

City Council Minutes  
December 13, 2016

Regular Meeting  
City Hall Council Chambers

Monday, November 14, 2016  
6:00 p.m.

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

Councilor Ferris	-	present	Councilor Goss	-	present
Councilor Vachon	-	present	Chairman O’Connell	-	present
Councilor Uhlenhake	-	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, Jerry Goss, Kevin O’Connell, Matthew Vachon and Beverly Uhlenhake  
MEMBERS OF THE BREWER CITY COUNCIL You are hereby notified a regular meeting of the City Council will be held on Tuesday, December 13, 2016 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

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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	L. Sewall	Cpl.	12/09/16	1437
Matthew Vachon	R. Hogan	DCC	12/09/16	4:10 pm
Beverly Uhlenhake	L. Sewall	Cpl.	12/09/16	1449
Jerry Goss	N. Feero	Sgt.	12/09/16	1630
Kevin O’Connell	L. Sewall	Cpl.	12/09/16	1443

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**CITY COUNCIL REGULAR MEETING**

**Tuesday, December 13, 2016 6:00 P.M.**  
**Brewer City Hall Council Chambers**

- I. Call to Order.** (Mayor O'Connell)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.** (Mayor O'Connell)
- A. Minutes of October 11, 2016 Regular Meeting, November 14, 2016 Regular Meeting and November 15, 2016 City of Brewer Annual Meeting.** (Councilor Goss)
  
- B. Awards, Petitions and Public Comments.**
  - 1. (2016-B043) RESOLVE, Recognize Lilyan Cohen for Her Accomplishments in Sports at Brewer High School. (Councilor Goss)
  - 2. (2016-B044) RESOLVE, Recognize Austin Lufkin for His Accomplishments in Sports at Brewer High School. (Councilor Ferris)
  - 3. Swearing in of Brewer Police Department Members who have Received a Promotion. (Mayor O'Connell)
  - 4. Public Comments.
- C. Consent Calendar.**
  - 1. (2016-A185) ORDER, Commit Water Assessment to Treasurer for Collection. (Councilor Vachon)
  - 2. (2016-A186) ORDER, Commit Sewer Assessment to Treasurer for Collection. (Councilor Goss)
  - 3. (2016-A187) ORDER, Designate City Manager to Act as Agent of the City Council for Approval of Utility Location Permits. (Councilor Uhlenhake)
  - 4. (2016-A188) ORDER, Authorize City Manager, or His Designee, to Sign Release Deeds on Behalf of the City of Brewer. (Councilor Ferris)
  - 5. (2016-A189) ORDER, Authorize City Clerk to Sign Applications for Renewal of Liquor Licenses on Behalf of the City Council. (Councilor Vachon)
  - 6. (2016-A190) ORDER, Authorize City Clerk, or in the Absence of the City Clerk, a Deputy City Clerk, to Sign Applications for Liquor Catering Events, Beano Licenses, Bingo Licenses and Other Games of Chance on Behalf of the City Council. (Councilor Goss)
  
  - 7. (2016-A191) ORDER, Authorize the City Manager, Stephen Bost, or His

- Designee, to Apply For, Accept and be the Designated City Official to Accept Delivery of Forfeited Property on Behalf of the City of Brewer and To Authorize the City Solicitor, Joel Dearborn, To Certify on all Applications for Forfeited Property to the Authority of the City Manager To Act on Behalf of the City of Brewer.  
(Councilor Uhlenhake)
8. (2016-A192) ORDER, Accept Donation from JR's Redemption Center for the Brewer Fire Department.  
(Councilor Ferris)
9. (2016-A193) ORDER, Accept Donation to the Brewer Public Library.  
(Councilor Vachon)
10. (2016-A194) ORDER, Issue Release Deed to Philip V. Moody for Property Located at 33 South Brewer Drive, (Tax Map 22, Lot 53). (Councilor Goss)
11. (2016-A195) ORDER, Waive Foreclosure of Certain Mobile Home Properties Located in Brewer, Maine.  
(Councilor Uhlenhake)
12. (2016-A196) ORDER, Authorize Replacement of Police Department's in Car Computers. (Councilor Ferris)
13. (2016-A197) ORDER, Accept Donation to the Brewer Public Library.  
(Councilor Vachon)
14. (2016-A198) ORDER, Accept Maine Public Library Fund Grant to the Brewer Public Library. (Councilor Goss)
15. (2016-A199) ORDER, Authorize Donation to Help Restore and Maintain the 20<sup>th</sup> Maine Monument Site at Little Round Top in Gettysburg. (Councilor Ferris)
16. (2016-A200) ORDER, Authorize Write-Off of Uncollectible Personal Property Taxes. (Councilor Vachon)
17. (2016-A201) ORDER, Authorize Amendment to Contract for Credit Card Services. (Councilor Goss)
18. (2016-A202) ORDER, Authorize Limited Extension of Contract for Ambulance Services. (Councilor Uhlenhake)
19. (2016-A203) ORDER, Authorize Replacement of Fire Department Apparatus Bay Air Handling System.  
(Councilor Ferris)
20. (2016-A204) ORDER, Appoint Cross Realty, LLC as General Contractor to Construct the Undeveloped Subdivision Street Between Lots 77 and 78 As Shown on a Plan Entitled "Final Subdivision Plan – Phase II, Riverview Heights, Brewer, Maine" Prepared by Ames Engineers and Recorded in the Penobscot County Registry of Deeds in Map File D-116-89.  
(Councilor Vachon)

- 21. (2016-A205) ORDER Accept Donations to Brewer Programs From Charles and Eleanor Fisher.  
(Mayor O'Connell)
- 22. (2016-B045) RESOLVE, Amend the Schedule of City Council Regular Meetings to Change the January, 2017 Regular Meeting Date. (Councilor Uhlenhake)

**D. Monthly Reports.** (Councilor Uhlenhake)

**E. Nominations, Appointments, Elections.**

1. **Consent Calendar.**

- a. (2016-A206) ORDER, Appoint City Manager to Approve Road Excavation Permits. (Councilor Goss)
- b. (2016-A207) ORDER, Reappoint Registrar of Voters.  
(Councilor Uhlenhake)
- c. (2016-A208) ORDER, Reappoint and Appoint Deputy Registrars of Voters. (Councilor Ferris)
- d. (2016-A209) ORDER, Reappoint Voter Registration Appeals Board Member. (Councilor Vachon)
- e. (2016-B046) RESOLVE, Confirm City Clerk's Appointment of Wardens and Ward Clerks.  
(Councilor Goss)
- f. (2016-B047) RESOLVE, Ratify Director of Environmental Services, or His Designee, Appointment of Agents at the Solid Waste Disposal Area.  
(Councilor Uhlenhake)

**F. Unfinished Business.** (none)

**G. New Business.** (no items)

**H. New Items with Leave of Council.**

**I. ADJOURN.**

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**A. Minutes of October 11, 2016 Regular Meeting, November 14, 2016 Regular Meeting and November 15, 2016 City of Brewer Annual Meeting.**

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

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**B. Awards, Petitions and Public Comments.**

2016-B043

December 13, 2016

**TITLE: RESOLVE, RECOGNIZE LILYAN COHEN FOR HER ACCOMPLISHMENTS IN SPORTS AT BREWER HIGH SCHOOL.**

**filed December 7, 2016  
by Jerry Goss**

**WHEREAS**, Brewer High School senior, Lilyan Cohen, had an outstanding season in athletics for her school and our community; and

**WHEREAS**, Lilyan recently extended her athletic accomplishments by breaking the school record set in 2012 in the 1600 meter racewalk twice over the course of the season and by a margin of 25 seconds; and

**WHEREAS**, Lilyan was PVC Large School Champion and finished third in the Class A State meet; and

**WHEREAS**, Lilyan's time at the State meet qualified her for the New Balance Outdoor Nationals at North Carolina A&T University; and

**WHEREAS**, Lilyan is the first Brewer girl to qualify for this prestigious meet. She finished in 27<sup>th</sup> place in the championship race with a time of 8:43;

**NOW, THEREFORE, BE IT RESOLVED**, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith expresses its appreciation and sincere pride in one of Brewer High School's finest students and athletes.

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

Councilor Goss read the resolve into the record and presented the plaque to Lilyan.

Councilor Goss gave Lilyan a challenge coin and said to continue to do things in the future as you have been doing them so far.

The resolve was adopted by unanimous vote.

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2016-B044

December 13, 2016

**TITLE: RESOLVE, RECOGNIZE AUSTIN LUFKIN FOR HIS ACCOMPLISHMENTS IN SPORTS AT BREWER HIGH SCHOOL.**

**filed December 7, 2016  
by Joseph Ferris**

**WHEREAS**, Brewer High School senior, Austin Lufkin, had an outstanding season in athletics Brewer track; and

**WHEREAS**, Austin had the best throwing season in the 100 year history of Brewer track. He broke a 15 year old school record in the shot put and went on to break it twice more, eventually throwing 58', 5 ¼ inches; and

**WHEREAS**, Austin won the shot put and the discus at the PVC Championship meet breaking an 18 year old league record in shot put; and

**WHEREAS**, Austin was the State champion in the discus at the Class A state meet; and

**WHEREAS**, Austin became the first New England Champion in the history of Brewer track when he won the shot put with a 3 foot personal best and he also finished fourth in the discus. At the New Balance Outdoor Nationals he won the Emerging Elite Division in the discus and finished 24<sup>th</sup> in the championship division of the shot put;

**NOW, THEREFORE, BE IT RESOLVED**, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith expresses its appreciation and sincere pride in one of Brewer High School's finest students and athletes.

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

Councilor Ferris moved that the resolve be amended by complete substitution with the following:

**2016-B044**

**December 13, 2016**

**TITLE: RESOLVE, RECOGNIZE AND COMMEND AUSTIN LUFKIN FOR HIS OUTSTANDING ACHIEVEMENTS IN BREWER HIGH SCHOOL TRACK & FIELD.**

**filed December 7, 2016  
by Joseph Ferris**

**WHEREAS**, Brewer High School senior Austin Lufkin, completed an outstanding season in Brewer Track & Field; and

**WHEREAS**, Austin had the best throwing season in the highly regarded 100 year history of Brewer Track & Field, shattering a 15 year old school record in the shot put, and going on to break that record twice more, eventually throwing a distance of 58' 5 ¼"; and

**WHEREAS**, Austin won the shot put and the discus at the PVC Championship meet, breaking an 18 year old league record in the shot put; and

**WHEREAS**, Austin was the State Champion in the discus at the Class A state meet held in Hampden; and

**WHEREAS**, Austin became the first New England Champion in the distinguished history of the Brewer High School Track & Field program, by beating his personal best in the shot put by three feet and finishing fourth in the discus at New Britain, Connecticut; and

**WHEREAS**, at the New Balance Outdoor Nationals, held at North Carolina A&T in Greensboro, Austin won the Emerging Elite Division in the discus and finished 24<sup>th</sup> in the championship division of the shot put;

**NOW, THEREFORE, BE IT RESOLVED**, that the Brewer City Council, on behalf of the Citizens of Brewer, herewith expresses its appreciation and sincere pride in one of Brewer High School's finest student athletes.

**ACTION:** The motion for complete substitution was seconded and passed by unanimous vote.

Councilor Ferris read the resolve into the record and presented the plaque to Austin.

Councilor Ferris gave Austin a challenge coin and said to continue to do things in the future as you have been doing them so far.

The resolve, as amended, was adopted by unanimous vote.

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**Swearing in of Brewer Police Department Members who have Received a Promotion.**

Deputy City Clerk James Smith swore Anthony Pinette to the rank of Captain for the Brewer Police Department, Zachary Caron to the rank of Corporal for the Brewer Police Department and Edward Willey to the rank Sergeant for the Brewer Police Department.

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**C. Consent Calendar.**

**ACTION:** Councilor Ferris removed orders 2016-A199, A200 and A204.

Councilor Vachon moved that the remaining orders on the consent calendar have passage and the resolve be adopted.

The motion was seconded and passed by unanimous vote.

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2016-A185

December 13, 2016

**TITLE: ORDER, COMMIT WATER ASSESSMENT TO TREASURER  
FOR COLLECTION.**

filed December 7, 2016  
by Matthew Vachon

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

NOW, THEREFORE WE, the Brewer City Council, does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **\$603,046.04** at the established rate, as provided by Maine Law and as such sections may be amended from time to time; and

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

EVENT	COMMITMENT	COMMENTS
December 2016	\$595,713.40	
September 2016	\$ 2,433.48	
October 2016	\$ 3,546.47	
November 2016	\$ 1,352.69	
Total	<b>\$603,046.04</b>	

FURTHER, IT IS ORDERED, that a detailed commitment of the **\$603,046.04** is on file in the City Clerk's office and incorporated into this order; and

FURTHER, IT IS ORDERED, that a majority of the City Council shall sign the detailed commitment on file in the City Clerk's office; and

FURTHER, IT IS ORDERED, that the City Clerk shall deliver the signed commitment to the City Treasurer, as agent for the City Council.

**STATEMENT OF FACT**

This is a quarterly housekeeping order that is approved and the commitment signed by Council.

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**2016-A186**

**December 13, 2016**

TITLE: ORDER, COMMIT SEWER ASSESSMENT TO TREASURER  
FOR COLLECTION.

filed December 7, 2016  
by Jerry Goss

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

NOW, THEREFORE WE, the Brewer City Council, does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **\$532,028.97** at the established rate, as provided by Title 30A M.R.S.A. § 3406 and Title 38 M.R.S.A. § 1208 and as such sections may be amended from time to time; and

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

EVENT	COMMITMENT	COMMENTS
December 2016	\$527,262.03	
September 2016	\$282.49	
October 2016	\$1,711.90	
November 2016	\$2,772.55	
<b>Total</b>	<b>\$532,028.97</b>	

FURTHER, IT IS ORDERED, that a detailed commitment of the **\$532,028.97** is on file in the City Clerk's office and incorporated into this order; and

FURTHER, IT IS ORDERED, that a majority of the City Council shall sign the detailed commitment on file in the City Clerk's office; and

FURTHER, IT IS ORDERED, that the City Clerk shall deliver the signed commitment to the City Treasurer, as agent for the City Council.

**STATEMENT OF FACT**

This is a quarterly housekeeping order that is approved and the commitment signed by Council.

2016-A187

December 13, 2016

TITLE: ORDER, DESIGNATE CITY MANAGER TO ACT AS AGENT OF THE CITY COUNCIL FOR APPROVAL OF UTILITY LOCATION PERMITS.

filed December 7, 2016  
by Beverly Uhlenhake

ORDERED, that Stephen Bost, Brewer City Manager, is herewith authorized to accept applications for utility location permits on behalf of the City Licensing Authority, to wit, the City Council, for calendar year 2017; and

FURTHER ORDERED, that Stephen Bost, in his capacity as Brewer City Manager, is authorized to approve such applications on behalf of the Brewer City Council during calendar year 2017.

**STATEMENT OF FACT**

Chapter 20 of the City of Brewer Code of Ordinances entitled “Licenses and Permits”, under Section 307 provides that the City Council may designate the City Manager to accept and approve applications for utility location permits on their behalf.

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2016-A188

December 13, 2016

TITLE: ORDER, AUTHORIZE CITY MANAGER, OR HIS DESIGNEE, TO SIGN RELEASE DEEDS ON BEHALF OF THE CITY OF BREWER.

filed December 7, 2016  
by Joseph Ferris

ORDERED, that the City Manager, or his designee, is herewith authorized to sign Release/Municipal Quitclaim Deeds on behalf of the City of Brewer releasing any interest the City might have in and to real estate covered by a Tax Collector’s Lien Certificate which has been paid within the statutory period of redemption, but not discharged by the City Treasurer within the same time period.

**STATEMENT OF FACT**

This is an annual housekeeping order.

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2016-A189

December 13, 2015

TITLE: ORDER, AUTHORIZE CITY CLERK TO SIGN APPLICATIONS FOR RENEWAL OF LIQUOR LICENSES ON BEHALF OF THE CITY COUNCIL.

filed December 7, 2016  
by Matthew Vachon

ORDERED, that the City Clerk is herewith authorized to sign, on behalf of and as agent of the City licensing authority, to wit, the City Council, all applications for renewal of State of Maine Liquor licenses during calendar year 2017. This authorization is subject to the limitation on her authority as set forth in Chapter 20 of the Charter, Codes and Ordinances of the City of Brewer.

#### STATEMENT OF FACT

This authority is not applicable to new liquor license applications or changes in types of liquor licenses nor does it apply to special amusement permits for dancing and live entertainment. The City Council shall continue to hold public hearings on new and changed liquor license applications and on applications for new, changed and renewal of special amusement permits for dancing and live entertainment.

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2016-A190

December 13, 2016

TITLE: ORDER, AUTHORIZE CITY CLERK, OR IN THE ABSENCE OF THE CITY CLERK, A DEPUTY CITY CLERK, TO SIGN APPLICATIONS FOR LIQUOR CATERING EVENTS, BEANO LICENSES, BINGO LICENSES AND OTHER GAMES OF CHANCE ON BEHALF OF THE CITY COUNCIL.

filed December 7, 2016  
by Jerry Goss

ORDERED, that the City Clerk, or in the absence of the City Clerk, a Deputy City Clerk, is herewith authorized to sign, on behalf of and as agent of the City Licensing Authority, to wit, the City Council, all applications to operate beano, bingo or other games of chance during the year 2017. This authorization is subject to the limitation on the City Clerk's authority as set forth in Chapter 20 of the Charter, Codes and Ordinances of the City of Brewer; and

FURTHER ORDERED, that the City Clerk, or in the absence of the City Clerk, a Deputy City Clerk, is herewith authorized to sign, on behalf of and as agent of the City Licensing Authority, to wit, the City Council, all applications for catered events at which alcohol is to be served by persons, corporations or other legal entities licensed by the State of Maine to do liquor catering during the year 2017. The City Clerk, or in the absence of the City Clerk, a Deputy City Clerk, is also authorized to sign, on behalf of and as agent of the City Licensing Authority, to wit, the City Council, all applications to the State of Maine for approval for events at the Brewer Auditorium at which BYOB is permitted during the year 2017. This authorization is subject to the limitation on the City Clerk's authority as set forth in Chapter 20 of the Charter, Codes and Ordinances of the City of Brewer.

**STATEMENT OF FACT**

This is an annual housekeeping order.

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2016-A191

December 13, 2016

TITLE:       ORDER,       AUTHORIZE THE CITY MANAGER, STEPHEN BOST, OR HIS DESIGNEE, TO APPLY FOR, ACCEPT AND BE THE DESIGNATED CITY OFFICIAL TO ACCEPT DELIVERY OF FORFEITED PROPERTY ON BEHALF OF THE CITY OF BREWER AND TO AUTHORIZE THE CITY SOLICITOR, JOEL DEARBORN, TO CERTIFY ON ALL APPLICATIONS FOR FORFEITED PROPERTY TO THE AUTHORITY OF THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF BREWER.

filed December 7, 2016  
by Beverly Uhlenhake

WHEREAS, from time to time, the City of Brewer becomes eligible to receive forfeited property as the result of its Police Department personnel being involved in resolving criminal cases; and

WHEREAS, in order to receive forfeited property an application must be prepared and submitted on behalf of the City; and

WHEREAS, the City needs to designate a person who may accept forfeited property on its behalf; and

WHEREAS, the City also needs to designate the person to receive the delivery of the transfer of forfeited documents and/money on behalf of the City; and

WHEREAS, the City Solicitor has to certify in the application for transfer of forfeited property to the authority of the person signing the application;

NOW THEREFORE, IT IS HEREBY ORDERED, by the Brewer City Council as follows:

1. The City Manager, Stephen Bost, or his designee, is authorized to sign any and all applications for the transfer of forfeited property on behalf of the City of Brewer.
2. The City Manager, Stephen Bost, or his designee, is authorized to accept forfeited property on behalf of the City.
3. The City Manager, Stephen Bost, or his designee, is hereby designated as City official to receive the delivery of any and all forfeited documents and/or money on behalf of the City.
4. The City Solicitor, Joel Dearborn, is authorized to certify to the authority of the City Manager, or his designee, to act on behalf of the City, as provided in this Order on any and all applications for the transfer of forfeited property.

**STATEMENT OF FACT**

This is an annual housekeeping order.

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2016-A192

December 13, 2016

TITLE: ORDER, ACCEPT DONATION FROM JR's REDEMPTION CENTER  
FOR THE BREWER FIRE DEPARTMENT.

filed December 7, 2016  
by Joseph Ferris

WHEREAS, JR's Redemption Center in Brewer maintains a fire boot on its premises to collect donations in support for the Brewer Fire Department; and

WHEREAS, the City of Brewer has received a contribution of \$45.00 from JR's Redemption Center, which represents proceeds collected from the fire boot;

NOW THEREFORE BE IT ORDERED, that the City Council hereby accepts this generous donation to the Fire Department and authorizes its receipt into 0105904-300490 (Fire Miscellaneous Revenue) and authorizes the appropriation and expenditure of those funds from 0115911-502900 (Fire Miscellaneous Supplies and Expenses).

*Note: The City Clerk will send a letter of acknowledgement and appreciation to JR's Redemption Center on behalf of the City Council and the Fire Department.*

**STATEMENT OF FACT**

This order accepts an \$45 donation from the fire boot JR's Redemption Center maintains and appropriates it for expenditures from the Fire Department Miscellaneous Supplies and Expenses account.

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2016-A193

December 13, 2016

TITLE: ORDER, ACCEPT DONATION TO THE BREWER PUBLIC LIBRARY.

filed December 7, 2016  
by Matthew Vachon

WHEREAS, the Brewer Public Library has received a contribution of \$25.00 from Jacqueline Pinkham; and

WHEREAS, it is the recommendation and request of the donor and the Library Director that this contribution be used to supplement and support the purchase of new books for the City of Brewer Library;

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this contribution totaling \$25.00 and authorizes its deposit into account 0107204-300420 (Library Contributions/Donations) and expenditure from account 0117201-502750 (Library Books).

*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.*

#### STATEMENT OF FACT

This order accepts a contribution to the City of Brewer Public Library, and authorizes the expenditure of this contribution for the purchase of new books.

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2016-A194

December 13, 2016

TITLE: ORDER, ISSUE RELEASE DEED TO PHILIP V. MOODY FOR PROPERTY LOCATED AT 33 SOUTH BREWER DRIVE, (TAX MAP 22, LOT 53).

filed December 7, 2016  
by Jerry Goss

ORDERED, that a municipal release deed be issued to Philip V. Moody for property located at 33 South Brewer Drive releasing to him all rights, title and interest the City of Brewer may have acquired in the property located on 33 South Brewer Drive (City Tax Map 22, Lot 53) by virtue of City of Brewer tax or sewer liens recorded in the Penobscot County Registry of Deeds in the following volumes and pages:

Volume	Page
12848	319
13228	31
13569	38
13887	95

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.

### STATEMENT OF FACT

A total of \$4,430.78 in principal was collected, along with \$276.5 in interest and \$205.12 in costs. This order authorizes the City Manager to release all legal claims the City has to the property and returns it back to the owner.

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2016-A195

December 13, 2016

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

filed December 7, 2016  
by Beverly Uhlenhake

WHEREAS, on July 7, 2105, 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 FY2015 taxes in full; and

WHEREAS, FY2015 taxes on these properties remain unpaid and the statutory foreclosure will take place on January 7, 2017; 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 2015 tax year and authorizes the City Deputy Treasurer to sign statutory waivers of foreclosure and record them in the Penobscot County Registry of Deeds; and

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.

<b>Map</b>	<b>Name</b>	<b>Location</b>
01000-02509	BUZZELL MICHAEL STEWART RANDALL & C/O GOETCHIUS	23 WHITE TAIL ROAD 27 WHITE TAIL ROAD
01000-02511	NANCY	
01000-02545	COMER ANN MARIE	4 BLACK BEAR ROAD 24 WHITE TAIL ROAD
01000-02524	BRYER TERRY L	
01000-02526	PORTER ARIEN MATTHEWS PATRICIA	28 WHITE TAIL ROAD 23 BLACK BEAR ROAD
01000-02539	E MATTHEWS	26 BLACK BEAR ROAD
01000-02554	RAYMOND MATTHEWS	32 BLACK BEAR ROAD
01000-02556	RAYMOND	34 BLACK BEAR ROAD
01000-02557	SMITH NOBELEE	

**STATEMENT OF FACT**

This order waives the automatic foreclosure on nine mobile homes that still owe on their 2015 taxes, because they are located on leased land. This action prevents the City from becoming liable for past due rent and utilities related to these mobile homes' land leases.

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2016-A196

December 13, 2016

TITLE: ORDER, AUTHORIZE REPLACEMENT OF POLICE  
DEPARTMENT'S IN CAR COMPUTERS.

filed December 7, 2016  
by Joseph Ferris

WHEREAS, in car computer terminals are used extensively by Brewer Police Officers for accessing the Penobscot County Law Enforcement System, Maine Crash Reporting System, and managing our in car camera system; and

WHEARAS, the current laptop computers are at the end of their serviceable life; and

WHEREAS, the City has budgeted \$20,000 in CIP account funds for the replacement of the in car computers; and

WHEREAS, the sole vendor for Panasonic computer equipment in this area (TransCOR Info Technologies) provided a quote for \$18,237.64 for computers and mounting components; and

WHEREAS, the remaining balance of the CIP budget for this item will be on installation costs estimated at \$839 to be completed by a local vendor;

NOW, THEREFORE, BE IT ORDERED that expenditures for this project be hereby authorized from the CIP Police Computer Replacement Account 0510132-551213; 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.

#### STATEMENT OF FACT

The Brewer Police Department has \$20,000 in approved CIP funds to replace four (4) in car computers. The replacement computers and hardware will cost \$18,237.64 and installation costs are estimated at \$839.

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2016-A197

December 13, 2016

TITLE: ORDER, ACCEPT DONATION TO THE BREWER PUBLIC LIBRARY.

filed December 7, 2016  
by Matthew Vachon

WHEREAS, the City of Brewer Public Library received a donation of models of an oyster boat and a matchstick church from Eugene W. More, Jr.; and

WHEREAS, Mr. More is a Brewer artist who, despite being legally blind, has built and donated several other beautiful displays to the Brewer Public Library; and

WHEREAS, it is the recommendation and request of the Library Director that these models be displayed in the children's area of the Library for patrons' enjoyment and education;

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts the donation of the oyster boat and matchstick church models from Eugene W. More, Jr.; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the Library Director to display the models within the library.

*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.*

**STATEMENT OF FACT**

This order accepts the donation of oyster boat and matchstick church models from Eugene W. More, Jr. to the City of Brewer Public Library, and authorizes the display of these items.

\*\*\*

2016-A198

December 13, 2016

TITLE: ORDER, ACCEPT MAINE PUBLIC LIBRARY FUND GRANT  
TO THE BREWER PUBLIC LIBRARY.

filed December 7, 2016  
by Jerry Goss

WHEREAS, the City of Brewer Public Library has received a Maine Public Library Fund (MPLF) grant of \$1,000.00 from the Maine State Library; and

WHEREAS, the MPLF is supported by the generous donations of Maine citizens through the voluntary income tax library check-off; and

WHEREAS, it is the intention of the donor and the recommendation of the Library Director that these funds be used to support and improve the library's StoryWalk® project;

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this grant of \$1,000.00 from the Maine State Library; and

BE IT FURTHER ORDERED, that the funds be deposited in account 0600072-360000-72023 (MPLF Grant Revenue) and be appropriated and expended from account 0600072-560000-72023 (MPLF Grant Expenditure).

*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.*

**STATEMENT OF FACT**

This order accepts a MPLF grant to the City of Brewer Public Library, and authorizes the expenditure of the grant funds to support and improve the library's StoryWalk® project.

\*\*\*

2016-A199

December 13, 2016

TITLE: ORDER, AUTHORIZE DONATION TO HELP RESTORE AND MAINTAIN THE 20<sup>TH</sup> MAINE MONUMENT SITE AT LITTLE ROUND TOP IN GETTYSBURG.

filed December 6, 2016  
by Joseph Ferris

WHEREAS, Clem Bechard, a history buff from Lewiston, was disappointed earlier this year when he visited Little Round Top at Gettysburg and saw the condition of the 20<sup>th</sup> Maine Monument; and

WHEREAS, the Monument celebrates the heroic stand made by Joshua Chamberlain and the rest of his unit at the Battle of Gettysburg in 1863; and

WHEREAS, after discovering that it was against park policy to replace a monument and also learning that the park had no money in its budget to restore them, Mr. Bechard started at GoFundMe page in July to raise money to repair the granite marker that has deteriorated in the Gettysburg woods since its dedication in the 1880's and returned in October to see the newly restored marker; and

WHEREAS, the National Park Service is expected to announce a five year project to do a major overhaul of Little Round Top, one of the most visited sites on the battlefield. The plan would balance access and improved protection of the site by providing more parking and better trails;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer is authorizing a donation of \$500.00 to the nonprofit 501c3 Gettysburg Foundation ~~new GoFundMe page that Mr. Bechard is starting~~, from account 0116510-505290 (Misc. Nonprofit Contributions) to help restore, repair, and maintain the site of the 20<sup>th</sup> Maine at Little Round Top in Gettysburg.

#### STATEMENT OF FACT

This is a donation to help fund the maintenance of Little Round Top

**ACTION:** Councilor Ferris moved that the order have passage. The motion was seconded.

Councilor Ferris moved that the order be amended by inserting the words "nonprofit 501c3 Gettysburg Foundation" and overstriking the words "new GoFundMe page that Mr. Bechard is starting" in the last paragraph of the order. The motion was seconded.

Councilor Ferris moved that the order, as amended, have passage. The motion was seconded and passed by unanimous vote.

2016-A200

December 13, 2016

TITLE: ORDER, AUTHORIZE WRITE-OFF OF UNCOLLECTIBLE PERSONAL PROPERTY TAXES.

filed December 6, 2016  
by Matthew Vachon

WHEREAS, the Tax Collector has made extensive effort to collect upon past due personal property taxes, including in house efforts to locate individuals and secure payment and the use of a collection agency for unresponsive and non-locatable accounts; and

WHEREAS, the accounts listed below reflect those which have been deemed uncollectible;

NOW THEREFORE BE IT ORDERED, that the City Council hereby authorizes the balances in the accounts listed below be written off as uncollectible.

<u>Name</u>	<u>Acct</u>	<u>Amount</u>	
BEEF 'O' BRADY'S INC / ABBY CORP PAYMENTS	91980	7,635.40	closed and bankruptcy
TOTAL LOOK SALON & DAY SPA	90249	1,853.13	closed business
EDGE VIDEO LLC	91914	929.24	closed business
HARVEY DESMOND	92117	77.86	closed business
<hr/>		<b>TOTAL</b>	<b>10,495.63</b>
			<hr/> <hr/>

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of \$10,496.00 from Overlay (0119901-509810) to the Adjustments/Write-offs account (0116900-509890) to fund this expense.

### STATEMENT OF FACT

This order authorizes the write-off of old personal property taxes that have been deemed uncollectable by the City and its contracted collection agency. It pays for the write-off with overlay funds.

**ACTION:** Councilor Vachon moved that the order have passage. The motion was seconded.

Councilor Ferris said the reason he removed this order from the consent calendar was that he would abstain from voting on it.

The order was passed by a 4 to 0 vote (Councilor Ferris abstained from voting).

\*\*\*

2016-A201

December 13, 2016

**TITLE:** ORDER, AUTHORIZE AMENDMENT TO CONTRACT FOR CREDIT CARD SERVICES.

filed December 6, 2016  
by Jerry Goss

WHEREAS, in 2013, the City signed a contract with Value Payment Systems, LLC (VPS) of Nashville, TN to act as the City's credit card service provider for tax office transactions; and

WHEREAS, VPS has requested changes to the current fee structure; and

WHEREAS, the changes will preserve the 2.45% rate charged on most card transactions while also improving the consistency of charges across multiple payment and card types; and

WHEREAS, the fees VPS charges will continue to be borne by those customers that choose to use the service;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager and/or his designee to amend the contract with Value Payment Systems of Nashville, Tennessee to reflect the revised fee schedule.

#### **STATEMENT OF FACT**

This order authorizes slight changes to the convenience fees paid by customers who choose to use credit or debit cards at the tax counter to pay for their transaction.

\*\*\*

2016-A202

December 13, 2016

**TITLE:** ORDER, AUTHORIZE LIMITED EXTENSION OF CONTRACT FOR AMBULANCE SERVICES.

filed December 6, 2016  
by Beverly Uhlenhake

WHEREAS, the City's three year contract with Meridian Mobile Health LLC (dba Capital Ambulance) to provide, through a public-private partnership, ambulance services to the City expires on December 31, 2016; and

WHEREAS, the City has been working with Capital Ambulance to evaluate changes to the service structure and the parties feel more time is needed to assess the potential revenue and service levels impacts of the options;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager, or his designee, to sign a one year extension of the current contract with Meridian Mobile Health LLC; 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 extension.

#### **STATEMENT OF FACT**

This order authorizes a one year extension of current ambulance service contract terms with Meridian Mobile Health LLC (dba Capital Ambulance) to afford the City time to evaluate potential impacts of alternative service structures.

\*\*\*

2016-A203

December 13, 2016

TITLE:       ORDER,       AUTHORIZE REPLACEMENT OF FIRE DEPARTMENT  
                                  APPARATUS BAY AIR HANDLING SYSTEM.

filed December 6, 2016  
by Joseph Ferris

WHEREAS, the air handling system in the Fire Department's apparatus bay has proved inadequate for the needs of the department as evidenced, among other things, by exhaust residue in the bay; and

WHEREAS, in an effort to protect and preserve property and equipment and ensure the safety and wellbeing of employees, contractors and others that use and travel through the apparatus bay, a more robust air handling system is warranted; and

WHEREAS, the City has received a quote from Air Cleaning Specialists of New England LLC of Hanover, MA to install a Plymovent Source Capture Vehicle Exhaust Fume Removal System for \$45,900, which is the same system the Bangor Fire Department uses with good results; and

WHEREAS, the quote does not include electrical work, which we estimate will cost about \$3,000; and

WHEREAS, due to lower costs than anticipated, Public Safety has surplus capital funds in the FY17 Public Safety Building Improvement account, which can be allocated to the air handling system to cover a portion of the cost, and there are general capital funds that can be appropriated to fund the rest;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager, or his designee, to contract with Air Cleaning Specialists of New England LLC of Hanover, MA to install a Plymovent Source Capture Vehicle Exhaust Fume Removal System in the Public Safety Building; and

BE IT FURTHER ORDERED, that the Council hereby authorizes the appropriation and expenditure of \$49,000 from CIP account 0510122-551231 (Fire Air Handling System) to be funded by reallocation of \$17,000 from CIP account 0510122-551229 (PSB Improvements) and allocation of \$32,000 in CIP Unallocated Fund Balance.

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 equipment and contractor services for this project.

#### **STATEMENT OF FACT**

This order authorizes the replacement of the air handling system in the Fire Department apparatus bay at a cost of approximately \$49,000. The project would be funded by allocating \$17,000 in surplus Public Safety capital funds and \$32,000 in unallocated CIP fund balance.

\*\*\*

2016-A204

December 13, 2016

TITLE:           ORDER,           APPOINT CROSS REALTY, LLC AS GENERAL CONTRACTOR TO CONSTRUCT THE UNDEVELOPED SUBDIVISION STREET BETWEEN LOTS 77 AND 78 AS SHOWN ON A PLAN ENTITLED "FINAL SUBDIVISION PLAN – PHASE II, RIVERVIEW HEIGHTS, BREWER, MAINE" PREPARED BY AMES ENGINEERS AND RECORDED IN THE PENOBSHOT COUNTY REGISTRY OF DEEDS IN MAP FILE D-116-89.

filed December 6, 2016  
by Matthew Vachon

WHEREAS, Stanley E. MacMillan, (hereinafter referred to as “MacMillan”) developed a subdivision in Brewer entitled “Final Subdivision Plan – Phase II, Riverview Heights, Brewer, Maine” prepared by Ames Engineers, recorded in the Penobscot County Registry of Deeds in Map File D116-89, (hereinafter referred to as the “Subdivision Plan”); and

WHEREAS, MacMillan did not construct the so-called paper street, (hereinafter referred to as the “Undeveloped Street”) between Lots 77 and 78 as shown on said Subdivision Plan; and

WHEREAS, the City of Brewer reserved and preserved its right to construct the Undeveloped Street in the Subdivision pursuant to Title 23 M.R.S.A. § 3032 by passing City Council Order A 1997-14 that was recorded in the Penobscot County Registry of Deeds in Volume 6497, Page 97; and

WHEREAS, the City’s rights pursuant to Title 23 M.R.S.A. § 3032 were further extended in 2016 by City Council Order 2016-A 117, recorded in the Penobscot County Registry of Deeds in Volume 14232, Page 18; and

WHEREAS, it is now in the best interest of the citizens of the City of Brewer to construct the Undeveloped Street; and

NOW, THEREFORE, BE IT ORDERED, that the City appoint Cross Realty, LLC as the general contractor to construct the Undeveloped Street in accordance with the current versions of the Codes and Ordinances of the City of Brewer; and

FURTHER BE IT ORDERED that Cross Realty, LLC has agreed to pay for all costs and expenses associated with the building of the Undeveloped Street to City standards; and

FURTHER BE IT ORDERED that the Undeveloped Street must be inspected and approved during the construction process by the City Engineer, Frank Higgins; and

FURTHER BE IT ORDERED that the Brewer City Council will not accept the constructed Undeveloped Street as a public way until Cross Realty, LLC has complied with the provisions of Article 7, Section 712 (Acceptance of Streets in a Fully Approved Subdivision) of Chapter 24(Land Use Code) of the City of Brewer Charter, Codes and Ordinances.

**STATEMENT OF FACT**

The City Council order authorizes Cross Realty, LLC to build a city street over a paper street in the Riverview Heights Subdivision, at its sole expense. The street must be built to the City's standards and be approved by Frank Higgins, City Engineer, before it will be accepted by the City Council as a public street.

**ACTION:** Councilor Vachon moved that the order have passage. The motion was seconded.

Councilor Ferris said the reason he removed this order from the consent calendar was that he would abstain from voting on it.

The order was passed by a 4 to 0 vote (Councilor Ferris abstained from voting).

\*\*\*

2016-A205

December 13, 2016

**TITLE:** ORDER, ACCEPT DONATIONS TO BREWER PROGRAMS  
FROM CHARLES AND ELEANOR FISHER.

filed December 7, 2016  
by Kevin O'Connell

WHEREAS, the City has received from Charles and Eleanor Fisher four \$100 donations to the Parks and Recreation Department, the Library Department and the Fire and Police Departments to support youth programs;

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby accepts these funds and authorizes their receipt to and appropriation and expenditure from the following accounts in support of youth education and recreation programs:

	<u>Dept</u>	<u>Receipt To</u>	<u>Expend From</u>
\$100	Rec	0107123-300324	0117121-506100
\$100	Police	0105804-300490	0115801-501550
\$100	Fire	0105904-300490	0115921-502900
\$100	Library	0107204-300420	0117201-502200

FURTHER ORDERED, that the City Council thanks the Fishers for their generous donations in support of youth programs in Brewer and directs the City Clerk to send a letter of appreciation to the Fishers for their contribution to the City.

**STATEMENT OF FACT**

This order accepts contributions to the City of Brewer for youth programs sponsored by the Parks and Recreation Department, the Library Department and the Fire and Police Department of Brewer.

\*\*\*

2016-B045

December 13, 2016

**TITLE:** RESOLVE, AMEND THE SCHEDULE OF CITY COUNCIL REGULAR MEETINGS TO CHANGE THE JANUARY, 2017 REGULAR MEETING DATE.

filed December 7, 2016  
by Beverly Uhlenhake

WHEREAS, the City Council, at its annual meeting held on November 15, 2016, adopted Resolve 2016-B040 establishing dates of its regular monthly meeting for 2017; and

WHEREAS, Tuesday, January 17, 2017 was established as the date for the January, 2017 regular Council meeting; and

WHEREAS, all members of the City Council will not be available to attend this Council meeting;

NOW, THEREFORE, BE IT RESOLVED, that Council Resolve 2016-B040, be amended by changing the date of the regular meeting for the month of January from Tuesday, January 17, 2017 to Tuesday, January 24, 2017 at 6:00 p.m.

**STATEMENT OF FACT**

Due to conflicting schedule of a City Council member, the January regular council meeting will be rescheduled so that all Councilors will be available to attend.

\*\*\*

**D. Monthly Reports.**

**ACTION:** Councilor Uhlenhake 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.**

**ACTION:** Councilor Goss moved that the orders on the consent calendar have passage and the resolves be adopted.

The motion was seconded and passed by unanimous vote.

2016-A206

December 13, 2016

**TITLE:** ORDER, APPOINT CITY MANAGER TO APPROVE ROAD EXCAVATION PERMITS.

filed December 7, 2016  
by Jerry Goss

WHEREAS, under Title 23 M.R.S.A. Section 3351, the municipal road commissioner, in Brewer's instance, the City Engineer, is authorized to direct owners to make sewer, water and conduit connections or other work as may be designated prior to the paving or substantially repairing any street or public highway; and

WHEREAS, under Title 23, M.R.S.A. Section 3352, the municipal road commissioner, in Brewer's instance, the City Engineer, is authorized, in the case of an emergency, to grant and renew permits for digging and making excavations in the driveways of any of the public highways of the City for the repairing of gas, water, steam, oil, gasoline, petroleum or any other liquid or ammonia pipes or conduits or for any other lawful purpose; and

WHEREAS, both Sections 3351 and 3352 provide that in the absence of the municipal road commissioner, in Brewer's instance, the City Engineer, the municipal officers may appoint some other official to act in his stead under these sections;

NOW, THEREFORE, BE IT ORDERED, the City Council herewith appoint Stephen Bost, Brewer City Manager, to give notices and grant permits under Title 23, M.R.S.A. Sections 3351 and 3352 in the absence of the City Engineer for calendar year 2017.

**STATEMENT OF FACT**

This is an annual housekeeping order.

\*\*\*

2016-A207

December 13, 2016

**TITLE:** ORDER, REAPPOINT REGISTRAR OF VOTERS.

filed December 7, 2016  
by Beverly Uhlenhake

ORDERED, that Pamela J. Ryan is herewith reappointed to the position of Registrar of Voters for the City of Brewer;

FURTHER ORDERED, that Mrs. Ryan's term shall commence January 1, 2017 and shall expire December 31, 2018.

**STATEMENT OF FACT**

State Election laws require that Registrars of Voters be appointed or reappointed by January 1 of each odd numbered year.

\*\*\*

2016-A208

December 13, 2016

TITLE: ORDER, REAPPOINT AND APPOINT DEPUTY REGISTRARS OF VOTERS.

filed December 7, 2016  
by Joseph Ferris

ORDERED, that Priscilla Gray, Cheryl Morrow and James Smith are herewith reappointed to the position of Deputy Registrar of Voters for the City of Brewer; and

ORDERED, that Heather Cannan and Ronda Hogan are herewith appointed to the position of Deputy Registrar of Voters;

FURTHER ORDERED, that their terms shall commence January 1, 2017 and shall expire December 31, 2018.

**STATEMENT OF FACT**

State Election laws require that Deputy Registrars of Voters be appointed or reappointed by January 1 of each odd numbered year.

\*\*\*

2016-A209

December 13, 2016

TITLE: ORDER, REAPPOINT VOTER REGISTRATION APPEALS BOARD MEMBER.

filed December 7, 2016  
by Matthew Vachon

WHEREAS, Title 21-A, M.R.S.A., Section 103, provides that municipalities with populations of 5000 or greater have an appointed Registration Appeals Board to hear the appeal of any person aggrieved by the decision of the Registrar of Voters to remove a name from the voting list or to refuse to place it on the voting list; and

WHEREAS, the Registration Appeals Board shall consist of 3 members appointed by the City Council as follows: one member shall be nominated by the Republican City Committee; one member shall be nominated by the Democratic City Committee and the third member, who shall serve as chairman of the board, shall be nominated by the City Clerk; and

WHEREAS, a nomination from the City Clerk for appointment for chairman of the board has been made;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith reappoints the following nominee to the Registration Appeals Board:

MEMBER

TERM

Nicole Gogan, Chairman

November 1, 2016 – October 31, 2019

**STATEMENT OF FACT**

State Election laws require that Registration Appeal Board members be appointed for three year terms –staggering term expirations so not all members’ terms expire in the same year.

\*\*\*

2016-B046

December 13, 2016

TITLE: ORDER, CONFIRM CITY CLERK’S APPOINTMENTS OF  
WARDENS AND WARD CLERKS.

filed December 7, 2016  
by Jerry Goss

WHEREAS, under Chapter 3, Section 103 (Appointments) of the City of Brewer Charter, Codes and Ordinances entitled “City Clerk”, the City Clerk is authorized to appoint wardens and ward clerks to preside over the City’s voting district; and

WHEREAS, such appointments are subject confirmation by the City Council; and

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk appoints and reappointments the following as wardens and ward clerks for two year terms effective November 15, 2016 and expiring November 19, 2018:

Wardens

Janet Cammack  
46 Alan-A-Dale Road

Carolyn Lainsbury  
58 Colonial Circle #320

Barbara Gibson  
587 Eastern Avenue

Ward Clerks

Doris Seymour  
17 Aspen Way

Christine Lamson  
105 Washington Street

Melissa Snow  
74 Grove Street

AND WHEREAS, the City Council concurs with these appointments of the City Clerk;  
and

FURTHER RESOLVED, that the City Clerk's appointment of wardens and ward clerks is herewith confirmed by the City Council.

**STATEMENT OF FACT**

State Election laws require that Wardens and Ward Clerks be appointed or reappointed every two years.

\*\*\*

2016-B047

December 13, 2016

TITLE: RESOLVE, RATIFY DIRECTOR OF ENVIRONMENTAL SERVICES,  
OR HIS DESIGNEE, APPOINTMENT OF AGENTS AT THE  
LANDFILL.

filed December 7, 2016  
by Beverly Uhlenhake

WHEREAS, Chapter 22, Article 10, Section 10.5 of the Charter, Codes and Ordinances of the City of Brewer provides that the Director of Environmental Services, or his designee, shall appoint such agents as he deems necessary to act in his stead in carrying out and enforcing the rules and regulations established for the use of the City's construction demolition debris landfill;  
and

WHEREAS, Chapter 22, Article 10, Section 10.5 of the Charter, Codes and Ordinances of the City of Brewer further provides that the appointment of such agents shall be ratified by a majority of the City Council at the first regularly scheduled council meeting of each calendar year; and

WHEREAS, the Director of Environmental Services, or his designee, has appointed Sandee Barber, Gordon Parent and Eric Smith as his agents to act in his stead in carrying out and enforcing the rules and regulations established for use of the City's landfill;

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith ratifies the Director of Environmental Services', or his designee, appointments of these individuals as his agents to act as his agents in carrying out and enforcing the rules and regulations established for use of the City's construction demolition debris landfill.

**STATEMENT OF FACT**

This is an annual order.

\*\*\*

**F. Unfinished Business.**

There were no items.

\*\*\*

**G. New Business.**

There were no items.

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**H. New Items with Leave of Council.**

Chairman O'Connell introduced order 2016-A210 under suspension of the rules. He asked the Deputy City Clerk to poll the council to see if there was unanimous consent to take up this order.

The Deputy City Clerk polled the council and unanimous consent of the council members present was obtained to take up this order.

2016-A210

December 13, 2016

TITLE: ORDER, AUTHORIZE THE REPLACEMENT OF GREEN POINT FACILITY BOILER.

filed December 12, 2016  
(under suspension of the rules)  
by Matthew Vachon and  
Jerry Goss

WHEREAS, one of the boilers at the City's Green Point facility is in need of replacement because a crack; and

WHEREAS, quotes were solicited, received and evaluated for the purchase of a replacement boiler for the Green Point Facility; and

WHEREAS, ABM Mechanical, Inc. of Bangor, Maine has supplied the City with the lowest quote of the four quotes received; and

WHEREAS, orders approved by the Brewer City Council do not become effective until five days after approval unless the order contains an emergency preamble;

NOW, THEREFORE, BE IT ORDERED, that due to the time of year creating the need to move forward with the boiler replacement as soon as possible, this order shall become effective, immediately upon its approval of the Brewer City Council; and

BE IF FURTHER ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to ABM Mechanical Inc. in the amount of \$7,643.00 for the purchase, installation and startup of a new Burnham hot water boiler; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to the Public Works Building Maintenance account, #0116651-504000.

#### STATEMENT OF FACT

It was recently discovered that one of the boilers at the Green Point facility has a crack in the side and replacement sections are not available. The City will keep the old boiler for parts should they be needed them on other existing boiler. Other quotes were received from Northeast Mechanical, \$8,383.68; R.J. Morin Inc., \$9,270.00; and from Mechanical Services, \$9,725.00.

**ACTION:** Councilor Vachon moved that the order have passage. The motion was seconded and passed by unanimous vote.

\*\*\*

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 6:27 p.m.

**ADJOURNED, ATTEST:** \_\_\_\_\_ James L. Smith  
Deputy City Clerk  
**A TRUE COPY, ATTEST:** \_\_\_\_\_ Brewer, Maine