

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, August 21, 2023 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 minutes from the following meeting (s) of the Ellsworth City Council:

➤ 07/17/2023 Regular Monthly Meeting. **

➤ 07/25/2023 Special Meeting **

5. City Manager's Report.
6. Committee Reports.
7. Citizens' Comments.
8. Presentation of Awards.
 - Jarrod Grindle, for ten years of service with the Ellsworth Public Works Department.

UNFINISHED BUSINESS

9. Arbor Commission update and potential appointment of members. **

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

10. Public hearing and action on the application for the following licenses:

* ** - Consent agenda items containing backup material.

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- 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. **
- Maine Organic Therapy d/b/a Curaleaf Maine, 3 Myrick Street – Suite B, for renewal of a Medical Marijuana Dispensary License including a City Victualer License. **
- Pepper's Pub, 20 Water Street for renewal of a City Class B license and renewal of a State Class A Restaurant/Lounge liquor license. **

11. Council Order #082101, Request of the Highway Foreman to accept the winter sand/Mineral Screening Bid. **

12. Council Order #082103 Discussion and action on a proposed ordinance to provide controls on the use of illegal moorings and anchorages on Great Ponds within the City of Ellsworth. The proposed ordinance establishes a Mooring Control Area and provides provisions for allowed activities within this area. **

13. Council Order #082104 Request of the Code Enforcement Officer to take property located at 16 Central Street by eminent domain by way of an Order of Condemnation. **

14. Council Order #082105, Request of the Fire Chief to accept the EMS license granted by the State of Maine EMS office as a transport service at the Basic EMT level, with permissions to the Advanced EMT level to take effect August 22, 2023. **

15. Discussion on City Charter review and updates. (Sponsored by Hamilton) **

16. Discussion and possible action on City Manager hiring process (Sponsored by Mote)

17. Discussion on a public works director role and current staffing of the department. (Sponsored by Hanson)

18. Councilor Comments

19. Executive Session pursuant to 1 MRSA §405, 6. A. for personnel matter to discuss contractual issues for appointed officials.

20. Discussion and action from the executive session.

21. Adjournment.

MEETING NOTICE

The regular monthly meeting of the Ellsworth City Council will be held on Monday, July 17, 2023 at 6:00 PM in the Ellsworth City Hall Council Chambers.

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Spectrum Channel 1303

1. Call to Order.
2. Pledge of Allegiance.
3. Rules of Order. **Special Meeting called on July 25 at 5:30 for the Mall abatement request.**
4. Adoption of minutes from the following meeting (s) of the Ellsworth City Council:

- 06/19/2023 Regular Council Meeting.
- 06/30/2023 Special Council Meeting.

Motion to approve as written by T. Mote, second by C. Hanson, passed 7-0

5. City Manager's Report.
6. Committee Reports.
7. Citizens' Comments.
8. Presentation of Awards.
 - Carolyn Ackerman for her 22 years of service to the Ellsworth Historic Preservation Commission
 - David Hopkins for his 10 years of service to the City of Ellsworth as Highway Mechanic and Transfer Station Attendant.
 - Chase Hardwick- HCTC Intern for Highway
 - James Hassard for heroism
 - Rob Angelo for heroism

UNFINISHED BUSINESS

9. Update about a new Arbor Commission (Original discussion 06/19/2023)
10. Review of Franklin street Parklet barricade options (Original discussion 06/19/2023)

CONSENT AGENDA

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NEW BUSINESS

11. Presentation from DOT's Village Partnership Program- The presentation is on MaineDOT's Village Partnership Initiative. This program leverages funding through BIL to make overdue investments in the historic downtowns and village centres in rural Maine. The process requires a feasibility study, in a partnership with the municipality and MaineDOT, then using that feasibility and design study we apply for a USDOT Raise Grant to bring for every \$1.00 local match, \$1.00 State, and \$8.00, Federal. This program addresses pedestrian, bicycle and motorist safety, overdue ADA compliance and the aesthetics of our historic downtowns. It is a once in a generation opportunity.

12. Discussion and Action on the request of the Partners of the Union River (POUR) to install education/information displays at the Harbor. (Sponsored by Beal) **
Motion to approve the project by M. Beal, second C. Hanson, passed 7-0
13. Public hearing and action on the following business license application (s):
- Ellsworth Lodge of Elks #2743, 317 High Street, for renewal of a City Class B License (Victualer, Liquor, and Amusement) and renewal of a State Club-On Premise with Catering Malt, Spirituous and Vinous (Class I) Liquor License. **G. Lyon, C. Hanson, 7-0**
 - Taste Jamaica, LLC 190 State Street for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant (Class III & IV) Wine and Malt Liquor License. **G. Lyons, C. Hanson, 7-0**
 - Melanie Omlor-Fox d/b/a Helen's Restaurant of Ellsworth, 55 Downeast Highway, for renewal of a City Class C License (Victualer and Liquor) and renewal of a State Restaurant Malt, Spirituous and Vinous (Class I, II, III, IV) Liquor License. **G. Lyons, C. Hanson, 7-0**
 - Daniel C. Potts d/b/a Lakeside Cedar Cabins, 397 Mariaville Road, for renewal of a City Lodging License. **G. Lyons, C. Hanson, 7-0**
 - Da Butler Did IT! DBA Dragonfire Pizza, 248 State Street, for a renewal of City Class B (arcade, Victualer, liquor) and State malt liquor license. **G. Lyons, C. Hanson, 7-0**
 - Pat's Pizza Ellsworth, 396 High Street, for a renewal of City Class C license (Victualer and Liquor) and renewal of State Malt, Wine and Spirituous liquor license. **G. Lyons, C. Hanson, 7-0**
14. Council Order #072300, Public Hearing and Action on the Request of the Finance Director to award a TAN (Tax Anticipation Note) borrowing for \$2,000,000.00. **
Ray Williams- date errors, how much will be drawn?
Motion to approve with FNB at a rate of 0.05% and correct all dates to show as June 30, 2024 by T. Mote, second by M. Beal, passed 7-0
15. Council Order #072301, Request of the Water Superintendent to purchase 2 variable frequency drives for \$45,050. **
Motion to approve not to exceed \$45,050 by G. Lyons, second by C. Hanson, passed 7-0
16. Council Order #072302, Request of the Finance Director to approve the annual reports for Tax Year April 1, 2022 through March 31, 2023 for Affordable Housing Tax Increment Financing Districts, Leonard Lake, Oriole Way and Oriole Way Senior Housing in the City of Ellsworth. **
Motion to approve by C. Hanson, second by G. Lyons, passed 7-0
17. Council Order #072303, Request of the IT Director to purchase IT Network upgrades. **
Motion to approve with Gov. Connection and Gorham Savings as outlined in the attachment by C. Hanson, second by G. Lyons, passed 7-0
18. Council Order #072304, Request of the Facilities Manager to accept a bid to repair the Chimney at City Hall. (Bids to be opened 7/13/23). **
Motion to contract with Norwood for an amount of \$52,000 by G. Lyons, second by C. Hanson, passed 7-0
19. Council Order #072305, Request of the Facilities Manager to accept a bid to replace a section of roofing at the Moore Community Center. (Bids to be opened 7/13/23) **
Motion to contract with GR Roofing to replace approximately 13,000 sq. ft. of roof listed in bid specs for an amount of \$140,000 by G. Lyons, second by M. Beal, passed 7-0
20. Council Order #072305, Request of the Finance Director to review and approve the updated City of Ellsworth Investment Policy. **
Motion to approve and adopt the Investment Policy by T. Mote, second by G. Lyons, passed 7-0
21. Council Order #072306, Request of the Deputy Fire Chief to use ARPA funding to purchase and install a Direct Capture Vehicle Exhaust System.
Move to table to August by M. Beal, second by C. Hanson, passed 7-0

22. Council Order #072306, Request of the City Planner and City Manager to apply for federal financial assistance under the provisions of the Land and Water Conservation Fund (LWCF) Act, Public Law 88-578 in support of conservation of 279.1 acres of land adjacent to the Branch Lake public water supply and expansion of low impact recreational opportunities and to enter into a LWCF Project Agreement with the State subsequent to federal approval of the project and adopting a resolution stating such. **
Motion to allow application by C. Hanson, second by J. Stein, passed 6-1 (S. O'Halloran)
23. City Council Appointments (additional since June) **
Motion to appoint BOA S. Salsbury by M. Beal, second by G. Lyons, passed 7-0
24. Councilor Comments.
S. O'Halloran- budget with large increase, like to reposition public works director to save costs.
Surplus equipment- costs of budget, excess equipment to be turned into cash.
25. Executive Session pursuant to 1 MRSA §405, 6. A. for personnel matters to discuss contractual issues for appointed officials.
Move to enter by C. Hanson, second by G. Lyons, passed 6-1 (S. O'Halloran opposed)
Move to exit by C. Hanson, second by T. Mote, passed 7-0
26. Discussion and Action from the Executive Session.
Motion by D. Hamilton to accept an employment transition agreement with Manager Moshier to provide the City the opportunity to begin the recruitment of a new Manager and that Manager Moshier shall return to duty as Chief of Police for the City of Ellsworth after he completes his current contract regardless of when/if a new manager is found and payment for Chief of Police shall be \$110,000, second by M. Beal, passed 6-0-1 (T. Mote abstained for conflict)
27. Adjournment.
Motion to adjourn by T. Mote, second by M. Beal, passed 7-0

City Council Minutes July 17, 2023

Dale Hamilton

all counselors are present Pledge of Allegiance.

Dale Hamilton

Item three rules of order, we follow Robert's Rules of Order and all other rules that are adopted by the council either at the organizational meeting or subsequent to that. Putting in this, there is one item to that we need to see if we can get scheduled a special meeting next week to see if there's a day. Councilor O'Halloran you want to just give a summary of what the meeting the purpose of it?

Steven O'Halloran

Yes, and maybe the representative from Union river estates or main co small could say something to but basically, there's there's been an agreement made between our tax assessor and the city manager and the legal team about an assessment of the malls property, and the refund that is due them. And it seemed that this has been kicked along quite a while since 19, with abatement processes and such. And, and the people that own them all are running out of a little bit of patience in waiting for this process to get kicked in. So when they found out that it was going to happen in August instead of July, that was just kind of the straw that broke the camel's back. And we're hoping to get a special meeting to see if we could expedite that for them and keep this deal intact.

Dale Hamilton

So, so with that, is I'll just start with Monday and we'll work our way through the week. It's Tuesday work six o'clock. The 25th. I don't know what is in this room, though.

Glenn Moshier

that's, well, they could have to move. Okay. council takes priority.

Toni Dyer

School boards here at six. They can go to their facility if we have to.

Dale Hamilton

So we'll plan to start at 530 and we may delay it till you're both able to get here.

Casey Hanson

Second

Dale Hamilton

Item four adoption of minutes from the following meetings of the Ellsworth City Council 6/19/23 Regular council meeting and 6/30/23 Special Council meeting

Tammy Mote

Move approval

Casey Hanson

Second

Dale Hamilton

motion and Second any discussion? All those in favor? Unanimous

Dale Hamilton

item five city manager's report manager Moshier

Glenn Moshier

Good evening councilors. A couple of quick announcements just want to make sure everyone is aware that the City Hall facilities and the library will be closed at noon time Friday, July 28. For the annual employee appreciation cookout. Just want to let everyone know that work has begun on Christian Ridge Road and we'll be continuing for the next several weeks. Tomorrow night July 18. Starting at 5pm is the living and working event hosted by and located at Darling's Auto Mall. It starts at 5pm. It's a public forum hosted by the planning department and the economic development department. It's an opportunity to discuss topics related to quality of place and workforce retention, such as availability of housing, transportation, childcare, and diverse economic opportunities. There'll be light fare and snacks provided, children are allowed to accommodate working parents. And the in order to reserve a spot, please go to Eventbrite which you can get through the city's website for more information. We have open seats on the following committees, the arbor Commission, which we talked about last meeting, historic preservation commission, Recreation Commission, solid waste committee. If you have interest in any of those committees, please go to the city's website. And I'm proud and happy to announce that the branch lake water level has returned to normal thanks to this lovely summer that we're having is above normal. So all of that worry was for naught. But finally on the arbor commission just wanted to provide an update since it was on last month's agenda. We have put out information to the community trying to garner some interest in joining the commission. The so far, we've had 160 views on the information, but only one application so far. So if you're interested in signing up for the arbor commission, please do so. So that we can determine whether or not we have enough interest from the community to bring that commission back. That's just a link on the website. Correct? Yes. And social media as well. That's all I have, sir. Any questions?

Dale Hamilton

Item Six committee reports. Any counselors attended any recent committee?

Jon Stein

the application for the waste solid waste committee has not gone out yet, as we promised last month, apologies for that. But Be on the lookout it should be coming out. It's out. It's already it's on the website. People can go to the website and find it. All right, sign up. It's gonna be a blast.

Casey Hanson

That's all I have something from the Comprehensive Plan Steering Committee, which is that there will be a an event kind of an expo at the Knowlton Park on July 29. Is that do the guy that from I think 10 to noon. So if you want to gather more information about comprehensive planning or be involved 10 to noon at the Knowlton park on the 28th.

Dale Hamilton

Any other committee reports right.

Dale Hamilton

Item seven citizens comments, this part of the agenda where any citizens can make a comment, and roughly three minutes, you can speak on any topic you wish. If there's an item on the agenda that you wish to speak to you can wait until that comes up and speak at that time and use this time for talking about something else. So if you're interested, just go to the podium state your name and speak away.

Dale Hamilton

All right. Seeing none. We will move on to Item eight presentation of awards. first award this evening we'd like to present to Carolyn Ackerman. Carolyn Ackerman presented with deepest appreciation for your devoted service to the city of Ellsworth historic preservation commission.

Carolyn Ackerman

I just wanted to say it's been an honor to provide some service to the city of Ellsworth, and I hope over these 22 years that we have raised awareness in the community, I hope I think we have in terms of the numbers of buildings that people are paying attention to and the history that goes with them. I also want to thank the city staff. I've worked with numerous city manager's clerks and many other people in the city. There's a terrific bunch of people that work here. They've been courteous, kind, helpful, and very well informed about things that we needed help with. So thanks to them, and all of you.

Dale Hamilton

Chase Hardwick the City proudly presents a Certificate of Achievement Chase Hardwick in recognition of this public works internship for HCTC. Congratulations on all your hard work presented this 19th Day June 28.

Dale Hamilton

And then next to me, Manager Moshier is going to come up here and help. But if we could have Officer James Hassard and Corporal Robert Angelo, please come forward.

Glenn Moshier

So, yeah, so first I'll start. These two officers this evening are going to receive a letter of commendation from the Ellsworth police department and also certificates for their actions. And I'm just gonna describe the events that took place on July 1 2023, that approximately 10:50pm Corporal Angelo and other officers responded to their quarter of a motor vehicle crash on the shore road. The call reported that the vehicle involved left the roadway and was in the Union River. When officers arrived they located the vehicle submerged in the water, the water level was high enough to cover the dashboard of the truck. Once the vehicle was found, officers were able to hear a person moaning from somewhere south of the pickup. Officers followed the sound and located the male operator of the truck now yelling for help splashing and slipping under the water surface. Corporal Angelo removed his bulletproof vest and gun belt and jumped into the water to assist the driver. Corporal Angelo swam to the driver and was able to pull him to shore. Corporal Angelo kept the male in the water awaiting fire and rescue personnel allowing the water to support the male since any injuries and their extent were yet unknown. Officer Hassard arrived on scene and removed his bulletproof vest and gun belt which is very important and appreciated. Before entering the water and swimming out to the truck and to check out for other

occupants, Officer Hassard was unable to open the door so he broke out a window in order to gain entry into the check into the truck to check for occupants officer Hassard located to child safety seats in the pickup but no other occupants. Fortunately, the operator of the theater was transported to the hospital for treatment for injuries. For your actions Officer James Hassard and Corporal Rob Angelo was a credit to the Ellsworth police department and therefore you should be commended for your actions. Thank you very much.

Dale Hamilton

behalf of the City of Ellsworth present recognizing you for your role in water rescue actions on July 1, we just heard. And I would just further add that this is what first responders do. You put the public safety first, but the consideration for your own safety. And that's something that moments like this, I hope that the community really recognized the contributions that you make to the city and to your profession. So thank you

Dale Hamilton

Unfinished business item nine update on the new Arbor commission, original discussion 6/19/23

Glenn Moshier

which I jumped out of order. But just to reiterate, we have the information out there looking for citizens who are interested in joining the Arbor commission. We don't have a due date for the applications. But we're hopeful. Again currently 170 views one application so far and hopefully we'll get more I just can't find it. When I look on the website. I went under city government and then committees Am I looking. The signup form is available through the boards and commissions web page. The form requires a name, address contact information and a statement letter event of interest, which details their relevant experience. Okay, boards and commissions.

Glenn Moshier

So if you put government the big, I found it. Okay, thank you.

Dale Hamilton

Thank you for that question. Anything else with.

Dale Hamilton

Item 10 review of Franklin's street parklet Barricade options, original discussion on 6/19/23.

Jarod Farn-Guillette DOT

Now, I thought they were all here for me. I'm sorry. You know, I was kind of deputized in the city of Pittsfield, Maine, by their chief of police when we were in a safety audit. And some idiot nearly ran over the chief of police and evaded a traffic stop. So let's just say he was not having a good day, most exciting day I've had on the job at DOT less far. So but to your point, the question of what can be done with the parklet and the traffic. We have traffic calming devices, in some instances, your former city engineer was correct in your interpretation of the manual Uniform Traffic Control Devices in that you do need to have a sign you do need to have reflective markings of some type to let motorists know that they are coming on to a street. But we do have a program called the pilot project or demonstration project programs which allows us to use materials that are approved by the Federal Highway Administration. I'll probably use the word FHwa or the Feds interchangeably. I'm not talking about the

FBI. i We have no enforcement authority. And we don't get guns or bulletproof vests either. So just flashy ones. But it has approved the materials that we can use, and they are materials that would be used in a novel way and that traditionally, they were not used in such a manner to direct traffic to calm traffic or to create a pedestrian safe barrier between the motorway and then the pedestrian way. And when I say a pedestrian safe barrier. Please note safety is a relative term. It's only really as good as the person who's hopefully complying with title 29, a subsection 2117. The hands free law, please don't text and drive heads up safety as a two way street. But it would in the event that a motorist were to drive over said barricades or obstacles, they would at least be alerted. And if they were going very fast guests, they would probably have some damage to their undercarriage if they didn't have a skid plate. and what it does do is allow for greater visibility of the artwork in the park, the crosswalk that's there. And it would make for a more aesthetic. I guess application that would be in line with the historic look feel and character of downtown Ellsworth. The application period for that as open city staff have presented me an application, I have to get it approved by the region traffic engineer that head Safety Engineer, traffic engineer from main dot and if all is good, and the city is willing to commit to maintaining said installation from August until about end of October. We are more than happy to loan the materials to the municipality. And as long as you install them following all safety protocols, Please wear your fancy vest, make sure that there's police support to direct traffic when it's being installed. When the snow flies, you take it out. All we do request is that you report back data could be anecdotal, did it work? Did it not work? As good as that and if it does prove to be successful, we can then use that to leverage further funding for permanent implementations. Does that answer the question? I know it's a lot of dot speak we have a lot of acronyms and our own language. Yes.

Casey Hanson

What does it look like? thing that you're talking about.

Jarod Farn-Guillette DOT

So it would look like the proposed if it is approved is it would be a line of collapsible delineators. These are probably seen them, they're these white reflective poles that stick up about yay high. They're either drilled are we glue glue, we use a type of paving glue, that's really good. Stick that to the road and just designed so that if a car were to run over it, it would fall over, fall back up, if you hit it at a good clip, it's like a turkey, you're gonna take out your grill. And then the other components are what's called tough curb. And these are maybe they said about four to six inches curb height above. And they would follow the white line so that you do have a vertical delineator between the motorway, the line delineating what is the breakdown lane, and then the shoulder slash parking area. And that, you know, it's not a balluster. It's not a permanent barricade. But it's not saw horses with a big, you know, dot hi-vis sign. And then it would be relocating the current sign or proposing to use something that looks more historic, and just having reflective pain. Like I said, all of this is per review of, you know, the region engineer and the Safety Engineer for DOT. We can share the application, I think, I can't connect to the internet here right now. But we have the application pretty much done, we can just show you some examples of what that looks like. And

Jon Stein

so at the end of this trial period, and in October, the whole thing would be removed. And then we would review anecdotal evidence or data. And if it works, then that same stuff comes back later or a whole different.

Jarod Farn-Guillette DOT

It's really up to the town, it's your decision, we're not here to tell you what to do, you know, your community best. We're here to work with municipalities on improving safety for pedestrians, and also promoting active transportation and ensuring that people have options when it comes to their transportation modality of choice, or need. It could come back or you know, if you said data showed it wasn't a worthwhile venture, we would look at either something an alternative or do nothing. You know, really whatever the town's interested in doing.

Casey Hanson

So the application that you were talking about, is that specific to the thing that you described? Or could we say, Hey, this is what we want to do cement barriers, blah, blah, blah, and put an application with our suggestion, or you're saying the application is specifically for the white poles.

Jarod Farn-Guillette DOT

the application is municipality suggestion. We are going to also see if the Bicycle Coalition of Maine they have a professional staff who can provide this service, you know, at no cost to doing this apologies what their recommendations also are. It's a question of can we get him to come up in time, we've got a narrow window. So just waiting on getting Jim Tassie to come to Ellsworth I tried to get him to comes further north as possible. Get him out of the Scarborough area. So you can there are some things that might not be necessarily going to fly such as ballusters in the D O T right of way. There's a lot of things that on the surface seem like it is a good idea because yeah, it's an immovable barrier, but then it can present a hazard to a motorist or it can be a barrier to visibility of a pedestrian to a motorist. So we look at one low cost implementations and two things that have that sort of middle ground of being improving visibility for pedestrian but also not being a hazard to a pedestrian or motorist at the same time. And that is, you know, a state system highway. So we do have to consider what federal highway would allow us to do.

Jon Stein

Sounds like the costs to Ellsworth emitted these things are on loan from Vat. So the cost would be staffing time for applications and Public Works installation. Does that require council approval or

Jarod Farn-Guillette DOT

So I'll say it like this, we've got about \$250,000 that we spent on these materials. And I'm the region four and five planners. So I cover Washington, Hancock, Piscataquas, is Penobscot, Aroostook, a little bit of Somerset, pretty much all of the best parts in Maine, in my opinion. And I'm trying to get as much of these implemented in municipalities in rural Maine, because often, you know, the majority of our pedestrian hits, fatalities and accidents do occur in rural Maine. And in our smaller towns. Surprisingly, you know, large cities have lighting, they have the infrastructure already in place. Whereas in rural Maine, you don't necessarily have all the things that Southern Maine has. And I'd like to see more of

what they have, as far as infrastructure and safety implementations come to northern Maine. So I'm really happy that Ellsworth is, you know, interested in pursuing this. And I make no commitments. I make no guarantees. But we're going to try your darndest to get to the nice things.

Casey Hanson

While I was Cara was going to check with the main street people to see if there were options that other towns use, do you have something to present for that? Or should we leave it at this and I think it's that's a lot they said, images

Cara Romano- Heart of Ellsworth

from Rockland and Portland, those were the two towns that got back to us that have similar situations, but I'd refer back to the experts on this.

Jarod Farn-Guillette DOT

I am merely a vessel to communicate between the department and the municipality and we are always open to exploring the opportunities and options with the communities that we serve.

Casey Hanson

So it just sounds like the city has to sort of present something that we think would be appropriate to you guys, and then you'll approve that or not.

Jarod Farn-Guillette DOT

So long as so long as what is suggested is going to comply with the Manual of Uniform Traffic Control Devices. And the Maine State Highway Design guidelines and all regulations, as long as it doesn't from the safety and traffic engineers perspective, pose a hazard to a pedestrian or a motorist that should be good to go. But that being said, we have set materials that we have purchased provide, if you propose something outside of those materials, we are more than happy to let you purchase them and install them and let us know how it goes.

Casey Hanson

Well, I'm only asking because there actually are cement barriers up there. Ready. So if those are adequate,

Glenn Moshier

but they're not we, the problem with the cement barriers, if we were to move those onto the other side of the crosswalk, they become a hazard to the community to the traveling to the vehicles, their vehicular hazard, because of visibility issues, there's nothing reflective. So a vehicle in the fog rain goes to turn on the street, not knowing that the street is closed, and they're going to drive right into a concrete planter that's going to cause significant damage to their vehicle. The barriers that they that we're working with the D O T are collapsible, they're plastic, they have reflective. So if a vehicle pulls in, to pull onto the roadway, they're going to hit this reflective plastic barrier that's going to flop over and not cause damage to their vehicle. So that's the reason why we can't move those concrete barriers on to the road, the main street side without

Casey Hanson

that makes sense. But one of the pictures and I don't know where I don't know which town it is, has a street, a crosswalk, and then concrete barriers with signs on them. And there is no way it's likely not on the state system. That is a state and federal highway. So we are very limited in what we can and cannot do right now. The cement barriers are not in the DoD or federal highway right away. So

Jarod Farn-Guillette DOT

not much, you know, we're going to say, but city manager is correct in saying that they would be a hazard. The second they start approaching the breakdown lane, they get into the state dot's right away. And it could propose it could be a serious hazard even at 25 miles per hour. For both a pedestrian and a driver.

Michelle Beal

It's kind of so the white pose that you don't want to like the ones that we have now on our islands when you get traffic coming together. Right so it wasn't that bad. So is it safe to say though, that this is the quickest thing so we can get rid of that horrible looking barrier on Main Street. And we could get something to get us through the next couple of months because summer's almost over.

Jarod Farn-Guillette DOT

this would be the most expedient route that I can think of right now with the tools and resources that are available.

Michelle Beal

And then staff could work with something when we put the parklet is back up next year, that would be different. I just would like I'd like to get rid of those barriers. Thank you for working you're welcoming so quickly appreciate that

Glenn Moshier

It's not just the parklet there's other sections in town crosswalks that are going to receive some tough what's a tough tough curb curb and there's some reflective stickers for the crosswalks. So there's there's a whole bunch of other so when and if it is approved, it will come back to the council for a complete description of the work that's going to be done.

Casey Hanson

Yeah. So this application that you're talking about isn't just for that one thing, correct? Okay. Correct.

Jarod Farn-Guillette DOT

I believe there was two other locations also brought forth by municipal staff. And after the traffic safety committee looked at the draft application, recommended that one by the library not be considered due to the loss of parking spaces during peak season. But the Franklin and I think Franklin and Waterstreet there was one that's a pretty quick slip turn off of State Route 230 That is still going to be considered and then the parklet which is it's really a simple install, and honestly, if city forgets and a plow truck plows over it, no one's gonna really shake a finger. We're just, you know, darn pleased at DOT that

municipalities are looking at safety seriously and willing to try out some new ideas with us so that we can develop longer and lasting permanent changes to the transportation system to benefit all users.

Dale Hamilton

All right. Thank you. No problem.

Dale Hamilton

Moving on.

Dale Hamilton

Consent Agenda, there are no items so we'll move right into new business.

Dale Hamilton

Item 11 presentation from dot's village Partnership Program. This presentation is on Main dot's village partnership initiative that this program leverages funding through bil to make overdue investments in the historic downtown's and village centers in rural Maine. The process requires a feasibility feasibility study and a partnership with the municipality main D O T. Then using that phase of feasibility and design study we apply for a US D O T raise grant to bring for every \$1 local match \$1 state and \$8 Federal. This program addresses pedestrian bicycle and motorists safety overdue ADA compliance and the aesthetics of our historic downtown. It is a once in a generation opportunity.

Jarod Farn-Guillette DOT

Hello, once again, I'm Jared Guillette, I'm with the Department of Transportation on the region four and five planner and traffic liaison. And I'm here today to talk about community based initiatives village partnership initiative with Maine Department of Transportation. In this presentation, we're really what it is its transportation infrastructure for the next generation. You know, a little personal note, some of you know me, I'm from Calais, Maine, grew up in Downeast, Maine and it's been a transportation planner now for about 15 years. And you know, all my life I never thought we'd be able to get the nice things in rural Maine but this is our opportunity to get it and to make these investments in the infrastructure that you know callous. The last time they put in sidewalks was when I was born in 1983 Presque Isle it was, you know 1990 I'm sure Ellsworth City sidewalks in many of the transportation infrastructure, last had a major rehab probably a generation ago. And that's where this is an exciting time to be a municipality and regions four and five, and to be honestly in my position. So the outline I'm just going to talk about the general philosophy go over some D O T speak and acronyms. I'm going to talk about the planning Partnership Initiative. We've actually now changed the name of this, sorry, we're designing the car while the wheels are spinning. It's the village Partnership Initiative Plan phase, and then we'll go right into the VPI. I can probably skip the MPI and the BPI. Those are really geared towards public works directors and you know, businesses that want to engage with D O T. So our philosophy This is really something new DoT, especially in Maine DOT where we would like to make investments in the infrastructure while at the same time doing urban design and placemaking really investing in that look feel character quality of rural, scenic New England towns, to quote our commissioner, we want you to get from A to B as safely and efficiently as possible, obeying the traffic posted speed limits, please not texting and driving. But when you get there, we want you to have a reason to get out, stop and spend some money in that town. This is a way to also address pedestrian safety. And then, you know, ADA compliance, which many of our municipalities in the state of Maine, you know, when we did an ADA assessment around 2014, to 2018. So many of our crossings and you know, where we were years away from being where

we could be and should be, and this is a chance for us to do that. And one thing, too, I'll say, you know, Ada is not just, you know, designing for alternative labor, persons is designed for all and, you know, I hope that someday I can be 8090 100 years old, and have a safe, efficient and comfortable transportation system to get around on. So our speak, I'm sorry, we've got a lot of acronyms, a lot of three letter acronyms and a lot of our own internal language. I'm really just going to talk today about buysafe, ppi and VPI, they're really interchangeable. It's all one process now. So the PPI is part of the village Partnership Initiative, it's just the initial phase that we have to use to go after the larger federal funding. So really, with this, the planning Partnership Initiative, and I need to update this the village Partnership Initiative planning phase, this is a locally initiated project, your municipality was the requester is the driver, DOT will provide match and technical assistance in this. And the type of projects this can be economic development, active transportation, we do out of many of these have very high level renderings like architectural drawings and 3d to then use to be like the money shot to convince the feds to say, This is why you're going to invest in this community. It also will bring along cost estimating and provide a matrix of alternatives for different transportation scenarios. So what that means is, you know, there's the Do Nothing option, there's the put a sidewalk only here rehab, you know, a range of different choices, to consider the funding that DOT will match is capped at \$75,000. So what that means is the largest project that you know, is funded is around 150,000. If it goes over and the municipality wants to, can always put in more money. But our budget is capped at 75,000. Other municipalities have said, don't worry, we don't care, we'll put in 100,000. It comes down to the scope, the budget estimate that we have, and that comes later in the process. And it is based upon a three tiered approach a municipal valuation. So Ellsworth is in the 50/50 and the match structure, so dot would contribute 50% of the cost. And then we ask that to municipality contribute the other 50%. And in this, it's a planning study, we work with a consultant. These are pre qualified firms, they're multidisciplinary, they usually have traffic engineers, transportation engineers, landscape architects, urban planners, architects, and a whole range of professionals that can do the job and do the job correctly. We've got about 13 firms on our pre qual list are all good. Whichever firm is selected, I have full confidence in any one of them to do the job. And, you know, what dot's role is as we provide data, technical assistance and help guide and I'd be the project manager for said project if it does occur, municipality provides members from you know, the municipal staff to be on a steering committee usually it's a police chief actually a fire chief, somebody from public works. city planner. And then if there's a member of the public at large or a city councilor that's interested, you know, it's a team up about five or six people max. And it's a quick process in the fact that this planning phase is done in a year, and it's not monthly meetings. We rely heavily on the consultant and we really get our money's worth out of them because usually two to three public meetings in the beginning fine no public meeting, maybe quarterly check ins. I will say I do not recommend ever going for monthly meetings with the consultants. I've got about 13 of these projects going on right now. And I have five more coming online. Because one of me, half the state of Maine, it's just too much to keep track of and we don't need to these consultants are all professionals, they're very good at what they do. I've never had a consultant come up with something so you know, off base or out of line that I've had to say, oh, no, it's they know what they're doing. They know what to to expects. They get to know the municipality is what the municipality needs, and the recommendations that they come up with are very good. And so what this does is this allows us to go after the large transformative village partnership initiatives. And these are projects, the minimum is 5 million, the max is 35 million. We do like to focus on downtown villages, we do not tell you what your village is, that's for the municipality to decide, you tell us where your village

starts and ends, what you define as a village, all we ask is you have a post office, maybe a library, some type of municipal function. Anything that says Village, this is a village of Monson, they're doing a village Partnership Initiative. And they've got like an art gallery in a post office. But that's great, because that's their village, they've defined what it is. They know they're not doing a \$35 million project, but they are for the size of that municipality making a very significant investment in their system. Our spot V PI's these have a max cost of 500,000. This is when we focus just on a specific intersection for pedestrian crossing. Or if you want to put up gateway signage, or some type of traffic calming, and implementation device, whether it's like a pedestrian island somewhere, those there is not the same application process of having to go through, you know, the regional planner, and then all of this, it's if the town has an idea, you can contact the region engineer, they'll work with me. And if you've got the money, you know, is it's such a small dollar amount, we can just put it in the work plan, the large transformative, why we do go through such a long and lengthy process is we are using, we're making significant for Maine investments using federal state and local dollars, we don't want to have a process that doesn't have to, you know, engagement with the public hasn't been based on data. And then also, we want to make sure that we're not going to commit it like make some of the mistakes that we have in the past, we want to have something that is going to be a one and done, be effective. But at the same time be an economic driver for the municipality. This is part of Maine dot using what we do to reinvest in communities be a part of economic revitalization, examples, you know, downtown Hollowell in 2007 had a 100% vacancy in their retail businesses now they're at 100% occupancy, it's a very bumping town, downtown Belgrade did this process. People always compliment how going through downtown Belgrade is much more enjoyable and how business has turned around. Sanford has engaged in this and they were recently awarded a raise grant of the max 35 million. And the same reason to why this is, you know, such a I think an important thing in rural Maine. You know, I was in Pittsfield on the safety audit, they're doing the same process. And I was with, you know, the chief of police and a car literally came around to slip turn. And I've been doing this long enough, I stand next to the building, new chief of police cars on the corner, he nearly got clipped. The kid came back and was standing at the stoplight and was texting on his phone and the chief said, hey, you need to get out of that car. Kid sped up, evaded arrest, pretty brazen. This helps law enforcement also with not having to respond so much to speeding, and a lot of the traffic enforcement issues. When there's so many other pressing things, I think facing law enforcement right now. So it solves a lot of problems. It improves safety, it improves aesthetics, and it helps with the economy of municipalities. And so that I'm not taking up too much time. I'm just going to stop it there. Leave it open for questions. These are some examples. You know, here's downtown Hollowell Gardiner is not a VPI. But they followed a similar process to it. Before we had such a program at D O T. Same thing a lot of economic activity. This would be an example of a spot DPI and I'm just going to skip ahead I'm you know if anybody wants to reach out to me about this In a school planning initiative or the business partnership initiative, please feel free to reach out. That was me on day one a job. This is me on day. Remember anymore. During the NHL season, my hair gets down to like this, but my team lost. So cut my hair at my wife's forcing it, feel free to reach out and I'm here to answer any questions

Michelle Beal

do we have any idea of? I mean, is there a project that we're working towards?

Jarod Farn-Guillette DOT

I do have a scope.

Michelle Beal

We're going to assume that there was a reason that we did this presentation.

Janna Richards

Hi, I'm Janna Richards. Economic Development Director.

Matt Williams

Matt Williams city planner.

Janna Richards

So we have an internal committee that was put together in 2018 ish under then city planner Michelle Gagnon. But it's called the traffic safety committee. But we talked about traffic. We talked about safety. We talked about the roads. We talked about a lot of stuff. Economic development related planning related. Committee members are Glenn Moshier, who's city manager and police chief Matt Williams, city planner, myself, the assistant planner, public works director, Jason Ingalls, who's our traffic light extraordinaire, if you don't know that, and then we wrote here Maine DOT region four traffic engineer, because right now there's a placeholder. It was Bruce Matson. Many of you probably know that name from a few years ago now, was Alan Farrington up until just a few months ago, and now we are region chapter four. I think he's got somebody starting. So they also have a place on this committee. So we started talking about the village partnership initiative that Jarod just gave it a wonderful presentation on back in February. And at that time, we had a the largest scale map that our plotter could give us of the city. And we started doing what Jared said, delineating what is our village. And we did that by looking at what are our problem areas. So it was kind of ironic that I want to say it was about the same month that we were doing this, there was the gentleman that came up during public comment talking about the lower light. So obviously, if we listen to a lot of public comment, if we listen to a lot of the, you know, the issues with high crash locations and pedestrian issues, we're able to circle those on a map. From an economic development perspective, we look at aesthetics, and we're able to circle those on a map. So if you want to look at a copy of the map that we put together as in delineating what our scope area would be and what the projects would be within that area, it's in the planning office, they have a copy of it. But then we had to, like come back down to earth, because a lot of the things that we started proposing might not be funded through the VPI program. We weren't sure what roads so could you have local feeder roads such as like Franklin Street that then feeds into a a route one or route three, could those be looked at? So we had lots of questions. So, this was great to have a relationship with the regional traffic engineer as well as with Jarod So, after meeting with Jarod, how many times during like, four or five, four or five times, we've narrowed it down to a scope of area that seems reasonable for the city, as well as for the D O T. And the types of projects that we're looking at, within that area would really be related to drainage sidewalks, road resurfacing, Wayfinding, signage, streetscaping, including lighting, ADA compliance and Bike Ped, safety and mobility. So those aren't just spot projects, as Jarod talked about, that's like a \$500,000. Cap. This would land us somewhere in the transformative care category, just because of the scale and then the associated costs. But like Jarod said, we have to start somewhere and that somewhere is with a plan a plan. So it's no longer the PPI, it's the BPI but the

planning phase. of the VPI. So I believe it's a 50% match by the city. In anticipation of that, do you want to talk about the CRP? Sure.

Matt Williams

Okay. So we estimated that about plan to scope out the work that could be done through a consultant would be about \$100,000. So the match from the City would be a \$50,000 match to do take care of the other \$50,000. So previously, the council had approved to move forward with the community resiliency partnership, and Dover Foxcroft use the same method to fund their VPI project planning phase. They used that grant, so he just kind of modeled our approach after whatever Dover Foxcroft had done successfully, and requested the \$50,000 for the match for this plan, if we were to move forward with it. It's based on you know, what the community partnership was based on just like carbon emission offsetting encouraging active transportation by reducing traffic mileage, for those of love common sense benefits to again, like traffic safety, lowering traffic amount for major roadways, including high street and Water Street, which are on this map. So that's the approach we decided or we're taking for the match.

Janna Richards

Just to be clear, we're not asking to allocate the matching funds as of yet we'll come back before the council for that. But that's going to be contingent on if we get the grant or not, because if we don't, then we'll go back to square one and try to figure out how we can match this. I just want to point out the elephant in the room. Oak Street is not included in the scope area, because there is a project that's been designated through the D. O. T to work on Oak Street, so we didn't want to duplicate efforts. So if Mark Blanchett is watching, that is why Oak Street is not included. This just Yeah. And I think that's,

Matt Williams

um, I would just point out how the demo projects that we submitted to DOT and work with Jarod to come up with tie into this. So those are supposed to show the D O T that you got and like, this is an area that needs to help the demo project showcase the data, whether anecdotal or actual shows that there's a need and that these will fix the problems that Ellsworth isn't experiencing. So a number of our projects are based off of Water Street with the idea that pedestrian access to the harbor was important and making some of those crosswalk safer along that route. Yeah, so that's how that ties into this to showcase that. Ellsworth is capable and ready for the larger BPI grant not just a demonstration projects.

Dale Hamilton

Just a question about Oak Street. Since it is being worked on? I know it's marked. Yes, it is. Is, is there a possible in terms of the work and the ideas that are coming up for the other areas to filter that to the DoT so that the work that's done on Oak Street is in line with addressing, you know, consistent with whatever is being done with through this grant, as opposed to just being done and then not being consistent? That may be things that,

Janna Richards

right. So like, as an example, if we were to do wayfinding signage that started and you would obviously want to incorporate Oak Street into part of that, we wouldn't want to leave it out on purpose just because it's part of another project. So I think

Jarod Farn-Guillette DOT

the reason why Oak Street is not included in the scope is if I put that in the scope, and once again, this does choose to pursue this, it would put the brakes on that right now right away is already out there survey people are, this is a funded project in our work plan as a wind number that's active. I don't want to throw this one out, put the brakes on it to go out there. Right now. It's a hypothetical idea. So if we did that, it would put the brakes on very good project that needs to go through. But in the scope of services for this project, anything the consultant does is to reference the win number I think it's like 26300.00 I'm not quite sure off the top of my head. It's for reference, the Oak Street work identification number with DoT all work that the dot and other consultants for that project to as well as all the believe I put in there as the multimodal trail in the continuation or further development and planning studies for that. And that's what this program is about. It's about looking at, you know, all of the pieces that are up in the air and providing a coalesced document and path forward to have you know, trends rotation infrastructure in rural Maine has been sort of, you know, a patchwork quilt, you know, it's great for a movie. And quilting doesn't really work so well for an efficient transportation system. We'd like to have, you know, something that is uniform in both material functionality, and the aesthetics as well, so that we've got a very efficient and safe system that, you know, brings us into the modern era for the rest of, you know, the next 100 years is ideally what we'd like to get out of it. I hope to never have to come back to Ellsworth to give this pitch again. Not that I don't like coming down. I will say, you know, if the municipality does go down this route, we are going to ask to see some skin in the game, from the municipality, you know, you can use the Community Resilience Fund for some of the match. But, you know, it's the reason why we go through the village Partnership Initiative is, you know, in New England, we have got some of the highest number of highway miles. But we are a state that's definitely in the have not category. And so we do really rely on partnerships working together, and then working with the feds for us to be able to accomplish these types of projects. And, you know, we just can't if I could come to every town, and it'd be the Oprah of sidewalks, and you could decide, like, I'd love it. But you know, we just can't, and we can only work with municipalities that, you know, show us that they're vested and interested in making these changes. So, you know, we are going to ask for some municipal match throughout the process. You know, when it comes down to if, you know, we do get a federal raise grant, we're gonna ask for that dollar, you know, to the aid that the state brings, or the aid the Feds bring in the other dollar that the state brings, just so that we can be sure that we're being fair. And I think, you know, my regions, you know, where some of the more most not as easy for Municipalities and Regions four and five to just leverage that type of funding that say, Sanford or Windham, Portland, Maine can. But I think we can still do something callus is going through this process. Presque Isle, caribou, Madawaska Millinocket Pittsfield, we've got a lot of interest in regents four and five. And I think the winds are in our favor to this is sort of our opportunity to actually do this stuff. So that's all I really got. Any other questions? And it becomes good. Thank you.

Casey Hanson

Janna, you were saying? Just the dollar amount was confusing to me. So you were saying 100,000 and 50,000 from us. And I just didn't understand what that amount once.

Janna Richards

So for the planning components, which would be phase one, not the construction, or the engineering, that would be another phase, which is higher dollar figure. But with the planning phase, they're estimated at 100,000. And if it's a 5050 match between the D O T and the city, it would be 50,000 from us 50,000. From them. We've applied for a grant for 50,000, as Jared said, we could use probably about 30,000. From that. So potential for you know, looking for to fill in the other \$20,000

Casey Hanson

understand that's for the planning phase so that we can apply for the grant. Absolutely. I was like, couldn't figure out how we could get all that done for No, absolutely

Janna Richards

not, it would be a miracle, but

Jon Stein

eventually understand we'll need to contribute one to eight at a minimum of 5 million. So we're looking at around half a million or so eventually having to

Janna Richards

potentially, yeah,

Matt Williams

I'm sure you correct me, I don't know if that entire 10% has to be straight from municipality, we might be able to use grants to add to that 10%.

Jarod Farn-Guillette DOT

At that point, it goes to people who make way more money than I do, who are higher up in the building. I got on floor two, I don't take the elevator anywhere. I just walked in right from the parking lot. But our commissioner is very committed to making sure that the roaming and get from A to B we want you to be successful. We have people that he achieved who will work with municipal staff and want to find a way to make it possible. You know, we're not here to be a barrier. We're here to find ways with you because we want to see the investment in the state system and the investment. So, like I said, I make no commitments, but I'm always open to this barring opportunities and avenues, people that I serve. So if you have a vision, we're going to work pretty hard to find a way to make sure that you can get to it. And there's 1800 do so not planning, but other people in various difficult veterans who are really dedicated to seeing what's best for Ellsworth.

Dale Hamilton

Item 12 discussion and action on the request of the partners of the Union river, POUR to install education information displays at the harbor sponsored by councilor Beal.

Michelle Beal

Mark Romick is here to talk about this.

Mark Remick

Mark Remick I wear two hats, harbour commission, and pour, you have a boat you're poor. The good news is we're not asking for seven and a half million dollars, we're really not asking for any money, all we need is your blessing. To put some information, educational panels down in the harbor at the moment, we're talking about doing eight of them, that number may change. And if you look at the letter, I didn't specify a particular size, because the content that we're going to put together will dictate the size that we need. So that's what we're doing. We're talking about the wildlife that's down there, whether it's in the wet in the water on the heart, which is landside, or in the air, the progression of the harbor for the last 228 years, whatever it's I think it's 228. Some of the history some of the people that have participated in the growth in usages of the harbor. And now what we're going to do is bring all those information pieces together, for example, history of the harbor, how many of you know that PT boats were made in Ellsworth, Maine, during the Second World War? That was done here? How many people know how many ships participated in the American Revolution that were launched straight down here? Part of our history, that's what we're trying to bring back to life, give people an opportunity to learn a little bit, maybe get there whet their appetite a little bit about who we are, where we came from, and what we're all about going forward. So what we're asking for is your blessings, no money.

Casey Hanson

one question, I was at a similar sort of thing in upstate New York when I was driving back to where I grew up. And it had I forget even where it was exactly, but there was a lot of educational signage, but it didn't include anything about the history before white people and native people who lived here before us, and it just seemed kind of glaring that that wasn't on there at all. We have

Mark Remick

to include that. Yes. We have to add to our year, then I'm in favor of it.

Jon Stein

Is this being done in collaboration with Historical society

Mark Remick

Once we have your blessing, then we will start pulling in more formal relationships to make sure we have the content right. And we cover everything we need to cover.

Michelle Beal

Think it's a great idea. I would move to approve.

Casey Hanson

Second.

Dale Hamilton

Motion a second further discussion?

Glenn Moshier

I do have a question. Oh, ownership of these going forward. So maintenance when they're vandalized or broken?

Mark Remick

We definitely worked that out. I don't have an answer right now. The idea is we're using the same design as MDoT, and the Park Service. So there is some precedent of how do you take care these things. As far as the relationship goes between the signs in the city, once they're in the park, there really belong to the city to work out a maintenance agreement. That's something we'd have to do.

Cara Romano- Heart of Ellsworth

just Just a quick question. My name is Cara Romano. I'm the director of heart of Ellsworth. I'm just wondering how these signs would sort of differ from or if they could sort of be the same format as Museum in the streets. So there's sort of contiguous signage that has the same aesthetic throughout the city tying everything in together, we're spending so much time energy and effort on reports and on studies and all these things and just trying to consider having everything look the same. So there's a tie in from Harbor Park, down to the river walk all the way up to Knowlton Park. And not only that there's a ton of information and a ton of sort of systems that were created throughout That for exactly what you're talking about, like dealing with the long term care, and how things would already be put into the public works already has experienced putting those in. And they all sort of tie neatly back to what I think the historic preservation commission and the Historical Society was calling the motherboard, which is up in Knowlton Park. So I'll just

Dale Hamilton

I think that's a good point in terms of and maybe one of the things if this is approved, would you be willing to come back before the final design to work with the city around that, of course.

Gene Lyons

He wasn't asking for any money those signs cost a lot of money.

Mark Remick

The reason we're going with that particular design is because there's a track record of it being viable. They last a long time. Some of the signs up on Cadillac, I think had been up there since I was a kid.

Michelle Beal

They also need to be low enough that they're not going to block any view. It's the you know, people like to sit in their vehicles. And you know, and watch the animals and yeah, I mean, watch the boats and things you don't want you're not gonna help

Mark Remick

No, you also need a large enough that they can actually cover the content that we're trying to bring in to the maps and yeah, examples of the wildlife and

Jon Stein

surely possible to use this rugged sine styles and match existing city branding. I don't see that being an issue.

Mark Remick

We can certainly address it. As it is now we designed we came up with the idea very specific that we need to look at some options sir.

Michelle Beal

I'm sorry. So but they can look like what heart of Ellsworth has the museum, they just wouldn't be the stand up signs. It could have that same kind of decorative.

Mark Remick

Podium style is really what we're doing right with the granite posts,

Michelle Beal

right. But they can have that decorative field. So it matches everything that's downtown, but just not the stand up. Little Museum.

Dale Hamilton

further discussion. All those in favor? Unanimous

Dale Hamilton

Item 13 Public Hearing and action on the following business license applications. Madam clerk is everything in order. And these are all renewals. Correct? Great. So we'll take them one by one. (see motions for votes)

Dale Hamilton

Item 14 Council order number 072300 public hearing and action on the request of the finance director toward a tax anticipation note known as he TAN borrowing for \$2 million.

Anne Laine

All right, you should have a handout from me of the three banks did bid on this. My recommendation is FNB because of all the stuff going on with our accounting. And I just I don't think for \$500 It's worth moving that much money out of the current bank and somewhere else for now.

Dale Hamilton

so with the tan? How much are we? Are we using the full amount? Do we anticipate using

Anne Laine

I'm going to try not to use it. Frankly, I have some things to settle early on. So we'll see. But I'm trying not to use it. As you know, and probably can see, interest rates are on the run. So I'd rather not borrow. If I can avoid it we keep it more as a safety measure.

Dale Hamilton

So we only we only pay interest on what is brought on and as we pay it back exactly.

Tammy Mote

Is there a minimum requirement is 50,000. Right? Yeah.

Dale Hamilton

Is that a one time draw? Or do you have to maintain it for 50,000?

Anne Laine

No, you just have to take down 50,000 When you take the note and you can pay it back whenever you want. So.

Tammy Mote

So this interest is based on the entire 2,000,,000. If we were to borrow it for 11 months and hold it for good times, and it's going to be seen?

Anne Laine

Yes. So like I said, I'm trying not to use not I'm sure like that. I don't want to use it. rather not spend money if I can open

Michelle Beal

the 5.09 is less interest than the 5.05.

Anne Laine

It's just the way that it's calculated. They're doing it on a 365 365 it works out to a \$500 difference. Jim went over it. Just math.

Tammy Mote

There's also a requirement of half a million dollars into my Machias Savings Bank. We'd have to move half a million.

Anne Laine

My obviously we'd have a discussion about that we needed to take down any more money, but my goal is not to

Dale Hamilton

So I will open the public hearing. Public Hearing Open

Ray Williams

I see a copy of the resolution that you have for you that you're working on. I have one that I got a. I'm Raymond Williams I'm 56 Hancock Street. Reason I like to see what's the actual thing is I got from the city clerk's office a copy that was on the materials which were provided, which I'm assuming are provided to you and we're on the computer on the city internet. And I think unless I'm missing something, which maybe I am I don't think that the first paragraph in the proposed resolution that has two errors. And in the third paragraph I think you have references to tax anticipation note being for the fiscal year ending June 30 2023. And that appears three times and the copy that I got no, maybe it's

been corrected and what's given to you. I don't think that is the correct key as it should be in English should be 2024

Anne Laine

That's correct. I saw that too. Yeah, I corrected the one that came from Jim but it must have I don't think when I forwarded it to Toni that I gave her my copy of it. I just forwarded Jim's and then I caught it later. So that's my fault.

Ray Williams

And I just have another comment I believe your your intention is not to draw it all down.

Anne Laine

No. I'd rather not not at that interest

Ray Williams

and how much was borrowed last

Dale Hamilton

year, same same amount.

Anne Laine

There was a million drawn down

Ray Williams

and this provides this provides Okay, thank you. I noticed that wondering so they should absolutely yeah,

Anne Laine

Sorry that came straight from bond counsel and I didn't change it till later when I call it it

Dale Hamilton

whoever makes the motion to me will change it. Yeah. Yes, sir.

Dale Hamilton

Oh, I didn't close it yet. Now. I just gotta wait. We've had nothing but time. Would anybody else like to speak? Seeing that I'll close the public hearing. is now closed.

Tammy Mote

Like to make a motion. move to award the tax anticipation note low bid to First National Bank at an interest rate of 5.05%.

Dale Hamilton

Have a motion.

Michelle Beal

Second,

Dale Hamilton

seconds further discussion. All those in favor? Unanimous.

Dale Hamilton

Item 15. Council order number 072301 requests of the water superintendent to purchase two variable frequency drives for \$45,050.

Reggie Winslow

Good afternoon, Reggie Winslow one department superintendent. So I am asking for two VFDs for one for each of our raw water pumps. Currently, the raw water pumps start and they run full speed and then stop after a certain period of time. The VFDs will allow us to lower the pump speed, creating less water hammer throughout the system. pressure spikes, which and then also the relieving the constant starting and stopping will also be a lot easier on our other equipment, our UV units and other relays and electronics and in our chemical feed system. These can all be installed by our normal guy that we use for SCADA. He's given us a quote for it and should be a pretty easy install for him relatively quick.

Dale Hamilton

Is this a budgeted?

Reggie Winslow

Yes, this was approved through the budget process.

Michelle Beal

And you need the 45 because it says if 5% input line reactors are incorporated, please add 7250

Reggie Winslow

So I just totaled that up just in case and then I didn't have to come back and

Michelle Beal

Okay, so that's a maximum that might be less than that. Right?

Steven O'Halloran

Is this something that every user will benefit from or just a few,

Reggie Winslow

the entire treatment plan itself would be the pretty much the only beneficial person from it.

Glenn Moshier

But it will enhance so that what these, what these variable pumps do is they frequency is they'll enable the pumps, instead of just turning on and running full blast, the which is hard on the pumps, which we just replaced one was 150,000. Yes, these will allow them to gradually get up to speed and then when they're done, they'll also have to gradually slow down, which will prolong the life of the pumps, it

enables the rest of the system to work more efficiently because there's not this huge flux of water all of a sudden. So it's going to prolong the life of the entire treatment system. And then it's going to prevent, hopefully, some water hammering, which is when all of a sudden, there's a shut off in the water where and what that sends vibration, if you will through the system which will cause ruptures in the in the water mains. So. So it's a type of thing that will help the entire system which all users will benefit from.

Reggie Winslow

Think of it as a garden hose. If you have it on full blast, and then you just let go and stop the water how that jumps. I mean, that's a 80 year old system

Jon Stein

they tend to be more energy efficient

Casey Hanson

They should be much more energy efficient.

Gene Lyons

move to approve the request of the water department superintendent. high lift pump VFD upgrades with the cost of up to \$45,050.

Casey Hanson

Second,

Dale Hamilton

motion second further discussion. All those in favor? Unanimous.

Reggie Winslow

Thank you very much.

Dale Hamilton

Thank you. Item 16. Council order number 072302. request to the finance director to approve the annual reports for tax year April 1 2022. through March 31 2023. for affordable housing tax increment financing districts, Leonard Lake Oriole way and Oriole Way senior housing in the city of Ellsworth.

Glenn Moshier

You have those reports there. We have pretty every year and we're just reporting to the state that there's no change in those in those TIF districts.

Dale Hamilton

Should we spend some time talking about what tifs are? No, no.

Casey Hanson

I'll just jump in with an motion so that we don't have to talk about the move to approve the annual reports for the tax year April 1 22 through March 31 23. for affordable housing tax increment financing districts. Leonard Lake Oriole way in Oriole way senior in the city of Ellsworth

Gene Lyons

seconds.

Dale Hamilton

discussion. All those in favor? Unanimous.

Dale Hamilton

Item 17 Council order number 072303 request of the IT director to purchase it network upgrades

Jason Ingalls

good evening. IT director Jason Ingalls here to seek your approval to purchase significant upgrades for IT systems. I went into a fair, a fair bit of depth in the memo. I'll kind of do cliff notes here and happily take questions if you have any. So this is part of a five year replacement cycle that we have for our infrastructure. We purchased the servers that we have now in 2018. So we're at the five year cycle. Part of that goes along with that as the network firewalls, our switch gear and our backup storage. So part of this project is encompasses all of that plus the software that ties it all together. So we have done quite a bit of research where we're looking to stick with the same companies that we're using now we've had great luck with the hardware, I've had no failures of significance. So we built a build some systems, and we solicited quotes from four of the top resellers. And we got two back that met our requirements. And the low bidder for both the hardware and software portion was Gov Connection. We're also looking to lease the hardware portion requested lease quotes from the to or from all the vendors that submitted a proposal. But I also solicited a quote from Gorham Savings Bank we've used before with great luck. And they were the low for best best proposal for a lease of the three. So I would like to move forward with the proposal or the quote from Gov connection. And the lease proposal from Gorham savings. And that is a municipal lease, they would have a \$1 buyout at the end. So at the end, we'll own it for an hour. So that's more like financing

Jon Stein

At the end of what is the term of the lease

Jason Ingalls

five years, it's a five year lease. And the lease payments would be \$90,840.36 for each of those five years. And the software will be paid for as a one time payment for microphones under the cybersecurity justification.

Tammy Mote

And that was budgeted at the time.

Jason Ingalls

Yes. It's one of the ones that was included in that.

Tammy Mote

then the lease payment is in the capital or in

Jason Ingalls

the so lease right now is coming out of capital. The future years won't be done that way.

Tammy Mote

So we budgeted that much money.

Jason Ingalls

I have this specific accounts if you want me to list them.

Dale Hamilton

So the lease you're actually leasing slash releasing a server that is a dedicated server.

Jason Ingalls

Yeah. So it's an on premise. It's actually three server clusters and protocol production, disaster recovery and one for the VDI, which is the virtual desktops. We're releasing that releasing the heart of the firewalls and the backup storage. So the three hardware components of this we're leasing.

Dale Hamilton

Did you look into this a sort of cloud environment, cloud vendors where you move everything into the cloud and then see if

Jason Ingalls

there are certain workloads that we have that can't go in the cloud, particularly public safety with police. And we also have some, some older programs that need server storage, that can't work in a cloud environment. It's not, it's that kind of outdated to work in that kind of a way. So we have a certain number of things that we can we can't go for any cloud. And that said, the stuff that we have on prem, on premise where we are backing up to the cloud, so it is backed up in a remote location. We get cloud benefits, but half the local storage on local servers.

Jon Stein

It turns up in five years when we'll cycle equipment again,

Jason Ingalls

yes, so it's a kind of a five year replacement cycle. In with the server hardware, typically after three to four years is when we started seeing failures of hard drives, memory modules, power supplies, we've already started to see that on the equipment we have now. We've had to memory modules fail somehow we haven't lost any hard drives yet. But that's typically when we start seeing those failures. And it's also when we start seeing the manufacturers end support for the older hardware. So after five years is when you your best bet is to start looking for new hardware just to maintain that vendor support. If nothing else,

Jon Stein

there's probably not much resale value in that.

Jason Ingalls

Not a five year old server Not really.

Steven O'Halloran

question what did the city pay for it five years ago?

Jason Ingalls

So we it was it was around 175,000. But we're doing more this time around. We're this time this proposal includes that's slightly misleading because we under specked, that server cluster in 2018. And we actually added two nodes those clusters in 20, year 21 at 35. So it was about 200 and probably 210 all in if we Didn't it all at once. But this time around, we're doing the VDI, which is the virtual desktops, what that will allow us to do is have desktop computers, it'll allow us to extend the life of our desktop computers, because the computing is actually happening in the server room and not at the desktop also means our data is in the server room and not on a laptop or a desktop, so it's more secure. And it's more efficient. The other the other. The other side of that is, when we do need to replace a desktop because it's obsolete or fails, we can replace that with a much simpler, a piece of hardware called like, old old time would be like a dumb terminal, it's just a basic computer that gives you access to your computer in the server. So it's cheaper hardware, it's more energy efficient, just long term. It's kind of the way the industry is moving, you know, in organizations of this size. The other thing is, if we ever did have ransomware attack or something like that, the recovery in a virtual environment would be a lot easier than it would be the way we have it now with physical computers. So there's several benefits of that.

Glenn Moshier

Also, Jason might recall from our conversation that it also enables employees to be able to access remote, much more efficiently. So currently, we have to go through a VPN. And it makes the system really clunky and slow and almost impossible to use remote, this will allow us to do it much more efficiently,

Jason Ingalls

remote access using this system will be almost exactly the same as being here. And when you say remote, that doesn't necessarily mean somewhere else, it could be a city hall worker who needs to spend a day at the wastewater plant, I can take my laptop, sit down, get on it, and I'm in it just like I'd be at my desk here at City Hall. So there, there are many benefits of this. And there's no more VPN, you just anywhere in the world, you have internet, you can get your desktop, network, access your files, your programs, everything. So the other increase in the cost is we're including in this lease, the firewalls and the backup appliance that were not included in the lease last time. So there's some additional hardware. It's inflating that lease this time.

Dale Hamilton

This is part of it that if you're off site, using any any device, the multifactor

Jason Ingalls

Yeah, so we're gonna use a hate to say actually, exactly we're gonna use but yes, there will be two factor authentication, I not in public. I don't want to the bad guys to know everything.

Casey Hanson

So the amount of ARPA funding we would use is 95 is the 95,000

Jason Ingalls

That's correct. 95677.71. It's all up. It's about 3000 More than we had talked about. It's just the way the quotes came back. So it's a little more than we had discussed during the budget process on that. The flip side is the server hardware came in quite a bit less than what we were planning on. So that's good.

Steven O'Halloran

So if you did nothing, you're going to spend this money over time and repairs Is that fair to say?

Jason Ingalls

It'll either be in repairs or major failure. So depending on the nature of the facility, the systems have redundancies built in. But the problem we have is when we have a failure, it's inevitable that there will be a failure, whether the vendor will be able to supply us hardware at that time at all. So we may have a failure and go to the vendor and say hey, I need a new motherboard or hard drive and they say hey, that thing's seven years old. We don't have parks for that anymore, and your clusters are old. Now the news, the new models we have can't even be integrated into that. So you're gonna be in a precarious situation, if you don't keep this stuff, current, basically. And just to provide an idea of how how this is used, this is used by every department in the city we have our water and wastewater SCADA servers on this thing the school departments using it hence their contribution to the lease payment. It's it's every thing we do in the city that requires computing goes through these are so it's it's a city wide thing. So library to library as well will actually be able to fall and finally bring them fully on right now. They have their own server over there. We do some some of the things on this. We didn't offer him to bring everything. This will allow us to bring all of their stuff as well. So that'll be good for them because their setup is not ideal right now.

Dale Hamilton

Thank you. I just wanted to But from a security standpoint, right now, this new system, will it will be more secure? Yeah. And the longer you go with an older system, the the potential for some sort of not only failure, but you're also the potential for any kind of ransomware or or other attacks, could we the public's information could be at greater risk is that a fair statement?

Jason Ingalls

That's a good point, actually. And then the other risk of not updating the hardware software support, eventually, the older hardware, the vendor is not going to write software for it anymore. So if there's a vulnerability in a seven year old cluster, there's no there's really nothing in it for them to write the code to update that cluster. So you need to stay current, most of the time with the hardware just to keep current on the software. So yes.

Dale Hamilton

Other comments, questions?

Casey Hanson

I can find it, approve the IT systems administrator to purchase it hardware and software from Gov connection and enter into a five year municipal lease purchase agreement with Gorham Savings Bank, as presented additionally, authorize the city manager to sign the necessary agreements to execute the purchase and or lease.

Gene Lyons

Second.

Dale Hamilton

Motion a second further discussion.

Michelle Beal

Just didn't one quick question. Why do we care if we're going to own the equipment when the lease was done? If we're just going to get rid of it? Because it's not worth anything?

Jason Ingalls

I mean, I guess the part of the problem is timing. So once that lease is up, I need to keep that hardware until I get the new hardware so Parliament's that's a big part of it. And I suppose we could let them take it back. But we'll look even. There may be some value. I'll look into that just to be sure. And there's not. But it's it's unlikely to be anything of significance. So and we won't have any use reuse for it. So we'll probably end up recycling it. But I'll look into that just to be sure. Thank you.

Dale Hamilton

All right. Unanimous Thank you.

Dale Hamilton

Item 18 Council order number 072304 requested facilities management to accept a bid to repair the chimney at City Hall. It's we're open on 71323

Jim McLean

So you have before you we put out a bid for the chimney repair basically is retopping the chimney here at the city this thing back during budget season I submitted pictures and and such as the for degraded state and the water infiltration issues that we're having with the chimney. We put it out to bid in the paper on the city website and Facebook page, I think she said and received two bids back. They came in a lot higher than I anticipated. People that I talked to during budget season. One of the contractors, when I contacted him said oh, we don't rebuild chimneys, we just repair them. So that kind of eliminated his bid. The second contractor that I talked with, they just never got back to me in time, they're straight, I guess. So I'm proposing on the two bids that we got to possibly forego, the painting project that we budgeted for this year on the trim on the around the building in the third storey windows and using that capital to boost the necessary finances needed to do the chimney chimney is in my opinion, way more important than the painting. I don't know if you recall some of the pictures but there's some vertical

stress cracks in that chimney. You know there's a potential that chimney collapsing at some point I'm not saying it's gonna collapse today or this month but you know if we get a storm with 80 mile an hour winds that chimney is degraded to the point where it could be an issue so Oh, if we forego the painting, I think that was a \$20,000 Capital request. And this particular capital request was 25. Give me 45. I could take the other five out of building and maintenance budget to offset that. needed 5700 I think the lowest bidder was 6400. The lowest bidder was 51 400. Which would be my recommendation goes to the lowest bidder, both both contractors were highly recommended. I checked into both of them through different sources, different contractors in the area that, you know, sub out Mason's both highly recommended, you know, I guess it would be your choice. Questions?

Tammy Mote

When can they start?

Jim McLean

That is everybody that I talked to said, What's your timeframe, and I said, you know, as soon as possible, but ultimately, before the end of June next year, whether or not both of them were several months out. Because of the nature of the project, it is a big project, because of the copper roof material. It's not like a residential chimney. Neither, neither of these contractors could give me a start date, it would be more after the contract was awarded, but, you know, by by telling them that it would be before the end of June and, you know, this fiscal season that had to be done. And they were all in agreement, that that wouldn't be an issue of whether or not they could get to it this fall. was more of you know, if they were awarded the contract, I didn't really get a warm feeling from either of them at that initial conversations.

Jon Stein

Is there harm in delaying the painting? Is the trim gonna start rotting out in the next,

Jim McLean

it's not gonna, it's not going to degrade any more than it already has. I mean, it's, you know, that trim is not easily accessible in the hopes, I mean, from my my experience, you know, it's, it's probably 10 years beyond needing paint, you know, so we may run into a bigger issue painting and well, for example, all these windows, here, when you know, there, they have gone way past, they're gone, they're there, we're not we weren't even going to paint the trim on these windows, because they need all the woodwork needs to be replaced. I'm hoping that with most of that trim is a vertical type trim. And still you have the horizontal platforms on the sails on these windows that is in better shape. But I don't think it's really, you know, between the two, I think the chimney is far more important. You know, we get constant water infiltration there, you know, I've replaced, repaired the walls inside where water has come in, and it's already starting to degrade again, because of the constant water infiltration through the chimney.

Steven O'Halloran

Is this a project that has a lot of risks to it, when you start the project that there could be surprise upgrades or surprise needs that this could turn into double the price quickly?

Jim McLean

I don't think it'll double it, the only the only surprise is going to be at what point they hit solid structure when they take the chimney down inside. I mean, they both came in and looked at it. And it's going to be an interior type interior of the chimney type examination looking at the inside, excuse me outside of the chimney in the attic. It looks to be in fairly good shape. But it depends on you know, at what point they can stop when they hit suitable material to build off. And it really appears to everyone that basically it's the roof line. So I mean, that's kind of why it's where it's at. But the only other issue would be any kind of rotten framework and the roofline when they tear it down. Again, looking on the inside of what I can access, it's all solid, it looks good. You know, it's all Hemlock built, you know, back in the in the 30. So, you know, as you know, Hemlock is very water resistant, and it's not submerged in the water, so doesn't appear to me as though they'd be really any surprises. Thank you.

Gene Lyons

So with these two contractors you base because I looked up Gendreau and it was more of a residential remodel company that a masonry company and Norwoods is very much a masonry company which in my eyes and I see that were beautiful. I mean they do a great job. Yep. And I get lots of good vibes from loads I think they're out of three or four of those people live in Ellsworth that i know of. Other brothers lives in Ellsworth their son live in Ellsworth were paying taxes in Ellsworth. I think the \$600 that we spend towards a more masonry based company would be well offset with the tax money that we get from the employees that live in Ellsworth and the owners and I just when I looked up Gendreau I don't see anything makes me that. I wouldn't put a job that size in the hands of somebody that does house remodels. Not for \$600 It's a pretty high ticket. Oh yeah. A lot of stuff can get messed up

Jon Stein

Gendreau is based outside of Ellsworth

Jim McLean

Eddington.

Dale Hamilton

Do you want to turn that into a motion

Gene Lyons

I move to contract with LE Norwoods for the amount of \$52,000

Casey Hanson

Second,

Dale Hamilton

motion a second further discussion. All those in favor? Unanimous All right. Thank you. Thank you.

Dale Hamilton

Item 19 Council Order number 072305 requested facilities manager to accept a bid to replace a section of roofing at the more community center. bids were opened on 71323.

Jim McLean

So once again, we had issue with the remaining asphalt and Pistone roofing on the more community center. Apparently, it's been leaking for a number of years long before my tenure, they've attempted to find the leaks patch leaks, to no avail. Again, we put it out to bid in the paper. City website, received four bids back. It's pretty straightforward. The only exception would be all of your bidders are timing materials for any rotten substrate underneath. Once they peel back the asphalt and Pistone Pandora's box that I can't give you any kind of idea what's gonna find underneath that, I don't know how long it's been leaking. I know. The vast majority of that building has already been done with the Rubber Roofing. This is the last remaining part of it. So it could be straightforward deal. It could be Pandora's box. And again, the low bidder on this particular case was gr roofing and I do believe that they had done they were the contractor that did the first part of Moore center roof. The rubber membrane. It's my recommendation was to go with them for this contract. Yes, ma'am.

Michelle Beal

How much do we budget for this?

Glenn Moshier

150,500 Is what was allocated in ARPA funding in the budget.

Gene Lyons

So they all did exactly the same.

Jim McLean

They all get the same thing. Oh, they all got the same bid specs everything and gr roofing and roof systems of Maine actually put bids in last year. So once we got the approval for funding this year, and did the bid specs up, I sent that sent them the bid specs and said and asked them to update their bids from last year. GR went down roof systems of maine went up a few \$100.

Gene Lyons

moved to contract with GR roofing to replace approximately 13,000 square feet of roof listed in bid specs for the amount of \$140,000.

Tammy Mote

Yeah, a friendly amendment to be paid for through ARPA

Michelle Beal

second

Dale Hamilton

motion a second. Further discussion. All those in favor? Unanimous.

Dale Hamilton

Item 20. Council order number 072305. Request the finance director to review and approve the updated city of Ellsworth investment policy.

Anne Laine

All right, this is just a little housekeeping. We haven't. According to our wealth management company, Bar Harbor, who keeps our reserves we haven't had a new investment policy for 20 years. So seemed like it was time. Primarily because right now, the way that the markets are, the yield curve is inverted, which means that we are inflation going to go higher. We're at nine now. I mean, depending on who you're looking at what the measurement is. So I wanted to have an opportunity to be able to hedge some of our reserves using treasuries and the way that our investment policy set up now, we can't really do that we're still holding equity, rather, not really, right now. We can be doing a lot with short term paper and keeping the reserves of the city from falling behind with respect to inflation. And it would be it's not sexy, but it's income. And it's the rates are pretty good. We're in five and six on on three month paper. So that's good. If anyone's investing these days, you can actually do very well in treasuries and of course, Treasuries are the safest well considered historically the safest investments, federal treasuries the city's already doing bond ladders so I would continue to do that. But basically, holding debt is in my opinion, the way to go right now and I just need a policy that's more up to date. It's not much changed, it's compliant with title 38. So for the state

Dale Hamilton

questions

Michelle Beal

waiting to see if Tammy approves

Gene Lyons

this is not my area of expertise.

Jon Stein

Did this come before Finance Committee? is the first time

Gene Lyons

so this is just money we have it in the bank. We just did on something we have more money. Yeah. Basically just it's not in risk of loss

Anne Laine

for the same reason that we don't want to take money down from the tan. We could be making that in interest on our reserves from treasuries which is insane because treasuries

Gene Lyons

we're not going to lose all of our money, no

Jon Stein

limit liquidity.

Anne Laine

these are the reserve funds where I'm we're looking at three month returns ladder, so you know, we're not using that money anyway. And it's just sitting there and it's losing value to inflation. So we don't want that we don't need I don't think we need to be in security for in equity right now. So we're losing money in equities. So I would rather not be in them. You know, I don't want to do anything crazy. When I'm talking about strips or commodities or anything like that. We don't have to. Basically right now we can make money on.

Tammy Mote

Some of those were disallowed from being used with. Yeah, that's why it's fines as well, it's compliant with

Anne Laine

Compliant with 30A for the state. So it's just updated. Basically, there's new products in the market since 2003. The markets changed a lot since then.

Steven O'Halloran

Couple of comments. One, it's nice to have someone stand up here and talk about earning the city money instead of spending it. And secondly, it sounds like about a wash for the cost of funds with the TAN, and the revenue that you earn with the funds without much risk. So it's got to be in balance there, which sounds nice. I know in past years, it's been different. But it's better than than losing.

Anne Laine

Yeah, I agree. I mean, I don't know how much everybody knows about me, but this might, but my background is securities. I spent most of my career in investment, investment banking. So I feel confident and cash management, I feel good about this particular decision. I'd rather not borrow right now, I don't think it's a good environment for borrowing. And, you know, the only reason we have a tan, it's just basically emergencies, if we need it.

Tammy Mote

move to approve the request of the finance director to approve the investment policy statement for municipal trust and reserve funds.

Gene Lyons

Second,

Dale Hamilton

motion a second. Further discussion? All those in favor?

Michelle Beal

Can you just need one thing on this? This is something though, that should be vetted through the finance committee. Stein was right, that something like this should be discussed with the finance committee for recommendation to the Council on something so that there's more of a clear vision. Okay. And also, it's taxpayer dollars that we leave in other people's reserves that we need to and I

understand you've got a great background. But I just think that it should be vetted just in the future. Okay.

Anne Laine

We talked about it, just needing to update it. But I didn't submit the proposal to finance committee. Okay, we just kind of talked, thrown out there, right. Yeah. Now we've talked about it.

Tammy Mote

So one thing I'd like to see is the old policy compared to the new policy to so that we can get everything, you know, idea what we have been doing, and it would just give the Finance Committee and the rest of the council's and

Anne Laine

yeah, you want me to bring it? I can bring it to committee? If you like. The old one. Yeah. If you want to bring just in it's as far as I know, it's the last one. It's the only one I've ever found. So I'm assuming it's the last. I think it is based on the FDIC limit on that particular one, it was consistent with what the limit was back then. Okay, so now the limited to 50.

Michelle Beal

Do appreciate that you're updating all of this. Yeah, this is great. I don't want to

Anne Laine

I just want to take advantage of these interest rates while we have because who knows where they're

Michelle Beal

going on time since we've had decent investment.

Anne Laine

Right. Yeah. It's been under a point forever.

Michelle Beal

Thank you. Sure.

Anne Laine

All right, I have to do the custom one.

Dale Hamilton

Item 21 Council order number 072306 request of the Deputy Fire Chief to use ARPA funding to purchase and install a direct capture vehicle exhaust system.

Doug Belletete

Good evening counselors Doug Belletete Deputy Fire Chief. Hi, I'm here tonight on behalf of my staff, but more importantly on behalf of your community firefighters and your first responders. I'm here to ask for your help in to help preventing a form of cancer and, and from the very one of the very things that allows us to help do our job and that's from the diesel exhaust of our vehicles. If you will allow me to

indulge just a little bit of a background for a few minutes. Recently, the international agency of Research on Cancer has upgraded both diesel exhaust and firefighting from a class to cancer, which being possibly cancer causing to both are now class one known cancer causing agents. They found that occupational exposure as a firefighter causes cancer. A 2008 study on lung cancer and vehicle exhaust in the trucking industry found that evidence suggests that lung cancer mortality rate in workers with a history of regular exposure to diesel exhaust particulates is increased with increasing exposure duration. So basically the longer you're exposed to diesel exhaust, the greater chances of you dying from lung cancer because our in the article controlling diesel exhaust exposure inside the firehouse is stasis scientific evidence suggests an association between lung cancer and occupational exposure to diesel exhaust emissions. Most modern fire apparatus are powered by diesel engines. By the nature of our job These engines are often run indoors for various amounts of time and for various reasons. In 2013, OSHA released a report hazard alert for diesel exhaust and diesel particulate matter explains that diesel exhaust contains unburned hydrocarbons, carbon monoxide, nitrogen oxide, and diesel particulate matter. Diesel Particulate Matter is a cert that is a mixture of carbon ash, metallic abrasion, particulates, and sulfates into silicates. More than 95% of diesel exhaust particles are small enough to be inhaled deeply into the lungs and then enter into the bloodstream which means that they can be circulated to other parts of the body, just besides the lungs. Diesel exhaust goes beyond just the apparatus Bay floor where the vehicles are kept and ran. They have a tendency to get into the bedrooms and to the living room. You can go downstairs and look there several places where you know it builds up on the walls around the vents and you clean it and it comes back. The International Building Code recommends the installation of a source capture system that connects directly to the motor vehicle exhaust system. NFPA 1500 which is the National Fire Protection Association. Series 1500 is the health and safety it regulates and pretty much drives all health and safety aspects of the fire service. Chapter nine ask all fire departments contain all vehicle exhaust emissions to a level of no less than 100% effective capture. The request also complies with NIOSH has requirements to reduce emissions to the lowest feasible level to limit the impact on firefighters health. NFPA goes on further in chapter 10 section 1.5 stating the fire department shall prevent exposure to firefighters and contamination of living and sleeping areas from exhaust emissions the use of indirect or source capture system. Currently the Ellsworth Fire Department is non compliant as we do not have a direct capture system or exhaust. At one point in time the fire department had a floor exhaust system. However, this system does not meet the requirement of direct capture system and is currently inoperable and irreparable. As we have not been able to find anyone that works on this system anymore. It's pretty much obsolete at this point. We contacted three companies to an Ask them to come in and do a review of our station. We contact a plumber event magnet grip and fume event. fume event is a company based out of Missouri. However, they declined to travel to Ellsworth without us first paying for that service. So we politely declined to have them come in Plum event. A well known company that installs these direct capture systems and multiple fire stations across the country reviewed the station and submitted a proposal that would expel the content above the roofline of the building using material that would be of similar look to the existing exterior hardware such as the downspouts and drains to preserve the historical aesthetics of the building and the amount of 79,200 and included a one year warranty of parts and labor from the date of acceptance. Magda grip also reviewed the name the station and submitted a proposal that would expel the contents above the roofline of the building using material there'll be a similar look and existence to exterior hardware to preserve the historical aspects of the building and the amount of \$68,380 and included a seven year warranty of parts and labor from

the date of acceptance to include a free annual service over the life of that warranty. Council Chair Hamilton was absolutely right when he stated earlier how first responders often put their own health at risk to respond to others. I'm asking the members of this council to invest in the lives of the city of the city's firefighters and approve the expenditure of ARPA funds to allow magnet grip to install and direct capture vehicle exhaust system not to exceed \$70,000.

Michelle Beal

This go through the budget?

Doug Belletete

No Ma'am was not in the budget.

Michelle Beal

Why didn't you request it to the budget?

Doug Belletete

we had one thing, I'm in the capital expenditure at the time. It got moved in to the rescue, rescue bond expenditure. And so it was not it was not placed in the budget time.

Glenn Moshier

Budget time you also didn't have the information.

Doug Belletete

No, I did not. We did not have all the information at the time, either.

Casey Hanson

What's left after what we budgeted for arpa? What's left now?

Glenn Moshier

So. So if you take the ARPA funding that the Moore roof is 10,000, we had budgeted 150. So if you put that 10,000, back into ARPA, you take out the 3000. For the computer that Jason is over from his ARPA, it leaves us with \$400,204 in ARPA funding. If you subtract the 70,000, for this potential expense, you're talking you have \$330,204 left in arpa. So 330,204.

Casey Hanson

And that's what the Finance Committee was planning on making an arm a recommendation and

Michelle Beal

the process of putting that together.

Gene Lyons

With a new like DEF, because asked, does that get rid of a lot of particulates, start with the new DEF, does that get rid of a lot of particulates like in the vehicle,

Doug Belletete

it does not, it gets rid of some, but it does not it does not remove it, it does not meet the 100%. You know, and it does not get down to the small micron that is capable of getting into the lungs and into the blood streams.

Scott Guillerault

So the DEF is built for after the truck has started and warmed up. Whereas the Source Capture is for that first few minutes. As the truck is starting up is when the most of the exhaust particulates are expelled, which is before the death takes place. Because death works when the vehicle starts to warm up. So this would be in that point, when you hear the trucks downstairs start up. That's the most dangerous part. And as they're driving up the building, as soon as they get up to the road, the depth system starts to kick in because the truck is warmed up. So the most dangerous part. So when those trucks start up in the bay, before they leave the door.

Steven O'Halloran

To paint this picture, this system looks into the exhaust when you start your truck. But when you remove that to drive out, you're still putting the exhaust

Doug Belletete

No, sorry, the way it works is think of it as a big flexible straw that actually hooks to the exhaust system with a magnet. And it's actually on like a rail system. And that straw will stay hooked up to the truck all the way out to the edge of the door. And then when it hits the edge door that magnet releases, and then it's out the door. So it actually captures the exhaust the entire time from startup all the way through the exit of the building.

Casey Hanson

I don't have questions about the system, it seems like you guys seemed like a necessary item. And it seems like you guys have done your research about the best way to implement. But I guess I would feel more comfortable that went through this bigger question through the finance committee about what to do with the rest of the ARPA fund. I've always felt a little uncomfortable solving that problem piece by piece that comes in front of us. So I think this sounds important. And I think finding a way to budget it either through our bar or through another way makes sense. But it would make more sense to me if we do it through finance committee recommendations.

Michelle Beal

I would agree. I mean, it's something that you guys should have. I'm just surprised if your system isn't working that it hasn't been

Doug Belletete

We've never had a system that's been compliant, ma'am.

Michelle Beal

No, I don't used to have a system and then you said it's broken. It's been broken.

Doug Belletete

There was an in floor system. There's down there but the employer is not a direct capture. Direct capture systems have been around 25 years ago when I was down south. We had direct capture systems, the in floor system that they have downstairs is not a compliant as with NFPA as a direct capture system,

Michelle Beal

so I'm not arguing with you I'm agreeing with you, I just I'm not sure that ARPA funding is how we should do it. And I just would like an opportunity to look and see if there's something other way that we can purchase it for you, other than using those ARPA funds. That's what I'll tell him to

Steven O'Halloran

So when you start your truck right now, and you're pulling outside as quickly as possible, correct, and doing everything you can outside in my head, I mean, that is that the way this building is running for all these years,

Doug Belletete

unfortunately, yes. You know, but, you know, certain times of the year, you know, trucks have to be start starting inside and ran inside due to inclement weather and everything or you know, and, you know, they still have to go through muffler morning checks. And, you know, depending on weather conditions, you know, sometimes it's done has to be done inside. And that's where the benefit of the direct capture system and the exhaust system comes into hand, you know, really comes into play is that it allows you to do that without putting, you know, even more risk

Dale Hamilton

to the vendor, give any indication of when they would be able to start a completed,

Doug Belletete

roughly should be completed be able to clean between within about 90 days, once, you know, we'll give them to go ahead.

Steven O'Halloran

The city of Brunswick, which you gentlemen probably already know, they built a new facility that was quite impressive. 26,000 square feet for \$13.2 million. And I took a trip down there because I wanted to see what \$13.2 million bought for 26,000 square feet. They have a similar system there that I had the chance to, to look at. And that was on slide reels. And it may have been a different was the exact same principle. Yes, sir. Yeah. And they put it in a brand new building? And I'm sure it was, it made a lot of sense to do that. And I'm not against it. My question is, where's the fire department going to be in five years, but we still going to be in this building.

Doug Belletete

I can tell you with all new construction of fire station NFPA, not only do you have to have that type of system, but like, where the gear like the firefighter gear is stored, it has to be in a pressurized clean, not once a clean room, but it has to be in a pressurized room to where when the doors are open, the

contaminants stay within that room. So that's part of the reason why you have that kind of price tag. Because with, you know, just like when you build a new building, you have to build according to the newest, greatest codes. Same thing with the new fire stations, I'm sure chief has got to experience some of this stuff, when you build them, you haven't update some of the stuff according to the new code for police. Same thing goes with fire department, when you build those new stations, you have to build to the latest and greatest, you know, compliances. So we're just way way behind the times downstairs in that aspect, especially in this particular you know, one event that could make a big difference for our guys. Not probably not tomorrow, but 1520 years down the road is where it's going to make a difference. You know, we're talking about saving our guys lives, 20 years down the road, not necessarily tomorrow, but you know, 20 years down the road is where it'll save their life.

Dale Hamilton

I agree with Councilor Beal i definitely support it, I think it's just a matter of because this is the first time hearing it. So to be able to process it and figure out the best way to move that forward. Take a little bit of time to do that. So I think that we need to have those discussions and, and be able to come back hopefully next month and take action on it.

Michelle Beal

Just for future reference that. So there's a every Friday morning, there's an agenda item for just this purpose for departments to bring things to the Finance Committee, so we can look at financing these projects. So we encourage department heads to utilize that. And then when by the time we people so when it comes to the meeting, we have a recommendation for everybody. And you don't have to kind of go through this. It's just a way to make things a little more efficient.

Jon Stein

Did you get the sense that there was a deposit needed to start the order the purchase anything like that and just even a month's time of breathing exhausts it's not great if we can help it and oh, we need to figure out where the finance is coming from but getting on as quickly is important.

Doug Belletete

I know I mean dealing with this company and what I've got dealt with so far. I mean, I think as long as there was a, you know, some guarantee the money would be there. I think that they would take our word and we get started process now, but without a guarantee that, you know, the money is there, I wouldn't, I would hesitate, I wouldn't feel comfortable moving forward with it. I mean, I wouldn't want to put the city in that kind of, you know, position either with or without a guarantee that the money's gonna be there to pay for it.

Dale Hamilton

Well, I think it's, it's the process of just discussing, we have our poor funds that may be used, you know, for me, it's, it's, I certainly think it's a high priority issue. It but it's the first, again, we're just hearing it tonight. So just to be able to look at what our options to find it. And, and try to come up with that so that we can, when we put a motion in place that we know where the resources are coming from, and that there's been some vetting of that.

Gene Lyons

So we have to say exactly where the funds are gonna come from. But we all know that we're gonna authorize it to be done. But he can't, you can't tell them that unless we have. Because you said it's gonna be 90 days before, when are they gonna start?

Doug Belletete

I mean, when you tell me that, I've got to go ahead, then I will place the order with them. And

Gene Lyons

it'd be 90 days from them

Doug Belletete

roughly ninety days and take things considered take about two weeks to install, install the complete system.

Dale Hamilton

I don't want to just move past it. If somebody wants to make a motion. That would be the time to do so. Otherwise, we'll carry it forward to the Finance Committee, have some discussions and bring it back to full council next month.

Michelle Beal

Can we move to table this till the August meeting to make sure that it does come back? And then the Finance Committee will make that decision and make a recommendation.

Dale Hamilton

We have a motion to table.

Casey Hanson

Second

Dale Hamilton

seconds. So there's no discussion on the motion and table. All in favor? Unanimous. That's tabled till next.

Steven O'Halloran

Question. when you're when your vehicles come back. Are you connecting this when you back them in as well?

Doug Belletete

We will. Yes sir.

Steven O'Halloran

So going out there covered coming in there. Absolutely. Thank you.

Doug Belletete

there'll be six drops, we have a storm leaves on the front. And we actually have bought or we had there'll be two drops. On the back side we currently have one vehicle but that would also give us room for expanding another vehicle on the backside so give us the total of six vehicles be allowed to be hooked up to one system.

Dale Hamilton

Item 22 Council order number 072306 request of city planners city manager to apply for federal financial assistance under the provisions of the Land and Water Conservation Fund known as LWCF act Public Law 88 Dash 578 and supportive conservation of 279.1 acres of land adjacent to the branch Lake public water supply and expansion of low impact recreational opportunities and to enter into an LWCF project agreement with the state subsequent to federal approval of the project and adopting a resolution stating such

Matt Williams

So it's just a quick recap so March a couple months ago. It came before the council requesting permission to apply for two grants, the land Maine for Future Fund grant and the Land and Water Conservation Fund grant for the purchase of 279.1 acre lot on the eastern side of branch lake we used place in our conservation easement with your partners a Frenchman Bay Conservancy, to then expand recreational opportunities within the city and essentially just a trail system that would reach to already own city a lot, which is currently unused and the council would authorize application. But as I went through the LWCF process First, we did learn from its future. Since then, Frenchmen Bay and I have applied and been awarded the first half of the funding through grants lands remains future. And we began work on the Land and Water Conservation Fund grant. And as part of that grant, there's specific language that has to be adapted to move forward with the application Officially, the application has been turned in. And I've been in conversations with staff throughout WCF. And they're happy to accept the application that we turned in as long as we get approval from Council adopting the specific language tonight, just a little bit of history for our LWCF users within the city. The same language has been adopted multiple times before for different projects, including Demeyer field Harbor Park, and the senior fitness equipment at Knowlton Park. I'll walk through each part of that. What sort of the resolution in a minute? And then yeah, so tonight, I'm just requesting that council just approved the specific language of this resolution. The first part is for authorize I authorize an application which would allow the city manager to if funds are awarded to enter into the Land and Water Conservation Fund project agreement with the state pending that approval. And the second portion is the appropriation of local funds, which the goal is that both grants are awarded, there will be no local funds used. If for some reason the city does not get this grant, Frenchman Bay Conservancy and I are prepared to move forward with other grants or to do fundraising through the nonprofit. So again, no taxpayer funds should be used. But it's just a requirement of the grant. And the third parts of the authorization borrow the necessary funds to cover anticipated reimbursement. The grant is just for the upfront purchase of the property. So there should and I've been told that my amount of request is much lower than others that people come for for reimbursement. So it shouldn't be a problem to pay that up without borrowing money. so the half would be \$92,500.

Casey Hanson

Move to authorize the city planner and city manager to apply on behalf of the City of Ellsworth for federal financing assistance under the provisions of the Land and Water Conservation Fund act Public Law 88 578 for the fee simple acquisition of 279.1 acres of land for the branch Lake expansion, and further authorize the city manager to enter into Land and Water Conservation Fund project agreement with the state subsequent to federal approval of the project. Number two, if the city of Ellsworth tax appropriations are being used for all are part of the local share of the project cost the city must raise the funds through Council action. And the city of Ellsworth is obligated to pay all costs of the project upfront therefore there may be the need to authorize boring of funds, which will be repaid by federal reimbursement.

Dale Hamilton

We have a motion.

Jon Stein

Second.

Dale Hamilton

Second discussion we talked about upfront is that the project would have been approved, the funding is guaranteed it just may mean that we have to float the the payment before we get correct and

Matt Williams

as a lot of grants that they say gets a reimbursement style.

Jon Stein

Every day the reimbursement was like three to four weeks for three to five weeks, four to six weeks.

Dale Hamilton

Any further discussion? Questions? All those in favor? Opposed? One opposition motion? Motion passes. Thank you. Thank you.

Dale Hamilton

Item 23 City Council appointments

Michelle Beal

Do you want this whole whereas? can we make a motion to appoint Steve Salisbury to the Board of Appeals? expiring 63022

Gene Lyons

Second

Dale Hamilton

motion second any discussion? All those in favor? Unanimous

Dale Hamilton

Item 24 Counselor comments. Any counselors have any at this time to comment on anything that's that you'd like?

Steven O'Halloran

One The budget process that we recently went through, there was a substantial increase to the cost of the taxpayers. And I'm wondering, much like Glenn did in his office, he repositioned things, and we wound up with a little bit of help for him and a commission, a communications director from that hole. And I'm wondering if there could be some repositioning with our public works Director, leaving, if there could be some repositioning of city staff to not replace that position and push the cost of government down? I'm not suggesting that that is, I don't know her job. I don't know any of that. But looks to me like this might be a great opportunity to move things around like you did in your office, and perhaps reduce a salary without affecting a family. When we went through the budget process, we heard that the last thing that there was was personnel cuts to draft the budget. And budget passed, it was a substantial increase. I just wonder if if when we have a vacancy, if it wouldn't be a good idea to look at repositioning, and see if there's a way that we could get by without that salary?

Gene Lyons

was kind of thinking that too

Steven O'Halloran

I really, I don't, I don't know her functions and all of that. And you do, but you, you did that in your office, you maneuvered and got more for the same dollars. And I wonder if there's not some maneuvering that could happen here with that salary? I think it's worth looking at.

Steven O'Halloran

All right, I'll hit you with the second one. Second one is surplus equipment. I don't know how much surplus equipment had laying around the city. But with this cost of this budget that was passed, there's got to be 1000s of dollars in surplus equipment laying around the city that couldn't be turned into cash. And I am speaking broadly that there's got to be some funds there that is just collecting dust. From public works, too. I realized that we have no control over the school but the school buses stacked up everywhere that are supposedly unfit for use. And probably there's many more things that that we're not seeing and driving by that might take a second look.

Steven O'Halloran

Okay, all right.

Dale Hamilton

Item 25 executive session pursuant to one MRSA 405 6.A for personnel matters to discuss contractual issues for appointed officials

Casey Hanson

moved to go into Executive Session.

Gene Lyons

Second.

Dale Hamilton

Motion a second, all in favor. We will be going into executive session and we will be reporting out

Motion to exit by C. Hanson, second T. Mote, passed 7-0

Dale Hamilton

Alright, so we are back from executive session. So I would like to make a motion that we accept an employment transition agreement with manager Moshier. The agreement will provide the city with the opportunities start recruiting for a city manager, and that manager Moshier will return to the role of Chief of Police for the city of Ellsworth. The terms are outlined in the agreement. I would further maybe include in the motion that we will honor his contract and the payment pay through the duration of the original contract regardless of when the new manager is recruited, that we refer this to the Personnel Committee to start that process. And that at the end of this his current contract that his salary for the police chief would be \$110,000 motion

Michelle Beal

second,

Dale Hamilton

any discussion? All those in favor? Aye. All those opposed? All those abstain, one abstention, conflict, motion is approved. And I would like to just quickly say that I really appreciate what you've done for the city in the dual role. And I further this, I hope everybody in the city understands that your role in moving the city forward for the best interests of the city that you set your personal interest aside, made a decision in terms of that you want to be a part of the city to continue to be a leader in the city. Your work here as in that both those roles have been outstanding, and that we're very fortunate that you're going to be continuing with the city and appreciate it very much in this really should. There's just further evidence of that. So I'm Thank you very much. Thank you. Thank you, sir. Motion to adjourn. All those in favor?

COUNCIL MEETING NOTICE

The Ellsworth City Council will hold a special meeting on Tuesday, July 25th, 2023 at 5:30 pm in Council Chambers to expedite the Union River Estates, Maine Coast Mall agreement for tax assessment and refund abatement.

Meeting was called to order at 5:30. Gene Lyons absent, Casey Hanson arrived late.

Motion to enter executive session pursuant to 1 MRSA §405 (6) c- interests in property by J. Stein, second by T. Mote, passed 4-1 (S. O'Halloran opposed)

Motion to exit executive session by T. Mote, second by J. Stein, unanimous

Motion to accept the settlement agreement drafted by attorneys representing both sides by S. O'Halloran, second by J. Stein, passed 6-0

Motion to adjourn by M. Beal, second by T. Mote, passed 6-0

Toni Dyer

From: Mary Blackstone
Sent: Friday, July 14, 2023 10:29 AM
To: Maura Condon; Toni Dyer
Subject: Mary Blackstone - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Mary Blackstone

Address - Your street address in Ellsworth.

5 Christian Ridge Road
[Map It](#)

Phone

Email

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

I have a long term interest and engagement in Ellsworth's urban canopy. As a long term member of the Ellsworth Garden Club I have led tree planting projects, including our award-winning Arbor Day planting program in the school system. I have been a founding representative of the garden club with Green Ellsworth and worked closely with another EGC member, Tabatha White, in developing the relevant "tree" section of the land chapter of the Green Plan. More generally, I was the coordinator and lead writer for the full Green Plan.

More recently I have worked with Tabatha to develop our Community Tree Nursery, community tree planting projects at City Hall Plaza and High St., and a draft Community Urban Forestry Management Plan. On behalf of the EGC, GE and FBC I led a successful Project Canopy grant application in 2021 and in 2022 I contributed to another successful Project Canopy application led by FBC. Tabatha and I were responsible for applying for our successful bid to be designated a Tree City USA in 2022 and again in 2023.

Professionally as a researcher and published writer, I have led and secured on-going funding for two research centres with annual budgets in the six figures, and I have worked on a wide range of team-based projects from scholarly publications and grant applications to municipal consultancies and planning documents.

I want very much to contribute to re-treesing the community where I grew up and which at that time was well known as a city of elm-covered streets.

This submission was sent from the Arbor Commission signup form on 07/14/2023.

Toni Dyer

From: Jamie Lambert
Sent: Tuesday, July 18, 2023 11:07 AM
To: Maura Condon; Toni Dyer
Subject: Jamie Lambert - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Jamie Lambert

Address - Your street address in Ellsworth.

341 Branch Pond Road
[Map It](#)

Phone

Email

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

In 2012 I moved to Ellsworth from Lamoine. Before living there, I grew up in one of Ellsworth's neighboring towns of Holden. I started my Arborist career back in 2000 on Mount Desert Island, so I have, which seems like forever, traveled through the streets of Ellsworth. I always envisioned the city needing more vigor along our streets and many surrounding businesses. At times admittedly frustrated with an attempt of street trees being planted and seeing them fail with what looked like no real plan in site. When hearing about the Green Ellsworth, I finally had hope. I believe there is a certain level of balance that needs to be established between new development, members of the community, and the aesthetic value that trees and shrubs create.

As referenced above, I have been in this career for 23 years. State of Maine Licensed Arborist since 2005, and International Society of Arboriculture certified since 2007. Over the years I have had the opportunity to work on large scale projects with Landscape Architects to consult on various property site needs, present and future. Working alongside various construction companies to realize there needs, while still being able to facilitate recommendations for the best option to maintain tree health and vitality. I am excited about Ellsworths growth, and I look forward to helping make Ellsworth Green!

This submission was sent from the Arbor Commission signup form on 07/18/2023.

Form Name: Arbor Commission

Internet Address: 185.93.229.9

Toni Dyer

From: Tabatha White <
Sent: Tuesday, July 18, 2023 11:58 AM
To: Maura Condon; Toni Dyer
Subject: Tabatha White - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Tabatha White

Address - Your street address in Ellsworth.

1011 Happytown Road
[Map It](#)

Phone

Email

!

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

My name is Tabatha White and I am immensely passionate about trees. My love for trees started when I grew up on the very rural, and densely forested Happytown Road of the 80's when it was a single lane, closed canopy, dirt road. I lived in the woods and grew up using trees for fuel, food, and shelter. Trees were an integral part of life as I knew it growing up and they have become the center of my career as an adult.

I earned my BS in Forestry from the University of Maine but decided to take a less traditional route with that degree and go into Urban Forestry. Instead of managing entire forests and ecosystems in their native soils, urban forestry has more focus on managing the individual trees that make up an Urban Forest, which is filled with concrete, asphalt, vehicles, buildings, utilities, and people.

I spent five years with the City of Boston as their Tree Planting Manager where I got my license as a certified arborist, became very familiar in the complexities of sidewalk excavation and road closings, learned the intricacies of public engagement (whether positive or negative), and even how to tactfully handle a memorial planting after the Boston Marathon bombing.

I went on to New York City to work as a Procurement & Planting Forester where I managed a 3 million dollar street tree planting contract that spanned all five boroughs, while simultaneously managing another 8 million dollar tree procurement contract. This procurement contract required hand selection and oversight of the delivery of 30,000 street trees to NYC per year. In these roles, I significantly improved on my project management skills, which included asset tracking, budgeting, and contractor management. I became proficient in tree identification and quality control. I was challenged to find solutions to enhance planting locations where trees had previously failed. I persisted in enhancing my ability to foster positive interactions and effectively collaborate with the public, particularly during instances when residents or business owners expressed strong opposition to our tree planting initiatives. I was also was lucky enough to work with some of the most talented and innovative urban foresters in the nation, many of whom currently run their own urban forestry programs around the world.

In 2016, I moved back to Ellsworth and began and continue to work as a plant procurement specialist and landscaping project manager. I have spent the past 7 years maintaining my urban forestry interest and connections, broadening my plant procurement skills and resources, building relationships with local contractors and community members, and doing what I could

in my spare time to foster interest and exude hope in regards to a greener Ellsworth. Through the partnership of Green Ellsworth, the Ellsworth Garden Club, and the Frenchman Bay Conservancy, I've been lead on the Jordan Homestead tree nursery, deciding which trees we plant, coordinating deliveries, and conducting volunteer workshops where I educate the public on why we are planting trees, how to plant trees, and how to grow, prune, and maintain our future street and park trees.

My 14 years of urban forestry experience have taught me how important it is to preserve, manage, and plant trees in an urban environment. There are countless environmental, social, health, and economic benefits to urban forests plus they can help provide or aid in simpler and cheaper solutions to issues like storm water management and heat induced power outages. There are proven solutions to common tree management issues we can implement here and that we can fine tune to Ellsworth's specific needs and limitations. I am committed to be a leader and a resource to the city that I've known and loved since birth. I want to encourage us all to think about what Ellsworth would look like if we don't manage the barrage of new tree pests and diseases we are currently threatened with while continuing to remove trees for development without a plan to preserve or replace them. I think we can all appreciate that Maine is so incredibly beautiful and livable because of our densely forested landscape and I believe that without action, we are at a great risk of losing it.

I know I will be committed to serving the city and our community in any capacity I can, always willing to find solutions that the community and the city can stand behind. Thank you for this posting and thank you for agreeing to activate the arbor commission!

This submission was sent from the Arbor Commission signup form on 07/18/2023.

Form Name: Arbor Commission

Internet Address: 185.93.229.9

Toni Dyer

From: Iain Drummond
Sent: Wednesday, July 19, 2023 1:00 AM
To: Maura Condon; Toni Dyer
Subject: Iain Drummond - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Iain Drummond

Address - Your street address in Ellsworth.

52 Park Street
[Map It](#)

Phone

Email

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

I feel the city needs more trees. I think that more trees would elevate the livability of Ellsworth, moderate the somewhat harsh environment on route 1/3, and make the city more attractive for visitors and residents. Trees add value to the city environment and create a sense of place and urban beauty. In this era of climate change, trees are needed more than ever to maintain a livable environment.

I am an organic gardener and I have planted and maintained trees for over 30 years on my own properties. I participated in planting trees in the nursery established at the Jordan Homestead plot and I am excited to see this project come to fruition. I am competent and able with planting and pruning activities and I enjoy this work.

I am a biologist by trade. I am the Scientific Director of the MDI Biological Laboratory and have more than forty years of biomedical research experience. Although botany is not my primary research field, I have an appreciation of plant growth and development having grown plants for all my adult life. Somewhat by chance, we live in the Ellsworth house built by M.A. Clark, a founding horticulturist of this area.

Often city trees are planted with good intentions but then abandoned due to lack of interest/work force to maintain them. Trees benefit from judicious pruning and long term care to shape their growth and keep them healthy. I am willing to commit to the long term care of city trees and work with the community to create a leafy green environment for Ellsworth.

This submission was sent from the Arbor Commission signup form on 07/19/2023.

Toni Dyer

From: Jay Barnes <1
Sent: Sunday, July 30, 2023 10:12 PM
To: Maura Condon; Toni Dyer
Subject: Jay Barnes - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Jay Barnes

Address

5 Christian Ridge Road
[Map It](#)

Phone

Email

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

I have been a gardener and in that context managed trees and shrubs for 61 years. I took a BS in Forestry from the University of Maine and I've worked professionally in forest management planning and harvesting as well as timber stand improvement. As a member of the Ellsworth Garden Club I have organized and worked on numerous major public landscaping projects including relandscaping the Old Burial Ground, landscaping and trail work at Birdsacre, Donald Little Memorial Park, the Ellsworth Blue Star Marker, etc. Prior to the pandemic I led an annual Arbor Day tree planting program involving students and teachers at the the Ellsworth Elementary Middle School for many years, and I continue to support landscaping and vegetable gardening at that school and Ellsworth High School. Recently, I have been involved in all of the Re-treeing projects which the Club has undertaken in partnership with Green Ellsworth and Frenchman Bay Conservancy—including the High Street tree plantings, City Hall Plaza plantings and pruning, and the Community Tree Nursery. I've been responsible for the day to day management of the Tree Nursery including planning the irrigation system, the perimeter fencing, volunteer recruitment and management, etc.

I am interested in serving on the Arbor Commission because I have watched with concern as Ellsworth's canopy has deteriorated and with the increasing threat of invasive species, climate change and diseases affecting many of our native trees I can see that there are some serious issues that the City needs to address. I would like to bring my knowledge of trees and experience in public landscaping to the table in order to help to address these problems and create a management plan that can lead to better tree planting and care in the future.

This submission was sent from the Arbor Commission signup form on 07/30/2023.

Form Name: Arbor Commission

Toni Dyer

From: Teresa Davis <
Sent: Thursday, August 3, 2023 6:41 AM
To: Maura Condon; Toni Dyer
Subject: Teresa Davis - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Teresa Davis

Address

72 Floods Pond Road, Otis, Maine 04605
[Map It](#)

Phone**Email**

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

I want to be a member of Ellsworth's Arbor Commission because I strongly believe that trees beautify and sooth the city, making it a more pleasant place to live in and pass through. Traveling throughout the country certain cities stand out for their long-term commitment to trees. Asheville, North Carolina, is a beautiful example which left a big impact on me regarding how much difference a relatively small but dedicated group of people can make. I grew up in the Ellsworth area and as a forester and site evaluator have worked with trees all my career, mostly in Hancock and Washington Counties. My work has varied from helping landowners with a single tree to managing thousands of acres of woodland for clients with ten to two thousand acres. I am grateful to the people who have brought Ellsworth's Arbor Commission this far and would be honored to be part of it. I have a B.S. in Forestry from the University of Maine and minored in soils there. Thank you.

This submission was sent from the Arbor Commission signup form on 08/03/2023.

Form Name: Arbor Commission

Internet Address: 185.93.229.9

Toni Dyer

From: Amy Reisman
Sent: Tuesday, August 8, 2023 8:52 AM
To: Maura Condon; Toni Dyer
Subject: Amy Reisman - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Amy Reisman

Address

138 Franklin Street
[Map It](#)

Phone

(207) 253-0070

Email

r

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

Dear Arbor Commission,
My name is Amy Reisman. I am a resident of Ellsworth and am interested in joining the Arbor Commission. I am a life long gardener and a Master Gardener Volunteer. My recent endeavors have included working with the city in resurrecting Merrill Park, and I have helped Woodlawn Museum reclaim its formal garden. I am currently the chair of Heart of Ellsworth's Design Committee which has allowed me to participate in Project Canopy, a Maine Downtown Center program offered through the Maine Forest Service. This program has strengthened my belief in the importance of urban green space and the need for thoughtful tree ordinances.

Sincerely,

Amy Reisman

This submission was sent from the Arbor Commission signup form on 08/08/2023.

Form Name: Arbor Commission

Internet Address: 66.248.200.9

Toni Dyer

From: Sandy Walczyk
Sent: Wednesday, August 9, 2023 2:28 PM
To: Maura Condon; Toni Dyer
Subject: Sandy Walczyk - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Sandy Walczyk

Address

1874 Mariaville Road
[Map It](#)

Phone

(207) 555-1111

Email

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

I am interested in joining the Ellsworth Arbor Commission to pursue both my personal and professional interests in natural resource stewardship and conservation, and to assist the town in its' efforts to improve natural and cultural resources. I am a licensed forester and currently work as the land manager for the Blue Hill Heritage Trust. I am also on the board of the Hancock County Soil and Water Conservation District. I have experience with forest management, arboriculture, horticulture, grant applications and many other aspects of natural resource management that would be valuable to the Ellsworth Arbor Commission. I am familiar with the ecology and culture of Hancock county and understand the challenges and opportunities of natural resource management in coastal Maine. From a professional perspective, BHHT now owns over 1600 acres of land in Ellsworth, as part of our Meadowbrook property, and we have a vested interest in helping to improve the community's forest and street tree resources. From a personal perspective, I am a resident of Mariaville and I would like the opportunity to help improve the forests and urban trees in my local community.

Thank you for your consideration.

This submission was sent from the Arbor Commission signup form on 08/09/2023.

Form Name: Arbor Commission

Internet Address: 185.93.229.9

Toni Dyer

From: Albert Harmon <^">
Sent: Sunday, August 13, 2023 3:22 PM
To: Maura Condon; Toni Dyer
Subject: Albert Harmon - Arbor Commission Member Sign-up

Attention: This e-mail message is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Name

Albert Harmon

Address

220 High Street
[Map It](#)

Phone

(603) 888-1234

Email

alharmon@ellsworthmaine.com

Letter of Interest - Why do you want to be a member of Ellsworth's Arbor Commission? Please explain your relevant credentials or experience.

As a life long member of the Ellsworth community, I have always been interested in the beautification of our city. The loss of the elm trees on many of our streets was devastating. I have long hoped that there would be a time when they could be replaced. As a member of the Arbor Committee, I would be working with other like-minded individuals to see the replanting of trees to fruition.

Over the years, I have planted and maintained all of the trees that exist around Harmon Tire and Car Wash.

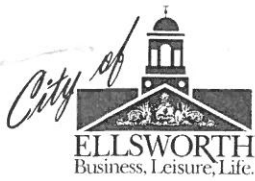
As a Board Member, I am involved with the Woodbine Cemetery.

Thank you for your consideration of my application to be a member of Ellsworth's Arbor Commision.

This submission was sent from the Arbor Commission signup form on 08/13/2023.

Form Name: Arbor Commission

Internet Address: 185.93.229.9



City Clerk
1 City Hall Plaza ▪ Ellsworth, ME 04605-1942
Phone (207) 669-6604 ▪ Fax (207) 667-4908
clerksoffice@ellsworthmaine.gov

BUSINESS LICENSE APPLICATION

CUSTOMER #429

APPLICANT: MARGARITAS ELLSWORTH

MAILING ADDRESS: MARGS MEX ELLSWORTH LLC 147 15TH STREET BANGOR, ME 04401

MAP LOT: 136253000000

BUSINESS TELEPHONE: 207-813-0013

FAX NUMBER:

EMAIL ADDRESS: dreesman@margsorono.com

NAME OF BUSINESS (DBA): MARGARITAS ELLSWORTH

LOCATION OF BUSINESS: 191 MAIN STREET

NUMBER OF EMPLOYEES:

NATURE OF BUSINESS: CLASS B

DESCRIPTION: FOOD LIQUOR AMUSEMENT Public Hearing Notice Fee

PROPERTY OWNER: MARGARITAS ELLSWORTH

BUSINESS OWNER: MARGS MEX ELLSWORTH LLC PHONE NUMBER: 414-975-4087

EMERGENCY CONTACT:

Albert Webb: 207-812-5097

PARTNER:

DAVID REESMAN: 414-975-4087

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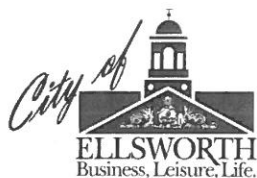
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SIGNATURE:

DATE:

LICENSE EFFECTIVE FROM:

EXPIRES: 08/31/2024



City Clerk
1 City Hall Plaza ▪ Ellsworth, ME 04605-1942
Phone (207) 669-6604 ▪ Fax (207) 667-4908
clerksoffice@ellsworthmaine.gov

BUSINESS LICENSE APPLICATION

CUSTOMER #95

APPLICANT: PEPPERS PUB

MAILING ADDRESS: JENNIFER GOODRICH WING 20 WATER STREET ELLSWORTH, ME 04605

MAP LOT: 134018000000

BUSINESS TELEPHONE: 207-667-1170

FAX NUMBER:

EMAIL ADDRESS: jgpepperspub@aol.com

NAME OF BUSINESS (DBA): PEPPERS PUB

LOCATION OF BUSINESS: 20 WATER STREET

NUMBER OF EMPLOYEES:

NATURE OF BUSINESS: CLASS B

DESCRIPTION: AMUSEMENT ALCOHOL FOOD Public Hearing Notice Fee

PROPERTY OWNER: WING GOODRICH JENNIFER A

BUSINESS OWNER: WING GOODRICH JENNIFER A PHONE NUMBER:

EMERGENCY CONTACT:

JENNIFER GOODRICH WING: 207-460-9182

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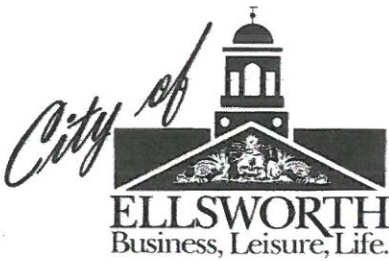
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SIGNATURE:

DATE:

LICENSE EFFECTIVE FROM:

EXPIRES: 08/31/2024



OFFICE OF CODE ENFORCEMENT

1 CITY HALL PLAZA
ELLSWORTH, MAINE 04605

PHONE 207-667-4910

FAX 669-6618

EMAIL: code@ellsworthmaine.gov

Business License Application

Permit # _____ Issue Date _____
Applicant Peppers Pub Jennifer Wing RE ID _____
Mailing Address 20 WATER ST Zone _____
ELLSWORTH, ME 04605 Fee _____
Home Telephone # 207 460 9182 Work Telephone # _____
Name of Business Peppers Pub Individual/Corporation/Partnership
Location of Business 20 WATER ST
ELLSWORTH, ME 04605
Number of Employees 5 Fed. ID/Soc. Sec. # 043389488
DBA _____
Date of Incorporation 9/2/1997
State of Incorporation Maine

Nature of Business

RESTAURANT / lounge

Restrictions

Owners/Partners	Owners/Partners Home Addresses	Owners/Partners Phone Numbers
<u>Jennifer Wing</u>	<u>20 WATER ST ELLSWORTH</u>	<u>207 460 9182</u>
<u>Melissa Goodrich</u>	<u>808 EASTERN AVE HOLDEN</u>	<u>207 460 9182</u>
_____	_____	_____
_____	_____	_____

Emergency Contacts

Emergency Contacts Phone

Jennifer Wing 207 460 9182

Applicant

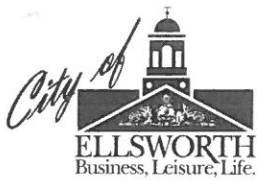
Date

7/9/2023

Effective from _____

Municipal Official _____

Date _____



City Clerk
1 City Hall Plaza ▪ Ellsworth, ME 04605-1942
Phone (207) 669-6604 ▪ Fax (207) 667-4908
clerksoffice@ellsworthmaine.gov

BUSINESS LICENSE APPLICATION

CUSTOMER #32

APPLICANT: CURALEAF MAINE *maine*

MAILING ADDRESS: ~~PRIMARY~~ ORGANIC THERAPY INC. ~~3 MYRICK STREET PLAZA SUITE B~~
DISPENSARY ELLSWORTH, ME 04605

MAP LOT: 016047007000 ✓

BUSINESS TELEPHONE: 207-667-0510

FAX NUMBER:

EMAIL ADDRESS: AMY.DAVENPORT@CURALEAF.COM

NAME OF BUSINESS (DBA): CURALEAF MAINE

LOCATION OF BUSINESS: 3 MYRICK STREET

NUMBER OF EMPLOYEES:

NATURE OF BUSINESS: MEDICAL MARIJUANA

DESCRIPTION: FOOD MEDICAL MARIJUANA DISPENSARY Public Hearing Notice Fee

PROPERTY OWNER: SHAPAZIAN VERNON E & LOIS W TRUSTEE

BUSINESS OWNER: MAINE ORGANIC THERAPY PHONE NUMBER:

EMERGENCY CONTACT:

AMY DAVENPORT: 207-667-0510

EMERGENCY CONTACT:

SCOTT REED: 207-420-5455

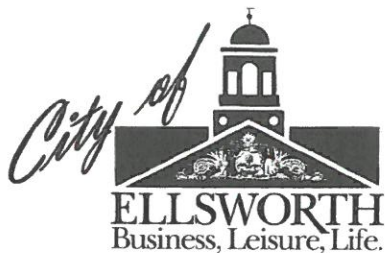
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SIGNATURE:

DATE:

LICENSE EFFECTIVE FROM:

EXPIRES: 08/31/2024



OFFICE OF CODE ENFORCEMENT

1 CITY HALL PLAZA
ELLSWORTH, MAINE 04605

PHONE 207-667-4910

FAX 669-6618

EMAIL: code@ellsworthmaine.gov

Business License Application

Permit # 32

Applicant Jenna McDonald, Compliance Manager

Mailing Address 730 Center St Ste 1C, Auburn ME 04210

Issue Date _____

RE ID Parcel ID 016047007000

Zone Commercial

Fee _____

Home Telephone # 207.295.3313

Work Telephone # 207.667.0510

Name of Business Maine Organic Therapy

Individual/Corporation/Partnership

Location of Business 3 Myrick St, Ellsworth ME 04605

☐ Individual

☒ Corporation

☐ Partnership

Number of Employees 13 Fed. ID/Soc. Sec. # 27-2902156

DBA Curaleaf Maine

Date of Incorporation 04/29/2010

State of Incorporation Maine

Nature of Business

Medical Cannabis Dispensary

Restrictions

Owners/Partners

Owners/Partners Home Addresses

Owners/Partners Phone Numbers

Maine Organic Therapy is a non-profit organization. There are no owners.

Emergency Contacts

Emergency Contacts Phone

Jackie Calabrese, Store Manager (508) 596-4070.

Jasmine Laskey Asst. Manager (207) 631-7525.

Ryan Colwell District Manager (207) 432-6324.

Applicant

Date

7/14/2023

Effective from _____

Municipal Official _____

Date _____



Maine Medical Marijuana Program Dispensary Local Authorization Form

This Local Authorization Form must be completed by the host municipality where a dispensary registration certificate applicant intends to locate one or both of its registered premises. The authorized local official responsible for completing this Form must return it to the Office of Marijuana Policy at Licensing.OMP@maine.gov or 162 State House Station, Augusta, Maine 04333.

If the authorized local official in receipt of this Form has not recently met with the Office of Marijuana Policy to discuss the local authorization process and OMP's expectations for completion of this Form, please contact the Director of Licensing, at Licensing.OMP@maine.gov or (207) 624-7530, prior to filling it out.

Section 1: Dispensary Information. Information to be completed by the dispensary applicant.			
Section 1(a): Required information for all applicants for dispensary registration certificate.			
Business Legal Name Primary Organic Therapy, Inc		Business DBA Maine Organic Therapy dba Curaleaf Maine	
		Dispensary Phone (207)667-0510	
Primary Contact Person Jennifer (Jenna) McDonald		Primary Contact Email jenna.mcdonald@curaleaf.com	
Physical Address of the Proposed Dispensary Registered Premises 3 Myrick St		City Ellsworth	State ME
			Zip 04605
Mailing Address 730 Center St STE 1-C		City Auburn	State ME
			Zip 04210
Section 2: Medical Marijuana Dispensary and Local Authorization Information. This section to be completed by the Municipality in receipt of request for Local Authorization.			
Physical Location of Establishment (include unit number) 3 Myrick St		Municipality Ellsworth	State ME
			Zip 04605
Tax Map # 016/ 047/ 007/000 /		Tax Lot # 016/ 047/ 007/000 /	
Owner of Record of the Physical Location Listed Above Shapazian Vernon E & LOI of the VES Revocable Trust			
Date Local Authorization Form Presented to the Municipality		Date Local Authorization Form Approved by Municipality	
Dispensary authorized activities to be conducted listed in section 1: Indicate at all authorized activities the applicant intends to conduct at the registered premises to be located at Location 1. Check all that apply. ☐ Cultivation of marijuana (Note: A registered dispensary must ensure that any employee or agent applying pesticides to marijuana for medical use is appropriately licensed as a pesticide applicator by the Board of Pesticide Control) ☐ Manufacturing harvested marijuana without the use of inherently hazardous substances (Note: A registered dispensary must obtain an appropriate Food Establishment License from the Department of Agriculture, Conservation and Forestry to manufacture edible marijuana products) ☐ Manufacturing harvested marijuana with inherently hazardous substances (Note: A registered dispensary must obtain a separate inherently hazardous substance registration manufacturing facility registration certificate to use inherently hazardous substances to manufacture harvested marijuana.) ☐ Providing harvested marijuana to a registered manufacturing facility for the production of marijuana concentrate or marijuana products ☒ Accepting from, or transferring to, registered caregivers or other registered dispensaries marijuana plants or harvested marijuana in wholesale transactions ☒ Consulting with, assisting, and/or dispensing marijuana plants or harvested marijuana to qualifying patients, visiting qualifying patients or caregivers ☒ Operating a dispensary retail space for the conduct of sales or transfers of marijuana plants or harvested marijuana to qualifying patients, visiting qualifying patients or caregivers ☒ Delivery of marijuana plants or harvested marijuana to a qualifying patient			

☐ Co-location with an adult use licensee

☐ Cultivation facility, license #:

☐ Manufacturing facility, license #:

Section 3: Local Authorization of Medical Marijuana Dispensaries within Municipalities. This section to be completed by the Municipality in receipt of request for approval of Local Authorization.

Section 3(a): Request for approval of local authorization to operate a registered dispensary in municipality prohibited unless authorized by municipal ordinance or warrant article. A person operating a medical marijuana dispensary within a municipality may not request approval of local authorization to operate the medical marijuana dispensary, and a municipality may not accept as complete the person's request for approval of local authorization, unless the municipality to permits by ordinance or warrant article, the operation of registered dispensaries within the municipality.

Is an ordinance or warrant article in effect that allows the operation of a registered dispensary within the municipality?

☐ Yes ☐ No

Is a copy of the ordinance or warrant article attached to this form?

☐ Yes ☐ No

Section 3(b): Minimum authorization criteria. A municipality may not provide the authorization for the operation of a registered dispensary within the municipality unless the following questions are answered in the affirmative.

Is the proposed registered premises for the dispensary applicant located equal to or greater than 500 feet of the property line of a preexisting public or private school?

☐ Yes ☐ No

Does the applicant requesting local authorization to operate the registered dispensary demonstrate possession or entitlement to possession of the registered premises of the dispensary?

☐ Yes ☐ No

Section 3(c): Local authorization required for operation of a registered dispensary within municipality. A person may not to operate a registered dispensary within a municipality unless the following question is answered in the affirmative.

Has the person obtained all applicable municipal approvals, permits, or licenses that are required by the municipality for the operation of a registered dispensary? By selecting "yes" below, the municipality is affirming that no further action by the municipality is required prior to the Office of Marijuana Policy's approval of the applicant's registration certificate. The Office of Marijuana Policy encourages the municipality to coordinate the issuance date of a local license with the Office when appropriate. *Please attach a copy of all applicable approvals, permits or licenses, including dates of issuance and expiration to this form.*

☐ Yes ☐ No

Statutory Guidance for Municipalities

Pursuant to 22 MRS § 2429-D, a municipality may regulate registered dispensaries within that municipality, and may not permit a registered dispensary to operate within that municipality unless the municipal legislative body has voted to adopt or amend an ordinance or warrant article allowing the operation of a registered dispensary within that municipality – unless that registered dispensary has been continuously operating, as a registered dispensary, within that municipality since before December 13, 2018.

The completed Maine Medical Marijuana Program Dispensary Local Authorization Form can be emailed to the Office of Marijuana Policy at Licensing.OMP@maine.gov or sent to Office of Marijuana Policy, 162 State House Station, Augusta, ME 04333-0162.

Municipality

Legal Name and Title of Municipality:
City of Ellsworth

City:
Ellsworth

I hereby affirm and acknowledge that the information above is truthful and complete to the best of my knowledge.

Signature of Municipal Official: (Do not sign until witnessed by notary):

Date:

Notarization

The foregoing instrument was acknowledged before me this day of , 20 , at , Maine, by to be his/her free act and deed.

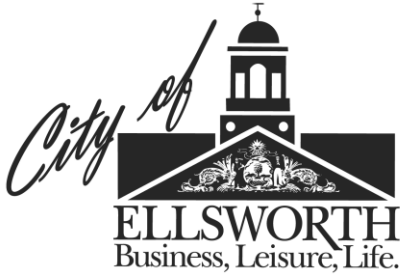
Name of Notary Public (Printed)

Signature of Notary Public

Notary Public, State of Maine

My commission expires:

STAMP/SEAL



Public Works

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942
Phone (207) 667-2563 ▪ Fax (207) 667-4908
awilson@ellsworthmaine.gov

MEMO

To: City Council Members

From: Adam Wilson

Date: 08/13/2023

Re: Bid Award for winter sand and road gravel

On Wednesday, August 8, 2023, the City of Ellsworth accepted bids for the Screening of Winter Sand and Road Gravel. Four RFP's were sent out, that resulted in only two bids. Attached are a copy of the summary of bids and the actual bids received.

The following is a summary of the bids:

KJ Dugas @ \$4.85 a yard for winter sand & road gravel @ 4.85 a yard
Harold Macquinn Inc. @ 6.00 a yard for winter sand & 2" road gravel @ 5.50 a yard

The low bidder was K.J. Dugas, who has screened for the city the last 2 years with no issues. They are responsive and good to work.

If the Council approves this request, the following motion is suggested:

Move to approve the request of the Public Works Foreman to award the FY2024 Mineral Screening contract to KJ Dugas.

Council order # 082101 The Contract amount to be funded from the Highway Department operating budget account #1030300-53031

2023 Mineral Screening Bid
August 8, 2023

Vendor	Sand QTY	Sand per cu. yd.	Total Sand Bid	Winter Screening per cyd	2" Minus Gravel	Alt 1 Sand hauled in per cyd
Dugas	10,000	\$ 4.85	\$ 48,500.00	\$7.00	\$4.85	\$14.00
MacQuinn	10000	\$ 6.00	\$ 60,000.00		\$5.50	\$13.50

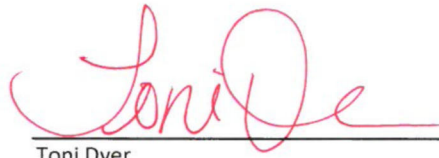
True Copy Attest: 
Toni Dyer
City Clerk

2023 Mineral Screening Bid
August 8, 2023

Vendor	Sand QTY	Sand per cu. yd.	Total Sand Bid	Winter Screening 2" per cyd	Alt 1 Sand hauled in per cyd
DUGAS		4.85		4.85	
MacQuinn	10,000 yds	\$16.00		5.50/yd	

7.00/winter screening - 14.00 additional
1350/yd - additional sand

True Copy Attest:


Toni Dyer
City Clerk

\

BID SHEET
CITY OF ELLSWORTH
Mineral Screening

BID SHEET

Sand \$ 4.85 /cyd. 10,000 cyds. Total Bid \$ 48,500.00

2"minus gravel \$ 4.85 /cyd 5,000 cyds Total Bid \$ 24,250.00

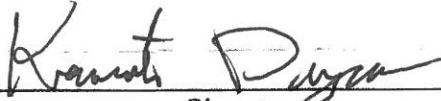
Winter Screening \$ 7.00 /cyd

Alt. 1 Sand \$ 14.00 /cyd. 10,000 cyds. Total Bid \$ 140,000.00

Comments or restrictions on Bid Price _____

KJ Dugas would like to purchase 2000 CY of tailings at \$2.00 per CY

K.J. Dugas Construction Inc.
Name of Company


Signature

PO Box 298
Address

Kenneth J Dugas
Print Name

Surry ME 04684
Town/State/Zip

President
Title

207-667-5735
Telephone

7/31/2023
Date



HAROLD MacQUINN, INC.

General Contractors

PO Box 789 • Ellsworth, Maine 04605 • Hancock Plant (207) 667-4653 • Fax (207) 667-3737 • Free Estimates

"OVER 89 YEARS OF CONTINUOUS QUALITY SERVICE"

Driveways • Parking Lots • Tennis Courts • Excavation • Grading • Stone Embankments
Crushed Stone • Drainage • Waterlines • Sewage and Septic Systems

TO: City of Ellsworth
City Clerk's Office
Attn: Marcia Monk
One City Hall Plaza
Ellsworth, ME 04605

PROPOSAL

DATE: August 8, 2023

JOB: Mineral Screening and Supply

DESCRIPTION AND PRICE OF WORK

Harold MacQuinn, Inc. is pleased to provide this proposal for the above referenced job. We offer the following scope of work and estimate for the above referenced job and as described below:

1. Provide the labor and equipment to screen 10,000 cubic yards of winter sand. The price per cubic yard will be **\$6.00/CY**.
2. Provide the labor and equipment to screen 5,000 cubic yards of 2" minus gravel. The price per cubic yard will be **\$5.50/CY**.

Alternate Bid: Provide 10,000 CY of winter sand delivered to the Ellsworth Public Works Facility. The price per cubic yard will be **\$13.50/CY**.

Terms: Net in 30 days with a 1.5% per month service charge on past due accounts. Not binding unless accepted in _____ days.

Prepared by: 
Chip Reeves, Project Manager
Harold MacQuinn, Inc.

The above proposal
is hereby accepted by: _____

Date: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/26/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER THE ROWLEY AGENCY INC. 45 Constitution Avenue P.O. Box 511 Concord NH 03302-0511	CONTACT NAME: Karen Stapley PHONE (A/C, No, Ext): (603) 224-2562 FAX (A/C, No): (603) 224-8012 E-MAIL: kstapley@rowleyagency.com ADDRESS:
INSURED Harold MacQuinn, Inc. P.O. Box 789 Ellsworth ME 04605	INSURER(S) AFFORDING COVERAGE INSURER A: Massachusetts Bay Ins. Co. INSURER B: Allmerica Fin. Benefit Ins. INSURER C: Hanover Insurance Co. INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☒ LOC OTHER:			ZDPA910828	5/1/2023	5/1/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS			AWPA910750	5/1/2023	5/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			UHPA910837	5/1/2023	5/1/2024	EACH OCCURRENCE \$ 6,000,000 AGGREGATE \$ 6,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A					PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Leased/Rented Equipment			IHVA910800	5/1/2023	5/1/2024	Limit: \$350,000 Ded: \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Covering operations of the named insured during the policy period.

CERTIFICATE HOLDER

CANCELLATION

For Records Only

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Karen Stapley/KS

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PUBLIC HEARING NOTICE

The municipal officers of the City of Ellsworth will hold a public hearing on Monday, August 21, 2023 at 6:00 PM in the City Hall Council Chambers to hear comment on:

Council Order #082103 Discussion and action on a proposed ordinance to provide controls on the use of illegal moorings and anchorages on Great Ponds within the City of Ellsworth. The proposed ordinance establishes a Mooring Control Area and provides provisions for allowed activities within this area.

CHAPTER 64
OVERNIGHT MOORING AND ANCHORAGE CONTROL ORDINANCE
CITY OF ELLSWORTH, MAINE

Article 1 Purpose

This Chapter shall be known and cited as the Overnight Mooring and Anchorage Control Ordinance for the City of Ellsworth, Maine.

The purpose of this chapter is to assure the safety, health and welfare of the citizens of the City of Ellsworth, and to balance the public's right to access and navigate on Great Ponds while protecting property rights and values.

Article 2 Authority and Applicability

- 2.1 This chapter is adopted pursuant to Home Rule Powers as provided for in Article VIII-A of the Maine Constitution and Title 30-A, M.R.S.A., Section 3001 and to the extent applicable, Title 38, M.R.S.A., Section 3.
- 2.2 The provisions of this Chapter shall apply to all Great Ponds within the City of Ellsworth (except to the extent it conflicts with more restrictive provisions for Branch Lake as the City's drinking water supply, as governed by Chapter 55). Chapter 3 applies to the Union River.

Article 3 Definitions

- 3.1 Watercraft: Any type of vessel including but not limited to a boat, house boat, barge, float, or craft that is used or capable of being used as means of transportation on water. Without limiting the generality of the foregoing, the term watercraft further includes any houseboat or floating structure designed, used, or capable of being used for overnight habitation and contains sleeping and/or toilet facilities, regardless of whether such facilities are of a permanent or temporary nature.
- 3.2 Overnight period: The period of time between 9:00PM to 4:00AM.
- 3.3 Mooring/Anchorage: The beaching, grounding, or tying of a watercraft to the shore of any Great Pond in the City of Ellsworth, and the anchoring of a watercraft on any Great Pond in the City of Ellsworth.
- 3.4 Commercial purpose: A use in which the shorefront owner or watercraft owner is given payment through the rental or use of the watercraft.
- 3.5 Mooring Control Area: The mooring control area is the area of water surface within 200 feet of the shore of a great pond or navigable water course that is bounded by lines perpendicular to the shore extending 200 feet from the boundaries of privately-owned property.

- 3.6 Swim Float: A single floating or inflatable structure unattached to land secured by bottom anchor or mooring, seasonally installed and removed, and used solely for swimming.
- 3.7 Temporary: A period of time not to exceed four hours within a single calendar day.

Article 4 Mooring Control for All Moorings/Anchorages

- 4.1 A mooring/anchorage may be placed by the shorefront property owner or another individual with the shorefront property owner's written permission. A mooring/anchorage shall be placed in the Mooring Control Area directly adjacent to the owner's property.
- 4.2 Moorings/anchorages shall be for personal, non-commercial use.
- 4.3 A mooring/anchorage shall not be allowed if watercraft attached to it will interfere with the watercraft attached to other lawful moorings and/or swim floats, or if safe navigation is impeded.
- 4.4 Property owners in an association with deeded access to a common shorefront lot shall maintain moorings in accordance with this Article. The City encourages property owners in an association with deed access to follow established association bylaws. Said moorings must be directly adjacent to the common shorefront lot and within the Mooring Control Area.

Article 5 Overnight Mooring/Anchorage Prohibited

No watercraft shall be beached, grounded, or tied to the shore of any Great Pond in the City of Ellsworth for an overnight period or any part of an overnight period, except in cases of emergency. No watercraft shall be anchored or moored on any Great Pond for an overnight period or any part of an overnight period, except in cases of emergency.

Article 6 Exemption

Moorings or anchoring of the following nature are exempt from the provisions of Article 5 of this Ordinance:

- 1) Any dock or pier, or a float attached to any existing dock or pier; (2) Any watercraft tied to said dock, pier, or float attached to a pier or dock; (3) Any mooring placed or used by a shorefront owner who owns land adjacent to the water where the anchoring/mooring is placed, for a non-commercial purpose; (4) Any anchored, tied, or affixed flat swim float used by an adjacent shorefront owner for a non-commercial purpose; and (5) Watercraft beached, grounded, or tied to the shorefront that is owned by the shorefront owner for a non-commercial purpose.

Article 7 Enforcement

Any duly designated Ellsworth Police Officer is authorized and shall have the authority to enforce all provisions of this ordinance.

Owners of watercraft that will be considered moored or anchored in violation of this Ordinance have 90 days from the date of enactment to come into compliance.

Article 8 Civil Violation and Enforcement

Violations of this ordinance shall be enforced in the District Court under 4 M.R.S.A. § 152 and M.R.Civ.P. 80H. A violation of this ordinance shall be a civil violation punishable by a fine of not less than \$250 nor more than \$1,000 for each offense. Every overnight that a violation continues shall constitute a separate offense. All finds shall inure to the benefit of the City of Ellsworth.

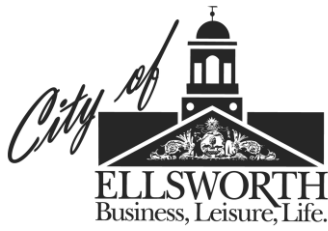
Article 9 Access for Purpose of Investigation

If a shorefront property owner notifies the City of Ellsworth of a violation of this ordinance, the owner thereby grants to the City of Ellsworth access to the property for the purpose of investigating the alleged violation.

Article 10 Appeals

Appeals by any person aggrieved by a decision, act, or failure to act by the Police as it relates to the implementation and enforcement of this chapter shall be made to the Board of Appeals. In all cases, a person aggrieved by an order or decision made or failure to act by the Police shall file their appeal within 14 days of receipt of notice of the decision or order appealed. The appeal shall specifically describe the grounds for such action. The Code Enforcement Officer shall notify the City Manager, Ellsworth Police Department, and the Board of Appeals of the appeal. The Appeals Board will apply an appellate standard of review in a search for errors or inconsistencies supported by the evidence.

Dated:



Office of Code Enforcement

One City Hall Plaza
Ellsworth, Me 04605
207.667.4910
www.ellsworthmaine.gov

DATE: August 4, 2023
TO: City Council
FROM: Loretta Roberts – Code Enforcement
RE: 16 Central Street

I am respectfully requesting the council to approve taking 16 Central Street by eminent domain. On April 10, 2023, Council Order #042302 was approved to condemn 16 Central Street, the Code office was unable to serve Ms. Junciewicz with proper notice of the condemnation hearing due to Mrs. Junciewicz living in London. The condemnation is not valid until she has had the opportunity to be heard. In addition, it is not clear that she has ownership rights since there is no designation of PR or any probate proceedings. Without probate proceedings, she is not authorized to grant a quitclaim deed to the City. Rudman & Winchell made contact with her legal counsel in London, without any outcome. Under these circumstances, our attorney is suggesting the City take the property by eminent domain. This would allow the City to proceed with demolishing the dangerous structure for health, safety and welfare of the City. With the cost of demolition and lead paint removal at approximately \$65,000, it exceeds the assessed value of the land. The City could find a value of \$0.00 for the land, or the City could send her a nominal payment for the sake of appearance. The public purpose would be elimination of blight and the eminent domain process can be done fairly quickly. Using eminent domain on a residential lot is unusual but, this is an unusual situation and a compelling case with nobody being displaced. Mrs. Junciewicz has a friend here in Ellsworth who removed items from the home that she requested to be placed in storage. With the lack of communication from Mrs. Junciewicz, our attorney (John Hamer – Rudman & Winchell) is recommending the City to take the home by eminent domain.

If the council has no questions, comments or concerns the following motion is suggested:

Move to approve the taking 16 Central Street by eminent domain and demolishing the home for the health, safety and welfare of the City.

Per Council Order #042302 dated April 10, 2023 to condemn 16 Central Street, the Code office was unable to serve Ms. Juncewicz with proper notice of the condemnation hearing due to Mrs. Juncewicz living in London. The condemnation is not valid until she has had the opportunity to be heard. In addition, it is not clear that she has ownership rights since there is no designation of PR or any probate proceedings. Our attorney indicated that she cannot grant a quitclaim deed to the City without having probate proceedings to authorize her to do so. They have been in contact with her legal counsel in London, without any outcome. Under these circumstances, our attorney is suggesting the City take the property by eminent domain. This would allow the City to proceed with demolishing the dangerous structure for health, safety and welfare of the City. With the cost of demolition and lead paint removal at approximately \$65,000, it exceeds the assessed value of the land. The City could find a value of \$0.00 for the land, or the City could send her a nominal payment for the sake of appearance. The public purpose would be elimination of blight and the eminent domain process can be done fairly quickly. Using eminent domain on a residential lot is unusual but, this is an unusual situation and a compelling case with nobody being displaced. Mrs. Juncewicz has a friend, here in Ellsworth, who removed items from the home that she requested to be placed in storage. With the lack of communication from Mrs. Juncewicz, our attorney (John Hamer – Rudman & Winchell) is recommending the City to take the home by eminent domain.

**ORDER OF EMINENT DOMAIN CONDEMNATION,
Taking Land Located at 16 Central Street, Ellsworth, Hancock County, Maine.**

WHEREAS, there is a parcel of land located at 16 Central Street, Ellsworth, also known as Tax Map 136, Lot 69, and further described in a deed recorded in the Hancock County Registry of Deeds in Book 2320, Page 319, (hereinafter “the Property”);

WHEREAS, the ownership of the Property is uncertain as the owner of record (Raymond Junciewicz) died in 2020, the owner’s widow (who was not on the deed) lives in London, UK, and has been unresponsive, there has been no probate proceedings or appointment of a personal representative, and the bank holding the mortgage on the Property has abandoned its mortgage; and

WHEREAS, the Property has situated upon it a structure that is in an advanced stage of deterioration; and

WHEREAS, the Ellsworth City Council determined that the structure constitutes a dangerous building under state law but has unable to serve the notice of condemnation because the ownership of the property is uncertain; and

WHEREAS, the City is authorized by 30-A M.R.S.A. § 3101 to take property or interests therein for public use provided the owner or the owner’s family does not reside in a dwelling located on the land;

WHEREAS, the City desires to take the Property for the purpose of demolishing the dangerous building and creating greenspace;

NOW THEREFORE, BE IT ORDERED THAT:

Section 1. Findings. The City of Ellsworth hereby finds that public exigency requires the immediate taking of the Property and the City has not been able to purchase the land for reasonable valuation;

Section 2. Condemnation. In accordance with the authority granted to the City of Ellsworth by virtue of 30-A M.R.S.A. § 3101, the City of Ellsworth hereby condemns and takes by eminent domain the real Property more specifically described in Section 5, in fee.

Section 3. Owners Subject to the Taking. The City of Ellsworth finds that the heirs or estate of Raymond Junczewicz are the owners of the Property.

Section 4. Damages. The City of Ellsworth hereby finds and determines the just compensation for all damages to the owners listed in Section 3 occasioned by this taking of property by eminent domain is \$0.00 because the costs of demolition exceed the value of the property: the estimate for the demolition of the structure and lead paint abatement is \$56,000 to \$67,000, while the land is assessed for \$26,220.

Section 4. Administrative. The Ellsworth City Clerk is hereby directed to: (A) serve upon all owners listed in Section 3 an attested copy of this Order of Condemnation (if possible) and a check in the amount of the damages stated in Section 4 (if damages were assessed); and (B) record an attested copy of this Order of Condemnation in the Hancock County Registry of Deeds.

Section 5. Location by metes and bounds. A lot of land, together with the buildings thereon, located on the south side of Central Street in Ellsworth, Hancock County, Maine, said lot bounded and described as follows, to wit:

Beginning at a granite monument found, said monument apparently intended to mark a point on the east bound of a lot of land of Harry S. Jones, III, (Book 1420, Page 235 of Hancock County Registry of Deeds), said granite monument bearing South 4°47'45" East, Forty-three and Fifty-five Hundredths (43.55) feet along the apparent east bound of said Jones lot from the centerline of the traveled way of said Central Street; thence North 4°47'45" West, along said east bound, Forty-three and Fifty-five Hundredths (43.55) feet to a point on said centerline; thence South 81°40'00" East, along said centerline, One Hundred Thirty and Four Hundredths (130.04) feet to a point; thence South 8°17'30" West, Twenty (20.0) feet to an iron re-rod set on the west bound of a lot of land of Kevin E. & Beth A. Bland (Book 1271, Page 188); thence South 8°17'30" West, along said west bound and through the center of a 3 foot diameter elm stump, Eighty-two and Five Tenths (82.5) feet to an iron re-rod set; thence South 81°54'30" East, along the south bound of said Bland lot fifty (50.0) feet to an iron re-rod set at the northwest corner of a lot of land of Robert B. and Susanne S. Brown (Book 1118, Lot 445); thence South 8°17'30" West, along the west bound of said Brown lot, Eighty-seven and Seventy-two Hundredths (87.72) feet to an iron re-rod set on the north bound of a lot of land of Donald R. and Joy R. Ganong (Book 775, Page 287), thence North 81°40'00" West, along the north bound of said Ganong lot, One Hundred Thirty-five and Eighty-five Hundredths (135.85) feet to an iron pipe found, said pipe apparently intended to mark the southeast corner of said Jones lot, thence North 4°47'45" West, along the apparent eastbound of said Jones lot, said bound generally defined by 3 more iron pipes found, One Hundred Fifty-one and Fifty-five Hundredths (151.55) feet to the point of beginning, the above described lot containing .57 acres.

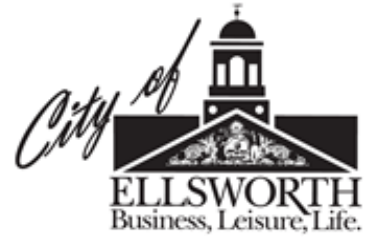
This is a true and accurate copy of the **ORDER OF CONDEMNATION, Taking Land Located at 16 Central Street, Ellsworth, Hancock County, Maine**, approved by the Ellsworth City Council on August 21, 2023.

Toni Dyer, Ellsworth City Clerk



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 Doug Belletete
dbelletete@ellsworthmaine.gov*

MEMO

To: Ellsworth City Council
From: Scott Guillerault, Fire Chief
Reference: EMS Transport
Date: 08/08/2023

Councilors,

This memo is to serve as a request to begin EMS transport as a license transporting ambulance service.

On August 4, 2023, Ellsworth Fire Department was granted a license to transport patients at the Basic EMT level, with permission to provide Advance EMT level care. At the same time, a Maine EMS vehicle license was issued for Rescue 1, a Type 1 2020 Ford F450 Braun Chief XL ambulance, to be authorized to provide transport.

A comprehensive response plan was drafted in collaboration with Northern Light Medical Transport, primary ambulance provider, and the dispatch centers of Hancock RCC and Ellsworth PD Dispatch, Ellsworth Fire Department will be providing EMS transport as a supplemental service to the City of Ellsworth and the contracted area of Fletchers Landing.

Transport destination will be governed by Maine EMS Rules and Treatment Protocols. The primary transport destination will be Maine Coast Hospital. The response plan identifies that Ellsworth Fire Department will be the first available ambulance to be called when Northern Light is not available. This reduces the wait time for out of city mutual aid services. Additional ambulances will be requested if Ellsworth is not available and will be based on geographical location of the call.

Ellsworth Fire Department will continue in its current role of EMS first response with the addition of the higher level of care capability. The FD will only transport if Northern Light is not available or there is a significant delay in Northern Light's response to a call.

Action to be taken: The Ellsworth Fire Department requests acceptance of the EMS license granted by the State of Maine EMS office as a transporting service. To provide care, per the license, at the Basic EMT level with permissions to the Advanced EMT level, and to commence transporting effective August 22, 2023.

Respectfully submitted,
Scott Guillerault, Fire Chief

MEMORANDUM

To: Ellsworth City Council
From: Rudman Winchell Municipal & Land Use Practice Group
Date: September 23, 2022
Re: Charter Revision & Amendment

If follow up to last night's workshop, I wanted to provide the Council with an outline of the procedures for revising and amending the Charter.

Charter Commission

A revision of the entire Charter requires a Charter Commission. This process is commenced by the Council adopting an order to establish a Charter Commission to prepare a revised municipal charter. Additionally, a Charter Commission order can be created through a voter petition.

Once a Council Order to establish a Charter Commission is issued (or the City determines the petition to be valid), the City has 30 days issue an order to submit the question to the voters at either the next regular or special election held at least 90 days after the order. The ballot question would read: "Shall a Charter Commission be established for the purpose of revising the Municipal Charter?" See 30-A M.R.S.A. § 2102.

Composition of a Charter Commission is governed by 30-A M.R.S.A. § 2103. In short, the Council appoints three members and the six members are elected at-large, or one member is elected from each voting district, or a combination of at-large and voting district members are elected. Section 2103 establishes procedures for the Commission and placed a nine-month time limit to complete its work, with the final report to be completed within 12 months of the Charter Commission's election. The revised charter must then be submitted to the voters within 35 days of the filing of the final report.

Charter Amendments

Charter amendments do not require the establishment of a Charter Commission. Title 30-A M.R.S.A § 2104 authorizes the Council to determine that amendments to the Charter should be considered. The Council would issue an order to provide for notice and hearing on the amendments.

Within seven days after the hearing, the Council may order the proposed amendment to be placed on a ballot at the next regular municipal election held at least 30 days after the order is passed; or the Council may order a special election to be held at least 30 days from the date of the order for the purpose of voting on the proposed amendments.

Each amendment shall be limited to a single subject, but more than one section of the charter may be amended as long as it is germane to that subject. The form of submission of the question to the voters is governed by 30-A M.R.S.A. § 2105. There must be a voter turn-out of at least 30% of the total votes cast in the municipality at the last gubernatorial election in order to

approve a revision or amendments. If the 30% turn-out requirement is met and there is an affirmative vote, the revision or amendments take effect charter revisions take effect on the first day of the next succeeding municipal year. However, Charter amendments take effect on the date determined by the Council, but no later than the first day of the next municipal year.

Within three days after the results of the election have been declared, the City Clerk must prepare and sign 3 identical certificates setting forth any charter that has been adopted or revised and any charter modification or amendment approved. The clerk shall send one certificate each to (1) the office of the Secretary of State, to be recorded; (2) the Law and Legislative Reference Library; and (3) the office of the City Clerk.

There is no clear line as to when a series of Charter amendments warrant a Charter Commission. However, Rudman Winchell recommends that a Charter Commission be created where there are a large number of amendments, particularly if there are significant changes proposed. As a practical matter, a Charter Commission is appropriate where the number of amendments is such that voting on them individually would be confusing or unmanageable.

Workshop Discussion

Ideas generated at the 09/22/2022 workshop included amending:

1. ~~§2.05(a) to delete the 10:00 AM start time for the organizational meeting~~
2. ~~§2.05(b) to eliminate the requirement that the entire Council Agenda be published, but rather only the meeting notice be published, with related revisions in 2.05(c) and (e)~~
3. ~~§2.05(b) to allow items to be added to a Council Agenda by a majority vote~~
4. ~~§2.12 to address what occurs if a Councilor declines to accept the stipend~~
5. §4.04 to revise the dates for election papers to be issued and returned
MRSA 30- 100 days prior and 60 days prior to return
6. §4.06 to authorize the City Clerk to use a designated official to prepare and furnish ballots
7. ~~§5.08 and §9.02 to extend the recall provisions to members of the School Board~~
8. ~~§6.05 to update employee titles~~
9. ~~§7.06 to create the requirement that the municipal budget be subject to a referendum vote~~
10. ~~§9.01 and related provisions in Article 9 to remove language applicable to when the schools were part of the RSU~~