
- I. ADJOURN**

A. Minutes of February 11, 2020 Regular Meeting and February 14, 2020 Emergency Special Meeting

ACTION: Councilor Daniels 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

2020-B004

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TITLE: RESOLVE, RESOLUTION OF RESPECT FOR THOMAS GREENQUIST

Filed January 22, 2020

By Joseph L. Ferris

WHEREAS, on the 9th day of January 2020, death brought to a close the full and active life of Tom Greenquist a thirty-year resident of Brewer; and

WHEREAS, Tom was a graduate of Hyde Park High School in Boston, Massachusetts, then went on to serve his country in the U.S. Army stationed at Fort Meade, Maryland, and continuing his education, graduating from Boston University in 1957; and

WHEREAS, Tom served as Chairman and CEO of Bangor Hydro Electric Company for 28 years until he retired in 1991; and

WHEREAS, Tom served on numerous boards and business groups including Maine Yankee Atomic Power Company, The Electric Council of New England, New England Power Pool, and Jasper Wyman Company; and

WHEREAS, Tom also served as president of the Bangor Rotary Club, director of the Bangor/Brewer Chamber of Commerce, a director of the Brewer Economic Development Corporation,

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the Bangor Target Development Committee, the Action Committee of 50, the Maine Chamber of Commerce, and the first chairman of the merged Maine Chamber of Commerce and Associated Industries of Maine.

NOW THEREFORE BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of Tom Greenquist to the well-being and development of the community in which he lived and earned the respect of all who knew him; and

FURTHER, RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer and that copies thereof be distributed to members of his family in testimony to the high esteem held for Tom Greenquist by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Ferris moved that the resolve be adopted. The motion was seconded and passed. Councilor Ferris read the resolve into the record. Councilor Ferris noted that the resolve states that Tom was a member of the Brewer Economic Development Corporation, but it does not state that not only was he a member, but he was a founding member in 1968 and brought one of the biggest deals for the City of Brewer when he was a part of the development of the Industrial Park, a great development for the City. Councilor Ferris stated that Tom was a smart man, a well-regarded man and he will definitely be missed.

Chairman Goss stated that Tom Greenquist help build the solid foundation that the City of Brewer rests on today and it will never be forgotten.

The resolve was adopted by unanimous vote.

2020-B009

May 12, 2020

TITLE: RESOLVE, RESOLUTION OF RESPECT FOR ARTHUR C. VEROW

Filed January 31, 2020

By Jerry Goss

WHEREAS, on the 19th day of December 2019, death brought to a close the full and active life of Arthur Clement Verow, a life-long resident of Brewer; and

WHEREAS, Archie was a 1960 graduate of John Bapst High School and earned his B.S. degree from Husson College; and

WHEREAS, Archie began work at Eastern Fine Paper, and then became the City Clerk of Brewer for forty consecutive years, where he represented the City as president of the Maine Town and Clerks Association, a member of the State's Animal Advisory Committee and the Maine Municipal Association's Legislative Policy Committee; and

WHEREAS, Archie served on the Brewer City Council, holding the office of Mayor for two

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terms and was currently in his third term in the Maine House of Representatives; and

WHEREAS, Archie loved to spend his summers at the camp he built on Parks Pond in Clifton, hiking, biking, swimming and boating with his wife, children and many relatives. He was a prolific writer and participated in various writing groups, having several of his stories published in local publications.

NOW THEREFORE BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of Arthur C. Verow to the well-being and development of the community in which he lived and earned the respect of all who knew him; and

FURTHER, RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer and that copies thereof be distributed to members of his family in testimony to the high esteem held for Arthur C. Verow by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Morelli moved that the resolve be adopted. The motion was seconded and passed. Councilor Morelli read the resolve into the record. Councilor Morelli stated that not only had he photographed Archie for many years but Archie was also a friend and mentor and Councilor Morelli always enjoyed meeting and talking with him. Councilor Morelli extended his condolences to the Verow family.

Chairman Goss stated that Archie was a true mentor, he and Councilor Ferris were the ones who suggested that Chairman Goss run for Council. He stated that whenever he joked that you need to bleed orange and black, that was Archie Verow. Chairman Goss said that it is really a pleasure for him that the City of Brewer named the Council Chambers after Archie when he retired from being a clerk.

Councilor Ferris said that he and Archie became great friends when he joined the Council. He stated that Archie was a sweet man, who will be missed. He said that Archie and Fran were true partners who did everything together.

Councilor Daniels stated that Archie mentored from the beginning to the end. She said he was a staple in Brewer and he will definitely be missed. Councilor Daniels gave her condolences to the Verow family.

Councilor Phanthay although he did not know Archie all that well, he did attend the services for Archie and could see by the amount of people there and the diversity of people attending what a great effect this man had on his community.

The resolve was adopted by unanimous vote.

2020-B010

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TITLE: RESOLVE, RESOLUTION OF RESPECT FOR MICHAEL EREMITA

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Filed April 10, 2020
By Joseph L. Ferris

WHEREAS, on the 31st day of March 2020, death brought to a close the full and active life of Michael Eremita, a sixty-year resident and businessman of Brewer; and

WHEREAS, Michael grew up in Dedham, Massachusetts and received his B.A. in Business from Boston University before joining the Air Force in 1953; and

WHEREAS, Michael's Air Force career brought him to Bangor, where he was stationed at Dow Airforce Base serving in the 71st Air Refueling Squadron. It was here that he met his business partner Tom Valley and together, in 1957, they began Eremita & Valley, a residential building company employing their slogan "Eremita & Valley, Building a Better Maine"; and

WHEREAS, by the early 1970's Michael had expanded his company to include commercial development statewide focusing on hotels and malls. For Michael, his crew and employees were considered family; and

WHEREAS, Michael met his wife Marilyn, on a blind date, married June 7, 1958 and settled in a home in Brewer built by Michael and business partner Tom, where they raised a family; and

WHEREAS, to Michael, while family was his life, it was also important for him to give back to his community. He was a loyal member of the Italian Heritage Club, Knights of Columbus, Saturday Nighters Club, Whirling Eight Square Dance Club.

NOW THEREFORE BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of Michael Eremita to the well-being and development of the community in which he lived and earned the respect of all who knew him; and

FURTHER, RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer and that copies thereof be distributed to members of his family in testimony to the high esteem held for Michael Eremita by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Ferris moved that the resolve be adopted. The motion was seconded. Councilor Ferris read the resolve into the record. Councilor Ferris stated that he raised his daughter in a house that was built by Eremita's surrounded by Eremita kids. He stated that Michael was a wonderful, quiet, strong man who was just an all-round great person and he will be missed.

Chairman Goss stated that when he returned to Brewer in 1987 it did not take long to recognize the Eremita name as a solid foundation of the City of Brewer. Chairman Goss thanked the family for their contributions to the City and extends his condolences.

The resolve was adopted by unanimous vote.

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2020-B011

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TITLE: RESOLVE, RECOGNIZE THE BREWER HIGH SCHOOL STATE CLASS B
GIRLS INDOOR TRACK TEAM

Filed February 19, 2020
By Jerry Goss, Joseph L.
Ferris, Thomas Morelli,
Michele Daniels and
Soubanh Phanthay

WHEREAS, the Brewer High School Girls Indoor Track Team earned the 2020 Class B State Championship; and

WHEREAS, the Brewer team earned 73 points to finish well ahead of runner-up Winslow, which scored 50 points and third-place York; and

WHEREAS, this is the second State Championship in a row for the Brewer Girls Team and the ninth girls indoor title for the program.

NOW THEREFORE BE IT RESOLVED, that the Brewer City Council on behalf of the Citizens of the City of Brewer Maine, herewith recognizes and congratulates the 2020 Brewer Girls Indoor Track Team for earning the Class B State Championship and carrying on the tradition of Brewer excellence; and

BE IT FURTHER RESOLVED, that the Brewer City Council congratulates the following list of athletes on their outstanding achievement:

Seniors: Madison Gibbs, Sophia Inman, Michaela Hersey & Rylie Hall
Juniors: Abby Stroup, Olivia Mosca, Morgan Honey & Lainey Blakeman
Sophomores: Sydney Pine, Ainsley Reid & Alivia Wing
Freshman: Kayla Graffam, Grace Henry, Bella Tanis, Macy Farrington, Morgan Martin, Hope Milan & McKenzie Murray

Head Coach: Dan Juilli
Assistant Coaches: Glen Holyoke, Adam Lufkin, Jason Horr & Kristy Albee
Athletic Trainer: Benjamin Pushard
Athletic Director: David Utterback

ACTION: Councilor Morelli moved that the resolve be adopted. The motion was seconded. Councilor Morelli read the resolve into the record. Councilor Morelli stated that he feels very fortunate that his daughter attends a school where a program like this Girls Track team exists. He noted that these girls are great role models for not only his daughter but other kids throughout the school. Congratulations and thank you to these well deserving ladies.

Councilor Ferris congratulated the girl's team on winning back to back championships,

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stating that it is not an easy thing to do. He thanked the team, the coaches and the administration for bringing a great honor to our City.

Councilor Daniels remarked that she was honored to be able to attend the banquet for the girl's track team before the corona virus outbreak and she was looking forward to seeing them in Council Chambers. However, although that is not able to happen, she wants to make sure the team understands that we are all still very proud of you no matter where we are! Congratulations.

Councilor Phanthay encouraged the team to stay active even during the stay at home period. He stated that activity can make you feel better. He congratulated the girls and said he was extremely proud of them and their accomplishments.

Chairman Goss told the team and coaches "Job well done!" He thanked the team and coaches.

The resolve was adopted by unanimous vote.

B. Consent Calendar

2020-A020

May 12, 2020

TITLE: ORDER, COMMIT SEWER ASSESSMENT TO TREASURER FOR COLLECTION

Filed March 6, 2020
By Soubanh Phanthay

WHEREAS, under Chapter 31 of the Sewer and Pre-treatment Ordinance of the City of Brewer, a sewer charge is assessed to users.

NOW THEREFORE BE IT ORDERED, that the Brewer City Council does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **\$579,239.40** at the established rate, as provided by Title 30-A M.R.S.A. §3406 and Title 38 M.R.S.A. §1208 and as such sections may be amended from time to time.

BE IT FURTHER ORDERED, that said charges are due and payable on the date of this commitment.

EVENT	COMMITMENT	COMMENTS
March	\$567,093.55	
December	\$1,384.65	

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January	\$1,556.60	
February	\$9,204.60	
TOTAL	\$579,239.40	

2020-A021

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TITLE: ORDER, COMMIT WATER ASSESSMENT TO TREASURER FOR
COLLECTION

Filed March 6, 2020
By Joseph L. Ferris

WHEREAS, under Chapter 40 of the Water Department of the City of Brewer, a water charge is assessed to water users.

NOW THEREFORE BE IT ORDERED, that the Brewer City Council does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **\$617,509.88** at the established rate, as provided by Title 35-A M.R.S.A. §6105 and as such sections may be amended from time to time.

BE IT FURTHER ORDERED, that said charges are due and payable on the date of this commitment.

EVENT	COMMITMENT	COMMENTS
March	\$612,915.99	
December	\$2,116.57	
January	\$1,679.56	
February	\$797.76	
TOTAL	\$617,509.88	

2020-A022

May 12, 2020

TITLE: ORDER, AUTHORIZE A MUNICIPAL PARTNERSHIP INITIATIVE
AGREEMENT WITH THE MDOT FOR THE RESURFACING
OF A PORTION OF NORTH MAIN STREET IN 2021

Filed March 4, 2020

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By Thomas Morelli

WHEREAS, the portion of North Main Street between State Street and Wilson Street will require resurfacing in the next 1-2 years; and

WHEREAS, A section of 100-plus year-old brick storm drain line crossing North Main Street near Parker Street has also become an issue causing sink holes in the last few years; and

WHEREAS, this State arterial road is eligible for State and Federal funding participation through BACTS; and

WHEREAS, a previous request for funding of this project through BACTS was unsuccessful and indicated that this project would be unlikely to receive BACTS funding in the next few years due to limited funding and the extensive backlog of projects in the BACTS Region; and

WHEREAS, the Engineering Department, on behalf of the City, applied for and was awarded \$350,000 in funding on a 50/50 basis for the construction year 2021 through the MDOT's Municipal Partnership Initiative for the purpose of resurfacing this portion of North Main Street and replacing the storm drain line crossing near Parker Street.

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to execute a Municipal Partnership Initiative Agreement with the MDOT in the amount of \$350,000 (to be shared on a 50/50 basis) for the resurfacing of North Main Street from State Street to Wilson Street during the summer of 2021.

BE IT FURTHER ORDERED, that the Finance Director shall include \$350,000 in the FY 2021 or 2022 CIP for the Resurfacing of North Main Street with \$175,000 coming from the City and \$175,000 from the State of Maine under the terms of the MDOT's Municipal Partnership Initiative agreement.

Statement of Fact

This order authorizes a Municipal Partnership Agreement with the MDOT for Resurfacing a portion of North Main Street and replacing a failing storm drain line near Parker Street in 2021 on a 50/50 cost sharing basis (\$175,000 each).

2020-A023

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TITLE: ORDER, TAX RELEASE DEED, MAP 1, LOT 10B, 73 OUTBACK LANE

Filed March 5, 2020
By Michele Daniels

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NOW, THEREFORE, BE IT ORDERED, that a municipal Release Deed be issued to Carol L. Brewer, (AKA Carol L. Jewell) and Gordon W. Brewer of Brewer, County of Penobscot, releasing to them all interest that the City of Brewer may have acquired by virtue of tax liens on their property.

BE IT FURTHER ORDERED, that the City Manager be herewith authorized to execute this Release Deed on behalf of the City of Brewer in a form approved by the City Solicitor and to take any necessary or appropriate actions to implement this Order.

Statement of Fact

This order authorizes the release of the interest in 73 Outback Lane that the City acquired by virtue of foreclosed tax liens, which have now been paid in full. A total of \$18,417.84 was collected, \$16,800.89 in real estate taxes along with \$1476.20 in interest and \$140.75 in costs.

RELEASE DEED

Carol L. Brewer, (AKA Carol L. Jewell) and Gordon W. Brewer

City of Brewer, a body politic located in the County of Penobscot, State of Maine, for consideration paid, **releases to Carol L. Brewer, (AKA Carol L. Jewell) and Gordon W. Brewer, against whom taxes were assessed**, of Brewer, County of PENOBSCOT, State of Maine, the land in Brewer, County of Penobscot, State of Maine as follows:

Map 1, Lot 10B of the Assessor's Tax Maps of the
City of Brewer, Maine.

Excepting and reserving all public easements or other public interests in the
above-described parcel for roads, sewers, or other purposes

The purpose of this deed is to release any interest the
City of Brewer has in and to the above described
Property by virtue of the following Mortgages:

Volume	Page
14190	331
14532	99
14857	262

City of Brewer has caused this deed to be sealed with its corporate seal and signed in its corporate name by Stephen Bost, its City Manager, duly authorized this 7 day of April AD 2020

WITNESS:

CITY OF BREWER

Stephen Bost
City Manager
Duly authorized

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STATE OF MAINE

PENOBSCOT, ss

DATE, April 7, 2020

Personally appeared the above named Stephen Bost, City Manager, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the said City of Brewer.

Before me,

Samantha L. Miller, Notary Public
My Commission expires December 13, 2023

2020-A024

May 12, 2020

TITLE: ORDER, ACCEPT GRANT FROM THE MAINE COMMUNITY FOUNDATION
TO THE BREWER PUBLIC LIBRARY

Filed March 25, 2020
By Soubanh Phanthay

WHEREAS, the City of Brewer Public Library has received a Rose and Samuel Rudman Library Fund grant of \$748.83 from the Maine Community Foundation; and

WHEREAS, it is the wish of the donor and the recommendation of the Library Director that these funds be used to update and enhance the Library's Maine adult non-fiction collection; and

WHEREAS, the Maine Community Foundation has been a faithful supporter of the Brewer Public Library via the Rose and Samuel Rudman Library Fund.

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this grant of \$748.83 from the Maine Community Foundation and authorizes its deposit in account 0600072-360000-72018 (Rudman Grant Revenue) and expenditure from account 0600072-560000-72018 (Rudman Grant Expenditure).

Statement of Fact

This order accepts a Rose and Samuel Rudman Library Fund grant from the Maine Community Foundation to support updating and enhancing the Maine adult nonfiction book collection at the City of Brewer Public Library.

2020-A025

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TITLE: ORDER, AUTHORIZE CONTRACT WITH EASTWOOD

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CONTRACTORS INC. FOR THE REPLACEMENT OF THE
WATER LINE LOCATED ON ROBINHOOD DRIVE

Filed April 13, 2020
By Joseph L. Ferris

WHEREAS, the water line on Robinhood Drive is prone to failure; and

WHEREAS, the City of Brewer plans to repave Robinhood Drive, and the action of paving this street will ultimately cause more breaks in this main line; and

WHEREAS, the Water Department has solicited bids to replace the water line with Eastwood Contractors, Inc., of Brewer, Maine, submitting the low bid of \$273,950; and

WHEREAS, the Water Department has sufficient funds available in its reserve accounts to complete this needed project.

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager, or his designee, to enter into a contract for the amount of \$273,950 with Eastwood Contractors Inc, for the replacement of the water line located on Robinhood Drive.

BE IT FURTHER ORDERED, that the City Council herewith authorizes a contingency of up to 15%, or \$41,050, to be used if necessary, during this project.

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of up to \$315,000 on this work to be funded by \$273,353 in available USDA Sinking Fund reserves (0700000-110731) and up to \$41,647 from the Water Department's General Capital reserves (0700000-110805).

FURTHER ORDERED, that the costs of this water line replacement work be charged to account 0571001-571011 (Robinhood Drive Line Replacement).

Statement of Fact

This order authorizes the water department to enter into a contract to replace the 8-inch water main on Robinhood drive at a cost not to exceed \$315,000. This line was originally installed in 1962, it is a cast iron product that has shown to be brittle and susceptible to breaks. Since November 2011, we have repaired this section of line six times. It is recommended we replace this line prior to repaving road.

2020-A026

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TITLE: ORDER, ACCEPT DONATION TO THE BREWER FIRE AND POLICE
DEPARTMENTS FROM JUDY STREET

Filed April 29, 2020
By Thomas Morelli

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WHEREAS, the City of Brewer Fire and Police Departments have each received donations of \$500 from Judy Street; and

WHEREAS, the Fire Department and Police Department will use these funds to offset training and employee event expenses.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts this generous donation, from Judy Street and directs that the donated funds be receipted to account 0105804-300490 (Police Misc. Revenues) and 0105904-300490 (Fire Misc. Revenues); and

FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from account 0115801-501550 (Police Community Relations) and 0115911-502900 (Fire Misc. Supplies and Expenses).

Statement of Fact

The City of Brewer Fire and Police Departments each received donations of \$500 from Judy Street. These funds will be used to offset training and employee event expenses.

2020-A027

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TITLE: ORDER, AUTHORIZE PURCHASE OF ROCK SALT

Filed April 30, 2020
By Michele Daniels

WHEREAS, a joint bid was solicited, received and evaluated for the purchase and delivery of rock salt FY2020 to the Cities of Brewer, Bangor and the Town of Hampden; and

WHEREAS, New England Salt Company of Bangor, Maine had provided the lowest price per ton on acceptable material to the City of Brewer of the five bids received; and

WHEREAS, New England Salt Company has offered to extend the FY2020 price offer through FY2021 for all three communities; and

WHEREAS, all Public Works Directors of their respective communities believes it is in the best interest of their communities to accept the offer from New England Salt Company to extend the contract for an additional year.

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to New England Salt Company in the amount of \$114,000.00 for supplying and delivering rock salt at \$46.24 per ton.

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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 supplies for the Public Works Department.

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to the Public Works account 0116671-502530, titled, Rock Salt.

Statement of Fact

After comparing our current price per ton to numerous others around the State, including the State's bid, I believe we will continue to have one of the lowest, if not the lowest price per ton in the State. Therefore, I offer this recommendation to accept New England Salt's offer to extend the current contract for another year.

2020-A028

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TITLE: ORDER, TAX RELEASE DEED, MAP 30, LOT 31, 185 NORTH MAIN STREET

Filed April 30, 2020
By Soubanh Phanthay

BE IT ORDERED, that a municipal Release Deed be issued to Scott W. Baxter, Eric J. Baxter of Brewer, County of Penobscot, releasing to them all interest that the City of Brewer may have acquired by virtue of tax liens on their property.

BE IT FURTHER ORDERED, that the City Manager be herewith authorized to execute this Release Deed on behalf of the City of Brewer in a form approved by the City Solicitor and to take any necessary or appropriate actions to implement this Order.

Statement of Fact

This order authorizes the release of the interest in 185 North Main St that the City acquired by virtue of foreclosed tax liens, which have now been paid in full. A total of \$22,500.12 was collected, \$20,670.83 in taxes along with \$884.31 in interest and \$118.40 in costs and \$826.58 in utility billing.

**RELEASE DEED
BAXTER SCOTT W. and BAXTER ERIC J
185 NORTH MAIN STREET**

City of Brewer, a body politic located in the County of Penobscot, State of Maine, for consideration paid, **releases to BAXTER SCOTT W., BAXTER ERIC J., against whom taxes were assessed**, of Brewer, County of PENOBSCOT, State of Maine, the land in Brewer, County of Penobscot, State of Maine as follows:

Map 30, Lot 31 of the Assessor's Tax Maps of the
City of Brewer, Maine.

City Council Minutes
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Excepting and reserving all public easements or other public interests in the above-described parcel for roads, sewers, or other purposes

The purpose of this deed is to release any interest the City of Brewer has in and to the above described Property by virtue of the following Mortgages:

Volume	Page
14858	1
15192	290

City of Brewer has caused this deed to be sealed with its corporate seal and signed in its corporate name by Stephen Bost, its City Manager, duly authorized this 18th day of May AD 2020

WITNESS:

CITY OF BREWER

Stephen Bost
City Manager
Duly authorized

STATE OF MAINE

PENOBSCOT, ss

DATE, May 18, 2020

Personally appeared the above named Stephen Bost, City Manager, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the said City of Brewer.

Before me,

Samantha L. Miller, Notary Public
My Commission expires December 13, 2023

2020-A029

May 12, 2020

TITLE: ORDER, AUTHORIZE CONTRACT WITH JOHN TURNER
CONSULTING FOR ROBINHOOD DRIVE WATER LINE
REPLACEMENT INSPECTION SERVICES

Filed May 1, 2020
By Joseph L. Ferris

WHEREAS, the Brewer Water department has recommended to the City Council a contractor to complete the replacement of the water line on Robinhood Drive; and

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WHEREAS, the project and the work of this contractor will need to be inspected; and

WHEREAS, the Water Department has solicited bids for full time inspection services for this job;
and

WHEREAS, the Water Department has sufficient funds available in its reserve accounts to complete this work.

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager, or his designee, to enter into a contract with John Turner Consulting for inspection services for the replacement of the water line located on Robinhood Drive.

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of up to \$20,000 on this work (\$17,500 estimated cost plus \$2,500 contingency) to be funded from the Water Department's General Capital reserves (0700000-110805).

FURTHER ORDERED, that the costs of this inspection work be charged to account 0571001-571011 (Robinhood Drive Line Replacement).

Statement of Fact

This order authorizes the water department to enter into a contract for inspection services to replace the 8-inch water main on Robinhood drive not to exceed \$20,000. Full time inspection will allow us to have a 3rd party making sure our best interests are met at all times. Water department staff will stop by frequently but is unable to stay on the job site full time.

2020-A030

May 12, 2020

TITLE: ORDER, ACCEPT INSURANCE REFUND FROM MAINE MUNICIPAL ASSOCIATION

Filed May 4, 2020
By Michele Daniels

WHEREAS, based on the results of its calendar year 2019 workers compensation payroll audit, the Maine Municipal Association has issued the City a refund of \$4,088 reflecting the fact that actual workers compensation premium cost was lower than estimates; and

WHEREAS, historically, the City has used insurance dividends to reduce the cost of current year premiums.

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby accepts the \$4,088 refund for 2019 and directs the proceeds be applied to account 0117000-500800 (Workers Compensation) to reduce current year premium expense.

City Council Minutes
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Statement of fact:

This order accepts \$4,088 in workers compensation insurance refund for 2019 and appropriates it to reduce current year insurance expense.

2020-A031

May 12, 2020

TITLE: ORDER, AUTHORIZE AMENDMENT TO BREWER'S HEALTH REIMBURSEMENT ARRANGEMENT PLAN

Filed May 4, 2020
By Soubanh Phanthay

WHEREAS, it is necessary to amend the City's Health Reimbursement Arrangement (HRA) plan document to reflect changes in eligible uses of the funds resulting from the enactment of the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act") on March 27, 2020; and

WHEREAS, beginning January 1, 2020, participants with an HRA may be reimbursed from the HRA for expenses incurred for over the counter drugs without a prescription and certain other products.

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith authorizes the City Manager or his designee to execute the necessary amendments to the City's Health Reimbursement Arrangement plan document to conform with federal law.

Statement of Fact

This order authorizes the City to amend its Health Reimbursement Arrangement plan document to reflect changes resulting from the Coronavirus Aid, Relief, and Economic Security Act passed in March by the federal government.

2020-A032

May 12, 2020

TITLE: ORDER, ACCEPT ASSET FORFEITURE FUNDS FROM JUSTICE DEPARTMENT

Filed May 5, 2020
By Joseph L. Ferris

WHEREAS, the Brewer Police Department has conducted an investigation where a sum of money was seized and forfeited by a defendant involved in the investigation; and

WHEREAS, this sum of money was offered to the City of Brewer in recognition of the Brewer Police Department's valuable assistance in the successful completion of the investigation; and

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WHEREAS, under Maine Law, 15 M.R.S.A., §5824-(3) the City Council must take a public vote before any forfeited assets or money can be transferred to the City.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, does herewith approve the transfer of the following sum of money and assets forfeited as a result of the recent criminal investigation cited:

<u>CASE NUMBER</u>	<u>AMOUNT</u>
19-DEA-649547	\$4,899.18

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and deposit of these funds into Federal Justice Asset Forfeiture Revenue Account 0200103-320000 and expenditure of these funds from the appropriate Federal Justice Asset Account within this Org (0200103).

Statement of Fact

The City of Brewer Fire and Police Departments received a portion of forfeited funds totaling \$4,899.18 from the US Department of Justice for valuable assistance in the completion of an investigation.

2020-A033

May 12, 2020

TITLE: ORDER, AUTHORIZE TEMPORARY SUSPENSION OF BREWER’S PAY AS YOU THROW TRASH TAG PROGRAM

Filed May 5, 2020
By Soubanh Phanthay

WHEREAS, on March 12, 2020, the State of Maine took its first steps to restrict movement and activities in response to the spread of COVID-19, followed by progressively more restrictive actions that culminated in the issuance, on March 31, 2020, of the Stay Healthy at Home directive; and

WHEREAS, stay at home orders in Maine, across the county, and the globe have resulted in extreme economic disruption and record rates of unemployment; and

WHEREAS, the City Council wants to assist Brewer residents during this challenging time, especially those experiencing financial hardship.

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby authorizes the temporary suspension of the City’s Pay As You Throw trash tag program for 90 days, effective March 30, 2020 through June 28, 2020.

Statement of fact

In recognition of the financial hardship facing many Brewer residents due to the coronavirus pandemic, this order authorizes a temporary, 90-day suspension of the City’s trash tag program from March 30, 2020 through June 28, 2020.

City Council Minutes
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2020-A034

May 12, 2020

TITLE: ORDER, AUTHORIZE THE WAIVER OF INTEREST CHARGES ON
MARCH 2020 SEWER BILL PAYMENTS RECEIVED AFTER
THE DUE DATE

Filed May 5, 2020
By Joseph L. Ferris

WHEREAS, on March 12, 2020, the State of Maine took its first steps to restrict movement and activities in response to the spread of COVID-19, followed by progressively more restrictive actions that culminated in the issuance, on March 31, 2020, of the Stay Healthy at Home directive; and

WHEREAS, stay at home orders in Maine, across the county, and the globe have resulted in extreme economic disruption and record rates of unemployment; and

WHEREAS, the City Council wants to assist Brewer residents, property owners, and businesses during this challenging time, especially those experiencing financial hardship.

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby authorizes the waiver of interest charges on March 2020 sewer bills paid after the March 31, 2020 due date.

Statement of fact

In recognition of the financial hardship facing many Brewer residents, property owners, and businesses due to the coronavirus pandemic, this order waives interest charges on March 2020 sewer bills. Note: The City does not assess interest on late water payments.

2020-A035

May 12, 2020

TITLE: ORDER, TAX RELEASE DEED, MAP 30, LOT 30, 199 NO. MAIN ST.

Filed April 30, 2020
By Thomas Morelli

ORDERED, that a municipal Release Deed be issued to **BAXTER SCOTT W., BAXTER ERIC J** of Brewer, County of Penobscot, releasing to them all interest that the City of Brewer may have acquired by virtue of tax liens on their property; and

BE IT FURTHER ORDERED, that the City Manager be herewith authorized to execute this Release Deed on behalf of the City of Brewer in a form approved by the City Solicitor and to take any necessary or appropriate actions to implement this Order.

City Council Minutes

May 12, 2020

Statement of Facts

This order authorizes the release of the interest in 199 North Main St that the City acquired by virtue of foreclosed tax liens, which have now been paid in full. A total of \$8,964.23 was collected, \$8,048.41 in taxes along with \$499.81 in interest and \$118.40 in costs and \$297.61 in utility billing.

RELEASE DEED

BAXTER SCOTT W. and BAXTER ERIC J
199 NORTH MAIN STREET

City of Brewer, a body politic located in the County of Penobscot, State of Maine, for consideration paid, **releases to BAXTER SCOTT W., BAXTER ERIC J., against whom taxes were assessed**, of Brewer, County of PENOBSBOT, State of Maine, the land in Brewer, County of Penobscot, State of Maine as follows:

Map 30, Lot 30 of the Assessor’s Tax Maps of the
City of Brewer, Maine.

Excepting and reserving all public easements or other public interests in the
above-described parcel for roads, sewers, or other purposes

The purpose of this deed is to release any interest the
City of Brewer has in and to the above described
Property by virtue of the following Mortgages:

Volume	Page
14857	350
15192	289

City of Brewer has caused this deed to be sealed with its corporate seal and signed in its corporate name by Stephen Bost, its City Manager, duly authorized this 18th day of May AD 2020

WITNESS:

CITY OF BREWER

Stephen Bost
City Manager
Duly authorized

STATE OF MAINE

PENOBSBOT, ss

DATE, May 18, 2020

Personally appeared the above named Stephen Bost, City Manager, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the said City of Brewer.

Before me,

City Council Minutes
May 12, 2020

Samantha L. Miller, Notary Public
My Commission expires December 13, 2023

2020-A036

May 12, 2020

TITLE: ORDER, AWARD CONTRACT FOR STREET LINE PAINTING
CONTRACT

Filed May 6, 2020
By Michele Daniels

WHEREAS, the City of Brewer in conjunction with the City of Bangor has advertised and received formal bids for pavement striping in both Cities; and

WHEREAS, the winning bidder of the three bids received is HiWay Safety Systems, Inc. of Rockland, MA.

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith accepts the bid from HiWay Safety Systems Inc. for the 2020 season; and

BE IT FURTHER ORDERED, that the City Manager, or his Designee, is authorize to approve and sign a purchase order to HiWay Safety Systems, Inc., up to an amount of \$28,226.88 for line striping services during the 2020 season; and

BE IT FURTHER ORDERED, that funds for this contract shall be annually charged to account 0116611-501044 titled "Contracted Services".

Statement of Fact

The advertised bid was for a three-year contract however, due to the substantial increase I felt it is in the City's best interest to accept this year's pricing, so striping can be done in a timely manner, with the intent of opting out of the remainder of the contract and rebidding the contract on our own next season. Should the City decide it is in their best interest to accept the 2021 & 2022 pricing we would still have the option to do so instead of rebidding.

2020-A037

May 12, 2020

TITLE: ORDER, AWARD CONSTRUCTION CONTRACT FOR AERATION
BASIN AND BUILDING IMPROVEMENT PROJECT TO
PENTA CORPORATION

Filed May 5, 2020
By Soubanh Phanthay

EMERGENCY PREAMBLE

City Council Minutes
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WHEREAS, orders passed by Brewer City Council do not become effective until five days after approval unless such orders contain emergency preambles, and

WHEREAS, it is imperative that this order become effective immediately upon its passage to allow the contract to commence without delay, and

WHEREAS, these facts create an emergency within the meaning of the Chapter, Code and Ordinances of the City of Brewer, and require that the following order become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer, and

WHEREAS, request for bids were solicited from contractors for completion of the Aeration Basin and Building Improvement Project, and

WHEREAS, bids were submitted, opened on January 17, 2020 and reviewed by the City's Environmental Department Director and the City's project engineer Mr. William Olver P.E., President of Olver Associates, and

WHEREAS, the Director of Environmental Services and project engineer William Olver P.E. recommends the contract for the Aeration Basin and Building Improvement Project be awarded to Penta Corporation of Moultonborough, N.H. based on the lowest acceptable bid of \$2,603,200, and

WHEREAS, the project will be funded with money available through a Rural Development loan approved by Council in November 2017.

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager to issue a purchase order and sign a contract with Penta Corporation for \$2,603,200 for the Aeration Basin and Building Improvement Project, and

BE IT FURTHER ORDERED, that the cost for this work be charged to the following account numbers:

0680803-560030- \$1,946,000 (Aeration to Fine Bubble)
0680802-560030- \$407,700 (Concrete Rehab)
0680808-560000- \$249,500 (Building Improvements)

Statement of Facts

Work under this project includes the following: 1. upgrade of the facility aeration system from mechanical aeration to a more energy efficient fine air bubble application 2. miscellaneous energy saving building modifications including replacement of glass walls, and 3. significant concrete repairs which includes replacement of the plants entrance to the administration area.

Bids Accepted: Penta Corporation \$2,603,200 and T. Buck Construction- \$3,517,000

City Council Minutes
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TITLE: ORDER, AWARD CONSTRUCTION CONTRACT FOR WASTEWATER
PROCESS PUMPS REPLACEMENT PROJECT TO T. BUCK

Filed May 5, 2020
By Thomas Morelli

EMERGENCY PREAMBLE

WHEREAS, orders passed by Brewer City Council do not become effective until five days after approval unless such orders contain emergency preambles, and

WHEREAS, it is imperative that this order become effective immediately upon its passage to allow the contract to commence without delay, and

WHEREAS, these facts create an emergency within the meaning of the Chapter, Code and Ordinances of the City of Brewer, and require that the following order become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer, and

WHEREAS, request for bids were solicited from contractors for completion of the Wastewater Process Pumps Replacement Project, and

WHEREAS, bids were submitted, opened on March 12, 2020 and reviewed by the City's Environmental Department Director and the City's project engineer Mr. William Olver P.E., President of Olver Associates, and

WHEREAS, the Director of Environmental Services and project engineer William Olver P.E. recommends the contract for the Wastewater Process Pumps Replacement Project be awarded to T. Buck Construction of Turner, Maine based on the lowest acceptable bid of \$1,020,000, and

WHEREAS, the project will be funded with money available through a Rural Development 2015 loan/grant and by an additional approximately \$500,000 of bond financing to be obtained in FY2021.

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager to issue a purchase order and sign a contract with T. Buck Construction for \$1,020,000 for the Wastewater Process Pumps Replacement Project, and

BE IT FURTHER ORDERED, that the cost for this work be charged to the following account numbers:

0680715-560030-Secondary pumps replacement- \$510,000
0680716-560030-Whitewater pumps replacement- \$510,000

FURTHER ORDERED, that the City Council hereby authorizes the City Manager, or his designee, to undertake steps to obtain approximately \$500,000 in bond financing to supplement the USDA Rural Development loan/grant funding available for this work.

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Statement of Facts

The company that provided the secondary and whitewater pumps are no longer in business and we are unable to purchase parts for the pumps so it became necessary to replace the pumps. The secondary pump are 25 years old and the whitewater pumps are 45 years old.

Bids Accepted: Penta Corporation \$1,102,000 and T. Buck Construction \$1,020,000

2020-B012

May 12, 2020

TITLE: RESOLVE, ELECT TO PARTICIPATE IN THE MAINE MUNICIPAL ASSOCIATION WORKERS' COMPENSATION SAFETY INCENTIVE PROGRAM

Filed May 4, 2020
By Thomas Morelli

WHEREAS, the City of Brewer is a member of the Maine Municipal Association Workers' Compensation (WC) Fund; and

WHEREAS, the Maine Municipal Association (MMA) provides risk management services and workers' compensation insurance coverage; and

WHEREAS, MMA has developed the Workers' Compensation Safety Incentive Program to help reduce the incidence and impact of workplace injuries by implementing workers' compensation claim best practices; and

WHEREAS, MMA will provide necessary written program information and offer assistance to participants; and

WHEREAS, WC Fund members that participate in the Program and complete the required activities will have the opportunity to earn a credit to their annual WC insurance premium; and

WHEREAS, the City of Brewer is committed to providing a safe environment for its employees, citizens, and visiting public; and

WHEREAS, the Program will help enhance such an environment and promote a self-sustaining culture of safety with participating members.

NOW THEREFORE BE IT RESOLVED, that the Brewer City Council hereby elects to participate in the MMA Workers' Compensation Safety Incentive Program.

Statement of Fact

This resolve confirms Brewer's participation in a Maine Municipal Association sponsored safety incentive program that will lower our workers' compensation insurance premium by up to 10%.

City Council Minutes
May 12, 2020

2020-B013

May 12, 2020

TITLE: RESOLVE, AMEND THE SCHEDULE OF CITY COUNCIL REGULAR MEETINGS TO INCLUDE A SPECIAL MEETING

Filed May 5, 2020
By Soubanh Phanthay

WHEREAS, the City Council at its annual meeting held on November 19, 2019, adopted Resolve 2019-B035 establishing dates of its regular monthly meetings for 2020; and

WHEREAS, Tuesday, May 12, 2020 was established as the date for the May 2020 regular meeting; and

WHEREAS, a joint City/School public informational meeting on the budget is to be held in May and draft FY2021 budget information will not be available for public inspection until after the May 12, 2020 Council meeting.

NOW THEREFORE, BE IT RESOLVED, that the Brewer City Council will hold a special meeting on Tuesday, May 26, 2020 at 6:00 p.m.

ACTION: Councilor Morelli moved that the orders on the consent calendar have passage and the resolves be adopted. The motion was seconded and passed unanimously.

C. Monthly Reports

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

D. Nominations, Appointments, Elections

2020-A039

May 12, 2020

TITLE: ORDER, REAPPOINT INSPECTOR OF BUILDINGS

Filed March 24, 2020
By Joseph L. Ferris

WHEREAS, Title 25 M.R.S.A. §2351-A provides that the municipal officers shall annually, by the month of April, appoint an Inspector of Buildings; and

WHEREAS, Stewart Brooks is the Brewer Code Enforcement Officer for the City of Brewer; and

City Council Minutes

May 12, 2020

WHEREAS, it is the sense of the Brewer City Council that the Code Enforcement Officer performs as part of his duty's inspection of buildings.

NOW, THEREFORE, BE IT ORDERED that Stewart Brooks is herewith reappointed to the position of Inspector of Buildings for the City of Brewer for a term commencing April 1, 2020 and expiring March 31, 2021.

Statement of Fact

This is a yearly order for appointment or reappointment of person to position of inspector of buildings with approval by Council.

2020-A040

May 12, 2020

TITLE: ORDER, REAPPOINT INSPECTOR OF PLUMBING

Filed March 24, 2020
By Thomas Morelli

ORDERED, that Stewart Brooks is herewith reappointed Inspector of Plumbing for the City of Brewer for a term of one year commencing on April 1, 2020 and expiring on March 31, 2021.

FURTHER ORDERED, that the City Clerk notify the Maine Department of Human Services of this appointment.

Statement of Fact

This is a yearly order for appointment or reappointment of person to position of inspector of plumbing with approval by Council.

2020-A041

May 12, 2020

TITLE: ORDER; APPOINT AND REAPPOINT MEMBERS TO THE BOARD OF APPEALS OF THE CITY OF BREWER

Filed March 24, 2020
By Michele Daniels

ORDERED, that David Hanna, 22 Nottingham Way, is herewith reappointed to the Board of Appeals of the City of Brewer for a three-year term; and

BE IT FURTHER ORDERED, that Jennifer Boothroyd, 11 Bennett Road and Betsy Migliore, 7 Highland Street, be appointed to the Board of Appeals of the City of Brewer for three-year terms; and

FURTHER ORDERED, that Christopher Reed, 19 Central Avenue, be appointed to the Board of Appeals of the City of Brewer for a one-year term to fill a vacancy on that board.

City Council Minutes
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FURTHER ORDERED, that Mr. Hanna's term will commence April 1, 2020 and expire March 31, 2023. Ms. Boothroyd and Ms. Migliore's terms will commence April 1, 2020 and expire March 31, 2023 and Mr. Reed's term will commence April 1, 2020 and expire March 31, 2021.

Statement of Fact

This is a yearly order for appointment or reappointment of persons to the city boards and commissions with approval by Council.

2020-A042

May 12, 2020

TITLE: ORDER; APPOINT AND REAPPOINT MEMBERS TO THE BREWER BOARD OF ASSESSMENT REVIEW

Filed March 24, 2020
By Soubanh Phanthay

ORDERED, that Manley DeBeck, 25 Goupee Street is herewith reappointed to the Brewer Board of Assessment Review for a three-year term; and

BE IT FURTHER ORDERED, that Erica Veazey, 9 Little Roundtop Drive, is herewith appointed to the Brewer Board of Assessment Review for a three-year term; and

FURTHER ORDERED, that Mr. DeBeck and Ms. Veazey's terms will commence April 1, 2020 and expire March 31, 2023.

Statement of Fact

This is a yearly order for appointment or reappointment of persons to the city boards and commissions with approval by Council.

2020-A043

May 12, 2020

TITLE: ORDER, APPOINT AND REAPPOINT MEMBERS TO THE CEMETERY BOARD OF THE CITY OF BREWER

Filed March 24, 2020
By Joseph L. Ferris

ORDERED, that Robert Russell, 20 Harlow Street, and Dan O'Connell, 98 Oak Grove Drive are herewith reappointed to the Brewer Cemetery Board for a three-year term; and

BE IT FURTHER ORDERED, that Jennifer Jacobs, 22 School Street, is herewith appointed to the Brewer Cemetery Board for a one-year term to fill a vacancy on that board; and

City Council Minutes
May 12, 2020

FURTHER ORDERED, that Mr. Russell's and Mr. O'Connell's terms will commence April 1, 2020 and expire March 31, 2023; and

FURTHER ORDERED, that Ms. Jacobs term will commence April 1, 2020 and expire March 31, 2021.

Statement of Fact

This is a yearly order for appointment or reappointment of persons to the city boards and commissions with approval by Council.

2020-A044

May 12, 2020

TITLE: ORDER, APPOINT AND REAPPOINT MEMBERS TO THE
CONSERVATION COMMISSION OF THE CITY OF BREWER

Filed March 24, 2020
By Thomas Morelli

ORDERED, that Constance Holden, 108 Chamberlain Street, and Bernard Thompson, 16 Beacon Street are herewith reappointed to the Brewer Conservation Commission for a three-year term; and

BE IT FURTHER ORDERED, that Bruce Fernald, 29 School Street, is herewith appointed to the Brewer Conservation Commission for a three-year term and Sarah Taylor, 63 Century Street, is herewith appointed to the Brewer Conservation Commission for a two-year term to fill a vacancy on that board; and

FURTHER ORDERED, that Ms. Holden's, Mr. Thompson's and Mr. Fernald's terms will commence April 1, 2020 and expire March 31, 2023; and

FURTHER ORDERED, that Ms. Taylor's term will commence April 1, 2020 and expire March 31, 2022.

Statement of Fact

This is a yearly order for appointment or reappointment of persons to the city boards and commissions with approval by Council.

2020-A045

May 12, 2020

TITLE: ORDER; REAPPOINT MEMBERS TO THE BOARD OF
COMMISSIONERS OF THE HOUSING AUTHORITY OF THE
CITY OF BREWER

Filed March 24, 2020
By Michele Daniels

City Council Minutes
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ORDERED, that Michael Whalen, 271 Chamberlain Street is herewith reappointed to the Board of Commissioners of the Housing Authority of the City of Brewer for five-year term; and

ORDERED that Mr. Whalen's term will commence April 1, 2020 and expire on March 31, 2025.

Statement of Fact

This is a yearly order for appointment or reappointment of persons to the city boards and commissions with approval by Council.

2020-A046

May 12, 2020

TITLE: ORDER; REAPPOINT MEMBERS TO THE LIBRARY BOARD OF TRUSTEES OF THE CITY OF BREWER

Filed March 24, 2020
By Soubanh Phanthay

ORDERED, that Edmund Beaulieu, 32 School Street and H. Ann Gallant, 53 Madison Street are herewith reappointed to the Library Board of Trustees of the City of Brewer for three-year terms; and

BE IT FURTHER ORDERED, that Gail Fernald, 29 School Street, is herewith appointed to the Library Board of Trustees of the City of Brewer for a one-year term to fill a vacancy on that board; and

FURTHER ORDERED, that Mr. Beaulieu and Mrs. H. Ann Gallant's terms will commence April 1, 2020 and expire March 31, 2023; and Ms. Fernald's term will commence April 1, 2020 and expire March 31, 2021.

Statement of Fact

This is a yearly order for appointment or reappointment of persons to the city boards and commissions with approval by Council.

2020-A047

May 12, 2020

TITLE: ORDER; REAPPOINT MEMBERS TO THE PARKS AND RECREATIONAL ADVISORY COMMISSION OF THE CITY OF BREWER

Filed March 24, 2020
By Joseph L. Ferris

City Council Minutes

May 12, 2020

ORDERED, that Carolyn Wallace-Zani, 339 No. Main Street and Tracy Willette, 96 Grove Street are herewith reappointed to the Parks and Recreational Advisory Commission of the City of Brewer for three-year terms; and

BE IT FURTHER ORDERED, that Ms. Wallace-Zani's and Mr. Willette's terms will commence April 1, 2020 and expire March 31, 2023.

Statement of Fact

This is a yearly order for appointment or reappointment of persons to the city boards and commissions with approval by Council.

2020-A048

May 12, 2020

TITLE: ORDER; REAPPOINT MEMBERS TO THE BREWER PLANNING BOARD

Filed March 24, 2020
By Thomas Morelli

ORDERED, that Larry Adams, 17 Woodridge Road, Jane Hinckley, 5 Woodridge Road and Albert Gibson, 587 Eastern Avenue, are herewith reappointed to the Brewer Planning Board of the City of Brewer for three-year terms; and

BE IT FURTHER ORDERED, that Mr. Adams' and Mrs. Hinckley's & Mr. Gibson's terms will commence April 1, 2020 and expire March 31, 2023.

Statement of Fact

This is a yearly order for appointment or reappointment of persons to the city boards and commissions with approval by Council.

2020-A049

May 12, 2020

TITLE: ORDER, APPOINTMENT OF REPUBLICAN ELECTION CLERKS

Filed March 24, 2020
By Michele Daniels

ORDERED, that the following Brewer registered voters, having been duly nominated by the Republican City Committee, are herewith appointed as City Election Clerks for a term of two years commencing May 1, 2020 and expiring April 30, 2022.

Cordula	Campbell	261 Wiswell Road
Velva	Coppedge	146 Parker Street
David	Clark	205 Washington Street
Linda	Deveau-McNally	12 Short Street

City Council Minutes

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Kathy	Dowling	19 Chambers Street
Melanie	Egland	35 Oak Grove Drive
Priscilla	Gray	156 Wilson Street
Jane	Hinckley	5 Woodridge Road
Carolyn	Lainsbury	58 Colonial Circle Apt. 320
Christine	Lamson	105 Washington Street
Betsy	Migliore	7 Highland Street
Jennifer	Phanthay	13 Elm Street
William	Rogers	26 Craig Drive
Pamela	Spaulding	41 Madison Avenue
Susan	Xirinachs	116 Parkway North
Edward	Youngblood	735 North Main Street

Statement of Facts

Election clerks are appointed every two years to work the State and Municipal elections.

2020-A050

May 12, 2020

TITLE: ORDER, APPOINTMENT OF DEMOCRATIC ELECTION CLERKS

Filed March 20, 2020
By Soubanh Phanthay

ORDERED, that the following Brewer registered voters, having been duly nominated by the Democratic City Committee, are herewith appointed as City Election Clerks for a term of two years commencing May 1, 2020 and expiring April 30, 2022.

Margaret	Amato	25 Lorraine Avenue
Anna	Butera	1065 North Main Street
Janet	Cammack	46 Alan-a-Dale Road
Nathan	Cutting	21 Grove Street
Sandra	Cleaves	5 Somerset Street, Apt 301
Peggy	Crawford	1161 North Main Street
Kathryn	Cyr	41 Startlight Drive
Michaelle	Day	387 Eastern Avenue
Ann	Gallant	53 Madison Avenue
Frank	Gallant	53 Madison Avenue
Lisa	Gardner	484 Day Road
Coralie	Giles	341 Parkway South
Margaret	Guthrie	11 Patten Court, Apt B
Jackie	Haney	115 Silk Street
Mike	Haney	115 Silk Street
Marilyn	Lavelle	116 Eastern Avenue
Pam	Mitchell	33 Robin Hood Drive

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Cheryl	Morrow	58 Longmeadow Drive
Joy	Murchison	141 Center Street, Apt 2
Barbara	Patterson	32 Lynn Avenue
Michele	Powers	16 School Street
Paul	Powers	16 School Street
Bruce	Roberts	253 Chamberlain Street
Irene	Slabyj	43 Robin Hood Drive
Melissa	Snow	74 Grove Street
Ruth	Spellman	58 Hillcrest Drive
Barry	Twitchell	50 Alan-A-Dale

Statement of Facts

Election clerks are appointed every two years to work the State and Municipal elections.

2020-B014

May 12, 2020

TITLE: RESOLVE, CONFIRM CITY MANAGER'S APPOINTMENTS OF
CONSTABLES

Filed March 24, 2020

By Joseph L. Ferris

RESOLVED, that the City Council herewith confirms the City Manager's appointments of the following constables for the City of Brewer for terms of one year each commencing April 1, 2020 and expiring March 31, 2021:

- Cpl. Levi Sewall
- Cpl. Amy Nickerson
- Cpl. Thomas Tardiff
- Cpl. Scott Jones
- Sgt. Edward Willey
- Sgt. Nelson Feero
- Sgt. Fred Luce
- Arden Jones, Court Officer
- Stewart Brooks, Code Enforcement Officer
- Dan Joy, Animal Control Officer

Statement of Fact

This is a yearly order to confirm City Manager's appointment of constables for the City of Brewer.

ACTION: Councilor Morelli moved that the orders have passage and the resolves be adopted. The motion was seconded and passed by unanimous vote.

E. Unfinished Business

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There was none.

F. New Business

There was none.

G. New Items with Leave of Council

2020-A051

May 12, 2020

TITLE: ORDER, DECLARE THE PROPERTY SITUATED AT 33 SOUTH BREWER DRIVE, BREWER, MAINE TO BE SURPLUS AND AUTHORIZE ITS DISPOSAL

Filed: May 11, 2020
By Thomas Morelli &
Michele Daniels

WHEREAS, sewer, water, and tax liens against the property situated at 33 South Brewer Drive, Brewer, Maine, (Tax Assessor's Map 22, Lot 53) and more specifically described in the Penobscot County Registry of Deeds in Book 14692, Page 233; Book 14779, Page 126; Book 14954, Page 222; Book 14532, Page 153; and Book 14857, Page 311 (herein after referred to as the "Property") have automatically foreclosed, and

WHEREAS, the City has acquired title to the Property; and

WHEREAS, the family of the former owner declined the opportunity to regain ownership of the parcel; and

WHEREAS, City staff has concluded that the Property is not required for public purposes and has recommended to the City Council that it be declared surplus and sold or otherwise disposed of as would be in the best interest of the citizens of Brewer.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council, based on the City's staff recommendation, hereby declares the Property situated at 33 South Brewer Drive, Brewer, Maine, to be surplus property for public purposes; and authorizes the City Manager, or his designee, to sell or otherwise dispose of the Property as would be in the best interest of the citizens of the City of Brewer; and

FURTHER BE IT ORDERED, that the City Manager, or his designee, is authorized to take any and all further action he, or his designee, deem necessary and to sign any and all documents that he, or his designee, also deem appropriate to effectuate the sale or transfer of said Property.

Statement of Fact

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The City obtained ownership of this property formerly owned by Phillip Moody through the automatic foreclosure of 2017 and 2018 tax liens, two 2018 sewer liens and a 2017 water lien. This order declares the property, located at 33 South Brewer Drive, surplus and authorizes the City Manager to sell it.

ACTION: Chairman Goss made a motion to accept the order on the agenda. The Clerk called the role for a vote. The vote was unanimous to take up the item with leave of Council. Councilor Ferris made a motion that the order be accepted, the motion was seconded. The order passed unanimously.

H. ADJOURN

ACTION: Chairman Goss said he would accept a motion for adjournment. Councilor Ferris moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting was adjourned at 6:34 p.m.

ADJOURNED, ATTEST: _____ Ronda J. Hogan
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine