

City Council Minutes
Tuesday, September 13, 2022

Regular Meeting
City Hall Council Chambers

Tuesday, September 13, 2022
6:00 p.m.

Councilor Goss-present
Councilor Morin-present
Mayor Daniels-present

Councilor Ferris-present
Councilor Phanthay-present

Mayor Daniels declared that a quorum was present. City Manager Stephen Bost and City Solicitor Johnathan Pottle were also present.

Mayor Daniels led members of the council and others present in reciting the pledge of allegiance to the flag of the United States of America.

Mayor Daniels read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Jenn Morin, Soubanh Phanthay, and Michele Daniels; MEMBERS OF THE BREWER CITY COUNCIL. You are hereby notified that a regular meeting of the City Council of the City of Brewer will be held on Tuesday, September 13, 2022 at 6:00 p.m., at 80 North Main Street, to consider and act on the items on the attached agenda.

s/Michele Daniels
Mayor and Chairman of the City Council
Or _____
Majority of the City Council

a true copy, attest: s/Vincent P. Migliore
City Clerk

OFFICER'S RETURN

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 L. Ferris	Cummings	Off.	09/09/22	21:00
Jerry Goss	Tardif	Sgt.	09/09/22	
Jenn Morin	Tardif	Sgt.	09/09/22	
Soubanh Phanthay	Tardif	Sgt.	09/09/22	
Michele Daniels	Tardif	Sgt.	09/09/22	

CITY COUNCIL REGULAR MEETING
Tuesday, September 13, 2022, 6:00 P.M.
Brewer City Hall Council Chambers

- I. Call to Order** (Mayor Daniels)
- II. Roll Call** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America** (Mayor Daniels)
- A. Minutes of the August 9, 2022 Regular Meeting** (Councilor Morin)
- B. Awards, Petitions and Public Comments**
 - 1. Proclamation: Substance-Abuse Recovery Month.
(Mayor Daniels)
 - 2. (2022-B024) RESOLVE Resolution of respect for Robert “Bob” DeBeck, Sr.
(Councilor Phanthay and Mayor Daniels)
 - 3. (2022-B025) RESOLVE Recognize the Woodlands Senior Living of Brewer for
twenty years of service. (Councilor Goss)
 - 4. Public Comments
- IV. Recess for Public Hearing**
 - 1. Dyer Company, LLC., d/b/a Yoshi Japanese Restaurant, 373 Wilson Street, Suite 2,
Brewer, Maine for a State of Maine Class I, II, III and IV (malt liquor, wine & spirits)
liquor license.
- C. Consent Calendar**
 - 1. (2022-A144) ORDER Accept easement for water hydrant.
(Councilor Ferris)
 - 2. (2022-A145) ORDER Accept donation from Walker’s Garage, LLC. to Brewer
Parks & Recreation Department for Fall Program.
(Councilor Morin)
 - 3. (2022-A146) ORDER Accept donation from Apex Metals, LLC. to Brewer Parks
& Recreation Department for Fall Program.
(Councilor Phanthay)
 - 4. (2022-A147) ORDER Accept donation from Kivell Electric, LLC. to Brewer
Parks & Recreation Department for Fall Program.
(Councilor Goss)
 - 5. (2022-A148) ORDER Accept donation from Daniel and Lisa Fitzgerald to Brewer
Parks & Recreation Department for Fall Program.
(Councilor Ferris)
 - 6. (2022-A149) ORDER Accept donation from Elaine Albright to Brewer Public
Library. (Councilor Morin)
 - 7. (2022-A150) ORDER Accept donation from Twin City Tire to Brewer to Parks &
Recreation Department for Fall Program.
(Councilor Phanthay)
 - 8. (2022-A151) ORDER Accept donation from Gifford Electric, LLC. to Brewer
Parks & Recreation Department for Fall Program.
(Councilor Goss)
 - 9. (2022-A152) ORDER Accept donation from Mad Kat & Company Bar & Grill to
Brewer Parks & Recreation Department for Fall Program.
(Councilor Ferris)

City Council Minutes
Tuesday, September 13, 2022

10. (2022-A153) ORDER Declare City property surplus and authorize disposal of said property. (Councilor Morin)
11. (2022-B026) RESOLVE Approve State of Maine Restaurant (Class I, II, III, IV) Liquor License to Yoshi Japanese Restaurant, 373 Wilson Street, Suite 2, Brewer, Maine. (Councilor Phanthay)
12. (2022-A154) ORDER Accept donation from Cianbro to Brewer Parks & Recreation Department for Fall Program. (Councilor Goss)
13. (2022-A155) ORDER Accept donation from First National Bank to Brewer Parks & Recreation Department for Fall Program. (Councilor Ferris)
14. (2022-A156) ORDER Accept donation from the family of Bob DeBeck to Brewer Parks & Recreation Department for Fall After-School Program. (Councilor Morin)
15. (2022-A157) ORDER Commit sewer assessment to treasurer for collection. (Councilor Phanthay)
16. (2022-A158) ORDER Commit water assessment to treasurer for collection. (Councilor Goss)
17. (2022-A159) ORDER Authorize purchase of rock salt. (Councilor Ferris)
18. (2022-A160) ORDER Approve the carry forward encumbrance of appropriated, but not expended, Fiscal Year 2022 funds for approved projects. (Councilor Morin)
19. (2022-A161) ORDER Reallocate budgeted debt service to capital improvement program fund to support capital projects. (Councilor Phanthay)
20. (2022-A162) ORDER Authorize contract with Consolidated Communications for a virtual IP PBX phone system. (Councilor Goss)
21. (2022-A163) ORDER Authorize supplemental funding for upgrades to the Brewer Municipal Pool. (Councilor Ferris)
22. (2022-A164) ORDER Accept grant from the Harold Alfond Center for the Advancement of Maine's Workforce. (Councilor Morin)
23. (2022-B027) RESOLVE Commence dangerous building proceeding regarding property located at 89 Grove Street, Brewer, Tax Map 42, Lot 19. (Councilor Phanthay and Councilor Goss)
24. (2022-B028) RESOLVE Commence dangerous building proceeding regarding property located at 978 Wilson Street, Brewer, Tax Map 3, Lot 32. (Councilor Goss and Councilor Ferris)
25. (2022-B029) RESOLVE Commence dangerous building proceeding regarding property located at 77 South Main Street, Brewer, Tax Map 29, Lot 111. (Councilor Ferris and Councilor Morin)

D. Monthly Reports (Councilor Phanthay)

E. Nominations, Appointments, Elections

Consent Calendar

1. (2022-A165) ORDER Appoint associate member to the City of Brewer Planning Board. (Councilor Morin)

City Council Minutes
Tuesday, September 13, 2022

2. (2022-A166) ORDER, Issue warrant for November 8, 2022 City of Brewer Annual Municipal Election and set polling hours for the November 8, 2022 City of Brewer Annual Municipal Election and State of Maine General Election.
(Councilor Goss)
3. (2022-B030) RESOLVE, Prescribe Registrar of Voters Hourly Schedule for the November 8, 2022 City of Brewer Annual Municipal Election and the State of Maine General Election.
(Councilor Ferris)

F. Unfinished Business (none)

G. New Business

1. (2022-C010) ORDER Amend the General Assistance Ordinance to incorporate changes in maximum benefits. (Councilor Phanthay)

H. New Items with Leave of Council

I. ADJOURN

A. Minutes of the August 9, 2022 Regular Meeting

ACTION: Councilor Morin moved that the minutes to the August 9, 2022 regular meeting be accepted and placed on file. Councilor Goss seconded the motion. The motion passed with a unanimous vote.

B. Awards, Petitions and Public Comments

1. Proclamation: Substance-Abuse Recovery Month.

Mayor Daniels read the proclamation.

**PROCLAMATION
SEPTEMBER 2022 SUBSTANCE-ABUSE RECOVERY
MONTH**

WHEREAS, substance use disorders are a major public health problem that affect people of all ages and backgrounds and create significant medical, societal, and economic costs; and

WHEREAS, in the year 2020, the number of Recovery Community Centers throughout the state of Maine increased from 9 to 13 locations funded by the Maine Recovery Hub, currently there are also 4 additional recovery community centers and 8 peer run recovery centers; and

WHEREAS, in the year 2021, an estimated 631 deaths were caused by drug overdoses in Maine out of a reported 9,538 overdoses, an all-time high for the state, representing a 23% increase over 2020 with 77% of the deaths attributed to the consumption of fentanyl; and

City Council Minutes
Tuesday, September 13, 2022

WHEREAS, during 2021 the State of Maine average number of drug overdoses per month was 658, with 49 fatal and 609 nonfatal cases, and during the first six months of 2022 there have been 329 fatal drug overdoses out of 4,922 reported overdoses; and

WHEREAS, according to the Maine Opioid Response: 2021 Strategic Action Plan there have been 55,788 doses of naloxone purchased and distributed, 534 recovery coaches trained, medication assisted treatment provided to over 500 inmates within the Department of Corrections and to over 250 individuals in county jails, increased prescribing of buprenorphine by 43% in 3 years, an increase in the number of recovery residences, increase in syringe service provider sites, and increases in the number of cases diverted to Maine's Adult Drug Courts, Co-Occurring Court, and Veterans Court; and

WHEREAS, the City of Brewer has been a solid partner with local individuals, support groups, and other entities committed to reducing substance abuse in our community and finding programs that prevent, treat and eliminate illicit drug use in all its forms; and

WHEREAS, the City of Brewer believes that substance abuse adversely impacts the quality of life for all and this requires a comprehensive and balanced approach focused on providing access to treatment and recovery services, education, and enforcement; and

WHEREAS, the City of Brewer encourages the State of Maine to fund services for prevention, treatment, and recovery services for all residents of Penobscot County.

NOW, THEREFORE, I, MICHELE DANIELS, Mayor of the City of Brewer, on behalf of the City Council and citizens of Brewer, do hereby proclaim the month of September 2022 as

SUBSTANCE-ABUSE RECOVERY MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brewer to be imprinted this thirteenth day of September Two-Thousand-and-Twenty-Two.

Signed this thirteenth day of September, 2022

Michele Daniels, Mayor

2022-B024

September 13, 2022

TITLE: RESOLVE, RESOLUTION OF RESPECT FOR ROBERT "BOB" DEBECK SR.

Filed August 18, 2022
By Soubanh Phanthay and
Michele L. Daniels

City Council Minutes
Tuesday, September 13, 2022

WHEREAS, on the 29th day of July 2022 death brought to a close the full and active life of Robert “Bob” DeBeck Sr.; and

WHEREAS, Bob was born in Holden, Maine in 1930; and

WHEREAS, Bob married his high school sweetheart, Rita M. Jennings, and they shared 67 years of marriage together; and

WHEREAS, Bob and Rita built a home in Brewer where they raised six children; and

WHEREAS, Bob served his country in the Air Force Reserves from 1951 until 1957; and

WHEREAS, Bob loved coaching Little League, and served as a Little League coach for more than 35 years; and

WHEREAS, Bob was an avid fan of the Boston Red Sox; and

WHEREAS, Bob passed along his love of baseball to his children, his grandchildren, and his great-grandchildren.

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

BE IT 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 Robert DeBeck Sr. by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Phanthay moved that the resolve be adopted. Councilor Goss seconded the motion. Councilor Goss said he had the privilege of playing little league baseball for five years under the coaching of Bob DeBeck and Slip Corey. Councilor Goss said that Bob and Slip were the two best little league coaches in the state of Maine for the way they treated their players, and the fundamental skills they taught. Councilor Goss said, “Bob’s favorite saying, I can still hear the words now: Let’s play two!” Councilor Ferris said that he played Brewer little league baseball in the 1950’s, and he said that Bob and Slip were that guys you wanted to play for. Councilor Ferris said that Bob was a great guy, and had raised a terrific family, and that he will be missed. Mayor Daniels thanked the DeBeck family for their donation to the Brewer Parks & Recreation Department made in Bob’s honor. The motion passed with a unanimous vote.

City Council Minutes
Tuesday, September 13, 2022

2022-B025

September 13, 2022

TITLE: RESOLVE, RECOGNIZE WOODLANDS SENIOR LIVING OF BREWER FOR
TWENTY YEARS OF SERVICE.

Filed September 7, 2022
By Jerry Goss

WHEREAS, Woodlands Senior Living of Brewer first opened as an assisted living community in 2002; and

WHEREAS, for twenty years, Woodlands has offered supportive services and lifestyle opportunities to seniors who may require assistance; and

WHEREAS, Woodlands expanded in 2007 to meet the area's growing need for high-quality memory care for individuals living with Alzheimer's disease, dementia, and other memory impairments; and

WHEREAS, Woodlands' memory care residence offers a secure and comfortable environment for those in need of care.

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith recognizes and congratulates Woodlands Senior Living of Brewer for twenty years of service to the City of Brewer and to the surrounding community.

ACTION: Councilor Goss moved that the resolve be adopted. Councilor Ferris seconded the motion. The motion passed with a unanimous vote.

Public Comments

With regard to the proclamation of Substance Abuse Recover Month, Councilor Morin recognized staff members in attendance from the Bangor Area Recovery Network (The BARN), and thanked them for the work that they do.

IV. Recess for Public Hearing

Mayor Daniels said the City Council would recess for a public hearing and after the public hearing would return to the regular meeting and take up the rest of the items on the agenda.

The public hearing was called to order by Mayor Daniels.

City Council Minutes
Tuesday, September 13, 2022

The city clerk called the roll:

Councilor Goss-present
Councilor Morin-present
Mayor Daniels-present

Councilor Ferris-present
Councilor Phanthay-present

Mayor Daniels declared that a quorum was present. City Manager Stephen Bost and City Solicitor Johnathan Pottle were also present.

Mayor Daniels read the public notice for the public hearing:

**CITY OF BREWER
PUBLIC NOTICE**

Notice is hereby given that the Brewer City Council will hold a public hearing on Tuesday, September 13 at 6:00 p.m. in the Council Chambers at Brewer City Hall to consider the application of:

1. Dyer Company, LLC., d/b/a Yoshi Japanese Restaurant, 373 Wilson Street, Suite 2, Brewer, Maine for a State of Maine Class I, II, III and IV (malt liquor & wine) liquor license.

This application is available for public inspection by contacting the Brewer City Clerk (989-7050). This notice is posted on the bulletin board at Brewer City Hall.

Any person may attend this public hearing and speak on this application. The deadline for submission of written comments is 4:00 p.m. on the date of the hearing. Written comments should be addressed to Brewer City Council, c/o City Clerk, 80 No. Main Street, Brewer, Maine 04412 or emailed to city-clerk-office@brewermaine.gov.

Vincent P. Migliore
City Clerk

published September 6, 7, and 8
in the Bangor Daily News

Mayor Daniels asked if there had been any written comments received from the public. The City Clerk said there were none.

Mayor Daniels asked if there had been any comments the City Departments. The City Clerk said there were no objections from the City Departments.

Mayor Daniels asked if there were any comments from the Councilors. There were none.

Mayor Daniels asked if there were any comments from the public present at the hearing. There were none.

Mayor Daniels adjourned the public hearing.

City Council Minutes
Tuesday, September 13, 2022

The regular meeting was called back to order by Mayor Daniels. The city clerk called the roll:

Councilor Goss-present
Councilor Morin-present
Mayor Daniels-present

Councilor Ferris-present
Councilor Phanthay-present

Mayor Daniels declared that a quorum was present. City Manager Stephen Bost and City Solicitor Johnathan Pottle were also present.

C. Consent Calendar

2022-A145

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM WALKER’S GARAGE, LLC. TO
BREWER PARKS AND RECREATION DEPARTMENT FOR FALL
PROGRAM.

Filed August 17, 2022
By Jenn M. Morin

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$150 from Walker’s Garage, LLC. for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$150 from Walker’s Garage, LLC. to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

2022-A146

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM APEX METALS, LLC. TO BREWER
PARKS AND RECREATION DEPARTMENT FOR FALL PROGRAM.

Filed August 17, 2022
By Soubanh Phanthay

City Council Minutes

Tuesday, September 13, 2022

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$150 from Apex Metals, LLC. for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$150 from Apex Metals, LLC. to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

2022-A147

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM KIVELL ELECTRIC, LLC. TO BREWER PARKS AND RECREATION DEPARTMENT FOR FALL PROGRAM.

Filed August 17, 2022
By Jerry Goss

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$150 from Kivell Electric, LLC. for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$150 from Kivell Electric, LLC. to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

City Council Minutes
Tuesday, September 13, 2022

2022-A148

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM DANIEL AND LISA FITZGERALD TO
 BREWER PARKS AND RECREATION DEPARTMENT FOR FALL
 PROGRAM.

Filed August 17, 2022
By Joseph L. Ferris

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$500 from Daniel and Lisa Fitzgerald for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$500 from Daniel and Lisa Fitzgerald to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

2022-A149

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM ELAINE ALBRIGHT TO BREWER
 PUBLIC LIBRARY.

Filed August 17, 2022
By Jenn M. Morin

WHEREAS, the Brewer Public Library received a donation of \$1,000 from Elaine Albright; and

WHEREAS, Elaine Albright specified that the donation be used for purposes determined by the Library Director; and

WHEREAS, it is the recommendation and request of the Library Director that the donation be used toward library programming.

City Council Minutes
Tuesday, September 13, 2022

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council accepts this donation of \$1,000 from Elaine Albright to the City of Brewer Public Library, authorizes its deposit into account 0600072-360000-72034, and further authorizes its appropriation and expenditure from 0600072-560000-72034.

Statement of Fact: This order accepts and appropriates a \$1,000 donation from Elaine Albright to support programming at the Brewer Public 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.

2022-A150

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM TWIN CITY TIRE TO BREWER PARKS
AND RECREATION DEPARTMENT FOR FALL PROGRAM.

Filed August 24, 2022

By Soubanh Phanthay

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$450 from Twin City Tire for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$450 from Twin City Tire to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

City Council Minutes
Tuesday, September 13, 2022

2022-A151

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM GIFFORD ELECTRIC, LLC. TO
 BREWER PARKS AND RECREATION DEPARTMENT FOR FALL
 PROGRAM.

Filed August 24, 2022
By Jerry Goss

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$150 from Gifford Electric, LLC. for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$150 from Gifford Electric, LLC. to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

2022-A152

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM MAD KAT & COMPANY BAR &
 GRILL TO BREWER PARKS AND RECREATION DEPARTMENT
 FOR FALL PROGRAM.

Filed August 24, 2022
By Joseph L. Ferris

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$150 from M.K.B.G., LLC. d/b/a Mad Kat & Company Bar and Grill for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

Tuesday, September 13, 2022

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$150 from M.K.B.G., LLC. to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

2022-A153

September 13, 2022

TITLE: ORDER, DECLARE CITY PROPERTY SURPLUS AND AUTHORIZE DISPOSAL OF SAID PROPERTY.

Filed August 25, 2022
By Jenn M. Morin

WHEREAS, Public Works unit #462 a 2006 Downeaster 2.5yd sander hopper along with a Mikasa 300lb plate compactor and a 30-gallon fuel skid tank have been deemed no longer useful to the City of Brewer; and

WHEREAS, unit #462 the Downeaster sander will soon be replaced with a new Poly-Caster sander as part of the reconditioning of 1-ton plow truck #425; and

WHEREAS, both the Mikasa compactor and 30-gallon skid tank have been sitting in storage, unused for several years.

NOW, THEREFORE, BE IT ORDERED, that the above-mentioned items be deemed surplus;
and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to dispose of said surplus property by means that would be in the best interest of the City of Brewer; and

BE IT FURTHER ORDERED, that the funds received from the sale of the said surplus items be receipted to the City's Capital Improvement Program Sale of Asset account (0500100-300410) to be used to support future capital projects.

Statement of Fact: Unit #462, the Downeaster sander, is driven by an external gas engine which has been problematic. The Poly-Caster sander will run off the electrical system of the truck eliminating the external engine and requiring less maintenance. The Mikasa plate compactor needs work to operate properly and was replaced several years ago. The skid tank had developed leaks in the top and has not been used for several years.

City Council Minutes
Tuesday, September 13, 2022

2022-B026

September 13, 2022

TITLE: RESOLVE, APPROVE STATE OF MAINE RESTAURANT (CLASS I, II, III, IV)
LIQUOR LICENSE TO YOSHI JAPANESE RESTURANT, 373
WILSON STREET, SUITE 2, BREWER, MAINE.

Filed August 16, 2022
By Soubanh Phanthay

WHEREAS, Yoshi Japanese Restaurant, 373 Wilson Street, Suite 2, Brewer, Maine has applied to the State of Maine, Bureau of Liquor Enforcement, for a Restaurant Class I, II, III, IV, liquor license; and

WHEREAS, the Brewer City officials have reviewed this application and conducted background checks on the applicant and have submitted recommendations to the City Council on this application; and

WHEREAS, after considering their recommendations the City Council finds as follows:

1. The applicants have not been convicted of any Class A, Class B, or Class C crime;
2. The licensed premises and its use are in compliance with all local zoning ordinances and other land use ordinances not directly related to liquor control;
3. There is no record of waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by person patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises which unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;
4. There is no record of repeated incidents of record of breaches of peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; and
5. There is no record of the applicants having a violation of any provisions of Title 28-A, M.R.S.A. (Liquor Laws).
6. A determination by the municipal officers or county commissioners that the purpose of the application is not to circumvent the provisions of Section 601.

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council approves the application of Yoshi Japanese Restaurant, 373 Wilson Street, Suite 2, Brewer, Maine, for a State of Maine, Bureau of Liquor Enforcement, Restaurant Class I, II, III, IV liquor license.

2022-A154

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM CIANBRO TO BREWER PARKS AND
RECREATION DEPARTMENT FOR FALL PROGRAM.

Filed August 30, 2022
By Jerry Goss

City Council Minutes
Tuesday, September 13, 2022

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$450 from Cianbro Corporation for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$450 from Cianbro Corporation to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

2022-A155

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM FIRST NATIONAL BANK TO BREWER PARKS AND RECREATION DEPARTMENT FOR FALL PROGRAM.

Filed August 31, 2022

By Joseph L. Ferris

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$150 from First National Bank for support of the Fall Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall Program/League revenue account (0107123-300328); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall Program/League expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$150 from First National Bank to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall Program.

City Council Minutes
Tuesday, September 13, 2022

2022-A156

September 13, 2022

TITLE: ORDER, ACCEPT DONATION FROM THE FAMILY OF BOB DEBECK TO
BREWERS PARKS AND RECREATION DEPARTMENT FOR FALL
AFTER-SCHOOL PROGRAM.

Filed August 31, 2022
By Jenn M. Morin

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$880 from the family of Bob DeBeck for support of the Fall After-School Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Fall Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Fall After-School revenue account (0107123-300324); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Fall After-School expense account (0117121-506130).

Statement of Fact: This order accepts a contribution of \$880 from the family of Bob DeBeck to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Fall After-School Program.

2022-A157

September 13, 2022

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

Filed September 2, 2022
By Soubanh Phanthay

WHEREAS, under Chapter 31 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Sewer and Pre-treatment", a sewer charge is assessed to users.

NOW, THEREFORE WE, the Brewer City Council does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **\$664,926.58** at the established rate, as provided by Title 30-A M.R.S.A., §3406 and Title 38 M.R.S.A., §1208 [1989] and as such sections may be amended from time to time; and

City Council Minutes
Tuesday, September 13, 2022

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

EVENT	COMMITMENT	COMMENTS
June 2022	\$620,083.98	
March 2022	\$1,934.00	
April 2022	\$1,255.30	
May 2022	\$2,253.11	
TOTAL	\$664,926.58	

Statement of Fact: This is a quarterly order.

2022-A158

September 13, 2022

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

Filed September 2, 2022
By Jerry Goss

WHEREAS, under Chapter 40 of the Charter, Codes and Ordinances of the City of Brewer, entitled “Water Department”, 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 **\$466,026.26** at the established rate, as provided by Title 30-A M.R.S.A., §3406 (supp [1991] and Title 38 M.R.S.A., §1208 [1989]) 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.

City Council Minutes
Tuesday, September 13, 2022

EVENT	COMMITMENT	COMMENTS
June 2022	\$445,448.45	
March 2022	\$5,035.90	
April 2022	\$6,610.85	
May 2022	\$1,699.69	
TOTAL	\$466,026.26	

Statement of Fact: This is a quarterly order.

2022-A159

September 13, 2022

TITLE: ORDER, AUTHORIZE PURCHASE OF ROCK SALT.

Filed September 6, 2022
By Joseph L. Ferris

WHEREAS, a joint bid was solicited, received and evaluated for the purchase and delivery of rock salt during Fiscal Year 2023 (FY23) to the Cities of Brewer, Bangor, and the Town of Hampden; and

WHEREAS, New England Salt Company of Bangor, Maine offered the lowest price per ton on acceptable material of the bids received for the three communities.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Manager, or his designee, is authorized to sign a purchase order to New England Salt Company in the amount of \$151,000 for supplying and delivery of rock salt at \$75.85 per ton for the FY23 winter season; and

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

City Council Minutes
Tuesday, September 13, 2022

<u>Bid Canvass FY23 Salt Bid</u>	
<u>Vendor</u>	<u>Cost Per Ton</u>
Morton Salt, Inc.	\$ 79.49
American Rock Salt	no bid
Eastern Salt Company, Inc.	\$ 106.47
New England Salt Co., LLC.	\$ 75.85
Cargill, Inc. Deicing Technology	no bid

Statement of Fact: This is an annual order for the City's rock salt purchases for winter maintenance. Other bids were received from Morton Salt at \$79.49 per ton and Eastern Salt Company at \$106.47 per ton, along with two "no bids". Public Works anticipated a price increase for rock salt this year, but the price increase was greater than expected. Public Works will rely on its stores of winter sand without purchasing more, to lessen the impact of this increase on the overall budget.

2022-A160

September 13, 2022

TITLE: ORDER, APPROVE THE CARRY FORWARD ENCUMBRANCE OF APPROPRIATED, BUT NOT EXPENDED, FISCAL YEAR 2022 FUNDS FOR APPROVED PROJECTS.

Filed September 6, 2022
By Jenn M. Morin

BE IT ORDERED, that the Brewer City Council herewith authorizes and approves the carry forward of funds in the following accounts from the end of Fiscal Year 2022 to Fiscal Year 2023 as follows:

Account #	Description	Carry Forward
0115100-500510	Clerk – Maine PERS	\$11,500.00
0115201-501070	Assessor – Miscellaneous Professional Services	\$10,000.00
0115400-501005	Legal Services - Assessing	\$9,364.76
0115500-500000	Finance – Personnel	\$15,000.00
0115501-502200	Finance – Training, Conf and Meetings	\$934.00
0115501-500860	Finance – Computer Software	\$15,084.00
0115811-502810	Police Patrol – Uniforms and Protective Clothing	\$1,012.55
0115811-502810	Police Patrol – Minor Equipment	\$530.00
0115911-502810	Fire – Uniforms and Protective Clothing	\$430.00
0116200-501290	Insurance – Deductible	\$10,000.00
0116500-501110	Service Agency – Transit Operating Exp	\$69,136.00
0116500-501111	Service Agency – Transit Capital Reserve Exp	\$25,792.00

City Council Minutes
Tuesday, September 13, 2022

0116611-501044	Public Works – Contracted Svcs – Line Painting	\$36,115.00
0116661-502900	Public Works – Misc Supplies and Expenses	\$1,000.00
0116781-500860	Planning – Training, Conf and Meetings	2,440.00
0116781-500862	Planning – Travel	\$1,400.00
0116781-500864	Planning – Publications and Dues	\$40.00
0116900-505100	Misc Programs – Brewer Scholarship	\$1,200.00
0116900-509800	Misc Programs – Contingent	\$7,784.92
0117000-500800	Employee Benefits – Workers Compensation	\$25,465.00
0117100-500000	Parks and Rec –Personnel	\$12,000.00
0117111-502580	Parks and Rec – Other Parks and Playgrounds	\$1,562.25
0117111-503000	Parks and Rec – Minor Equipment	\$990.00
General Fund Total		<u>\$258,780.48</u>
0717501-501025	Water Admin – Engineering Services	\$2,000.00
0717502-500800	Water Admin – Workers Compensation	\$2,760.00
0717703-502600	Water Plant – Internal Lab Expenses	\$160.46
0718502-502710	Water Trans & Distr – Materials and Supplies	\$168.73
Water Fund Total		<u>\$5,089.19</u>
0817502-500800	Sewer Admin – Workers Compensation	\$2,455.00
0817702-504100	Sewer Plant – Equipment Maint and Repair	\$156.86
Sewer Fund Total		<u>\$2,611.86</u>

Statement of Fact: This annual order authorizes funds appropriated for specific uses in the prior fiscal year but not expended to be carried forward to the current fiscal year.

2022-A161

September 13, 2022

TITLE: ORDER, REALLOCATE BUDGETED DEBT SERVICE TO CAPITAL
IMPROVEMENT PROGRAM FUND TO SUPPORT CAPITAL
PROJECTS.

Filed September 6, 2022
By Soubanh Phanthay

WHEREAS, the Fiscal Year 2023 (FY23) Brewer City budget included \$50,000 in estimated interest expense associated with bond financing of the FY23 Capital Improvement Program (CIP); and

WHEREAS, the City will not close on that loan until May 2023, which means there will be no debt service payment due on this loan in FY23; and

WHEREAS, it is the recommendation of the Brewer Finance Director that this funding be moved to the Capital Improvement Program to support capital projects in the City.

City Council Minutes
Tuesday, September 13, 2022

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the reallocation of \$50,000 not needed to support debt service payments in FY23 from account 0118701-509010 (Debt Interest – City GF) to 0119903-509130 (CIP Funding – City GF) and from there to Fund 5000 (City Capital Improvement Program) account 0500100-300893 (Transfers In) to help pay for capital projects within the City of Brewer.

Statement of Fact: This order authorizes the transfer of \$50,000 from the general fund to the capital improvement program fund to support capital projects in the City.

2022-A163

September 13, 2022

TITLE: ORDER, AUTHORIZE SUPPLEMENTAL FUNDING FOR UPGRADES TO
THE BREWER MUNICIPAL POOL.

Filed September 6, 2022
By Joseph L. Ferris

WHEREAS, in June 2022, the Brewer City Council approved order 2022-A107 authorizing upgrades to the Brewer Municipal Pool to install a new pump, filter and larger water lines to the pump; and

WHEREAS, many unexpected challenges were encountered in completing the project; and

WHEREAS, additional upgrades including a new electrical service, a new emergency shut-off switch and raising a sub-floor for the pool filters needed to meet State guidelines, improve safety and complete the project; and

WHEREAS, it has been determined that an additional \$25,000 is needed to cover these unanticipated additional costs and there is sufficient unallocated Capital Improvement Program (CIP) fund balance to do so.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council authorizes the appropriation and expenditure of \$25,000 in supplemental funding from CIP account 0510124-551432 Pool Rehabilitation for the purpose of completing the pool pump and filter upgrade project; and

BE IT FURTHER ORDERED, that this funding shall come from CIP Unallocated Fund Balance 0510140-551090.

Statement of Fact: This order authorizes \$25,000 in supplemental funding from CIP Unallocated Fund Balance to cover unanticipated expenses associated with upgrades to the Brewer Municipal Pool required to meet State of Maine requirements and improve the safety of the facility.

City Council Minutes
Tuesday, September 13, 2022

2022-A164

September 13, 2022

TITLE: ORDER, ACCEPT GRANT FROM THE HAROLD ALFOND CENTER FOR
THE ADVANCEMENT OF MAINE’S WORKFORCE.

Filed September 7, 2022
By Jenn M. Morin

WHEREAS, the City of Brewer has received a \$600 grant from the Harold Alfond Center for the Advancement of Maine’s Work Force; and

WHEREAS, these funds were given to support the Brewer Department of Environmental Services staff to attend stormwater training.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith accepts these grant funds and authorizes their deposit into account 0800004-300490 (WPCF Miscellaneous Revenue); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from account number 0817502-500860 (WPCF Training, Conferences and Meetings) to support stormwater training for staff.

Statement of Fact: The City of Brewer received \$600 in grant funds from the Harold Alfond Center for the Advancement of Maine’s Work Force to attend stormwater training. This order accepts the funds and authorizes their expenditure.

2022-B027

September 13, 2022

TITLE: RESOLVE, COMMENCE DANGEROUS BUILDING PROCEEDING REGARDING
PROPERTY LOCATED AT 89 GROVE STREET, BREWER, TAX
MAP 42, LOT 19.

Filed September 8, 2022
By Soubanh Phanthay and
Jerry Goss

WHEREAS, the property located at 89 Grove Street, Brewer, Tax Map 42, Lot 19, (the “Property”) contains a building that has been observed and reported to be a dangerous building within the meaning of 17 M.R.S.A., § 2851 et seq. and applicable City codes and ordinances; and

WHEREAS, City Officials, including without limitation the Brewer Code Enforcement Officer, have attempted to resolve the aforescribed dangerous building conditions through warnings and notices of violations to the property owner, as documented in City records; and

City Council Minutes
Tuesday, September 13, 2022

WHEREAS, despite multiple attempts to resolve the dangerous building conditions, they remain uncorrected and have been referred to the City Council for review and consideration; and

WHEREAS, pursuant to 17 M.R.S.A., § 2851 et seq., the Brewer City Council has authority to commence a dangerous building proceeding by conducting a hearing and adjudging whether a building is a nuisance or dangerous in accordance with applicable statutory provisions; and

WHEREAS, based on reports from City Officials and City Records, the City Council believes a formal dangerous building hearing pursuant to 17 M.R.S.A., § 2851 et seq. is needed to address the building on the Property.

NOW, THEREFORE, based on the foregoing, the Brewer City Council hereby resolves to commence a municipal dangerous building proceeding regarding the building on the property pursuant to 17 M.R.S.A., § 2851 et seq.; and

BE IT FURTHER RESOLVED, that the City Manager or his designee is authorized to take any necessary and appropriate steps to implement this resolve.

Statement of Fact: This resolve commences the formal dangerous building process pursuant to 17 M.R.S.A., § 2851 et seq. regarding a building on property located at 89 Grove Street, Brewer, Tax Map 42, Lot 19, and authorizes the City Manager or his designee to take necessary and appropriate steps including, without limitation, scheduling a dangerous building hearing before the City Council and serving all necessary notices thereof.

City Council Minutes
Tuesday, September 13, 2022



City Council Minutes
Tuesday, September 13, 2022



City Council Minutes
Tuesday, September 13, 2022



Taken by neighbor 05/27/22

City Council Minutes
Tuesday, September 13, 2022



Taken by neighbor & sent to Code 08/30/22

Notice of Unfit for Human Habitation

This structure is unsafe and unfit for human habitation, its occupancy has been prohibited by the Code Enforcement Officer in accordance with the Laws and Ordinances of the City of Brewer.

Occupancy is forbidden until conditions detrimental to life and health have been corrected, subject to approval by the Code Enforcement Department.

89 GROVE STREET

Property Address

CITY OF BREWER, MAINE

June 13, 2022

Date

Kristie Rines

CODE ENFORCEMENT OFFICER

Penalty:

- All activities unrelated to the correction of the violation must cease immediately until such time as the site is brought into compliance, when unrelated work activities may resume.
- The removal or defacing of this placard by the owner or any person responsible who allows such action may be punishable in accordance with 30-A, M.R.S.A., Section 4452, or as the same may be amended from time to time.
- This placard will remain in effect until such time as this site is brought into compliance and the owner of the property has contacted the Code Enforcement Officer to schedule an inspection for compliance.

City Council Minutes
Tuesday, September 13, 2022



June 13, 2022

Carol Bragdon
89 Grove Street
Brewer, ME 04412-2334

RE: Structure Unfit for Human Occupancy – 89 Grove Street (Map-42/Lot-19)

Dear Carol Bragdon,

The City of Brewer Code Office has been notified that your residence has been without running water for some time now. The City of Brewer Water Department shut off the City water connection to your residence due to lack of payment for services rendered. The City of Brewer Police Department has provided the Code Office with notice that you, and several other adults have continued to reside in this residence without a water supply.

All dwelling units are required to have a means of running, potable water for health and sanitation reasons. A dwelling that lacks such required facilities is deemed unfit for human habitation and shall not have anyone living within it until the minimum requirements for habitation and sanitation are met.

Your property, 89 Grove Street, is hereby condemned as this structure is unfit for human habitation and shall not be occupied until this issue is rectified and the Code Office can inspect and verify this. Your residence has been condemned and requires immediate attention due to the violation(s) of the following Codes and Ordinances;

***The 1996 BOCA National Property Maintenance Code:
Section PM-108.0 Unsafe Structures and Equipment***

PM-108.1 General: When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provision of this code.

PM-108.1.3 Structure Unfit of Human Occupancy: A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

City Council Minutes
Tuesday, September 13, 2022



PM-108.3 Notice: Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section PM-107.3. The notice shall be in the form prescribed in Section PM-107.2.

PM-108.4 Placarding: Upon failure of the owner or person responsible to comply with the notice of provisions within the time given, the code official shall post on the premises or on defective equipment, a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

Section PM-302.0

Public Nuisance: Includes any of the following:

1. The physical condition of occupancy of any premises regarded as a public nuisance at common law;
2. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures;
3. Any premises that has unsanitary sewerage or plumbing facilities;
4. Any premises designated as unsafe for human habitation;
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property;
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or the required precautions against trespassers have not been provided;
7. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds; or
8. Any structure that is in a state of dilapidation, deterioration or decay, faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

Section PM-305.0 Interior Structure

PM-305.1 General: The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Every occupant shall keep that part of the structure which such occupant occupies or controls in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units and two or more residential occupancies, shall

City Council Minutes
Tuesday, September 13, 2022



maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

Section PM-503.0 Required Facilities

PM-503.1 Dwelling Unit: Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located.

Section PM-505.0 Plumbing Fixtures

PM-505.1 General: All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable to performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

Section PM-506.0 Water System

PM-506.1 General: every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water.

PM-506.3 Supply: The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely and free from defects and leaks.

Section PM-507.1 Sanitary Drainage System

PM-507.1 General: All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

This property requires immediate attention and must be vacated until the above Code Violations are remedied. This property is unfit for human habitation and has been condemned by the City of Brewer. Based on the above violations, you are hereby ordered to have this residence vacated within ten (10) days from the date of this notice.

This residence must be fully vacated no later than June 23, 2022.

City Council Minutes
Tuesday, September 13, 2022



The Code Enforcement Officer is also authorized to represent the City of Brewer pursuant to Title 30A, M.R.S.A. §4452, which allows for monetary penalties be assessed on a per-day basis.

In addition, Chapter 24 of the Land Use Code Article 2 Administration and Enforcement Section 206.2 Legal Action, Fines Subparagraph 2, states as follows:

Any person, firm, corporation or other legal entity, being the owner or having control of use of any building or premises who violates any of the provisions of this Land Use Code shall be penalized in accordance with Title 30-A MRSA.

- A. *The minimum penalty for violating this Article is One Hundred (\$100.00) Dollars, and the maximum penalty is Two Thousand Five Hundred (\$2,500.00) Dollars per day per violation.*
- B. *The minimum penalty for a specific violation is One Hundred (\$100.00) Dollars, and the maximum penalty is Two Thousand Five Hundred (\$2,500.00) Dollars per day per violation.*

Further, based on the conditions of this residence, it is a "dangerous building" pursuant to Title 17, Chapter 91: Nuisances, Section 2851 Dangerous Buildings. Under this Maine Statute, a "dangerous building" is one that is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. Based on the above observations, this building is a dangerous building.

Please be advised that if action is not taken to cease occupancy until the above citations are fixed, the City of Brewer Code Office will be forced to refer this matter to the City Attorney and City Council for a local dangerous building proceeding as outlined in the Dangerous Building Statute.

If you have any questions, please feel free to contact me at 989-7790. Thank you in advance for your assistance and cooperation with this matter.

Respectfully,

Kristie A. Rines
Code Enforcement Officer

City Council Minutes
Tuesday, September 13, 2022

2022-B028

September 13, 2022

TITLE: RESOLVE, COMMENCE DANGEROUS BUILDING PROCEEDING REGARDING
PROPERTY LOCATED AT 978 WILSON STREET, BREWER, TAX
MAP 3, LOT 32.

Filed September 8, 2022
By Jerry Goss and
Joseph L. Ferris

WHEREAS, the property located at 978 Wilson Street, Brewer, Tax Map 3, Lot 32, (the “Property”) contains a building that has been observed and reported to be a dangerous building within the meaning of 17 M.R.S.A., § 2851 et seq. and applicable City codes and ordinances; and

WHEREAS, City Officials, including without limitation the Brewer Code Enforcement Officer, have attempted to resolve the aforescribed dangerous building conditions through warnings and notices of violations to the property owner, as documented in City records; and

WHEREAS, despite multiple attempts to resolve the dangerous building conditions, they remain uncorrected and have been referred to the City Council for review and consideration; and

WHEREAS, pursuant to 17 M.R.S.A., § 2851 et seq., the Brewer City Council has authority to commence a dangerous building proceeding by conducting a hearing and adjudging whether a building is a nuisance or dangerous in accordance with applicable statutory provisions; and

WHEREAS, based on reports from City Officials and City Records, the City Council believes a formal dangerous building hearing pursuant to 17 M.R.S.A., § 2851 et seq. is needed to address the building on the Property.

NOW, THEREFORE, based on the foregoing, the Brewer City Council hereby resolves to commence a municipal dangerous building proceeding regarding the building on the property pursuant to 17 M.R.S.A., § 2851 et seq.; and

BE IT FURTHER RESOLVED, that the City Manager or his designee is authorized to take any necessary and appropriate steps to implement this resolve.

Statement of Fact: This resolve commences the formal dangerous building process pursuant to 17 M.R.S.A., § 2851 et seq. regarding a building on property located at 978 Wilson Street, Brewer, Tax Map 3, Lot 32, and authorizes the City Manager or his designee to take necessary and appropriate steps including, without limitation, scheduling a dangerous building hearing before the City Council and serving all necessary notices thereof.

City Council Minutes
Tuesday, September 13, 2022



Taken 09/10/21

City Council Minutes
Tuesday, September 13, 2022



Taken 09/10/21

City Council Minutes
Tuesday, September 13, 2022



City Council Minutes
Tuesday, September 13, 2022



City Council Minutes
Tuesday, September 13, 2022

2022-B029

September 13, 2022

TITLE: RESOLVE, COMMENCE DANGEROUS BUILDING PROCEEDING REGARDING
PROPERTY LOCATED AT 77 SOUTH MAIN STREET, BREWER,
TAX MAP 29, LOT 111.

Filed September 8, 2022
By Joseph L. Ferris and
Jenn M. Morin

WHEREAS, the property located at 77 South Main Street, Brewer, Tax Map 29, Lot 111, (the “Property”) contains a building that has been observed and reported to be a dangerous building within the meaning of 17 M.R.S.A., § 2851 et seq. and applicable City codes and ordinances; and

WHEREAS, City Officials, including without limitation the Brewer Code Enforcement Officer, have attempted to resolve the aforescribed dangerous building conditions through warnings and notices of violations to the property owner, as documented in City records; and

WHEREAS, despite multiple attempts to resolve the dangerous building conditions, they remain uncorrected and have been referred to the City Council for review and consideration; and

WHEREAS, pursuant to 17 M.R.S.A., § 2851 et seq., the Brewer City Council has authority to commence a dangerous building proceeding by conducting a hearing and adjudging whether a building is a nuisance or dangerous in accordance with applicable statutory provisions; and

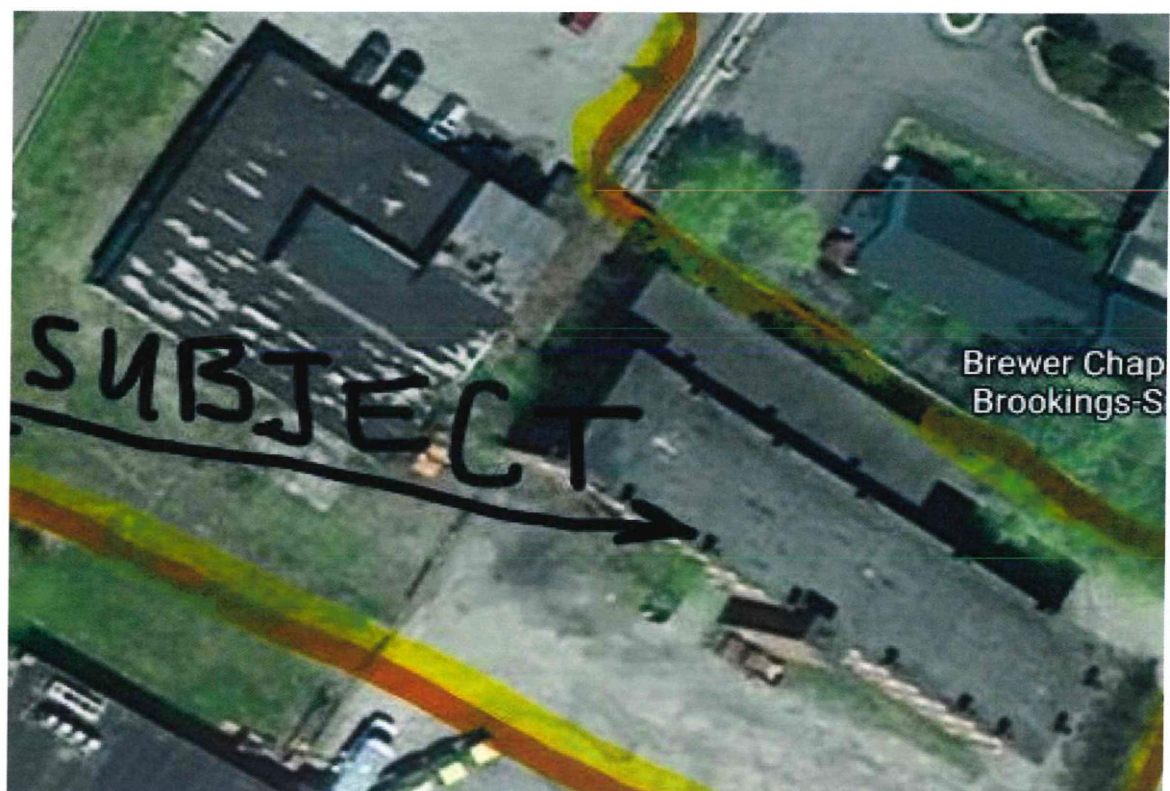
WHEREAS, based on reports from City Officials and City Records, the City Council believes a formal dangerous building hearing pursuant to 17 M.R.S.A., § 2851 et seq. is needed to address the building on the Property.

NOW, THEREFORE, based on the foregoing, the Brewer City Council hereby resolves to commence a municipal dangerous building proceeding regarding the building on the property pursuant to 17 M.R.S.A., § 2851 et seq.; and

BE IT FURTHER RESOLVED, that the City Manager or his designee is authorized to take any necessary and appropriate steps to implement this resolve.

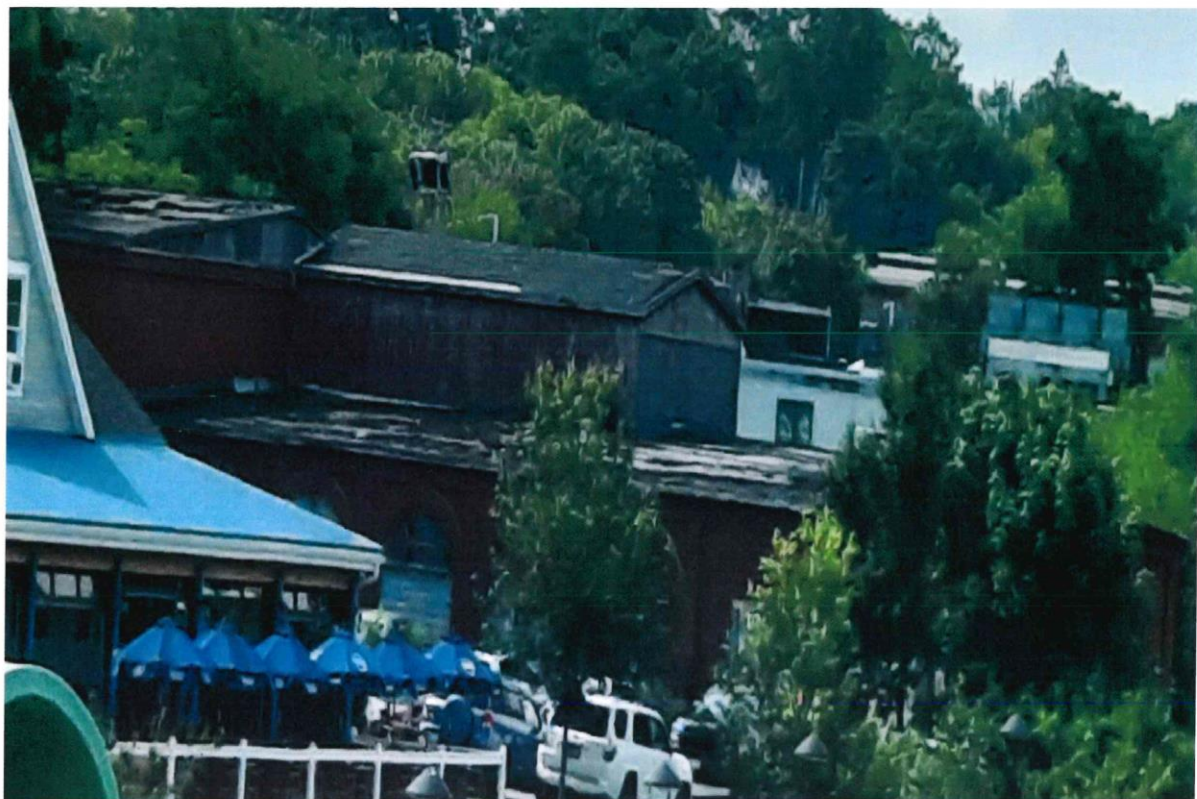
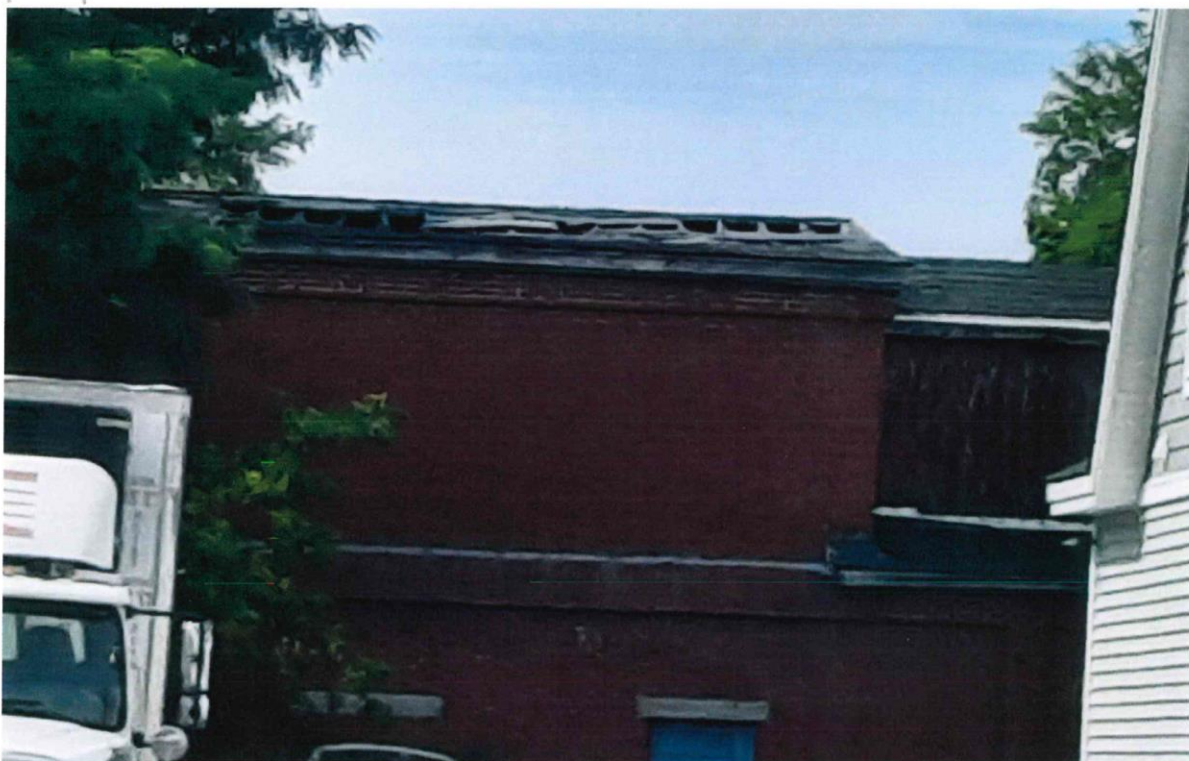
Statement of Fact: This resolve commences the formal dangerous building process pursuant to 17 M.R.S.A., § 2851 et seq. regarding a building on property located at 77 South Main Street, Brewer, Tax Map 29, Lot 111, and authorizes the City Manager or his designee to take necessary and appropriate steps including, without limitation, scheduling a dangerous building hearing before the City Council and serving all necessary notices thereof.

City Council Minutes
Tuesday, September 13, 2022



Taken 08/19/21
from Real Estate listing

City Council Minutes
Tuesday, September 13, 2022



Taken 08/19/21

City Council Minutes
Tuesday, September 13, 2022



09/10/22

City Council Minutes
Tuesday, September 13, 2022



City Council Minutes
Tuesday, September 13, 2022



City Council Minutes
Tuesday, September 13, 2022

ACTION: Councilor Goss asked that Order 2022-A144 and Order 2022-A162 be removed from the consent calendar. Councilor Ferris moved that the remaining orders on the consent calendar have passage and that the resolves be adopted. Councilor Goss seconded the motion. The motion passed with a unanimous vote.

2022-A144

September 13, 2022

TITLE: ORDER, ACCEPT EASEMENT FOR WATER HYDRANT.

Filed August 12, 2022

By Joseph L. Ferris

WHEREAS, the water hydrant at the corner of South Main Street and Hardy Street is in the sidewalk and subject to frequent damage; and

WHEREAS, the water hydrant requires full replacement; and

WHEREAS, the owners of 7 Hardy Street have agreed to give the City an easement to place the hydrant on the edge of their lawn and to maintain the hydrant.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith accepts permanent easements from the following property owner:

1. Michael and Kelly Boyd 7 Hardy Street, Brewer Compensation = \$0.

Statement of Fact: This order accepts an easement allowing the hydrant on the corner of South Main Street and Hardy Street to be moved out of the sidewalk and on to the property at 7 Hardy Street. This move will reduce sidewalk plow and vehicle collisions.

ACTION: Councilor Goss moved that the order have passage. Councilor Morin seconded the motion. Mayor Daniels stated for the record that she would recuse herself from the vote. The motion passed with a vote of 4-0 with Mayor Daniels abstaining.

2022-A162

September 13, 2022

TITLE: ORDER, AUTHORIZE CONTRACT WITH CONSOLIDATED COMMUNICATIONS FOR A VIRTUAL IP PBX PHONE SYSTEM.

Filed September 6, 2022

By Jerry Goss

WHEREAS, the City of Brewer's current Norstar Centrex phone system is over 25 years old and past its useful life; and

City Council Minutes
Tuesday, September 13, 2022

WHEREAS, the City solicited proposals for a new phone system and recommends moving to a hosted, internet-based phone system with the upfront purchase of the phone sets and related equipment; and

WHEREAS, Consolidated Communications' proposal was most favorable in terms of quality, customer service, and cost.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager, or his designee, to enter into a 5-year contract with Consolidated Communications Enterprise Services, Inc. for a virtual IP PBX phone system that includes the upfront purchase of phone sets and switches; and

BE IT FURTHER ORDERED, that costs associated with the equipment purchases be charged to Capital Improvement Program (CIP) account 0510130-551019 (New Phone System); and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of \$35,000 from this account for the upfront purchase of the phones and related equipment and that this funding shall come from CIP Unallocated Fund Balance (0510140-551090); 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 equipment and services for this project.

Statement of Fact: This order authorizes a 5-year contract with Consolidated Communications for the installation and operation of a new phone system that is hosted offsite and operates using Internet connections to replace the City's 25+ year old legacy system. It also appropriates \$35,000 for the upfront purchase of the phone equipment, which saves the City \$15,000 per year in equipment lease fees.

ACTION: Councilor Goss moved that the order have passage. Councilor Ferris seconded the motion. Mayor Daniels stated for the record that she would recuse herself from the vote. The motion passed with a vote of 4-0 with Mayor Daniels abstaining.

D. Monthly Reports

ACTION: Councilor Phanthay moved that the monthly reports from department heads be accepted and placed on file. Councilor Morin seconded the motion. The motion passed with a unanimous vote.

City Council Minutes
Tuesday, September 13, 2022

**E. Nominations, Appointments, Elections
Consent Calendar**

2022-A165

September 13, 2022

TITLE: ORDER, APPOINT ASSOCIATE MEMBER TO THE CITY OF BREWER
PLANNING BOARD.

Filed August 11, 2022
By Jenn M. Morin

BE IT ORDERED, that Mark Call, of 17 Maid Marion Lane, is herewith appointed to the Brewer Planning Board of the City of Brewer as an associate member to fill a vacancy; and

BE IT FURTHER ORDERED, that Mr. Call's term will commence September 18, 2022 and expire March 31, 2024.

2022-A166

September 13, 2022

TITLE: ORDER, ISSUE WARRANT FOR NOVEMBER 8, 2022 CITY OF BREWER
ANNUAL MUNICIPAL ELECTION AND SET POLLING HOURS FOR
THE NOVEMBER 8, 2022 CITY OF BREWER ANNUAL MUNICIPAL
ELECTION AND STATE OF MAINE GENERAL ELECTION.

Filed August 15, 2022
By Jerry Goss

WHEREAS, the City of Brewer Annual Municipal Election and State of Maine General Election will be held on Tuesday, November 8, 2022; and

WHEREAS, Title 21-A, M.R.S.A., §626(1) provides that the polls must be opened no earlier than 6:00 a.m. and no later than 8:00 a.m. on election day; and

WHEREAS, Title 21-A, M.R.S.A., §626(1) further provides that the municipal officers shall determine the time of opening the polls within the time limits of 6:00 a.m. to 8:00 a.m.; and

WHEREAS, a poll opening time of 7:00 a.m. will, in the judgment of the municipal officers, meet the needs of the municipality for the November 8, 2022 election.

NOW, THEREFORE, BE IT ORDERED, that the municipal officers herewith set the time of 7:00 a.m. for opening the polls and a time of 8:00 p.m. for closing the polls for the November 8, 2022 City of Brewer Annual Municipal Election and State of Maine General Election; and

BE IT FURTHER ORDERED, that the municipal officers issue the warrant for the City of

City Council Minutes
Tuesday, September 13, 2022

Brewer Annual Municipal Election to be held on November 8, 2022 with the polls to open at 7:00 a.m. and close at 8:00 p.m.

**CITY OF BREWER
ANNUAL MUNICIPAL ELECTION**

Penobscot ss.

State of Maine

To: _____, a Constable in the City of Brewer.

You are hereby required in the name of the State of Maine to notify the voters of the City of Brewer of the election described in this warrant.

**TO THE VOTERS OF THE CITY OF BREWER
WARD 1, PRECINCT 1**

You are hereby notified that the annual municipal election in the municipality will be held at the Joseph L. Ferris Community Center on Tuesday, the eighth day of November 2022 for the purpose of affecting the election of:

- TWO MEMBERS OF THE CITY COUNCIL FOR THREE-YEAR TERMS
- ONE MEMBER OF THE SUPERINTENDING SCHOOL COMMITTEE FOR A THREE-YEAR TERM
- ONE TRUSTEE OF THE BREWER HIGH SCHOOL DISTRICT FOR A FIVE-YEAR TERM

The polls shall be open at 7:00 A.M. and close at 8:00 P.M.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change of name or address on the voting list, to accept the registration of any person eligible to vote and to accept new registrations.

A person who is not registered as a voter may not vote in any election.

Dated at Brewer, Maine this 13th day of September in the year of Our Lord, Two-Thousand-and-Twenty-Two.

Majority of the Municipal Officers of Brewer

City Council Minutes
Tuesday, September 13, 2022

2022-B030

September 13, 2022

TITLE: RESOLVE, PRESCRIBE REGISTRAR OF VOTERS HOURLY SCHEDULE FOR THE NOVEMBER 8, 2022 CITY OF BREWER ANNUAL MUNICIPAL ELECTION AND STATE OF MAINE GENERAL ELECTION.

Filed August 15, 2022
By Joseph L. Ferris

WHEREAS, the City of Brewer Annual Municipal Election and State of Maine Referendum Election will be held on Tuesday, November 8, 2022; and

WHEREAS, Title 21-A M.R.S.A., §122 (6)(A)(2) provides in part, that in a municipality with a population of more than 2,500, the Registrar of Voters shall accept registrations on the last 5 business days before election day, during the hours that the City Clerk's office is open (8:00 a.m. to 4:00 p.m.) and for 2 hours in the evening between 5:00 p.m. and 9:00 p.m. on at least 1 of these days; and

WHEREAS, the City of Brewer has a population greater than 2,500 according to the 2020 Federal Census; and

WHEREAS, the Registrar of Voters suggests that holding office hours on Tuesday, November 1, 2022 from 5:00 p.m. until 7:00 p.m. will satisfy the requirements of Title 21-A M.R.S.A., §122 (6)(A)(2) and serve the needs of the community; and

WHEREAS, the municipal officers concur with this assessment by the Registrar of Voters.

NOW, THEREFORE, BE IT RESOLVED, that the municipal officers herewith prescribe the hours of registration as 8:00 a.m. to 4:00 p.m. on the five business days prior to the City and State Elections to be held on November 8, 2022; and

BE IT FURTHER RESOLVED, that the municipal officers herewith prescribe the additional hours of registration as 5:00 p.m. to 7:00 p.m. on Tuesday, November 1.

ACTION: Councilor Morin moved that the orders on the consent calendar have passage and that the resolve be adopted. Councilor Phanthay seconded the motion. The motion passed with a unanimous vote.

F. Unfinished Business

There was no unfinished business.

City Council Minutes
Tuesday, September 13, 2022

G. New Business

2022-C010

September 13, 2022

TITLE: ORDER, AMEND THE GENERAL ASSISTANCE ORDINANCE TO
INCORPORATE CHANGES IN MAXIMUM BENEFITS.

Filed September 7, 2022
By Soubanh Phanthay

BE IT ORDAINED, by the Brewer City Council that Chapter 11GA of the Charter, Codes and Ordinances of the City of Brewer entitled “General Assistance Ordinance”, be amended by adding the following:

ARTICLE X

Appendices

The following Appendixes are hereby adopted by reference and are available for public review and inspection in the General Assistance Office:

Appendix A: GA Overall Maximums as published by the State of Maine DHHS 2022-2023 effective October 1, 2022.

Appendix B: Food Maximums as published by the State of Maine DHHS 2022-2023 effective October 1, 2022.

Appendix C: GA Housing Maximums as published by the State of Maine DHHS 2022-2023 effective October 1, 2022.

Appendix D: Utilities as published by the State of Maine DHHS 2022-2023 effective October 1, 2022.

Appendix G: Mileage Rate as published by the State of Maine DHHS 2022-2023 effective October 1, 2022.

Appendix A: GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5 — 6*
Bangor-HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Heron, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	783	909	1,163	1,447	—1,979—2,054

City Council Minutes
Tuesday, September 13, 2022

Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	503	504	606	763	930
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	407	510	636	795	897
Durham, Leeds, Livermore, Livermore Falls, Minot	—411	—510	—654	—817	—916
Portland HMFA: Cape Elizabeth, Casco, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth	667	792	1026	1294	1386
Buxton, Hollis, Limington, Old Orchard Beach	667	792	1026	1294	1386
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	864	869	1042	1517	1653
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	584	627	809	1076	1238
Brunswick	—587	—699	—904	—1146	—1375

***Note: Add \$75.00 for each additional person.**

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	634	642	793	1055	1317
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick,	579	601	765	945	1058

City Council Minutes
Tuesday, September 13, 2022

Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells					
Biddeford, Saco, Sanford	—643	—717	—903	—1146	—1355

~~*Note: Add \$75 for each additional person.~~

~~Non-Metropolitan Areas~~

~~Persons in Household~~

COUNTY	1	2	3	4	5*
Aroostook County	398	473	600	763	879
Franklin County	477	515	627	763	972
Hancock County	521	601	700	985	1014
Kennebec County	415	519	622	840	898
Knox County	472	624	712	964	1112
Lincoln County	570	612	738	913	1076
Oxford County	398	528	608	811	1016
Piscataquis County	495	564	699	887	948
Somerset County	418	491	600	822	902
Waldo County	554	595	717	856	935
Washington County	477	515	615	763	879

~~* Please Note: Add \$75 for each additional person.~~

~~Appendix B: Food Maximums~~

~~Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through October 1, 2007, those amounts are:~~

Number in Household	Weekly Maximum	Monthly Maximum
1	\$58.14	\$250
2	\$106.74	\$459
3	\$153.02	\$658
4	\$194.19	\$835

City Council Minutes
Tuesday, September 13, 2022

5	\$230.70	\$992
6	\$276.74	\$1,190
7	\$306.05	\$1,316
8	\$349.77	\$1,504

~~Note: For each additional person, add \$188 per month~~

~~Appendix C: GA Housing Maximums~~
~~(Heated & Unheated Rents)~~

~~**NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS!** Municipalities should ONLY consider adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See *Instruction Memo for further guidance.*)~~

City Council Minutes
Tuesday, September 13, 2022

Non-Metropolitan FMR Areas

<u>Aroostook County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	59 253	69 301
1	67 289	81 371
2	84 363	103 445
3	108 465	132 580
4	121 521	150 624
<u>Franklin County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	80 342	91 390
1	82 351	96 413
2	96 412	116 499
3	113 485	138 595
4	149 642	180 775
<u>Hancock County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	88 380	98 423
1	99 425	112 482
2	110 474	129 553
3	162 695	185 794
4	162 695	185 794
<u>Kennebec County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	68 292	77 330
1	80 345	92 395
2	97 419	114 489
3	137 589	158 678
4	140 600	164 707

City Council Minutes
Tuesday, September 13, 2022

<u>Non-Metropolitan FMR Areas</u>		
<u>Knox County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	80 344	89 382
1	107 459	118 508
2	117 503	133 572
3	162 697	182 784
4	184 790	208 896
<u>Lincoln County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	101 433	109 471
1	104 448	116 497
2	122 527	139 596
3	147 632	167 719
4	147 632	167 720
<u>Oxford County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	65 278	74 316
1	87 375	99 425
2	96 412	112 482
3	131 562	151 651
4	165 708	189 815
<u>Piscataquis County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	80 345	92 394
1	88 377	103 442
2	106 454	127 545
3	135 581	162 695
4	136 585	168 723
<u>Somerset County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	62 268	73 316
1	77 329	91 391
2	86 371	107 458
3	128 551	154 661
4	128 551	159 683
<u>Non-Metropolitan FMR Areas</u>		

City Council Minutes
Tuesday, September 13, 2022

<u>Waldo County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	97 419	106 457
1	101 433	112 482
2	118 508	134 577
3	144 620	164 707
4	146 630	171 735
<u>Washington County</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	79 340	89 383
1	81 347	94 404
2	92 397	111 476
3	115 493	138 592
4	118 507	146 627
<u>Metropolitan FMR</u> <u>AreasBangor HMFA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	147 630	170 730
1	166 714	197 847
2	213 917	254 1,091
3	267 1,150	317 1,363
4	375 1,612	436 1,876
<u>Penobscot County HMFA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	80 345	92 394
1	80 345	88 379
2	84 360	105 450
3	105 452	132 566
4	128 552	160 690
<u>Lewiston/Auburn MSA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	67 287	76 325
1	83 359	95 409
2	99 426	115 496
3	126 543	147 632
4	135 580	160 687

City Council Minutes
Tuesday, September 13, 2022

<u>Metropolitan FMR</u> <u>Areas</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	147 630	170 730
1	166 714	197 847
2	213 917	254 1,091
3	267 1,150	317 1,363
4	375 1,612	436 1,876
<u>Penobscot County HMFA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	80 345	92 394
1	80 345	88 379
2	84 360	105 450
3	105 452	132 566
4	128 552	160 690
<u>Lewiston/Auburn MSA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	67 287	76 325
1	83 359	95 409
2	99 426	115 496
3	126 543	147 632
4	135 580	160 687
<u>Metropolitan FMR</u> <u>Areas</u>		
<u>Portland HMFA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	121 521	130 559
1	142 612	154 661
2	183 789	199 858
3	232 997	252 1084
4	242 1040	266 1145
<u>York/Kittery/S. Berwick</u> <u>HMFA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	161 693	171 733
1	161 693	170 733
2	184 792	201 866
3	276 1187	298 1280
4	294 1265	320 1378

City Council Minutes
Tuesday, September 13, 2022

<u>Cumberland County HMFA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	91 393	100 431
1	107 462	119 511
2	137 591	153 660
3	163 699	183 786
4	210 904	235 1010
<u>Sagadahoc County HMFA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	114 491	123 528
1	114 491	143 616
2	127 546	173 742
3	152 655	265 1140
4	227 977	252 1082
<u>York County HMFA</u>	<u>Unheated</u>	<u>Heated</u>
Bedrooms	Weekly Monthly	Weekly Monthly
0	101 434	110 474
1	101 434	112 483
2	126 540	143 614
3	149 639	170 732
4	156 670	182 783

Appendix D: Utilities

Electric

Note: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is ***not automatically*** entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without electric hot water:** The maximum amounts allowed for utilities, for lights, cooking, and other electric uses, ***excluding*** electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month

City Council Minutes
Tuesday, September 13, 2022

~~2) Electricity Maximums for Households With Electrically Heated Hot Water:~~

The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses ~~excluding~~ heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$ 89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month

-

~~NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.~~

~~— In accordance with the following conditions, the administrator may allow as a budgetable expense the amount of an applicant's summer loaded special payment arrangement (SPA) or budget payment arrangement (BPA), as calculated by the electric utility and entered into by the applicant, even when the arranged payment amount exceeds the above maximums or actual usage.~~

- ~~1) The SPA or BPA, when annualized, does not exceed the above monthly maximums, when annualized, for non-electrically heated dwelling units.~~
- ~~2) The SPA or BPA, when annualized, does not exceed the above monthly maximums and the fuel assistance maximums, when annualized, for electrically heated dwelling units.~~
- ~~3) The administrator determines, in consultation with the utility, that the payment arrangement does not include in any part the installment payment of past debt unless the municipality guaranteed to the utility the allowance of such an arrangement as a condition of averting a disconnection.~~

~~— Pursuant to the use of income requirements in section 6.6 of this ordinance, whenever the administrator budgets for SPA's or BPA's under this section, the recipient will be required to pay the SPA or BPA him or herself to the extent of the income capacity of the household.~~

Heating Fuel

When considering requests for heating fuel, eligible applicants will be granted assistance with the actual amount necessary up to the following maximums:

City Council Minutes
Tuesday, September 13, 2022

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	February	225
October	100	March	125
November	200	April	125
December	200	May	50
January	225		

-

~~When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon.~~

~~When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. However, no eligible applicant shall be considered to need more than:~~

- ~~• 7 tons of coal per year~~
- ~~• 8 cords of wood per year~~
- ~~• 126,000 cubic feet of natural gas per year, or~~
- ~~• 1000 gallons of propane.~~

Household & Personal Items

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

~~Note: For each additional person add \$1.25 per week or \$5.00 per month.~~

Child Under 5 Allowance

~~When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:~~

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$ 55.00

City Council Minutes
Tuesday, September 13, 2022

2	\$17.40	\$ 75.00
3	\$23.30	\$ 100.00
4	\$27.90	\$120.00

Appendix G: Mileage Rate

~~This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 45 cents (45¢) per mile.~~

~~Please refer to the Office of State Controller for changes to this rate: Telephone: 626-8420 or visit: <http://www.state.me.us/osc/>~~

Statement of Fact: Statement of Fact: This Order “cleans up” the GA Ordinance by adopting the State of Maine annual updates to the Appendixes by reference, rather than making numerous changes annually to the appendixes within the Ordinance.

ACTION: Councilor Phanthay moved that the amendment be certified and filed with the city clerk for posting. Councilor Ferris seconded the motion. The motion passed with a unanimous vote.

H. New Items with Leave of Council

There were no new items with leave of council.

I. ADJOURN

ACTION: Councilor Goss moved that the meeting be adjourned. Councilor Ferris seconded the motion. The motion passed with a unanimous vote. The meeting was adjourned at 6:23 P.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine