

City Council Minutes

December 11, 2018

Regular Meeting
City Hall Council Chambers

Tuesday, December 11, 2018
6:00 p.m.

The regular meeting was called to order by Chairman Beverly Uhlenhake. The City Clerk called the roll:

Councilor Morelli-absent
Councilor O'Connell-present
Councilor Ferris-present

Councilor Goss-present
Chairman Uhlenhake-present

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

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

Chairman Uhlenhake read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Kevin O'Connell, Thomas Morelli 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 11, 2018 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/Beverly Uhlenhake

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
Joseph Ferris		Officer	11/16/18	17:10
Thomas Morelli			11/16/18	4:15pm
Beverly Uhlenhake		Officer	11/16/18	17:00
Jerry Goss		Corporal	11/16/18	16:51
Kevin O'Connell		Officer	11/16/18	17:06

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CITY COUNCIL REGULAR MEETING
Tuesday, December 11, 2018 6:00 P.M.
Brewer City Hall Council Chambers

- I. Call to Order.** (Mayor Uhlenhake)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.** (Mayor Uhlenhake)
- A. Minutes of November 20, 2018 Regular Council & Annual Meeting.** (Councilor O'Connell)
- B. Awards, Petitions and Public Comments.**
 - 1. (2018-B038) RESOLVE Recognize Sondra Barber for 30 years of service to the City of Brewer (Councilor O'Connell)
- C. Consent Calendar.**
 - 1. (2018-A172) ORDER Accept State forfeiture funds (Councilor Morelli)
 - 2. (2018-A173) ORDER Commit sewer assessment to treasurer for collection (Councilor O'Connell)
 - 3. (2018-A174) ORDER Commit water assessment to treasurer for collection (Councilor Goss)
 - 4. (2018-A175) ORDER Authorize purchase of a new highway sweeper (Councilor Ferris)
 - 5. (2018-A176) ORDER Accept grant funds from the Department of Homeland Security for self-contained breathing apparatus and award purchase contract (Councilor Morelli)
 - 6. (2018-A177) ORDER Declare the 1990 Pierce Arrow pumper surplus and authorize its disposal (Councilor O'Connell)
 - 7. (2018-A178) ORDER Accept Justice Assistance grant funds and authorize their expenditure (Councilor Goss)
 - 8. (2018-A179) ORDER Designate City Manager to act as agent of the City Council for approval of utility location permits (Councilor Ferris)
 - 9. (2018-A180) ORDER Authorize City Manager, or his designee, to sign release deeds on behalf of the City of Brewer (Councilor Morelli)
 - 10. (2018-A181) ORDER Authorize City Clerk to sign applications for the renewal of liquor licenses on behalf of the City Council (Councilor O'Connell)
 - 11. (2018-A182) ORDER Authorize the City Clerk, or in the absence of the City Clerk, a Deputy 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)
 - 12. (2018-A183) 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, Jonathan Pottle, 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 Ferris)

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8. (2018-B039) RESOLVE Affirm facts about the City of Brewer water system
(Councilor Goss)

D. Monthly Reports. (Councilor Goss)

E. Nominations, Appointments, Elections.

1. (2018-A184) ORDER Reappoint Deputy Registrars of Voters (Councilor Morelli)
2. (2018-A185) ORDER Confirm City Clerk's appointments of Wardens and Ward Clerks (Councilor O'Connell)

F. Unfinished Business.

G. New Business

H. New Items with Leave of Council.

I. ADJOURN.

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A. Minutes of November 20, 2018 Regular Council & Annual Meeting

ACTION: Councilor O’Connell 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

2018-B038

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TITLE: RESOLVE, RECOGNIZE SONDRA BARBER FOR 30 YEARS OF SERVICE TO THE CITY OF BREWER

Filed November 15, 2018
By Kevin O’Connell

WHEREAS, as of October 3, 2018 Sondra (Sandee) Barber has reached the milestone of 30 years of dedicated service to the City of Brewer as an employee of the Public Works Department; and

WHEREAS, on October 3, 1988, Sandee started her career with the City of Brewer as a part-time employee in the front office of the Public Works Department; and

WHEREAS, in 1989 the responsibilities of the Landfill Gatehouse Attendant were added to Sandee’s duties; and

WHEREAS, in 1990, Sandee’s contributions to the Department were recognized and she became a full-time employee to meet the administrative needs of the Department; and

WHEREAS, in 2001, Sandee once again adapted to the Department’s needs and assumed responsibility for all duties in the front office of the Department including payroll, tracking employee’s accumulated time, PERC billing, reconciling landfill income, processing invoices, and interacting with the Public to answer questions and provide assistance whenever possible; and

WHEREAS, Sandee continues to provide the City of Brewer and its Citizens with a high level of consistency, professionalism, and courtesy;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of Brewer, herewith recognizes and commends Sondra L. Barber for 30 years of outstanding dedicated service to the citizens of the City of Brewer as a trusted and valued employee of the Brewer Public Works Department; and

FURTHER, RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer in testimony of the appreciation held for Sondra L. Barber by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor O’Connell moved that the resolve be adopted. The motion was seconded.

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Councilor O'Connell read the resolve into the record and presented the resolution to Sandee Barber.

David Cote, Director of Public Works stated that he is very appreciative of Sandee's position and what she consistently does for the City of Brewer. He thanked Sandee and congratulated her on her 30 years of service.

The resolve was adopted by unanimous vote.

C. Consent Calendar

2018-A172

December 11, 2018

TITLE: ORDER, ACCEPT STATE FORFEITURE FUNDS

Filed December 3, 2018
By Thomas Morelli

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

WHEREAS; under Maine Law, title 15 MRSA., SS 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, Maine, 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:

Docket Number	Assets
CR-18-1681	\$3,910.00 in U.S. currency

BE IT FURTHER ORDERED, that the City Manager or his designee, is herewith authorized to sign a memorandum to accept these forfeited funds on the behalf of the City of Brewer; and

AND BE IT FURTHER ORDERED, that these funds be deposited into the State Asset Forfeiture Receipt Account 0200101-320000 and that expenditures be hereby authorized from the appropriate State Asset Forfeiture Expense Account within this org (0200101).

Statement of Fact

The City of Brewer Police Department received \$3910 in asset forfeiture funds as the result of a successful drug investigation. These assets have been ordered by the court to be turned over to the Brewer Police Department.

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2018-A173

December 11, 2018

TITLE: ORDER, COMMIT SEWER ASSESSMENT TO TREASURER
FOR COLLECTION

Filed November 30, 2018
By Kevin O'Connell

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 **\$566,680.63** 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; and

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

EVENT	COMMITMENT	COMMENTS
December 2018	\$557,380.41	
September 2018	\$3,331.49	
October 2018	\$1,240.56	
November 2018	\$4,728.17	
TOTAL	\$566,680.63	

2018-A174

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TITLE: ORDER, COMMIT WATER ASSESSMENT TO TREASURER
FOR COLLECTION

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Filed December 5, 2018
By Jerry Goss

WHEREAS, under Chapter 40 of the Water Department 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 **\$639,019.62** at the established rate, as provided by Title 35-A M.R.S.A. §6105 and as such section may be amended from time to time; and

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

EVENT	COMMITMENT	COMMENTS
December 2018	\$623,631.63	
September 2018	\$2,332.15	
October 2018	\$9,744.17	
November 2018	\$3,311.67	
TOTAL	\$639,019.62	

ACTION: Councilor Goss moved order that order 2018-A174 have passage, the motion was seconded. Councilor Goss amended order 2018-A174 by complete substitution, the motion was seconded. The motion was passed by unanimous vote.
The order 2018-A174 as amended was passed by unanimous vote.

2018-A175

December 11, 2018

TITLE: ORDER, AUTHORIZE PURCHASE OF A NEW HIGHWAY SWEEPER

Filed December 4, 2018
By Joseph L. Ferris

WHEREAS, Bids were solicited, received and evaluated for the purchase of a new Vactor highway sweeper for the City of Brewer; and

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WHEREAS, Nitco of Lewiston, Maine has provided the City of Brewer with only bid on the type of sweeper requested;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Nitco in the amount of \$213,935 for the purchase of a 2018 Ravo ISeries vacuum sweeper; and

BE IT FURTHER ORDERED, that Public Works unit #449, a 2011 Elgin Whirlwind sweeper be released and transferred ownership to Nitco, as the trade-in once the replacement sweeper has been delivered to the City of Brewer; and

BE IF FURTHER ORDERED, that the funds for this purchase be charged to the FY19 CIP account #0510133-551383 titled "Sweeper", approved in the FY19 CIP budget.

Statement of Fact

This will be a new style of highway sweeper for the City. We have received good reviews from users and believe that this sweeper will be more efficient clearing debris from City streets, have lower fuel consumption and maintenance costs than other vacuum sweepers that City has owned in the past. \$215,000 was approved in the 2019 CIP budget for this purchase.

2018-A176

December 11, 2018

TITLE: ORDER, ACCEPT GRANT FUNDS FROM THE DEPARTMENT OF HOMELAND SECURITY FOR SELF CONTAINED BREATHING APPARATUS AND AWARD PURCHASE CONTRACT

Filed November 15, 2018
By Thomas Morelli

EMERGENCY PREAMBLE

WHEREAS, orders passed by the 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 effectively immediately upon its passage to allow purchase of this critical safety equipment to commence without delay; and

WHEREAS, these facts create an emergency within the meaning of the Charter, 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;

WHEREAS, the City of Brewer Fire Department applied for and was awarded \$120,000 by the U.S. Department of Homeland Security 2017 Assistance to Firefighters Grant program to purchase 18 National Fire Protection Association (NFPA) 2013 edition self-contained breathing apparatus (SCBAs) with two 30-minute carbon bottles and one face piece for each firefighter; and

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WHEREAS, the new equipment will replace existing units that have exceeded their useful life and no longer meet the NFPA standard; and

WHEREAS, the Brewer Fire Department is required to provide at least a 5% (\$6,000) cash match, and funds for this match have been included in the FY2019 Capital Improvement Program (CIP) approved by the City Council; and

WHEREAS, bids were solicited, received and evaluated for the purchase of 18 replacement SCBA and associated equipment for the Brewer Fire Department; and

WHEREAS, Fire Tech and Safety of Winthrop, Maine, provided a bid that scored highest in the evaluation criteria and, net of the trade in value of the units being replaced, provided a purchase price below the budget established; and

WHEREAS, the Fire Tech bid has numerous practical, safety and indirect cost benefits, including continuation of Scott brand SCBA, whose safety features the department is already familiar with and which is used by all of our mutual and automatic aid partners, an EBSS system on each pack, a pack tracker system with truck charger, the availability of a loaner option through the company, and the ability to maintain our fill station and RIT kit without change;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts these federal grant funds and authorizes their appropriation and expenditure, along with the required City match, from CIP account 0510132-551203 (SCBA) to purchase the 18 SCBA and face pieces and 36 air bottles and other related equipment;

BE IT FURTHER ORDERED, that the City Manager, or his designee, is hereby authorized to sign a purchase order for \$125,240 to Fire Tech and Safety for the purchase of 18 Scott SCBA and related equipment, including 18 face pieces, 36 air bottles, one Scott pack locator system (hand held) with truck mount charging system, six spare X3 pro harnesses, and three spare QD mask mounted regulators.

FURTHER ORDERED, that all 23 of the department's current SCBA and face pieces that no longer meet NFPA standards be declared surplus and ownership transferred to Fire Tech and Safety once the replacement units have been received, and that the 48 existing air bottles be declared surplus and the City Manager, or his designee, be authorized to dispose of these items as may be in the best interest of the citizens of the City of Brewer.

Statement of Fact

The US Department of Homeland Security recently awarded Brewer a \$120,000 Assistance to Firefighter Grant to purchase 18 self-contained breathing apparatus (SCBAs) and facepieces as well as 36 air bottles to replace ones that have exceeded their useful life. This order accepts the grant funds, authorizes the City's \$6,000 (5%) local share, and awards the bid to Fire Tech and Safety of Winthrop, Maine, which received the highest score on the evaluation criteria and provided a purchase price under the established budget. The order also declares the expired equipment surplus and authorizes its disposal.

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Company	Score	Price	Brand	Pros / Cons
Fire Tech and Safety	70	\$125,240	Scott	<ul style="list-style-type: none"> • Dept is familiar with Scott units, having used brand for 32 years. • Automatic and mutual aid fire departments all use Scott SCBAs at this time. • No need to change our fill station or RIT kit. • Loaner bottle option • Spare X3 pro harnesses(6),spare QD mask regulators(3) • Scott pack track locator (1) Delivery in 30 days. • \$2,500 trade in value.
Industrial Protection Services	60	\$126,000	Scott	<ul style="list-style-type: none"> • No options. • \$0 trade in value.
Northeast Emergency Apparatus	55	\$111,151	MSA	<ul style="list-style-type: none"> • Integrated thermal image cameras (4) • Transfill hose with pouch (4) • Spare lith-ion batteries (6) • six bank charger (1) • Lithium Ion 6 bank charger (1) • \$0 trade in value.

2018-A177

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TITLE: ORDER DECLARE THE 1990 PIERCE ARROW PUMPER SURPLUS
AND AUTHORIZE ITS DISPOSAL

Filed December 5, 2018
By Kevin O'Connell

WHEREAS, the Brewer Fire Department recently took delivery of the Pierce Enforcer Heavy Duty Rescue Pumper, which is intended to replace the existing Unit 302, a 1990 Pierce Arrow pumper; and

WHEREAS, the 1990 pumper is in poor condition and can no longer be cost-effectively repaired;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith declares the 1990 Pierce Arrow pumper truck surplus and authorizes the City Manager, or his designee, to dispose of the truck as would be in the best interest of the citizens of the City of Brewer.

BE IT FURTHER ORDERED, that proceeds, if any, from the sale or disposal of the pumper

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shall be deposited into the CIP Sale of Assets Revenue Account (0500100-300410) and be used to support future capital improvements.

Statement of Fact

This order declares the 1990 Pierce Arrow Pumper, unit 302, which is being replaced by the new Pierce Enforcer Heavy Duty Rescue Pumper, surplus and authorizes its disposal.

2018-A178

December 11, 2018

TITLE: ORDER ACCEPT JUSTICE ASSISTANCE GRANT FUNDS AND
AUTHORIZE THEIR EXPENDITURE

Filed December 5, 2018

By Jerry Goss

WHEREAS, the Brewer Police Department, along with ten other communities in Penobscot County, submitted a regional grant application to the Maine Department of Public Safety for 2017 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) funds; and

WHEREAS, the Maine Department of Public Safety has awarded \$14,387 to the Penobscot County group, including \$2,187 to the City of Brewer; and

WHEREAS, the Brewer Police Department has been asked to take over responsibility for administering the grant and distributing the funds to the participating communities from the Penobscot County Sheriff's Office, which has assumed this role for the past several years;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith accepts the \$14,387 in Byrne JAG funds and authorizes their deposit into 0600058-360000-58045 (Byrne/JAG Grant Revenue) and further authorizes the Brewer Police Department to administer the funds and distribute them from 0600058-569180-58045 (Byrne/JAG Subrecipient Disbursement) to the participating communities in accordance with the grant application and guidelines.

BE IT FURTHER ORDERED, that the City Manager, or his designee, be authorized to sign any documents necessary to assume this role and execute the City's grant administration responsibilities.

FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of the City of Brewer's \$2,187 share of the grant funds from 0600058-560000-58045 (Byrne/JAG Brewer Grant Expense) in accordance with grant requirements.

Statement of Fact

This order accepts from the Maine Department of Public Safety \$14,387 in regional US Department of Justice grant funds and authorizes the Brewer Police Department to administer these funds and distribute them to the 11 participating Penobscot County communities, including \$2,187 for the City of Brewer, in accordance with the terms of the grant. The Police Department hopes to use the funds to purchase two ballistic shields and associated accessories.

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

Filed Dec 5, 2018
By Joseph L. Ferris

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 2019; 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 2019.

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.

2018-A180

December 11, 2018

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

Filed Dec 5, 2018
By Thomas Morelli

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.

2018-A181

December 11, 2018

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

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Filed Dec 5, 2018

By Kevin O'Connell

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 2019. 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 is an annual housekeeping order.

2018-A182

December 11, 2018

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

Filed Dec 5, 2018

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 an 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 2019. 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 2019. 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 2019. 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.

2018-A183

December 11, 2018

TITLE: ORDER, AUTHORIZE THE CITY MANAGER, STEPHEN BOST, OR

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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, JONATHAN POTTLE, TO CERTIFY ON ALL APPLICATIONS FOR FOREITED PROPERTY TO THE AUTHORITY OF THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF BREWER.

Filed Dec 5, 2018
By Joseph L. Ferris

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 must designate a person who may accept forfeited property on its behalf; and

WHEREAS, the City also must 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 must 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, Jonathan Pottle, 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.

2018-B039

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TITLE: RESOLVE, AFFIRM FACTS ABOUT THE CITY OF BREWER WATER SYSTEM

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Filed December 5, 2018
By Jerry Goss

WHEREAS, on January 15, 2003, the City of Brewer assumed ownership and operation of the water system of the former Brewer Water District, taking over all land, buildings, and facilities formerly owned by the District both within Brewer and outside the City limits that were necessary and convenient for the operation of the system, and

WHEREAS, since 2003, the City has added to and improved the water system in an effort to continue to maintain a safe and high-quality supply of water for the customers of the Brewer Water Department; and

WHEREAS, the City Council recognizes that the City's water system includes all plants, systems, facilities or properties used or useful or having the present capacity for future use in connection with the supply or distribution of water, including, but not limited to, water supply systems, water distribution systems, reservoirs, wells, intakes, mains, laterals, aqueducts, pumping stations, standpipes, filtration plants, purification plants, hydrants, meters, valves and all necessary appurtenances and equipment as well as all property, rights, easements and franchises relating to the facility;

NOW, THEREFORE BE IT RESOLVED, that the Brewer City Council herewith affirms that the elements of the City of Brewer water system include, but are not limited to, the properties and facilities outlined above and that all of these elements continue to be, as they were in 2003, necessary and convenient for the operation of the system.

Statement of Facts

This resolve confirms that all elements of the City's water system, which includes the ozonation plant located in Eddington, Maine and all other facilities and properties inside and outside the Hatcase Pond watershed under the purview of the Brewer Water Department, are necessary and convenient for the operation of the system. This affirmation is intended to help clarify that the property used by the Water Department is exempt from taxation according to state law.

ACTION: Councilor Goss removed order 2018-A174 from the consent calendar.

Councilor O'Connell 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.

D. Monthly Reports

ACTION: Councilor Goss 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

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2018-A184

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TITLE: ORDER, REAPPOINT DEPUTY REGISTRARS OF VOTERS.

Filed December 5, 2018
By Thomas Morelli

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

BE IT FURTHER ORDERED, that their terms shall commence January 1, 2019 and shall expire December 31, 2020.

STATEMENT OF FACT

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

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

2018-A185

December 11, 2018

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

Filed December 5, 2018
By Kevin O'Connell

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 ORDERED, that the City Clerk appoints and reappointments the following as wardens and ward clerks for two-year terms effective November 20, 2018 and expiring November 17, 2020:

Wardens

Janet Cammack
46 Alan-A-Dale Road

Carolyn Lainsbury

Ward Clerks

Frank Gallant
53 Madison Ave

Christine Lamson

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58 Colonial Circle #320

105 Washington Street

Edward Youngblood
735 No. Main St.

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.

ACTION: Councilor O'Connell moved that the order have passage. The motion was seconded and passed by unanimous vote.

F. Unfinished Business.

There was no unfinished business.

G. New Business

There was no new business.

H. New Items with Leave of Council.

There were no new items with leave of Council.

I. ADJOURN.

Chairman Uhlenhake said she would accept a motion for adjournment.

ACTION: Councilor Goss moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting adjourned at 6:12p.m.

ADJOURNED, ATTEST: _____ Ronda J. Hogan
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine