

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, September 16, 2024, at 6:00 PM in the Ellsworth City Hall Council Chambers

Meetings will be broadcast live on:

Facebook: <https://www.facebook.com/ellsworthme>

YouTube: <https://www.youtube.com/c/CityofEllsworthMaine>

Spectrum Channel 1303

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Rules of Order.
4. Adoption of the Ellsworth City Council minutes from the following meeting:
 - August 19, 2024, Regular Meeting
 - August 26, 2024, Emergency Meeting
5. Presentation of Awards.
 - Amanda Ray – 5 years of service
 - Brian Luce – 5 years of service
6. City Manager's Report.
7. Committee Reports.
8. Citizen's Comments.
9. Councilor Comments.

UNFINISHED BUSINESS

CONSENT AGENDA

CONSENT AGENDA: All items with an asterisk (*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

10. Council Order #092400, Request of the Deputy City Clerk to approve the time polling places will be open for the November 5, 2024, State of Maine Election and the City of Ellsworth Municipal Election as 7:00am. *

11. Council Order #092401, Request of the Deputy City Clerk for appointment of Wardens and Ward Clerks for the four voting districts within the City of Ellsworth for the November 5, 2024, State of Maine Election and City of Ellsworth Municipal Election. *

NEW BUSINESS

12. Public hearing and action on the application (s) for renewal for the following license(s):

- Provender, LLC d/b/a Provender, 112 Main Street, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License.
- Louise Joy and Thomas Joy d/b/a Edward Joy & Sons, 129 North Street, for renewal of a City Junkyard/Automobile Graveyard Permit.
- James B. Card II d/b/a Jimbo's Junkin, 62 Kylies Way, for renewal of a City Junkyard/Automobile Graveyard Permit.
- Ryan Lounder, d/b/a Strike N Slice, 25 Eastward Lane Suite 6, for renewal of a City Class C License (Victualer and Liquor) and State Liquor License (Class I, II, III, and IV).
- Margs Mex Ellsworth LLC d/b/a Margaritas Ellsworth, 191 Main Street, for renewal of a City Class B License (Amusement, Liquor, Victualer) and renewal of a State Class A Restaurant/Lounge Malt Liquor, Wine, Spirits (Class XI) Liquor license.

New Business

- Corporate Chefs, LLC, 21 Kingsland Crossing, for a new City Class C License (Victualer and Liquor) and a new State Qualified Catering License.

13. Council Order #092402 Announcement and Presentation of the City of Ellsworth's designation as a Main Street City.

14. Council Order #092403 Request of the Fire Chief to purchase new hydraulic extrication tools.

15. Council Order #092404 Request of the Historic Preservation Chair to re-establish a cemetery committee. (Sponsored by Councilor Smith)

16. Council Order #092405 Request of the City Manager to enter into an agreement to install electric vehicle charging stations.

17. Council Order #092406 Request of the Public Works Director to purchase a used plow truck.

18. Council Order #092407 Request of the IT Systems Administrator to purchase a vehicle detection system for the High St and Beechland Rd Intersection.
19. Council Order #092408 Public Hearing and potential action on Resolution to authorize the City Manager to submit an application for a Community Enterprise Community Development Block grant in the amount of \$100,000, and if awarded, to accept said funds to carry out a program to make façade improvements to downtown buildings.
20. Executive session to discuss personnel matters in accordance with MRSA Title 1, Chapter 13, Section 405, Paragraph 6A.
21. Adjournment.

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, August 19, 2024 at 6:00 PM in the Ellsworth City Hall Council Chambers

Meetings will be broadcast live on:

Facebook: <https://www.facebook.com/ellsworthme>

YouTube: <https://www.youtube.com/c/CityofEllsworthMaine>

Spectrum Channel 1303

AGENDA

1. Call to Order. *C. Hanson, T. Mote absent*
2. Pledge of Allegiance.
3. Rules of Order.
4. Adoption of the Ellsworth City Council minutes from the following meeting:
 - July 15, 2024 Regular Meeting

Motion to adopt minutes P Lyons, seconded by J Stein, passed 5-0

5. Presentation of Awards.
 - Brian Smith – 5 years of service
 - Aimee Barnes – 5 years of service
6. City Manager's Report.

Courthouse – Met with the state today to discuss their plans for a new courthouse. Discussed the community concerns about the Surry Rd property, their openness and criteria for alternative locations, and now aligning on the next steps. The workshop was very productive and would like to schedule another one for possibly mid-September to report out about the meeting with the State and their progress, timelines and additional community engagement and outlining how we would proceed with alternative options.

Election papers are available – There are two council seats open, two people have taken out papers. Two Library Trustee, one person has taken out for. One School Board, no one has taken out papers yet.

River walk – went to Belfast with some City Staff to talk to City Council, the local land conservancy and their “Heart of Ellsworth” equivalent on how they made their project a reality. It was interesting to see the level of community, council, business owner, land trust and downtown association coordination. In some ways we have all those same elements here in Ellsworth. The one other thing we have going for us to try to make this a reality is Belfast and Bucksport you can access their downtowns via boat even without the river walk there but here that isn't an option. Hopefully will have a few more meetings on it and provide updates as the months go on.

1 year infrastructure plan – Those involved in the budget process know that we held some things off, especially road construction that was felt it was more appropriate over a longer-term bonding cycle for consideration instead of a one-year taxpayer piece. Putting together the local roads

plan, that is a real big focus of this; what are the roads that really need to be maintained over the next year or repaved. Some other things that are part of it as well, we are currently spending \$75,000 a year on our Water Department lease, which is running out, also have a depreciating asset at Pump House Point, which is a city owned property. What would it mean to rehab Pump House Point or consider other options. Also, Knowlton Park splash pad and other things at the park.

Finance – 2023 audit is in; there has already been a news story about this. There were some findings that many have already been rectified, including adding staffing to the department, increasing our policies and procedures and making sure that accounts are reconciled. The 2nd Friday of every month we are having “big finance Friday” where we do an analysis of the previous month’s finances by departments and city as a whole. Looking for more ways to make it public, it is on the website and available on our YouTube channel, want to have more monthly reports that are high level on the state of the finances.

7. Committee Reports.

J Stein – Recreation commission met last month – a lot of people have been discussing Knowlton Park. Had the Gametime maintenance rep (they are the company who built the equipment) stop by to discuss broken slides. He is in Bangor and was able to come do a full inspection. Have a full itemized list of all the parts of the playground that are close to replacement and the ones that should have been replaced a while ago, and the prioritization of the list. The commission is making a plan for replacing the most immediate items. The entire replacement cost is \$5-10k range. The commission will continue to talk about building a set aside fund for maintenance of the park and possibly other parks as well. There was some maintenance and clean up done on the splash pad and it does sound like there is more to be done.

8. Citizen’s Comments.

(Terri?) – Thank you for meeting with the state and being willing to look into this for us, we greatly appreciate it and remember we are here to help if you need us.

Lisa LaRue – Also very grateful that we are talking with the state, hopefully they are listening. With all the information they had sought as a group from them; the public transcript from the public meeting, all the records they produced, it is very hard to work with no facts; did we have any luck getting from them the documents that they have denied us under the Freedom Act or if they had any intention of providing the Council with those documents.

(Manager Pearce – talked about data information and the Councilors raised concerns from residents some were able to be answered and some were referenced in other areas. It became a real focus for us as to how do we consolidate some of this information. How do we address a lot of the concerns and gather that information together in a centralized location.)

John Stolley – Resident of Ellsworth, lives in Westwood Hills off Westwood Drive. Here to raise concerns about air bnbs in our residential neighborhoods. He has an air bnb right next to them that the owner is breaking the covenant of the deeds of the community. They have chosen to operate an air bnb even though the covenant says no businesses, strictly residential. The problem is that air bnbs operate as businesses. We need to have more regulation; they are acting as

unregulated mini hotels. An example of some of the issues: spill over light into other residents. Tourism being brought into the neighborhood when we already have issues with it, it is hard to get around or shop. They drive through the neighborhood too fast, 25mph in the area; they come in at all hours. It is changing the characteristic of the neighborhood; it is reducing quality of life. It is taking up the housing stock and driving up the costs of homes and families out of the neighborhood. They don't pay any taxes; they aren't under inspections, and they are unregulated.

Stephen Shea – Did not come to talk about air bnbs but the gentleman has brought up a very important topic. He hopes that the city and Council will look into it because it is a really important issue. More specific about the meeting with the state, was it held today? (Manager Pearce – 1pm for about an hour and a half) What was the purpose of the meeting? (Manager Pearce – to discuss the openness to alternative locations was the main purpose, although we got additional background on work to date and discussion of next steps) Was there records kept of the meeting? No public records. (Manager Pearce – no, except for the report out tonight and had announced previously that there would be a meeting with the state) (Chair Beal – it was exactly what Manager Pearce is saying. It was an introduction to find out the feelings for each other in this project and to talk about alternative areas for the courthouse but also, we wanted to give them our ideas and perspective of the courthouse being in that area. Was not a formal meeting, it was trying to be a conversation so that we can get discussion started). This is kind of unusual meeting, usually those things are done in public and the whole council is invited. It would really be great if there were minutes to show what was talked about.

Lewis Sirois – He and his wife purchased a home on McDonald Ave 46 years ago, raised their family there and still live there today. They have 4 grandchildren, 2 of whom live in Ellsworth. They love to go to Knowlton Park; one slide has been fixed and new wood chips have been laid down and they are thankful for that. On July 16th, attended the Rec Commission meeting to hear about the playground update and learn there was a comprehensive inspection was received. Here to ask the City Manager and staff to find \$8k in the City's \$19.5m gross budget to complete the full list of repairs as soon as possible. Playground is 19 years old, and the estimated cost of replacement would be \$150k. The playground and the splash pad are the most popular and heavily used facilities that we have, but we have not dedicated the necessary resources to clean and maintain this asset. Suggested to the Rec Commission that a community clean up day might help to spruce up the park and would be very welcomed.

9. Councilor Comments.

UNFINISHED BUSINESS

10. Continued discussion and potential action on 7 Fairgrounds Rd property regarding whether the building has been secured and exterminated.

The Code Enforcement Office provided pictures to show that the upstairs and garage have been boarded up and an email to show that the family had contacted an exterminator. The exterminator would only do work on the exterior of the building, nothing on the inside. The Code Officer spoke with the family's insurance agent and was informed that their claim was closed due to lack of action on the property and that the family was unwilling to work with them.

The City Manager stated that if you can't do infestation control on the inside that there is still going to be a rodent problem and with the number of items piled high inside it is pretty dangerous to walk into. He visited the site with Code and Planning and if there was anyone willing to take on the task to save/salvage the building it is going to be quite an undertaking. He suggested another month for the homeowners to show that they can get the insurance to pay for the project and that there are contractors willing to do it, but also said that it is in the council's purview to move forward with the dangerous building.

Councilors expressed their disappointment that nothing was done to the location until the week before the meeting. The house was supposed to have been exterminated within the 30 days, not just made contact with them by then. Councilors also asked if there had been any communication with the family and if they knew about the meeting. The son did meet with Code to show the boarded windows and the email from the exterminator and the family was aware of the meeting. It was stated that if the council were to deem it a dangerous building, the family would have 30 days to appeal to the Superior Court. Another councilor expressed concern about the nuisance to the neighbors and the family's rights to keep their property, and is there another way to approach this? Are all taxes and other bills paid?

CEO Grant stated that we have a land ordinance against a "messy yard" that they would fail, he would send a letter and after several letters it would go to court. He isn't worried about that issue because if we were to demolish the home, it would take care of the land use violation and clean up the whole property.

Councilors stated that this is something that has been going on for 18 months and nothing has happened with the property. The facts we have tonight are: this is a safety issue for the neighborhood, the insurance claim has been closed so there is no money for the repair, the extermination has been partially done and if the motion is made tonight, they would still have 30 days to prove that something in the list of facts has changed. According to legal counsel at last month's meeting we could have more than 30 days, there is a pretty wide view. This step is necessary to move forward with what may need to be done after this amount of time.

Move to deem the property at 7 Fairground a dangerous building pursuant to 17 M.R.S. § 2851 and instruct the City Manager and Code Enforcement Officer to oversee the demolition of the building and removal of related debris by P Lyons, second by N Smith, passed 4-1 (Councilor O'Halloran opposed)

11. Continued discussion and potential action on Maine Organics; Code Office complaints report and Planning Office report on Planning Board discussions at time of approval/DEP role.

The Code Office reported that there were 15 complaints in the last month, most of them were the smell on rt 180, 5 were off the property that could be smelled at another property, but there were no violations. Per the consent agreement, once the smell is confirmed it is from Maine Organics, they have a reasonable amount of time, usually an hour or two, to make sure that the smell goes away. Maine Organics has brought in a second load operator to help turn piles and get everything turned within their allotted time and to make sure that all piles are mixed. DEP was there Friday, and we have a detailed report of their findings.

The Planning Board had many discussions about smell, and they had discussed the city trying to create performance standards but through review of the information and from information provided from the DEP, they determined that the DEP had a solid enough standard to regulate the type of industrial compost that

is at the site. They have asked Dep to step up and be more active in this issue as they are the licensing agent.

Per DEP report, the windrows have gotten too close to their stormwater system, so when we get the heavy rain like we have had lately, leeches come out of the piles with the rainwater and get into their stormwater ditch. They also have a pond to retain their stormwater and that isn't composting correctly. The recommendation is to have a 50ft clear buffer between the windrows and the ditch. Create an erosion control barrier with the finished product compost to catch the leeches, making a row parallel to the ditch to catch it. The water will pass through the finished product the leeches will get stuck in the product and hopefully mostly clean water will make it to the ditch. To have all windrows run perpendicular to the slope of the compost pad, they can be butted up to the newly positioned erosion control barrier. DEP has instructed Maine Organics to have their engineer look more closely at their licensed stormwater and leech control measures and come up with a plan to prevent any future leeches from escaping their compost pad, creating something more permanent. They need to cover up any of the decomposing lobster bodies with compost amendment, meaning the woodchips that they are using now. The last recommendation was to continue to monitor the windrows for proper temperature, CN ratios, porosity and moisture content.

Councilors asked if the complaints were trending differently than in recent months, they are down from the last two months. They also asked if it was the CEO's impression whether the DEP seemed engaged in this issue and that there will be some sincere follow up; the CEO believes that they will. Another councilor thought that we would be hearing from the attorney about what flexibility we have to renegotiate the consent agreement. The Planner stated that last meeting the attorney did say that there is flexibility to amend the consent agreement, but that both parties must agree otherwise there would have to be a potential action moving forward from the consent agreement.

The City Manager suggested a workshop to discuss options.

The Public Works Director, because of his expertise with smell, stated that the way Maine Organics is set up that it will never be a zero-smell facility. There are things they can do to become zero, but it would cost a lot of money. What they would need to do is put a building around the piles and install an odor control scrubber. The process with the DEP will end up being a prolonged process because they will keep giving them time to correct items.

Tim Stone – Please look at the consent agreement, there are seven steps. To actually be in violation it would take 4.5 hours of constant smell. The actual problem is an intermittent smell, one that comes and goes and is pretty vile. Please watch the Planning Board meetings, it was said in the meetings repeatedly that there would be little to no smell. It was pushed off to the DEP to enforce it, they have stopped at his property one time in the last 2 years and was told that they shouldn't have bought the property. If the city is looking for more complaints he can show us more complaints. People don't want to come talk at a meeting, they go to him instead.

CONSENT AGENDA

CONSENT AGENDA: All items with an asterisk (*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

NEW BUSINESS

12. Public hearing and action on the application (s) for renewal for the following license(s):

- Margs Mex Ellsworth LLC d/b/a Margaritas Ellsworth, 191 Main Street, for renewal of a City Class B License (Amusement, Liquor, Victualer) and renewal of a State Class A Restaurant/Lounge Malt Liquor, Wine, Spirits (Class XI) Liquor License.
- Jennifer Wing Goodrich d/b/a Pepper's Pub, 20 Water Street for renewal of a City Class B License (Amusement, Liquor, Victualer) and renewal of a State Class A Restaurant/Lounge Liquor License.
- Da Butler Did It, LLC d/b/a Dragonfire, 248 State Street, for a renewal of a City Class B License (Arcade, Victualer, Liquor) and renewal of a State Malt Liquor license.

Motion for to approve licenses for Peppers Pub and Dragonfire by J Stein, seconded by N Smith, passed 5-0

Motion for a 30-day extension for Margs Mex Ellsworth's business license, by N Smith, seconded by P Lyons, passed 5-0

*****New Below*****

- Aargh Inc d/b/a Pat's Pizza, 396 High Street for a new City Class B License (Amusement, Victualer and Liquor) and renewal of a State Restaurant (Class I, II, III, IV) Malt, Spirituous and Vinous Liquor License. (Currently has Class C changing to Class B)
- The Fuzion Buffet, 200 High Street for a new City Class C License (Victualer and Liquor) and a new State Liquor License.

Motion to approve both Aargh Inc and the Fuzion Buffet by J Stein, seconded by N Smith, passed 5-0

13. Council Order #082400, Presentation from Ellsworth Rotary Club on DeMeyer field project. (Sponsored by Manager Pearce)

A brief history, in 1960, the Rotary Club of Ellsworth purchased 10 acres of land now known as the Demeyer Field. They built little league fields and in 1974 turned the land over to the City of Ellsworth. This year the Rotary is celebrating its 75th anniversary and to celebrate that milestone they wanted to do something to give back to the city. Last year they met with the Recreation Commission, business leaders, YMCA, Little League, Challenger Little League and individuals who use the fields to try to identify a need in the city and they were drawn to the Demeyer Fields. They brought their partners, the YMCA, Little League, Challenger Little League, the Recreation Commission together in October to brainstorm the needs at the field. They decided that the locations biggest concerns were safety and spectator expectations. Plans for a playground and Bocce courts as well as a path behind the second field and redesign of the third field were created. Rotary held a fundraiser in May and as a result of the event they were able to raise over \$150,000 for capital improvements at the fields. The first phase of the project is the playground and Bocce courts and the safety path that goes behind the second ball field. Phase one will potentially start in October, and it will start with the groundwork and the finishing work in the spring. They will have to continue to raise money and would like to have a fund in the Rotary Foundation to be there for sustainability. There will be a fence around the playground, and it will be a donor fence, with names of businesses who have

donated to the project. Once they know the cost of phase one and everything has been completed for the first part, they will start working on phase 2 which is the realignment of the third field, which will also add parking.

14. Council Order #082401, Approval of City Manager's appointments.

- Promotions

Motion to approve City Manager's appointments by N Smith, seconded by P Lyons, passed 5-0

15. Council Order #082402, Appointment of City Officials by the City Council.

- Reappointments – Arbor Commission *

Motion to approve Arbor Commission reappointments by P Lyons, seconded by N Smith, passed 5-0

16. Council Order #082403, Request of the Public Works Director to award the bid for the Surry Road Water Main Replacement.

M. Harris – will pay for the 8k for the playground, he will work with the required parties to have it taken care of.

Looking to replace a section of water main on the Surry Rd, it is a combination of two different things. It is replacing some water main and adding some new water main. Starting at the fork of Surry Rd and Main St and would be replacing some water main and up toward Westwood Hills putting in a new water main along the Surry Rd to replace the concrete asbestos line that runs behind the first row of houses cross country. The project was put out to bid, they had 5 people bid and the low bid came in from Sargent Corporation at \$2,990,000.00. The project is funded through the State Drinking Water revolving fund. Bid alternates are items that you would like to have pricing on so in case the project comes in under budget you can incorporate them and get those done as well. Things like the difference between HTPE pipe and duct wire pipe, HTPE is significantly cheaper. Adding a section at the top of Mountain View Dr and Hillside Dr where there is currently no main.

Move to approve the request of the Public Works Director to award the Surry Rd Water Main replacement to Sargent Corporation in the amount of \$2,990,000.00 and authorize the City Manager to sign the notice of intent to award the bid by J Stein, second by P Lyons, passed 5-0

17. Council Order #082404, Request of the Public Works Director to extend the current winter sand and road gravel contract.

The contract was put out to bid previously and the contractor that was awarded the bid, KJ Dugas, was at \$4.85 a yard and the other was at \$6.00 a yard. The current contractor reached out and said they would hold that price for this year. KJ Dugas has been very good to us and very responsive whenever we've had any issues.

Move to approve the request of the Public Works Director to award the FY2025 Mineral Screening contract and extend the contract with KJ Dugas, the amount to be funded from the Highway Department operating budget by J Stein, seconded by P Lyons, passed 5-0

18. Council Order #082405, Request of the Public Works Director and Safety Officer to purchase additional safety equipment for safe working conditions.

Since becoming Public Works Director, he has been able to take part in several water leaks. After seeing the processes and working with the new Risk Management Officer, Adam and Reggie they have sat down after the breaks and discussed what went right, what went wrong and what needs to be changed. One thing that came out of the discussion, is that they need to keep themselves safe when working in active traffic patterns. Things like proper signage and light stands for working at night. The Water Department has an enclosed trailer that they use for equipment. It should be equipped with everything needed for a water break or any other incident so they can just hook onto it and go to the site. The breakdown is: light stands are \$3,000 each, the Jersey barriers are \$378 a piece (requested 8), 48 signs and 24 stands total \$9,600, the tools total \$1,820 and two portable traffic lights are \$46,000. The big piece is that Water and Highway Departments didn't budget money for this, but Wastewater has a significant amount of money aside that they can purchase everything and then the other two departments can pay back 1/3 of the cost to Wastewater.

Move to approve the request of the Public Works Director and Safety Officer to purchase additional safety equipment for safe working conditions in the amount of \$64,000.00, purchased initially from the Wastewater Reserve account with the agreement that 1/3 of the cost will be reimbursed each from the Highway Department and Water Department FY26 budgets by J Stein, seconded by P Lyons, passed 5-0

19. Council Order #082406, Discussion and possible action for extension of the Moore Center lease. (Sponsored by Councilor Lyons)

A lease extension was signed last week for the Moore Community Center, which was originally negotiated by Chair Beal when she was working for the city. Councilor Lyons will take the lead on continued negotiations that should finish by the end of the year.

Move to ratify the extension of the Moore Center lease as signed by Manager Pearce to run through December 31, 2024, as signed on August 2, 2024 by P Lyons, seconded by N Smith, passed 5-0

20. Council Order #082407, Request of the City Assessor to create a Senior Tax Stabilization Program for FY2025.

The City Assessor is proposing a tax stabilization tax club because last year we had 620 seniors who had enrolled in the state's stabilization program, which froze the tax bills based on the tax bill of the previous year. The state did not have enough money to pay for the program, they were reimbursing every municipality for the difference in the property tax bills. The program was repealed, and they were trying to come up with another option. There is a special law in the state of Maine that allows municipalities to have tax clubs and allow people to pay their property taxes over time. This proposal would waive the interest for almost the entire fiscal year for only the stabilization program participants.

The Tax Collector was trying to get liens to be registered in June because if any of them were to go to foreclosure it would get them done before Christmas. Before it was working out that people would get their foreclosure notice to be due on Christmas. They could be pushed out a month and that would make them due in November.

Councilors stated that the liability of this program, if everyone were to default, that TAN would cover the total amount.

The Assessor and Tax Collector both said there are other options for those who don't qualify for this program but might need help. Anyone who reached out gets applications for everything so they can choose what help they ask for. Anyone who qualified for the stabilization program can qualify for this, but this is only a one-year program.

Move to approve the request of the City Assessor to create a senior tax stabilization club program for FY2025 as outlined in the memo by J Stein, seconded by P Lyons, passed 5-0

21. Council Order #082408, Request of the Facilities Manager to authorize the City Manager to enter into a contract for lead paint abatement in the Fire Department bunk rooms as part of a Capital Improvement.

The Facilities Manager had put in a Capital Improvement request during budget season for some work to be done to the bunk rooms and office space in the Fire Department for moisture issues. Step one of the process is getting the identified lead paint remediated. There are not a lot of lead abatement companies in Maine, most of them are in Portland or south of there, was able to contact six companies and three of them submitted bids. All three companies that submitted bids, did come and walk the facility and take measurements. The project will be broken up into two parts, so the Fire Personnel still have somewhere to use while the work is being done.

Move to approve the request of the Facilities Manager to authorize the City Manager to enter into a contract for lead paint abatement in the Fire Department bunk rooms as part of the Capital Improvement project and award the bid to Lakeside Concrete Cutting & Abatement Professionals in the amount of \$42,450.00 by J Stein, seconded by P Lyons, passed 5-0

22. Council Order #082409, Discussion and possible action on sending the question of opting into adult recreational marijuana and medical use marijuana to referendum. (Sponsored by Councilor Stein)

In July, it was decided to form a working group consisting of committee, commission and staff, to discuss what wording would look like to have a referendum question. To discuss safety concerns and what an ordinance could look like, they brought in the City Manager and Fire Chief.

The City Planner worked with the Director of Social Services to get wording together for two referendum questions; they address two the specific uses of adult use and medical use. Under each one there are four uses that municipalities can opt into. Wording had to be simple and condensed because the company that prints our ballots wouldn't be able to get all four uses as one question and make it so the machines can read it, the staff would end up having to hand count everything. After voting if the answer was yes, there would be a discussion of the ordinance, how many allowed and where for each specific item voted on. It would go through Planning Board for the original drafting and recommendation of the ordinance and then go to council for the final vote.

Councilors would like to focus on the one-use to help begin the education process and to get a feel for what the voters/residents want.

There are four workshop dates: first August 28th, which will discuss with the Fire and Police Departments the effect on emergency services provided by the city by allowing the uses. September 12th, which is the land use and Code Enforcement workshop. September 17th, with the Clerk's Department to go over the

election process, what the ballot will look like and the extra information for voters on the subject. October 10th, which will be more of an open listening session if there are any concerns that citizens still have.

Councilors asked for some clarification of what we are focusing on; we are only focusing on the sale side of cannabis, no grow, no manufacturing, no testing but if it was passed it is something that could be visited later.

There is already a dispensary in Ellsworth and the reason for that is because the State of Maine put out to referendum in 2016 whether or not to legalize, even though some places may have already been operating; when the referendum passed municipalities were opted in and had to choose to opt out. In 2019, the State changed it that you had to opt in and were automatically opted out. In those three years, businesses opened and are now grandfathered and don't have to wait for their municipality to opt in.

Move to place one article on the November 2024 election ballot asking “Shall the City of Ellsworth vote to authorize within the municipality the operation of adult use cannabis stores provided they operate in compliance with all applicable state and local requirements” by J Stein, seconded by P Lyons, passed 5-0

23. Adjournment.

Jim McLean – the price to fix the playground is not accurate. The \$6,000-\$8,000 was for the labor only. He has an email out to the parent company of Game Time and is waiting for a price. The Game Time representative estimates that it could be \$15,000 for materials. The splash pad has been pressure washed twice this year, and the bathrooms are cleaned every day.

Motion to adjourn by N Smith seconded by P Lyons, passed 5-0

MEETING NOTICE

The Emergency meeting of the Ellsworth City Council will be held on Monday, August 26, 2024 at 8:00 AM in the Ellsworth City Hall Council Chambers

Meetings will be broadcast live on:

Facebook: <https://www.facebook.com/ellsworthme>

YouTube: <https://www.youtube.com/c/CityofEllsworthMaine>

Spectrum Channel 1303

AGENDA

1. Call to Order. *Councilors Beal and Stein absent*

2. Council Order #082600, to vote on whether to defer interest payments until October 1, 2024 on the 2025 Real Estate Property Tax and Personal Property Tax Bills, due to a delay in commitment.

S McLean – Not completely sure what the delay was, believed to be a software issue. Not sure if it was Vision or Trio side, it delayed getting the commitment to Assessing and then delays the Tax office getting them to the printer. We only received them the end of last week.

T Mote – When it was brought in during Finance Committee, they didn't feel it was fair for people to have 2 weeks to pay their taxes. Only concern was cash flow, but they think it will be ok extending it out. Nate just let her know that it is all online and bills are at the printer and should be out by the end of the week.

C Hanson – Maura will put on social media?

S McLean – Yes.

S O'Halloran – What is the tax bill going to say? Do we have a sample that says when interest is going to start?

S McLean – The Tax bill says that interest starts September 13th, and there was no way to change that.

C Hanson – That is why it will need to be communicated in the other ways.

T Mote – The reason for the meeting is because in June they voted on when the tax due date is and set the interest; so we are amending that order.

C Hanson – Thinks as long as we are communicating as broadly and widely as possible this is ok.

T Mote – Is there a way we can get it in the Ellsworth American this week?

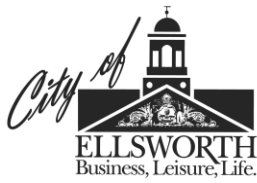
E Dowling – I can try, I don't know if it is too late with their deadlines. I will check and get it in at least next week.

Move to defer interest payments on the 2025 Real Estate Property Tax and Personal Property Tax Bills until October 1, 2024 C. Hanson, second by N Smith.

Amended to move to defer interest accrual on the 2025 Real Estate Property Tax and Personal Property Tax Bills until October 1, 2024 C. Hanson, second by P. Lyons, passed 5-0

3. Adjournment.

Motion to adjourn P Lyons, second by C Hanson, passed 5-0



City Clerk

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6604 ▪ Fax (207) 667-4908

thowes@ellsworthmaine.gov

edowling@ellsworthmaine.gov

kmiller@ellsworthmaine.gov

clerksoffice@ellsworthmaine.gov

MEMO

To: City Council

From: KaTina Vanadestine

Date: September 3rd, 2024

Re: Appointment of Wardens and Ward Clerks for the November 5th, 2024 Election

Title: Appointment of Warden and Ward Clerks for the four voting districts

WHEREAS, Title 21A provides that the City Clerk shall appoint Wardens and Ward Clerks

I am requesting the City Council allow the City Clerk under the authority of 21-A M.R.S.A. to appoint the Wardens and Ward Clerks from the registered voters of the City of Ellsworth as they are available and to post such appointments as required by law prior to Election Day.

Suggested Motion: Move to authorize the City Clerk to appoint Wardens and Ward Clerks for the November 5th, 2024 City of Ellsworth Municipal General Election.

KaTina Vanadestine
Deputy City Clerk

Democrats:

Crystal Astbury-Norris
Susan Walsh
Sara Hessler
Tom Farley
Christopher Keefe
Anne Keefe
Bernie Ryan
Judy Grohe
Jodi Abbott
Alene Taylor
Claudia Basso
Jill Jameson
Margaret Olson
Ann Luther
Charles Hodge
Lorraine Mooers
Twyla Bryant
David Megquier
Donna Megquier
Lori Kissinger
Tom Ashby
Andrea Perry
Helen Geils
Judy Blood
Laura Nason
Kevin Cox
Christopher Spruce
Melanie Zador
Nadine Lewis
Barbara Reeve
Marcia Monk
Janna Richards
Kerri Taylor
Maura Condon

Republicans:

Bunnie Daniels
Barbara Ameen
Rhonda Parker
Susan MacKay
Kiara Roberts
Lynn O’Kane
Donna Ritchie
Joyce Marshall

Kristi Alexander
George Schatz
Brenda Hopkins
Aileen Young
Hele Cochrane
Margo Newman
Sylvia Lock
Dawn Bishop
Patricia Ross
Janice Eldridge
Brenda Breeding
Kelly Tupper
Richard Tupper
Bobbi Roberts
Ashlie Brown
Ginny Derise
Lori Roberts
Robert Grant
Larry Dowling

Unenrolled:

Frederick Beyer III
Leslie Beyer
Patricia Bouchard
Carole Hough
Mary Ann Lock
Paul Lock
James Killam
Amanda Ray

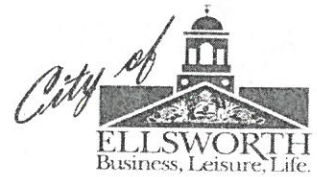
And all other voters as necessary to perform the legal requirement of the State of Maine and all election law.

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

PROVENDER
DARON GOLDSTEIN
18 RUSSIAN ROAD
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6625.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 289 State Tax ID:
Business Name: DARON GOLDSTEIN State License #:
Business Address: 112 MAIN STREET Business Email: JOYKEMPF@GMAIL.COM
Business Phone: ~~207-664-1786~~ 207-610-1480 Business Fax:

Type of Business:

Mailing Address: ~~18 RUSSIAN ROAD, ELLSWORTH ME 04605~~ 112 main st. Ellsworth, ME 04605

Owner Name: ~~ROSBOROUGH MARK N & MARY F S~~ Owner Phone: GOLD BROS, LLC

Owner Address: ~~PO BOX 417, ELLSWORTH ME 04605~~ 112 main st
Ellsworth, ME 04605

Fees

Fee Based On	Quantity	Amount
\$65.00 per Year		\$ 65.00
\$80. Public Hearing Notice Fee		\$ 80.00

Total License Fees: \$ 145.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 10/01/2024

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Print Name

Date

Please return signed application and payment to the City of Ellsworth

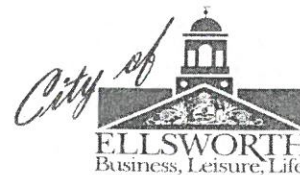
Office Use Only: Date Received: 7/15/24 Receipt No: 32000069

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

JIMBO'S JUNKIN
JAMES B CARD II
ATTN: JENNIFER
4 JIMS WAY
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6625.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 113

State Tax ID: 1148116

Business Name: JAMES B CARD II

State License #:

Business Address: 62 KYLIES WAY

Business Email: JENN.JIMS.AUTO@gmail.com

Business Phone: 207-667-7479

Business Fax: 207-664-0004

Type of Business: Junkyard

Mailing Address: ATTN: JENNIFER, ELLSWORTH ME 04605

Owner Name: CARD JAMES B II

Owner Phone: 207-667-7479

Owner Address: 4 JIMS WAY, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$55.00 per year			\$ 55.00
\$80. Public Hearing Notice Fee			\$ 80.00

Total License Fees: \$ 135.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 10/01/2024

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Jennifer Robidoux
Print Name

9/6/24.
Date

Please return signed application and payment to the City of Ellsworth

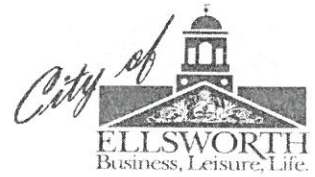
Office Use Only: Date Received: 9/6/24 Receipt No: 32000084

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

STRIKE N SLICE
RYAN LOUNDER
25 EASTWARD LANE SUITE #6
ELLSWORTH ME 04605



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6625.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 573

State Tax ID:

Business Name: RYAN LOUNDER

State License #:

Business Address: 25 EASTWARD LANE

Business Email:

Business Phone:

Business Fax:

Type of Business:

Mailing Address: 25 EASTWARD LANE SUITE #6, ELLSWORTH ME 04605

Owner Name: GASPAR ADELBERT W

Owner Phone:

Owner Address: 25 EASTWARD LANE, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$65.00 per Year			\$ 65.00
\$80. Public Hearing Notice Fee			\$ 80.00

Total License Fees: \$ 145.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 10/01/2024

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.

Signature

Print Name

Date

Please return signed application and payment to the City of Ellsworth

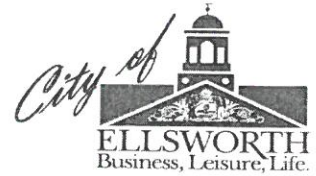
Office Use Only: Date Received: 7/15/24 Receipt No: 32000071

City of Ellsworth

One City Hall Plaza
Ellsworth ME 04605

Business License Renewal Form

MARGARITAS ELLSWORTH
MARGS MEX ELLSWORTH LLC
147 15TH STREET
BANGOR ME 04401



Please review the information we have on record, for your business. Make note of any changes or corrections, return the signed application, along with your payment to the City Office (address shown above) as soon as possible for quick processing and to avoid lapse in license. If you have any questions call 207-669-6625.

If you are no longer in business, please check this box and return the form. ☐

Account Number: 429

State Tax ID:

Business Name: MARGS MEX ELLSWORTH LLC

State License #:

Business Address: 191 MAIN STREET

Business Email: dreesman@margsorono.com

Business Phone: 414-975-4087

Business Fax:

Type of Business:

Mailing Address: 147 15TH STREET, BANGOR ME 04401

Owner Name: MARGARITAS ELLSWORTH

Owner Phone: 414-975-4087

Owner Address: 191 MAIN STREET, ELLSWORTH ME 04605

Fees	Fee Based On	Quantity	Amount
\$85.00 per year			\$ 85.00
\$80. Public Hearing Notice Fee			\$ 80.00

Total License Fees: \$ 165.00

Fees are due upon receipt. Payments can be made via cash or check, or by using a credit or debit card. Use of credit or debit will incur a 2.5% consumer fee. You can mail your renewal, liquor application and fees to City Clerk, 1 City Hall Plaza, Ellsworth, ME 04605.

Fees due before new license will be issued Current License expires on 08/31/2025

All applications and remittances are accepted subject to audit and approval and do not constitute a license to do business. The foregoing information is correct to the best to my knowledge. The applicant hereby acknowledges his responsibility to maintain the business in compliance with all applicable laws and ordinances.


Signature

David Reesman
Print Name

8/20/24
Date

Please return signed application and payment to the City of Ellsworth

Office Use Only: Date Received: 8/20/24 Receipt No: 32000080

One City Hall Plaza
Ellsworth ME 04605



Office Use Only: Date Received: 6/13/24 Receipt No: CC



Ellsworth Fire Department
1 City Hall Plaza, Ellsworth, Maine 04605
Phone (207) 667-8666 ♦ Fax (207) 667-4908
www.ellsworthmaine.gov



Chief Scott Guillerault
sguillerault@ellsworthmaine.gov

Deputy Chief Geoffrey Low
glow@ellsworthmaine.gov

MEMO

To: Ellsworth City Council
From: Scott Guillerault, Fire Chief
Reference: Hydraulic Extrication tools
Date: 08/27/2024

Councilors,

This memo is to serve as a request to approve \$58,299.05 for the purchase of Hydraulic Extrication tools from Bergeron Protective Clothing.

On June 26, 20024, City Council approved the fire Departments budget and capitol requests. One of the capitol requests was for the purchase of Hydraulic Extrication tools. This is to replace the 25-year-old hydraulic tools that have been in service beyond their service life. The fire department has completed demonstrations with 3 vendors and received 3 quotes from the vendors. Quotes are attached. The tools come with a 10-year warranty. However, there will be an annual service fee of \$981 for preventative maintenance.

Suggested motion: Move to approve the request of the Fire Chief to purchase new hydraulic extrication tools from Bergeron Protective Clothing in the amount of \$58,299.05. Funding to come from Capital Outlay.

Respectfully submitted,
Scott Guillerault, Fire Chief



1024 Suncook Valley Hwy., Unit 5-D
Epsom NH, 03234
TEL: 603.736.8500
www.BergeronProtectiveClothing.com

QUOTATION

No. : 215112

Doc. Date : 08/07/2024
Payment Terms : NET30
Valid Until: 12/31/2024
Customer PO:
Salesperson : Chris Cole
Page : Page 1 of 1

Bill To

Ellsworth ME Fire Dept.
Captain Clark
1 City Hall Plaza
Ellsworth ME 04605

Ship To :

Captain Clark
1 City Hall Plaza
Ellsworth ME 04605

Hurst E3 Exrication tools quote.

Quantity	Style	Description	Your Cost
1	81-67-20	Hurst Chain Set KSV 11 (M40)	966.45
1	274487000-9K	Hurst CR 522 E3 Ram (Tool+Extens+9AhKit)	11,350.05
1	271478000-9	Hurst M40 E3 Spreader 9Ah Package - (Includes M40 E3 Spreader, (2) 9Ah batteries, (1) 110V Charger)	15,856.75
1	272489000-9	Hurst S 789 E3 Cutter 9Ah Package- (Includes S 789 E3 Cutter, (2) 9Ah batteries, (1) 110V Charger)	12,948.05
1	273424000-9	Hurst SC 358 E3 Combi 9Ah Package (SC 358 E3 Combi, (2) 9Ah batteries,(1) 110V Charger, Tips	16,196.75
Subtotal:			\$57,318.05

Subtotal 57,318.05
Total 57,318.05

*Notice: Products marked as 'Contains PFAS Chemicals' are considered notification; pursuant to NH Law 154:8-c Firefighting PPE. Financing options available on turnout gear purchases. Prices quoted do not include shipping and handling. Shipping is FOB factory. This quote is based on current prices, subject to change by Manufacturer without notice. TERMS NET 30 Days. Add 3% fee when paying via credit card. Exchanges may incur additional handling charges. Late fee 2% per mo. \$25 returned check fee MC/ Visa /Discover accepted.



Quotation

Date:	Submitted By:
8/9/2024	Bill Shrader

HSE

475 Pleasant Street. Suite 14
Lewiston, Me 04240
207-241-0325 Fax: 207-553-2288
www.hsefiresafety.com

Quotation For:

Ellsworth Fire

Ellsworth, ME.

CONTACT:	EST. SHIP DATE	SHIP VIA	TERMS
Captain Clark	60-90 Days	Best way	Net 30 days

QUANTITY	DESCRIPTION		EXT. PRICE
1	Genesis EForce F7-SL3 Cutter w/Milwaukee 28, 5Ahr Battery #ART.110.215.3		\$ 17,265.00
1	Genesis EForce S49-SL3 28" Spreader w/Milwaukee 28v, 5Ahr Battery. #ART.109.173.6		\$ 16,385.00
1	Genesis EForce 17c-SL3 Combi Tool w/Milwaukee 28v, 5 Ahr Battery. #ART.109.261.1		\$ 15,635.00
1	Genesis EForce 21-36 SL3 Ram w/Milwaukee 28v, 5Ahr Battery #ART.107.527.2		\$ 10,645.00
2	#ART.105.410.9 3 Bay Milwaukee Battery Chargers	\$325.00	\$ 650.00
4	#ART.105.375.5 Milwaukee 28v, 5Ahr Batteries (Spares)	N/C	N/C
2	Seek Fire Pro 300 Thermal Imagers w/Lanyard	N/C	N/C
*Free Shipping		Total	\$ 60,580.00
SIGNATURE:		ABOVE PRICING WILL BE HONORED FOR:	



Industrial Protection Services, LLC

33 Northwestern Dr, Salem, NH 03079

125 Roberts Rd, Ste 4, South Portland, ME 04106

www.ipp-ips.com

QUOTE

Date: 17-Jan-2024

Bill To: CHIEF SCOTT GUILLERAULT
ELLSWORTH FIRE
1 CITY HALL PLAZA
ELLSWORTH ME 04605

Ship to: QUOTE

Salesperson	Shipping Method	Purchase Order No
Ed Farnsworth	Drop - Ship	Chief

Qty	Item #	Description	Each Price	Line Total
1	159.000.063	PCU50 PENTHEON CUTTER	\$13,120.00	\$13,120.00
1	159.000.181	PSP50 PENTHEON SPREADER	\$14,750.00	\$14,750.00
1	159.000.207	PTR50 PENTHEON TELESCOPIC RAM	\$11,305.00	\$11,305.00
1	159.000.118	PCT50 PENTHEON COMBI TOOL	\$13,900.00	\$13,900.00
1	151.001.164	XRS01 CROSS RAM SUPPORT	\$916.00	\$916.00
1	151.001.902	TRE05 EXT PIPE	\$1,013.00	\$1,013.00
8	151.000.583	PBA287 7AH BATTERY	\$895.00	\$7,160.00
4	151.000.742	PBCH2 BATTERY CHARGER	\$594.00	\$2,376.00
2	151.000.503	DCPC1 DAISY CHAIN CORD	\$16.00	\$32.00
4	151.000.499	POTC1 ON TOOL CHARG CORD	\$107.00	\$428.00
		PRICE INCLUDES SHIPPING AND 1 DAYS TRAINING		



Industrial Protection Services, LLC

33 Northwestern Dr, Salem, NH 03079

125 Roberts Rd, Ste 4, South Portland, ME 04106

www.ipp-ips.com

QUOTE

Date: 17-Jan-2024

Bill To: CHIEF SCOTT GUILLERAULT
ELLSWORTH FIRE
1 CITY HALL PLAZA
ELLSWORTH ME 04605

Ship to: QUOTE

Salesperson	Shipping Method	Purchase Order No
Ed Farnsworth	Drop - Ship	Chief

Ed Farnsworth

Quoted Freight Charges	\$ -
	\$ 65,000.00

Email: efarnsworth@ipp-ips.com
Cell: 207.500.6155 Fax: 603.458.5958

Memorandum

To: City Council Members
CC: City Manager
From: Mike Harris Public Works Director
Date: 9/9/2024
Re: Used Plow Truck

I am writing to request the City Council's approval for the purchase of a used plow truck. One of the cities current plow trucks was involved in an accident that resulted in the insurance carrier considering the vehicle a total loss. Given that winter is approaching, and we do not have the time to source and order a new plow truck we thought it best to explore the used truck options. Adam was able to locate a truck and test drive it. I have attached the information on the vehicle. It is a 2018 Western Star 4700 with 14,903 miles with a purchase price of \$50,000. This truck was \$158,435 when it was originally purchased. We will be receiving approximately \$43,000 in insurance money from the totaled vehicle.

The Ellsworth Public Works Director respectfully requests that the City Council approve the purchase of a 2018 Western Star Plow Truck in the amount of \$50,000 to be funded from the insurance proceeds we received for the totaled vehicle and the remainder from the Highway Dept budget.

2018 Western Star 4700
41,000 GVW
Cummins L9 330
Allison 3000 RDS 6-Speed
18,000 Front
26,000 Rear
5.63 Gear Ratio

Price is \$50,000

It comes with a reversible plow and hydraulic trip wing. I don't have any pictures of the gear yet but I will have them to you mid -week for the packet.

It has the all season universal stainless steel body that is a front spinner.

The truck only has 14,903 miles 2077 hours

I am getting them to look up the original purchase price new was

The truck has a current inspection sticker, I am getting prices for an extended warranty. I know this may be above the budget number but this is a used truck and with anything used it is a gamble, I feel that this is a great deal but I also feel buying into an extended warranty is in our best interest!



DAHLER
FLOORING

Dahlgren & Thompson
577 Colchester Rd.
Hamden, CT 06430
Phone: (203) 941-0900

Order No. 11108
TOWN OF HEDMOR
333 BELLEFLORE RD
HEDMOR, ME 04401
Phone: (207) 800-3400

Ship To:
TOWN OF HEDMOR
333 BELLEFLORE RD
HEDMOR, ME 04401

INVOICE

10/16/2017
Invoice
Sales Price

Stock # 706755

New 2013 Western Star 4300 BUS
Body Type: THICK N. Cabin HUD. Cabover-engine 3000 BUS
VIN: 3KXAAV801T1B000000

STROOK, Joseph/Assistant Manager
Phone Equipment by HP Fairfield

Net Cost: \$158,435.00

Price:

\$158,435.00

Tax:

\$0.00

Total:

\$158,435.00

DOC Fee:

\$158.00

Total:

\$158,593.00

MACHINE SAVING: BART - BANGOR OFFICE
1126 HALLAND STREET
BANGOR, ME 04401

Finance by:

Received By: AS-1512

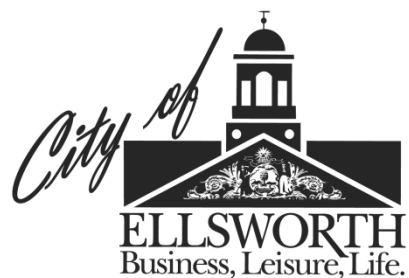
Delivery Date: 16 OCT 2017

158,435.00

checked over for dot it failed check engine light on right rear brake can park spring broken the tail gate latch ram is cracked and leaking air badly plate light broken other things I saw that are not in good shape is the oil pan is rusty and the air discharge line is rusty

check engine light on checked codes and only had inactive codes and most of them were for aftertreatment system and most was for power loss and had one for low voltage and hi voltage from charging system

Price coming for D & H Repairing or us



Jason Ingalls, IT Systems Administrator

1 City Hall Plaza • Ellsworth, ME 04605-1942

Phone (207) 669-6600 • Fax (207) 667-4908

jingalls@ellsworthmaine.gov

Memo

To: City Manager Charles Pearce
City Council Members

From: Jason Ingalls

Date: September 6, 2024

Re: **Request of the IT Systems Admin to Purchase a Vehicle Detection System for the High St at Beechland Rd Intersection.**

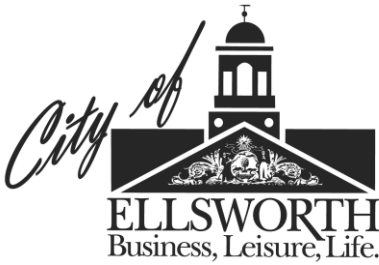
Recently it was discovered that the traffic signal at the intersection of High Street and Beechland Rd had two failed loop detectors. The loop detectors are imbedded in the pavement and are used for vehicle detection for signal actuation purposes.

In keeping with our standard practice for replacing failed loop detectors I am requesting to purchase a camera-based vehicle detection system. We have found the camera-based vehicle detection systems more reliable and provide additional benefits that the loop detection systems do not. The video systems are also less susceptible to damage from seasonal changes, i.e. frost heaves.

In the past we have used Gridsmart cameras for this purpose. However, Gridsmart's hardware reliability and support have been unacceptably poor recently. Units sent to their repair center have been taking 3-4 months to return. There is another well-regarded vendor of the 360-style video detection called Miovision. The Miovision system has been used by MaineDOT and other municipalities in the state, including Bangor. The people I spoke with who manage those systems have been happy with them.

Based on the positive reviews, and good experience with a demo unit, I am requesting we purchase the system from Miovision. The Miovision system would be purchased from Coastal Traffic of York, Maine. Coastal Traffic is the exclusive Miovision dealer for the State of Maine. I have received a quote from Coastal Traffic in the amount of \$17,500. While this is an unbudgeted expense replacing the detection system is vital to keep traffic moving smoothly. Without a functional detection system, the signal will service all approaches each cycle, regardless of vehicle demand. This leads to significant delays on the main through street.

Suggested Motion: Move to approve the request of the IT Systems Administrator to purchase a new vehicle detection system for the High St and Beechland Rd intersection in the amount of \$17,500 from Coastal Traffic. Funding to come from the Traffic Signal Maintenance budget line item (10-250-53155).



MEMO

To: City Council
From: Janna Richards, Economic Development Director
Cc: Charles Pearce, City Manager
Date: September 6, 2023
Re: Community Enterprise Community Development Block Grant – Project Development Phase II

Background:

In April 2024, the Council held a public hearing and voted to move forward with submitting a Community Enterprise Program Community Development Block Grant application to the State's Office of Community Development within the Department of Economic and Community Development. This program provides grant funds to assist communities in implementing business façade improvement programs. Given downtown property and business owner support of such a program, and the documented existence of "blighted" conditions of which the program would help to rectify within the downtown, City staff submitted both a Letter of Intent to Apply and full application to request funds. The Letter of Intent to Apply, the memo from the April 2024 Council Meeting, and the full application are attached and included with this packet for reference by the Council and the public.

At the meeting in April, the Council also voted to allocate the required 25% minimum cash match (\$25,000) of FY2024 unallocated TIF funds to the City's request for \$100,000 of State CDBG funds.

After submitting the application, the City was invited into the next phase of the application process called the project development phase (Phase II). This phase requires the City to complete federal and state reviews, certifications, and documents in order to be eligible to receive the grant funding. The City has received permission through the State's Maine Historic Commission to move forward with the program and is currently in the Environmental Review process (Environmental Review forms and letter from Maine Historic Commission are also attached with this memo and included in the packet for reference).

Public Hearing and Resolution to Accept Funds:

Another requirement during this phase of the project is that the City hold a public hearing in order to give the community a chance to comment on the proposed program. The public hearing must take place prior to the approval of the resolution. The resolution, included in this packet, is documentation that the City has formally agreed to apply for and accept the funds for the proposed project.

Suggested Motion:

Move to adopt a resolution to formally apply for and accept funds from the Community Enterprise Community Development Block Grant program in the amount of \$100,000 to establish a façade improvement program.

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the planning process required by Maine Law and the CDBG Program have been complied with, including participation in the planning process by low- and moderate-income families and individuals and the community has conducted at least one duly advertised public hearing.

- 1) Is authorized and directed to submit an application for the Community Enterprise Grant program in the amount of \$100,000 to the State of Maine's CDBG Program, to the Department of Economic and Community Development on behalf of the City of Ellsworth, substantially in the form presented to this Council;
- 2) Is authorized to make assurances on behalf of the City of Ellsworth required as part of such applications, and
- 3) Is authorized and directed, upon acceptance of said funds to carry out the duties and responsibilities for implementing and said program(s), consistent with the Charter of the City of Ellsworth and the laws and regulations governing planning and implementation of community development programs in the State of Maine.

Municipal Seal

[illegible]

State of Maine
Community Development
Block Grant Program
2024 Community Enterprise Program
Letter of Intent to Apply

Due at DECD on or before February 23, 2024 at 4:00 p.m.



Letters of Intent must be submitted via email to: ocd.loi@maine.gov
Please enter "CE LOI" in the subject line.

All communities wishing to apply for a 2024 Community Enterprise Grant must use this Letter of Intent to document compliance with requirements established by Title I of the Housing and Community Development Act of 1974, as amended and the State of Maine CDBG program. Applicants who submit a completed Letter of Intent and demonstrate meeting a CDBG National Objective will be notified by OCD that they are eligible to submit a final application. Eligibility to submit a final application does not imply final project approval or funding. Funds will not be available until after July 1, 2024.

A. APPLICANT ELIGIBILITY

1. Legal Applicant:

Applicant:	City of Ellsworth	Phone:	207-669-6655
Address:	1 City Hall Plaza	Fax:	207-667-4908
City, ZIP:	Ellsworth 04605	E-Mail:	jrichards@ellsworthmaine.gov
Chief Official:	Glenn Moshier, City Manager		
Census Tracts #(s) Where Proposed Activities Will Occur:		9655.03	
Year of Slum & Blight Declaration	N/A	Parameters of Slum & Blight area (such as High St. to Green St. to Main St. etc.)	State Street (from intersection with Church Street) to Water Street to Pine Street to High Street to Main Street
National Objective (Low/Mod, or S/B)	S/B	Percent of blighted buildings in area	50%
Applicant UEI (please visit www.sam.gov) #: YUCMJ2YGS6X5			

2. Applying on Behalf of Sub-Grantee (if applicable): (e.g.: Non-Profit)

Sub-Grantee:	N/A	Phone:	
Address:		Fax:	
City, ZIP:		E-Mail:	
Agency Rep:		Title	

3. Engineer/Architect consulted for project & providing cost estimates:

Name:	N/A	Phone:	
Firm:		Fax:	
Address:		E-Mail:	
City, ZIP:			

B. ELIGIBLE ACTIVITY CATEGORIES

Place an "X" to the left of the CE categories for which this Intent to Apply is being made:

X	1. Business Façade Grants (accomplishment type: 08 Businesses)
	2. Streetscapes (accomplishment type: 01 People)

C. PROJECT INFORMATION

Provide a clear, concise description of the proposed project using the space below. The scope of work should be very specific in identifying how the money will be used in meeting a National Objective.

The City of Ellsworth would like to offer downtown businesses and property owners the ability to apply for business façade grants in order to improve their buildings. Many, approximately 50% of the properties in the geographic area provided, meet the definition of blight, with peeling paint, bowing brick, rotting and/or missing siding, evidence of graffiti, broken windows and signage, and holes in foundations. The City has documented existence of these conditions through a spot blight analysis. The grant program established and administered by the City with the CDBG funds would provide an opportunity for business and property owners to improve blighted conditions. The blighted conditions would be part of the criteria necessary on the grant application in order to be considered for funding for a project to improve the condition.

In the past five years, many of the properties in the downtown have changed hands to be owner occupied buildings, rather than commercial leasing. This means more ownership-investment; however, these small business owners are facing other financial challenges, making investment in their property difficult to prioritize. The proposed project will benefit businesses and property owners in that it will allow them to make exterior improvements to their buildings and signage. The proposed project meets a National Objective in that it will help to eliminate blighting conditions in the City's historic downtown, which is a draw to both tourists/visitors and local residents. To further eliminate blighted conditions, the City will set aside funds to improve streetscaping on public property in the designated geographic area. Streetscape improvements will include enhancement to two pocket parks, additional benches and trash receptacles, street lighting, and signage. Through a partnership with the MaineDOT, the City will also be conducting the planning phase of a Village Partnership Initiative, which will seek to improve signage, traffic calming, and sidewalks.

1. Will the project impact a Floodplain? YES NO X
2. Will the project impact a historic property YES NO X

D. COST ESTIMATES & PROJECT FUNDING

Provide the estimated project cost, amount of CDBG funds to be requested and sources, amounts and dates secured for all anticipated cash matching funds. **A minimum cash match equivalent of 25% of the grant award** may come from any public or private source.

All construction estimates should be prepared by the Engineer/Architect (from section A-3). Take into account the inflation rate in relation to the anticipated starting date of the project and applicable DAVIS/BACON wage rates as they apply to construction costs.

Total Estimated Project Cost:	\$228,000	CDBG Request:	\$100,000
-------------------------------	-----------	---------------	-----------

Funding Source	Amount	Date Secured
CDBG CE Grant	\$100,000	Pending
City of Ellsworth – Village Partnership Initiative Planning (Local Match)	\$50,000	November 20, 2023
City of Ellsworth – Village Partnership Initiative Implementation (Part of Local Match)	\$25,000	Pending City Council FY 25 budget approval in June 2024
City of Ellsworth Streetscape	\$48,000	\$25,000 pending City Council approval when notified to move forward with full CDBG CE application (from FY 24 funds) \$8,000 secured as part of Economic Development FY 24 budget in June 2023 \$15,000 pending City Council FY 25 budget approval in June 2024
Heart of Ellsworth Streetscape	\$5,000	September 2023
TOTAL: \$228,000		

E. COMPREHENSIVE PLAN

List the dates on which your local comprehensive plan was adopted, updated (if applicable) and deemed consistent by Maine's Municipal Planning Assistance Program.

Adopted Date:	December 2004	
Updated:	Undergoing update currently, expected completion in November 2024	
MPAP Approval Date:	December 9, 2004	
Community does not have an adopted and consistent comprehensive plan.		
Date Comprehensive Plan Expected to be Adopted and Consistent:	December 2024	

F. NATIONAL OBJECTIVE

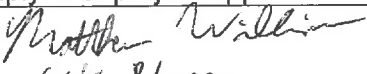
Check all applicable boxes below indicating how the National Objectives will be met and attach all required documentation listed in the appropriate box.

BENEFITTING LOW-TO-MODERATE INCOME PERSONS (IMI)	
☒	Community-Wide LMI National Objective Attach Census Figures indicating 51% or more of the community is LMI along with a completed <u>Beneficiary Profile</u> OR recent survey materials meeting the requirements set forth in OCD Policy Letter Number 19 and Income Survey Methodology Handbook.)
☒	Target Area LMI National Objective Attach Census Figures indicating 51% or more of the target area is LMI along with a completed <u>Beneficiary Profile</u> OR recent survey materials meeting the requirements set forth in OCD Policy Letter Number 19 and Income Survey Methodology Handbook.)

	Limited Clientele LMI National Objective ☒ Attach written documentation that the proposed CDBG activity will serve only LMI persons, or a HUD recognized Limited Clientele group as set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570 and the State of Maine CDBG Program.
	ELIMINATION OF SLUMS AND BLIGHTING CONDITIONS
	Elimination or Prevention of Slums and Blight on an Area-Wide Basis ☒ Attach completed Slum & Blight Declaration meeting the requirements of Maine State Statute 30-A, Chapter 205, Section 5202 and regulations set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570.
X	Elimination or Prevention of Slums and Blight on a Spot Basis ☒ Attach completed Spot Blight Designation form and required attachments which meets regulations set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570.

Applicant Certifications

- a. To the best of my knowledge and belief, the information in this Letter of Intent and all attached documentation is true and correct.
- b. This pre-application complies with all applicable State and federal laws and regulations; and
- c. Approval of this Letter of Intent by OCD to submit a final application does not imply final project approval or funding.

 <i>City Planner</i>	City of Ellsworth	02/22/2024
Signature of Chief Executive Officer <i>as proxy for City Manager</i>	Name of Community	Date: mm/dd/year

BENEFICIARY PROFILE

The demographic information is garnered from local survey forms and the Benefit Data Worksheet on Page 24 of the Survey Methodology Handbook or, for HUD listed 51% LMI communities or contiguous census tracts, from U.S. Census Data. You may access this data for your community online at <https://www.maine.gov/dafs/economist/census-information> or at <https://www.census.gov/quickfacts/ME>

1. Community: Date:
2. Name of Target Area:
3. Description of Target Area:
4. Census Tracts #(s) contained in Survey Area (whole or partial):

5. POPULATION

- a. Total Population
- b. Total Persons at or below 80% of county median income _____
- c. Total Persons above 80% of county median income _____

6. FAMILY RACE (Indicate total estimated persons for each racial group from Benefit Data Worksheet on Page 24; for town-wide surveys or contiguous census tracts use data from U.S. Census.)

Racial Group	At or below 80%	80% Plus
White		

Black/African American		
Asian		
Native Hawaiian/Other Pacific Islander		
American Indian/Alaskan Native		
Asian & White		
American Indian/Alaskan Native & White		
Black/African American & White		
American Indian/Alaskan Native & Black/African American		
Other		

7. DEMOGRAPHICS (Indicate total estimated persons for each demographic group from Benefit Data Worksheet on Page 24; for town-wide surveys or contiguous census tracts use data from U.S. Census web site listed above.)

Demographic Group	At or below 80%	80% Plus
Total Number of Elderly		
Total Number of Severely Disabled		
Total Female Heads of Households		

8. Date Submitted: _____

Authorized Signature: _____ Title: _____

Instructions for completing the Beneficiary Profile

All page numbers referenced below are from the Survey Methodology Handbook

- Line 1 State name of community.
- Line 2 Give name of target area; state "same as above if community wide.
- Line 3 Give a brief description of target area.
- Line 4 List all Census Tracts contained in the target area
- Line 5a In regard to a target area; use the estimated total number of persons on line 15 of the Low to Moderate Income Worksheet contained on Page 19. In regard to the entire Town or City being the target area, use the latest census information.
- Line 5b In regard to a target area; use the total estimated number of persons at or below 80% of county median income from the CDBG Benefit Data Worksheet on Page 24. In regard to the entire Town/City being the target area, use the latest census information.
- Line 5c In regard to a target area; use the total estimated number of persons above 80% of county median income from the CDBG Benefit Data Worksheet on Page 24. In regard to the entire Town/City being the target area, use the latest census information.
- Line 6 In regard to a target area; use the electronically generated figures for all racial groups from the Low to Moderate Income Worksheet contained on Page 19. In regard to the entire Town/City being the target area, use the latest census information.
- Line 7 In regard to a target area; use the electronically generated figures for all demographic groups from the Low to Moderate Income Worksheet contained on Page 19. In regard to the entire Town/City being the target area, use the latest census information.
- Line 8 Sign, date and indicate the title of the Beneficiary Profile signatory.

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
COVER SHEET AND CERTIFICATIONS**

Community Enterprise Grant Program

A. Applicant Identification

Applicant:	City of Ellsworth
Address:	1 City Hall Plaza
Town/City/County:	Ellsworth / Hancock
Zip Code:	04605
Chief Executive Officer:	Charles Pearce, City Manager
Phone Number:	207-669-6601
E-Mail:	cpearce@ellsworthmaine.gov
Contact Person:	Janna Richards, Economic Development Director
Phone Number:	207-669-6655
E-Mail:	jrichards@ellsworthmaine.gov
Census Tract(s) Where Proposed CE Activities will occur: 9655.03	
Applicant UEI (Unique Entity Identifier) #: YUCMJ2YGS6X5	
(To find or request a Unique Entity Identifier please visit www.sam.gov .)	

B. CERTIFICATION BY AUTHORIZED OFFICIAL OF MUNICIPALITY AND SUB-GRANTEE (if applicable):

1. State Certifications

- a. To the best of my knowledge and belief, the information in this Application is true and correct;
- b. the governing body of the applicant has duly endorsed the document;
- c. the proposed project has been reviewed and it complies with the Community's comprehensive plan and/or applicable state and local land use requirements;
- d. will work with the Office of Community Development to develop a detailed project if it receives a conditional award; and
- e. will comply with all applicable State laws and regulations.

2. Federal Certifications

- a. will take actions to affirmatively further fair housing and implement CDBG activities in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968;
- b. will not attempt to recover capital costs for the construction of public improvements, assisted in whole or in part with CDBG funds, by charging special assessments or fees against properties owned and occupied by persons of low and moderate income, including any fee, charge or assessment made as a condition of obtaining access to such public improvements, unless:
 - (i) CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds; or
 - (ii) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, and the applicant certifies that it lacks sufficient CDBG funds to comply with the requirements of clause (i) above.
- c. prior to expenditure of CDBG funds, it will establish a local community development plan that identifies the Community's housing and community development needs, including the needs of low and moderate income, and the activities to be undertaken to meet them;
- d. will provide in a timely manner for citizen participation, public hearings, and access to information with respect to the Maine CDBG Program and the proposed local CDBG project/program. Indicate in public notices and at public hearings that the State program is competitive, the maximum grant amount that can be requested, and the general type of activities contained in the proposed local program. Also announce in public notices the availability of the local program plan/application, describe the Community's previous CDBG performance (if any), and how the Community will collect, consider, and maintain all oral and written comments received on the proposal;
- e. will adopt and follow a residential anti-displacement and relocation assistance plan which complies with Section 104 (d) of the Housing and Community Development Act of 1974, as amended, that at a minimum provides for the replacement of all low/moderate income dwelling units that are demolished or converted to a non-LMI housing use as a direct result of CDBG assistance, and a relocation assistance component;
- f. is not listed on U. S. Department of Labor's Debarred and Suspended Contractor's List and will not employ contractors or subcontractors on this list;
- g. will comply with the requirements of Section 319 of Public Law 101-121 regarding government-wide restrictions on lobbying; and
- h. with the exception of administrative or personnel costs, it will verify that no person who is an employee, agent, consultant, officer, or elected official or appointed official of state or local government or of any designated public agencies, or sub-recipients which are receiving CDBG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to CDBG activities, per 24 CFR Part 570.611.
- i. Jobs created/retained must be in the community applying for the EDP award, new jobs to that community and not associated with any other branches of the assisted business located in another community.
- j. Transfer positions cannot be counted toward the job creation/retention requirements.
- k. All projects must document that at a minimum, 51% of all jobs created or retained as a result of the funded activity must be taken/held by persons of low and moderate income as defined by HUD.
- l. The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applications on the basis of race, color, religion, national origin, sex, marital status, age (provided that the applicant has the capacity to enter into a binding contract); and because all or parts of the applicant's income is derived from any public assistance program; or because the applicant has, in good faith, exercised any rights under the Consumer Credit Protect Act. The federal agency that administers compliance with this law concerning this creditor is the Federal Trade Commission. If a person believes that he or she was denied assistance in violation of this law, they should contact the Federal Trade Commission, Washington DC 20580.

<i>Matthew William</i>	<i>City of Ellsworth</i>	<i>4/12/2024</i>
Signature of Chief Executive Officer <i>City Planner, Proxy for City Manager</i>	Name of Community	Date: mm/dd/year

Signature of Each Participating Applicant in a Multi-Jurisdictional Application

Signature of Chief Executive Officer	Name of Community	Date: mm/dd/year
Signature of Chief Executive Officer	Name of Community	Date: mm/dd/year
Signature of Chief Executive Officer	Name of Community	Date: mm/dd/year
Signature of Chief Executive Officer	Name of Community	Date: mm/dd/year
Signature of Chief Executive Officer	Name of Community	Date: mm/dd/year

Community Development Block Grant Community Enterprise Grant Program Activity Designation Sheet

1. Activity Declaration

a. List the activities you will be doing in your proposed project: The City of Ellsworth will establish and administer a downtown business façade improvement grant program for businesses, non-profits, and property owners to be able to apply for funding in order to make exterior building and signage improvements to reduce blighted conditions.

2. CE Grant Funds Requested

☒ Business Façade Grants & Streetscapes

Amount Requested: \$100,000

☐ Streetscapes

Amount Requested: \$0

Total CE Requested: \$100,000

3. Multi-Jurisdictional Declaration

a. Is this a multi-jurisdictional project? ___ Yes ___X No

b. If yes, which local government has been designated as the lead applicant?

c. If yes, list all participating or benefiting local governments. _____

NOTE: Remember all participating or benefiting local governments must sign the Cover Sheet Certification Form.

1. Impact - Ellsworth's downtown district is comprised of an older building stock, which provides character to the historic village, but also poses difficulty in terms of upkeep for business/nonprofit and property owners. In recent years, many of the buildings in downtown have switched hands to be owner occupied buildings, rather than commercial leasing. This is beneficial in that it means more local ownership-investment; however, these small business owners are facing other financial challenges, making significant investment in their property difficult to prioritize. Within the small geographic area of the downtown identified for this project, greater than 50% of the commercial and mixed use properties exhibit conditions that could be classified as "blighted" – with peeling paint, bowing brick, rotting and/or missing siding, evidence of graffiti, broken windows and signage, and holes in foundations. Necessary improvements to enhance ADA accessibility have also been observed and documented.

The City has and will continue to engage in streetscape improvements within the downtown, including upkeep of several pocket parks; increasing the number of trash receptacles and frequency of trash pickup; and ensuring flags, banners, and light poles are maintained. In addition, the City will be embarking on a Village Partnership Initiative Planning project with the MaineDOT to identify additional streetscape improvements, including safer bicycle and pedestrian infrastructure, wayfinding signage, parking, lighting, and vehicular traffic flow. Further, the City is looking at partnering with several downtown arts and culture stakeholders to form an "arts & culture hub" within downtown Ellsworth, which is anticipated to add street art and installations, also improving the downtown aesthetic.

While these streetscape improvements are vital to the viability of the downtown, they need to be made in tandem with façade building and signage improvements on private, commercial and mixed use properties to truly make an impact. Therefore, the City sees both the façade improvements and the streetscape improvements as two components of one larger project that will benefit the downtown.

The significant majority of Ellsworth's downtown businesses are open year round. The sales endured during the peak tourist seasons are what keep these businesses afloat (and open to local residents) during the off-season. Therefore, it is imperative for the City's local, year-round economy and the viability of the downtown that sales are maximized during the peak season. If downtown Ellsworth does not make a good first impression because of blighted conditions and because the streetscape does not provide a welcoming environment, drawing back travelers headed to Acadia and ensuring return customers from local area wide residents becomes difficult. Sales are therefore negatively impacted, causing additional impacts to the downtown businesses and the Ellsworth economy as a whole.

Further, as with other locations in Maine, Ellsworth has downtown business and property owners who are aging and looking to sell their assets in upcoming years. Blighted properties may deter sales of these properties, particularly to local, younger entrepreneurs who do not have the capital to invest in an older, deteriorated building. This could negatively impact the local economy and viability of the downtown as more buildings become vacated, and further depreciated, as they are pending sale.

Lastly, blighted conditions can turn in to larger, more expensive structural problems if not addressed sooner than later. If downtown businesses and property owners do not have the means to stabilize these conditions, they will continue to get worse, harming property values, vacancy rates, investment trends, and business revenue/sales, all negatively impacting the local economy and viability of the downtown.

Many small business and property owners in Ellsworth's downtown, as well as their employees, fall in to the LMI category. Experiencing rising costs due to supply chain issues, inflation, and other costs related to the labor market, many owners are unable to prioritize all of the building maintenance and

general upkeep that older building stock require to withstand weather and wear/tear. As such, buildings fall further in to disrepair, becoming more expensive to fix, contributing to blighted conditions, and harming businesses and their revenue generation. A loss in revenue may cause owners to let go of employees, thus negatively affecting the LMI labor force.

Aside from taking out a higher interest loan, which many small business/property owners are hesitant to do, especially during the first few years of operation, there are very few funding opportunities that allow for capital improvement. With cash flow being just enough to cover operational expenses, capital expenses may go by the wayside. In addition, with the frequency of intense storms, “rainy day funds” are now being expended more regularly to recover from a storm related issue, instead of mitigating/preparing for storm events. While many business/property owners know they should rectify a problem, they financial are unable to do so.

While the City’s Economic Development Department has some funds for the fiscal year 2024 to contribute to a façade improvement program, they are not substantial enough to make an impact on the needs of the downtown. Other funds in both FY2024 and FY2025 are being put toward match on larger streetscape improvement grants, such as the MaineDOT Village Partnership Initiative, as well as other projects related to the downtown, such as helping to implement an “arts and culture” hub, establishing the Franklin Street Parklet (a pocket park that is assembled every peak season since 2021), and promotional/marketing materials. Funds are also needed on Citywide projects/initiatives not related to the downtown.

With funds being extended across various projects and initiatives, it is necessary to utilize the funding we have available to leverage greater grant funds, such as the CE program funds, in order to implement the project so that it will make a more positive impact on blighted conditions in the downtown. Other grant funds do not seem to be available at this time, particularly to Ellsworth, which does not meet the LMI standards. The CE funds allow us to document spot blight to indicate that there is a problem and therefore a need for this project. Finally, while the City may go out to bond to complete the streetscape improvement recommendations that will be identified after the MaineDOT Village Partnership Initiative planning phase has been completed, and may incorporate some funding in to that bond for another façade improvement program at that time, those plans are at least two fiscal years out, and there is an imminent need in the downtown to help eliminate blight now.

2. Development Strategy - Using the CE funds, the City will establish and administer a downtown façade improvement program to allow and incentivize businesses/nonprofits and commercial property owners to apply in order to offset the costs of improving blighted conditions on the exterior of their buildings and/or to improve ADA accessibility. A committee will be formed to create the funding application and guidelines to receive funding. This committee will also serve as the review and selection committee, responsible for awarding funds for eligible projects. Businesses/nonprofits and property owners will then utilize the funding to improve the blighted condition or ADA access located on the exterior of their building.

As noted previously, the façade improvement program described above is part of a larger project that will also include improvements to the downtown’s public streetscape. These streetscape improvements will be funded through the City, with a small portion of funds coming from the City’s downtown organization, Heart of Ellsworth. These streetscape improvements include adding trash receptacles and additional trash pickup, upkeep to the City’s three downtown parklets, mapping/signage/promotional materials, banners and flags, and lightpole repairs. In addition, City funds have been allocated toward the planning phase of the MaineDOT Village Partnership Initiative, which will identify other streetscape improvements, such as to pedestrian and bicycle infrastructure, wayfinding and gateway signage, traffic flow, and parking.

Potential applicants include business owners/nonprofits and commercial or mixed use property owners in Ellsworth's downtown within the geographic scope of: State Street (starting at the intersection with Church Street), Water Street to Pine Street, Pine Street, Franklin Street (from intersection with Pine Street toward Main Street), Hancock Street (from intersection with Pine Street toward Main Street), High Street (from intersection with Main Street to intersection with Pine Street), and Main Street (from intersection with High/Oak Street to intersection Grant Street). Within this geographic area, an estimated 25 properties were identified and documented as having blighted conditions that could qualify for façade improvement funds. The uses of these buildings range from retail, to restaurant, to office space. Blighted conditions witnessed on the exterior of these properties include peeling paint, bowing brick, rotting and/or missing siding, evidence of graffiti, broken windows/signage/awnings, and holes in foundations. There is also opportunity to provide better ADA accessibility at locations throughout the identified geographic area. All of these conditions could be rectified with funding through the proposed façade improvement program.

While in a given year, an estimated 4 million visitors travel through Ellsworth to arrive at Acadia National Park, the City strives to be a destination for both locals and visitors alike. Making a good first impression is essential to drawing back travelers headed to Acadia and to ensuring return customers to downtown from local area wide residents. Improving the aesthetics of the downtown, and making it more friendly to tourists and residents, are primary ways in which to enhance the downtown experience, thus making it a desirable and vibrant place to visit, shop, eat, and work. In turn, this environment contributes to sustained revenue generation for downtown businesses.

The proposed CE project also provides additional support to downtown merchants, nonprofits, and property owners. This support aids the City's reputation as a place for small businesses to feel welcome and supported, thus promoting the City's business attraction and retention efforts.

The CE funds will be put toward a downtown façade grant improvement program, helping to alleviate blighted conditions on the exterior of buildings located in the downtown. It will help and incentivize LMI businesses/nonprofits and commercial and mixed use property owners offset costs of repairs to the exterior of their property, allowing these improvements to be made. In many situations, it will allow businesses to continue to employ LMI workforce, as repairs can sometimes burden revenue streams leading to loss of jobs.

Projected Project Timeline

Ongoing from 2020 – 2023 – The City received feedback from downtown merchants and property owners that after years of not having a façade improvement program, there was a need to bring one back. During these years, properties changed hands to owner occupied buildings. A new cohort of building/property owners was prominent in downtown. The City's downtown organization, Heart of Ellsworth, and the City's historic preservation groups were also hearing there was a need for façade improvement programming. After conducting a Business Attraction Plan and downtown planning efforts from 2022 to 2023, there was enough documentation of need for a façade improvement program to move forward.

February 2024 – The City submitted a letter of intent to apply to the Community Development Block Grant Community Enterprise program to help fund a downtown façade improvement program and received news that the proposed project was eligible to proceed with a full application.

April 2024 – In anticipation of submitting a full application, a public hearing was held and the City Council approved moving forward with the application submittal and also approved the required cash match. After holding the public hearing and receiving approval, the City will submit a full application before the deadline for review by the State.

May 2024 – If the City receives news to move forward with the CDBG CE application process, a committee will be formed to begin further discussion on the downtown façade improvement program

materials and requirements. Logistics necessary for Phase II of the application will be reviewed and determined by the committee.

June/July 2024 – If the City receives news to move forward with the CDBG CE application process, anticipating that the Phase II application will be due sometime in the summer of 2024.

August/September 2024 – If the City is awarded funding, we will bring the committee back together in the early fall of 2024 to official kickoff the program, reviewing application materials and guidelines again, as well as creating promotional materials and coming up with a marketing plan to get out the word about the program opportunity.

Fall 2024 – While the committee may review applications on a rolling basis, we will try to have a deadline of late fall/early winter for application submittals. We will review and select applications that best meet the program guidelines and criteria.

Winter 2025 – We anticipate announcing which applications will be awarded in the winter of 2025, allowing time for businesses/property owners to receive bids and line up contractors to perform the work during the spring and summer months.

Spring/Summer 2025 – We anticipate exterior building/façade improvements will be conducted during spring and summer of 2025.

Fall 2025 – Once projects/improvements have been completed, we will work to document the success of the project, both aesthetically and through developing and capturing metrics related to sales, visitation, and employment.

The City established and administered a successful downtown façade improvement program in 2014 and therefore has past history and experience with conducting a façade program. In addition, between the City's planning, economic development, and finance office, there is staff capacity to administer the program. City staff will work to create a committee of volunteers, stakeholders, and elected officials who will also take on responsibilities of the program and thus increase capacity further.

3. Citizen Participation – Ongoing from 2020-2023, through various public engagement meetings with downtown businesses (many of them either being LMI business owners or employing LMI workers), Heart of Ellsworth, Chamber of Commerce, historical commission and society, there has been discussion and requests to re-establish a façade improvement program. Business/property owners have described the type of improvements that need to be done, and walking tours of the downtown verify those needs. The Heart of Ellsworth has committed to being a part of the committee overseeing the program's process and will further help develop the program. We will also seek at least one or two LMI business/property owners to be on the committee to help develop the program further. At the public hearing, comment in support of the application was made by the Heart of Ellsworth and the area's historical society/commission in favor of establishing a program.

The newspaper, social media, and the web were used to advertise the public hearing. We will plan on using newspaper, social media, web, door-to-door flyer distribution, and radio to advertise the program once it has been developed. We will also advertise via newspaper, web, and social media for one or two business/property owners to submit to be a part of the program development team.

All local resources identified for this project are cash. Although many in-kind contributions will be made from staff time, they are not identified for the purposes of the budget summary. The cash resources all fit within the larger project of revitalizing the downtown through both façade and streetscape improvements. As noted above, both types of improvements contribute to the viability of the downtown and will be combined together in to one project to truly make an impact.

4. Opportunity Zone Bonus – The City of Ellsworth is currently certified as an Opportunity Zone. The Heart of Ellsworth and the City are a Downtown Affiliate Community.

Community Development Block Grant Community Enterprise Grant Program

Budget Summary (Include Cash & In-Kind)

	Column 1 CDBG	Column 2 Local	Column 3 State	Column 4 Utility	Column 5 Non- CDBG Federal	Column 6 Other	Column 7 Cost Category Total
Legal Expenses							
Appraisals							
Relocation							
Demolition							
Site Work							
Architectural							
Engineering							
Administration							
Construction							
Materials							
Streetscapes		\$58,000				\$5,000	\$63,000
Façade Grants	\$100,000	\$25,000					\$125,000
Inspection							
Other (List)							
1.							
2.							
3.							
TOTAL COSTS	\$100,000	\$83,000				\$5,000	\$188,000

Directions for Completing Budget Summary

1. For each applicable cost (cash and in-kind) in the Cost Category column, list the projected dollar amount for all applicable funding sources in columns 1-6.
2. List the total dollar amount for each cost category in column 7, Cost Category Total
3. Enter the total of all Cost Category amounts in column 7 in the TOTAL COSTS box directly under column 7.
4. Submit a copy of this Summary with the application.

Public Hearing Notice

City of Ellsworth

The City of Ellsworth City Council will hold a public hearing on April 9, 2024 at 6:00pm at Ellsworth City Hall in the Council Chambers to discuss an application being submitted to the State of Maine CDBG program for a Community Enterprise Grant. The purpose of the grant is to create a downtown façade improvement grant program.

Public comments will be solicited at this hearing and will be submitted as part of the application. All persons wishing to make comments or ask questions about the grant application are invited to attend this Public Hearing.

Comments may be submitted in writing to: Janna Richards, 1 City Hall Plaza, Ellsworth, ME 04605 at any time prior to the public hearing. TDD/TTY users may call 711. If you are physically unable to access any of the City's programs or services, please call Maura Condon at 207-669-6616, so that accommodations can be made.



Ellsworth American
Thursday March 28, 2024

Public Hearing Notice

City of Ellsworth

The City of Ellsworth City Council will hold a public hearing on April 9, 2024 at 6:00pm at Ellsworth City Hall in the Council Chambers to discuss an application being submitted to the State of Maine CDBG program for a Community Enterprise Grant. The purpose of the grant is to create a downtown façade improvement grant program.

Public comments will be solicited at this hearing and will be submitted as part of the application. All persons wishing to make comments or ask questions about the grant application are invited to attend this Public Hearing.

Comments may be submitted in writing to: Janna Richards, 1 City Hall Plaza, Ellsworth, ME 04605 at any time prior to the public hearing. TDD/TTY users may call 711. If you are physically unable to access any of the City's programs or services, please call Maura Condon at 207-669-6616, so that accommodations can be made.



Ellsworth American
Thursday April 4, 2024

Attachment - Budget Summary Review

Cost Estimates –

All funds documented in the budget summary table include cash. While in-kind contributions will be made by City staff and elected officials, Heart of Ellsworth/Chamber staff, volunteers, business and property owners, and other stakeholders, these have not been accounted for within the budget summary. As noted throughout the application, the City views the larger project as being a downtown revitalization project through both façade and streetscape improvements.

For the façade improvements, the City is requesting \$100,000 from the CE program and is matching that \$100,000 with \$25,000. The \$25,000 was approved by the City Council.

In terms of the cost estimates for the façade improvement program, it is anticipated that funding to businesses/nonprofits and property owners may range from \$3,000 to \$15,000. Within that range, if requests were an average of \$9,000, with a budget of \$125,000 for façade improvements, we would be able to allocate funding to at least 13 businesses/properties.

For the streetscape improvements, the City has contributed \$50,000 to the planning phase of the MaineDOT's Village Partnership Initiative, which will identify necessary streetscape improvements within the downtown for the City to implement. The cost estimate for the total plan is \$100,000, with \$50,000 coming from the City and \$50,000 coming from the State DOT. The budget summary does not show the \$50,000 State DOT funds that will also go toward that streetscape improvement plan.

The additional \$8,000 shown as local streetscape improvement funding will go toward assembling and beautifying the City's Franklin Street Parklet (cost estimate based off of previous year's assembling and beautification efforts), located in the downtown, as well as to marketing/design for banners and maintenance to light poles. Finally, the Heart of Ellsworth secured funding to work on a planning project to make the Franklin Street Parklet a more permanent, sustainable downtown space, which will begin during FY 2024.

Projected Project Timeline -

Ongoing from 2020 – 2023 – The City received feedback from downtown merchants and property owners that after years of not having a façade improvement program, there was a need to bring one back. During these years, properties changed hands to owner occupied buildings. A new cohort of building/property owners was prominent in downtown. The City's downtown organization, Heart of Ellsworth, and the City's historic preservation groups were also hearing there was a need for façade improvement programming. After conducting a Business Attraction Plan and downtown planning efforts from 2022 to 2023, there was enough documentation of need for a façade improvement program to move forward.

February 2024 – The City submitted a letter of intent to apply to the Community Development Block Grant Community Enterprise program to help fund a downtown façade improvement program and received news that the proposed project was eligible to proceed with a full application.

April 2024 – In anticipation of submitting a full application, a public hearing was held and the City Council approved moving forward with the application submittal and also approved the required cash match. After holding the public hearing and receiving approval, the City will submit a full application before the deadline for review by the State.

May 2024 – If the City receives news to move forward with the CDBG CE application process, a committee will be formed to begin further discussion on the downtown façade improvement program materials and requirements. Logistics necessary for Phase II of the application will be reviewed and determined by the committee.

June/July 2024 – If the City receives news to move forward with the CDBG CE application process, anticipating that the Phase II application will be due sometime in the summer of 2024.

August/September 2024 – If the City is awarded funding, we will bring the committee back together in the early fall of 2024 to official kickoff the program, reviewing application materials and guidelines again, as well as creating promotional materials and coming up with a marketing plan to get out the word about the program opportunity.

Fall 2024 – While the committee may review applications on a rolling basis, we will try to have a deadline of late fall/early winter for application submittals. We will review and select applications that best meet the program guidelines and criteria.

Winter 2025 – We anticipate announcing which applications will be awarded in the winter of 2025, allowing time for businesses/property owners to receive bids and line up contractors to perform the work during the spring and summer months.

Spring/Summer 2025 – We anticipate exterior building/façade improvements will be conducted during spring and summer of 2025.

Fall 2025 – Once projects/improvements have been completed, we will work to document the success of the project, both aesthetically and through developing and capturing metrics related to sales, visitation, and employment.



**Maine Community Development Block Grant Program
Environmental Review Statement: Categorically Excluded, Not Exempt**

Project Name: Ellsworth Façade Improvement Program
Project Location: Downtown Ellsworth
Contact Person: Janna Richards

The following activities have been reviewed under 24 CFR 58.35(a) and have been found to be categorically excluded from the provisions of the National Environmental Policy Act (NEPA). All the related laws and authorities cited in Section 58.5 and 58.6 cannot be applied to these activities until sites are specified and remaining compliance reviews completed for those sites. Therefore, Release of Funds (ROF) as well as further environmental review requirements is necessary.

Attached is the Statutory Checklist completed for the laws and authorities that can be applied to project activities. Laws and authorities that cannot be applied until sites are specified are identified. The Statutory Checklist reviews will be completed for each specific site and appropriate action taken in compliance with ERR requirements. Signature certifies that information on comments received, and responses made are included in this submission.

LIST PROJECT ACTIVITIES:

Administration

Execution of a downtown Façade improvement Program which could include repointing brick, replacing windows, replacing doors, replacing signage, Exterior lighting, and addressing code violations.

Signature of Environmental Review Officer

9/5/24
Date

Signature of Chief Executive Officer

9/5/24
Date

Maine Community Development Block Grant Program
SITE LIST IDENTIFYING LOCAL ERR CLEARANCES
CATEGORICALLY EXCLUDED, NOT EXEMPT PROJECT

ERR Categories requiring clearance:

Sites/Location Assisted	Dates and Areas cleared for ERR	Date of Initial Assistance

(copy and add additional pages as necessary)

Maine Community Development Block Grant Program

Environmental Review - Statutory Checklist

PROJECT NAME: *Ellsworth Façade Improvement Program*

GRANTEE NAME: *City of Ellsworth*

Statutes and Regulations	Not Applicable to this project	Consultation Required	Review required	Permits required	Consistency and approvals determined: Permits in Hand	Requires mitigating actions; special conditions apply	Describe/provide basis for compliance decision; identify file documents and results of compliance reviews. Attach supportive materials as required or needed.
Historic Properties (attach letter from SHPO)			x				See attached response from MHPC
Floodplain Management/ Flood Insurance (if in floodplain, attach letter from SPO)	x						The flood map for the selected area is number 23009C0766D, effective on 7/20/2016—see attached map
Wetlands Protection	x						Program participant buildings are not in wetlands
Coastal Zone Management	x						Façade program will not impact Coastal Zone management
Coastal Barriers	x						Project buildings are not on coastal barriers
Water Quality-Aquifers	x						Façade projects will not impact an aquifer-see attached map
Wild and Scenic Rivers	x						Project location is not near Allagash Wilderness Waterway
Air Quality	x						Any scraping for repainting will use BMPs to minimize potential paint dust.
Farmlands Protection Act	x						Project site is in heart of the city, no impact to farmlands
Endangered Species	x						See Ellsworth Map 2- downtown projects will not impact blue herons, Mudwort, or estuary Bur-marigold.
Fish and Wildlife	x						Project site is in heart of the city, no impact to fish or wildlife
Environmental Justice	x						Façade improvements will eliminate blight and create better conditions for job creation.
Airport Clear Zone	x						Project area is not in an airport clear zone
Solid Waste Disposal	x						Any debris from façade projects will be taken to approved transfer station
Water Quality and State Safe Drinking Water Law	x						Projects will not impact the municipal water supply or system

Statutes and Regulations	Not Applicable to this project	Consultation Required	Review required	Permits required	Consistency and approvals determined: Permits in Hand	Requires mitigating actions; special conditions apply	Describe/provide basis for compliance decision; identify file documents and results of compliance reviews. Attach supportive materials as required or needed.
Protection of Waters	x						No overboard discharges
Site Location Law	x						Does not apply
Natural Resources Protection Act	x						No stream or wetland crossings
Submerged Land Law	x						Buildings are not on submerged lands
Subsurface Wastewater Disposal	x						Project will not impact municipal sewer system
Protection of Air Act	x						Short term BMP's to be used during rehab, there will be no long-term impacts to air quality
MANMADE HAZARDS							
Thermal/Explosive	x						No blasting required
Noise	x						Short-term construction noise limited to daytime working hours, no long-term impact to ambient noise levels.
Toxic Sites	x						Downtown is not a toxic site
OTHER LOCAL, STATE, FEDERAL LAWS, OR STATUES APPLICABLE TO PROJECTS							

Signature of Preparer	Telephone Number	Relationship to Grantee	Date
------------------------------	-------------------------	--------------------------------	-------------

Maine Community Development Block Grant Program Environmental Review

Notice of Intent to Request a Release of Funds

Grantee:	City of Ellsworth
Address:	1 City Hall Plaza
	Ellsworth ME 04605
Telephone:	207-667-2563

On or about _____, 2024, the City of Ellsworth will submit a request to the Department of Economic and Community Development (OCD) for the release of CDBG funds under Title I of the Housing and Community Development Act of 1974, as amended, to undertake the project described as a Façade Improvement Program in Downtown Ellsworth. Total estimated funding is \$188,000.

The activities proposed are categorically excluded under the HUD regulations at 24CFR Part 58 from National Environmental Policy Act requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at:

Grantee:	City of Ellsworth
Address:	1 City Hall Plaza
	Ellsworth ME 04605
Telephone:	207-667-2563

The ERR may be examined or copied on weekdays from 8:00 a.m. to 5:00 p.m.

Public Comments

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project, may submit written comments on the ERR to the City of Ellsworth, Attention Janna Richards, 1 City Hall Plaza, Ellsworth ME 04605.

All comments received by _____, 2024, will be considered by the City of Ellsworth prior to submission of a request for release of funds.

Release of Grant Funds

The City of Ellsworth certifies to DECD that (Chief Executive Officer) Charles Pearce in his official capacity consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to the environmental review process, and that these responsibilities have been satisfied. DECD's acceptance of the certification satisfies its responsibilities under NEPA and allows the City of Ellsworth to use Program funds.

Objections to Release of Funds

DECD will accept objections to its release of funds and the City of Ellsworth certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if it is on one of the following bases: **(a)** the certification was not executed by the Chief Executive Officer of the City of Ellsworth; **(b)** the ERR indicates omission of a required step, decision or finding; **(c)** the grant recipient has incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DECD; or **(d)** another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to DECD at 59 State House Station, Augusta, ME 04333-0059. Potential Objectors should contact DECD to verify the actual last day of the objection period.

<u>Charles Pearce City Manager, City of Ellsworth, 1 City Hall Plaza, Ellsworth ME 04605</u>	
Chief Executive Officer	Address



**Maine Community Development Block Grant Program
Request for Release of Funds (RROF) and Certification Form**

1. Program Title: Maine Community Development Block Grant Program		OMB Catalog No.
14.228		
2. Name and Address of Recipient:	City of Ellsworth 1 City Hall Plaza Ellsworth ME 04605	
3. For Information Contact:	Janna Richards, Economic Development Director	
4. Date of this Request:		
5. Project Dates:	August 2024 to August 2026	

Part 1. Request for Release of Funds

**6. Send Request to: Department of Economic and Community Development (OCD)
33 Stone St., 59 State House Station, Augusta, ME 04333-0059**

The recipient of assistance listed above requests the removal of environmental conditions and the release of grant funds for the following:

7. Program/Project Name: Community Enterprise CDBG City of Ellsworth Façade Improvement Program	8. Location/Address of Program/Project: Downtown Ellsworth
--	---

9. Program Activity/Project description: Façade Improvement Program

Part 2. Environmental Certification

With reference to the above Program Activity/Project, I, the undersigned Officer of the recipient, certify that: **(a)** the recipient has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project named above. **(b)** The recipient has complied with the National Environmental Policy Act of 1969, as amended, and with the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5 and 58.6. **(c)** The recipient has taken or will take into account the environmental criteria, standards, permit requirements and other obligations applicable to the project or program activity under other Federal, State, and local laws that the recipient has the direct responsibility to comply with. **(d)** The recipient has provided the State Historic Preservation Officer and the Secretary of the Interior an opportunity to act with respect to properties which the recipient believes are affected by the project and are eligible for the National Register of Historic Places (Section 119[m], HCD Act of 1974, as amended). **(e)** After considering the type and degree of environmental effects identified by the environmental review completed for the enclosed project described in Part 1 of this request, I have found that the proposal **did not** require the preparation and dissemination of an environmental impact statement. **(f)** The recipient has, prior to submitting this request for the release of funds and certification, published in the manner prescribed by 24 CFR 58.43 a notice to the public in accordance with 24 CFR 70 and as evidenced by the attached copy. **(g)** The date upon which all statutory and regulatory time periods for review, comment, or other action, following completion of the environmental review for the project/program activity, **began and ended as indicated below** in compliance with the procedures and requirements of 24 CFR 58.

Check level of review:

☒ **Notice of Intent to Request a Release of Funds (Categorically Excluded, Not Exempt, 7- day local comment period)**

Date Published in Newspaper	Comment Period
9/5/2024	Date began: 9/5/2024 Date ended: 9/13/2024

☐ **Combined Notice: Finding of No Significant Impact and Intent to request Release of Funds (Nonexcluded/FONSI, 15 – day local comment period)**

Date Published in Newspaper	Comment Period
	Date began: Date ended:

15-DAY STATE OBJECTION PERIOD (ESTIMATED BY GRANTEE)

DATE SENT TO DECD:	DATE BEGAN:	DATE ENDED:

As the duly designated certifying official of the grantee/recipient, I also certify that:

(a) I am authorized to and do consent to assume the status of responsible federal official under the National Environmental Policy Act of 1969 and each provision of Law designated in the 24 CFR 58.5 and 58.6 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making, and actions that have been assumed by the grantee/recipient;

(b) by so consenting, I have assumed the responsibilities for the conduct of environmental review, decision-making, and actions as to environmental issues, preparation and circulation of draft, final and supplemental environmental impact statements, and lead agency or cooperating agency responsibilities for preparation of such statements on behalf of federal agencies including HUD, when these agencies consent to such assumptions;

(c) I am authorized to act and do accept, on behalf of the recipient and personally, the jurisdiction of the federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the grantee/recipient.



Signature of Chief Executive Officer of Grantee/Recipient

City Manager
Title

1 City Hall Plaza, Ellsworth ME 04605
Address:

Warning: Section 1001 of Title 18 of the United States Code and the Criminal Procedure shall apply to this certification. Title 18 provides, among other things, that whoever knowingly makes or uses a document or writing containing any false, fictitious, or fraudulent statement or entry, in any manner within the jurisdiction of any department or agency of the United States, shall be fined not more than \$10,000 or imprisoned not more than five years or both. Adapted HUD-7015.15 (9-88)



MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JANET T. MILLS
GOVERNOR

KIRK F. MOHNEY
DIRECTOR

July 29, 2024

Ms. Janna Richards
City of Ellsworth
1 City Hall Plaza
Ellsworth, ME 04605

Project: MHPC# 1279-24 CDBG Façade Improvement Grant Program Blanket Review

Town: Ellsworth, ME

Dear Ms. Richards:

In response to your recent request, I have reviewed the information received July 11, 2024 to initiate consultation on the above referenced undertaking pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

Your approach concerning consultation procedures for as yet unspecified undertakings and locations is acceptable to our office. Please note that only a letter signed by me, stating that there will be "no historic properties affected" by an undertaking, or that an undertaking will result in "no adverse effect" upon historic properties, shall indicate completion of consultation procedures for individual projects pursuant to Section 106 of the National Historic Preservation Act, as amended.

Materials submitted for each project for our review should include:

- 1) a USGS topographic quad map which clearly indicates the project location and extent of the project's boundaries; and
- 2) a thorough description of proposed work; and
- 3) photos of any buildings on the property should be keyed to the topographic map.
- 4) preliminary plans or a sketch of proposed work, if available.

Materials can be sent electronically to our office by emailing MHPCProjectReview@maine.gov. If you do decide to submit electronically, there is no need to submit a hard copy duplicate.

We look forward to continuing consultation with you on this project. Please contact Megan M. Rideout of our staff, at megan.m.rideout@maine.gov or 207-287-2992, if we can be of further assistance in this matter.

Sincerely,

Kirk F. Mohney
State Historic Preservation Officer