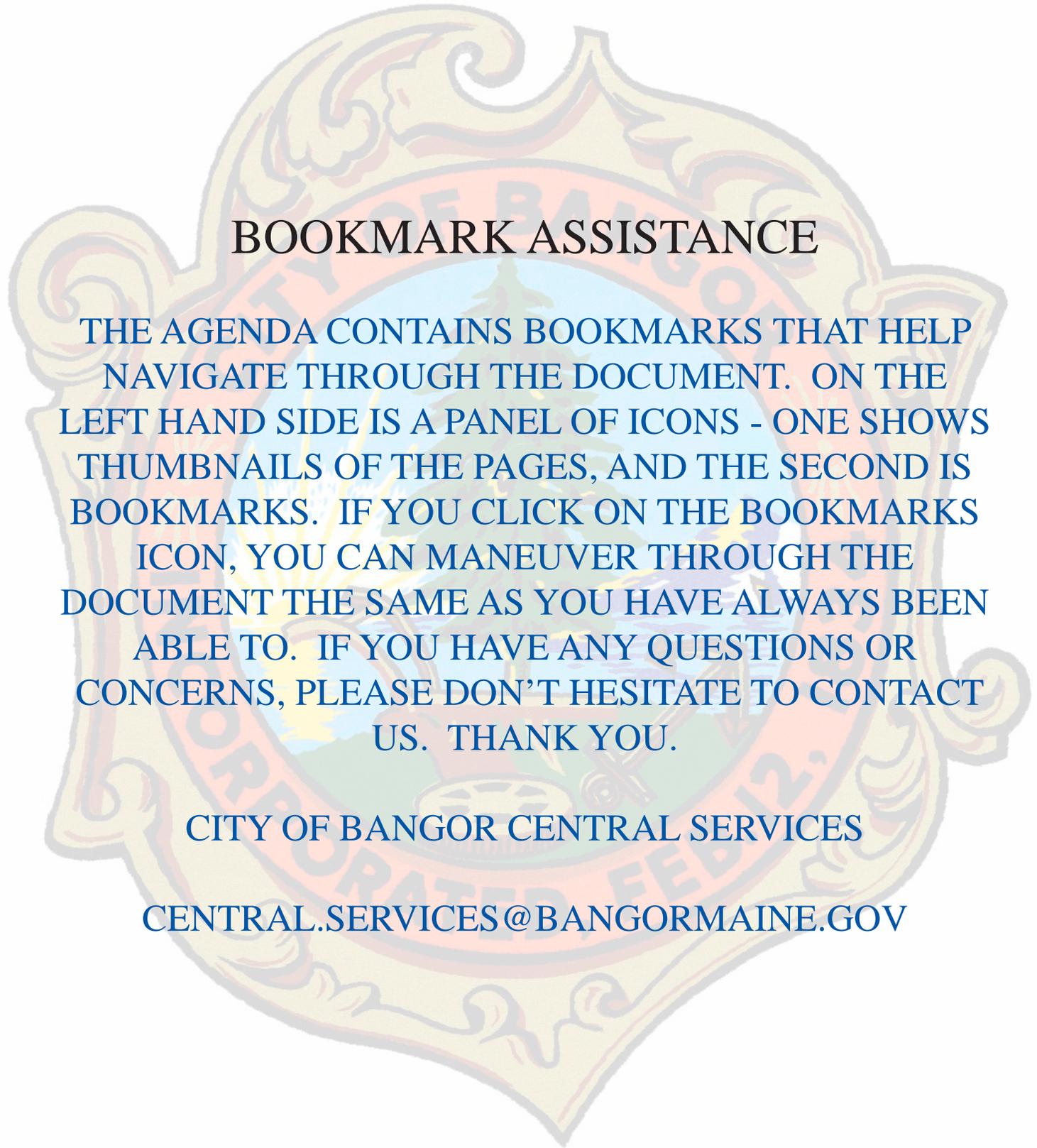


MEDIA  
COPY



# CITY COUNCIL AGENDA

NOVEMBER 24, 2014



## BOOKMARK ASSISTANCE

THE AGENDA CONTAINS BOOKMARKS THAT HELP NAVIGATE THROUGH THE DOCUMENT. ON THE LEFT HAND SIDE IS A PANEL OF ICONS - ONE SHOWS THUMBNAILS OF THE PAGES, AND THE SECOND IS BOOKMARKS. IF YOU CLICK ON THE BOOKMARKS ICON, YOU CAN MANEUVER THROUGH THE DOCUMENT THE SAME AS YOU HAVE ALWAYS BEEN ABLE TO. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE DON'T HESITATE TO CONTACT US. THANK YOU.

CITY OF BANGOR CENTRAL SERVICES

[CENTRAL.SERVICES@BANGORMAINE.GOV](mailto:CENTRAL.SERVICES@BANGORMAINE.GOV)

**REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 24, 2014**

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**PLEDGE ALLEGIANCE TO THE FLAG**

**PROCLAMATION**      **Proclaiming Small Business Saturday In The City Of Bangor**

**PUBLIC COMMENT**

<b>CONSENT AGENDA</b>	<b>ASSIGNED TO</b>
<b>ITEM NO.</b>	<b>COUNCILOR</b>

\*Explanatory Note: All items listed in the Consent Agenda are considered routine and are proposed for adoption by the City Council by one motion without discussion or deliberation. If discussion on any item is desired any member of the Council or public may merely request removal of the item to its normal sequence in the regular agenda prior to a motion for passage of the Consent Agenda.

**MINUTES OF: Bangor City Council Organizational Meeting of November 10, 2014 and Regular Meeting of November 10, 2014**

<b><u>15-008</u></b>	<b><u>ORDER</u></b>	<b>Appointing Nominees to Bangor Water District Board of Trustees</b>	<b>NEALLEY</b>
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**Executive Summary:** This Order will authorize the appointment of Ralph Foss and Gerry G.M. Palmer Jr. to the Bangor Water District Board of Trustees. As in the past, vacancies were advertised in a variety of ways and all applicants were interviewed by the Council’s Personnel Committee. The Committee has completed the process of interviewing applicants for these positions and has developed the attached recommendations for full Council consideration. The item was reviewed by the Personnel Committee in executive session on October 6, 2014.

<b><u>15-009</u></b>	<b><u>ORDER</u></b>	<b>Authorizing Bid Award for the Purchase of a Front End Loader</b>	<b>SPRAGUE</b>
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**Executive Summary:** On November 5, 2014 the City received three bids for a front end loader. The total “life cycle” cost over a five year period ranged from \$73,500 – \$102,000 – see attached bid tabulation. The “life cycle” bidding process guarantees a maximum cost of repairs over a five year period as well as a buy back amount at the end of the five years. See bid tabulation for details.

On November 17, 2014, the Finance Committee reviewed and approved staff recommendation to purchase the front end loader from Notrax in the amount of \$188,500. At the end of the five years, the City will have the option of keeping the machine or returning it to Nortrax for the guaranteed buy back amount of \$115,000.

The contract award recommendation must be reviewed and approved by the City Council as it is over \$100,000.

<b><u>15-010</u></b>	<b><u>ORDER</u></b>	<b>Accepting funding in the amount of \$10,000 from the Maine Health Access Foundation</b>	<b>CIVIELLO</b>
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## REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 24, 2014

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### CONSENT AGENDA ITEM NO.

### ASSIGNED TO COUNCILOR

**Executive Summary:** This order would accept an additional \$10,000 in planning funds from the Maine Health Access Foundation to extend the current planning grant for six months. Under the grant, Bangor Public Health and Community Services is bringing together a diverse group representing public and private organizations across multiple industries and sectors to work collectively to identify 1-2 critical health issues that warrant attention in the Bangor Region. The amount of funding is increased from \$19,480 to \$29,480 and the term of the grant is extended from November 1, 2013 to April 30, 2015. The original resolve to accept and appropriate funding was approved by the Council on October 28, 2013.

**15-011    ORDER                    Authorizing Execution of an Easement to Bangor Gas    FAIRCLOTH  
Company, LLC – Florida Avenue**

**Executive Summary:** This easement will enable Bangor Gas Company, LLC to install an underground gas line across City property to provide service to 39 Florida Ave. and 49 Florida Ave. The City Council has previously approved funding to convert the boilers at those two locations to utilize natural gas.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its meeting on November 18, 2014.

**15-012    ORDER                    Authorizing an Indenture of Lease with KidsPeace at    BALDACCI  
49 Florida Avenue (001-270)**

**Executive Summary:** KidsPeace wishes to lease the building at 49 Florida Ave., Bangor for use as an administrative office. The lease term is five (5) years.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its November 18, 2014 meeting.

**15-013    ORDER                    Appointing Members to the Historic Preservation        BLANCHETTE  
Commission**

**Executive Summary:** The City Council has appointed members of the Historic Preservation Commission effective January 1, 2015. However, pending the effective date of the appointments, there are two vacant positions on the Historic Preservation Commission. The Commission expects to have meetings before the effective date of the appointment of members and it is in the best interest of the Commission and the City of Bangor to fill the two vacant positions pending the effective date of the appointments made by the Council.

This Order, if approved, will fill those two vacant positions through the end of the calendar year with two of the persons that the Council has previously appointed to be on the Commission.

**15-014    ORDER                    Authorizing the City Clerk to Cast Voting Ballot for    PLOURDE  
the Municipal Review Committee, Inc. Board of  
Directors**

# REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 24, 2014

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## CONSENT AGENDA ITEM NO.

## ASSIGNED TO COUNCILOR

**Executive Summary:-** As a Charter Municipal member of the Municipal Review Committee, the City of Bangor is entitled to vote for representatives to the Board of Directors. The MRC represents municipal interests and oversees jointly owned assets regarding the operation of the PERC Waste-to-Energy facility in Orrington. City Manager Conlow currently holds one of the nine seats on the MRC Board through December 31, 2015. Three seats on the Board expire this December 31<sup>st</sup>, and this Order would authorize the City Clerk to cast Bangor's ballot for Sophia Wilson, Town Manager of Orono. Wilson is a current member of the MRC Board and serves as Treasurer and Chair of the Finance Committee. This has been reviewed and recommended for approval by the Government Operations Committee on November 17, 2014.

## REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

## ASSIGNED TO COUNCILOR

**15-015    ORDINANCE    Enacting Chapter 23, Article V, Downtown Parking  
Advisory Committee, of the Code of the City of  
Bangor (First Reading)    GRAHAM**

**Executive Summary:** Historically, a Downtown Parking Advisory Committee has been created from time to time as a special committee, typically with a one year term, to address specific parking-related topics. Enacting this ordinance will establish a regular standing Downtown Parking Advisory Committee to be the first level of review for downtown parking system improvements. This structure will allow for a more responsive Committee.

The Committee will be made up of a City Councilor, two members of the Downtown Bangor Partnership Board of Directors, and staff members from the Community & Economic Development Department and Police Department. The Committee will review items related to parking in the Downtown area and present recommendations to the Business & Economic Development Committee. The Downtown Parking Advisory Committee will meet as needed and agenda items will be generated by staff suggestion or referral from the Council. The Committee will utilize the expertise of City departments, including the Legal Department, as needed. Likewise, the Committee will consult with the City's parking contractor, Republic Parking, on specific matters.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its meeting on November 18, 2014.

**15-016    RESOLVE    Authorizing the City Manager to Accept and  
Appropriate \$70,000 in Grant Funds from Eastern  
Maine Healthcare Systems, for the Partnerships to  
Improve Community Health (PICH) Program (First  
Reading)    SPRAGUE**

**REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 24, 2014**

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**REFERRALS TO COMMITTEE AND FIRST READING  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**Executive Summary:** This resolve will authorize the City Manager to accept and appropriate \$70,000 in grant funds from Eastern Maine Healthcare Systems for the Partnership to Improve Community Health. Eastern Maine Healthcare Systems has received a three-year grant from the US Centers for Disease Control and Prevention (US CDC) to improve health outcomes in the region. The objectives of the project are to improve community access to healthy foods, increase opportunities for populations to engage in regular physical activity, and to strengthen clinical-community linkages and chronic disease prevention. If approved, Bangor Public Health and Community services would act as a sub-recipient and oversee the project for the communities that comprise our Healthy Maine Partnership service area. The proposed grant amount is \$70,000 for the term beginning December 1, 2014 and ending September 30, 2015. This item was reviewed and recommended for approval by the Government Operations Committee on November 17, 2014.

**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**14-330    ORDINANCE    Amending Schedule I of Chapter 291, Article III, Sec. 38 of the Code of the City of Bangor - No Parking – 375 Mt Hope Avenue    CIVIELLO**

**Executive Summary:** This ordinance amendment would create a No Parking zone 60 feet in length between the two driveways of 375 Mount Hope Avenue. Bud Butterfield, who is a representative of Pilgrim Orthodox Presbyterian Church at 375 Mt. Hope Avenue has requested that no parking signs be placed between the two driveways of the church property. Placing a no parking sign between the driveways would allow for additional visibility. Repeated requests to his congregation have been unsuccessful in deterring parking at this location. This item was initially reviewed at the Government Operations Committee meeting on October 20, 2014 and reviewed and recommended for approval at the Government Operations Committee on November 17, 2014.

**15-005    ORDINANCE    Amending Chapter 291, Vehicles and Traffic, of the Code of the City of Bangor, By Amending Limited Time Parking to Include Ninety Minute Parking    SPRAGUE**

**Executive Summary:** This ordinance amendment would bring the Code into line with current practice by amending the Code to include ninety minute parking. Several years ago, a number of downtown parking spaces were changed from one hour parking to ninety minute parking. While the individual spaces were changed in the City's records and signs were changed to reflect the new time limit, no provision for 90 minute parking was added to the Code of Ordinance at that time. This ordinance amendment will codify that change. This was reviewed and recommended for approval at the Economic Development Committee Meeting of November 18, 2014.

**15-006    RESOLVE    Appropriating a \$150,000 Non-point Source Pollution Grant Fund for Capehart Brook Restoration, Phase II.    BLANCHETTE**

**REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 24, 2014**

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**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**Executive Summary:** In July 2014, the Council authorized application for and acceptance of Federal Section 319 grant funds passed through the Maine Department of Environmental Protection for projects within Capehart stream.

This Resolve would appropriate \$150,000 in grants funds for the Capehart Brook Restoration, Phase II. The primary goal of this project is to reduce and/or slow the volume of water making its way to the stream, and the secondary goal is to filter out pollutants that may be carried away with the rain water in this watershed.

These grant funds do require a 40% local match, which will be provided by in-kind labor provided by volunteer groups, Public Works, Engineering, and the City's environmental coordinator. This item was reviewed and recommended for approval at the Finance Committee Meeting of November 17, 2014.

**15-007    RESOLVE        Appropriating a \$42,000 604b Grant Fund for Arctic Brook Assessment & Watershed Management Plan Project**        **PLOURDE**

**Executive Summary:** In July 2014, the Council authorized application for and acceptance of Federal Section 604b grant funds passed through the Maine Department of Environmental Protection for assessment projects within Arctic Brook. The attached Resolve would appropriate \$42,000 in grants funds for the Arctic Brook Assessment and Watershed Plan project. The primary goal of this project is to assess current stream corridor conditions and watershed sectors in order to produce a hybrid-like Watershed Management Plan for Arctic Brook. Once completed, the City will be able to apply for 319 Grants in order to reduce and/or slow the volume of water making its way to the brook, and the secondary goal is to filter out pollutants that may be carried away with the rain water in this watershed. These grant funds do require a 40% local match, which will be provided by in-kind labor provided by volunteer groups including Bangor AP High School Students, Engineering, and the City's environmental coordinator. The City has also committed \$8,000 in cash, which is available within the Stormwater Utility budget, in addition to in-kind donated hours. This item was reviewed and recommended for approval at the Finance Committee Meeting of November 17, 2014.

**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**15-017        ORDER        Authorizing the City Manager to Execute a Memorandum of Understanding with the University of Massachusetts Medical School**

**CIVIELLO**

## REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 24, 2014

### NEW BUSINESS ITEM NO.

### ASSIGNED TO COUNCILOR

**Executive Summary:** This Order will authorize the City Manager to execute a memorandum of understanding with the University of Massachusetts Medical School to bill insurance on behalf of the Public Health and Community Services Department Travel & Infectious Disease Program for reimbursement of administrative costs associated with public vaccine clinics. The State of Maine Immunization Program has arranged for the University of Massachusetts Medical School to act as a third-party vendor for public health entities so that insurance claims can be made. This agreement would be of no cost to the City of Bangor. As a fee for service, the University of Massachusetts Medical School would receive 20% of approved and paid claims. The agreement would be subject to an annual renewal by both parties. This was reviewed and recommended for approval by the Government Operations Committee on November 17, 2014.

**15-018      ORDER      Authorizing Purchase of Property at 171 Garland Street (054-046)      BALDACCI**

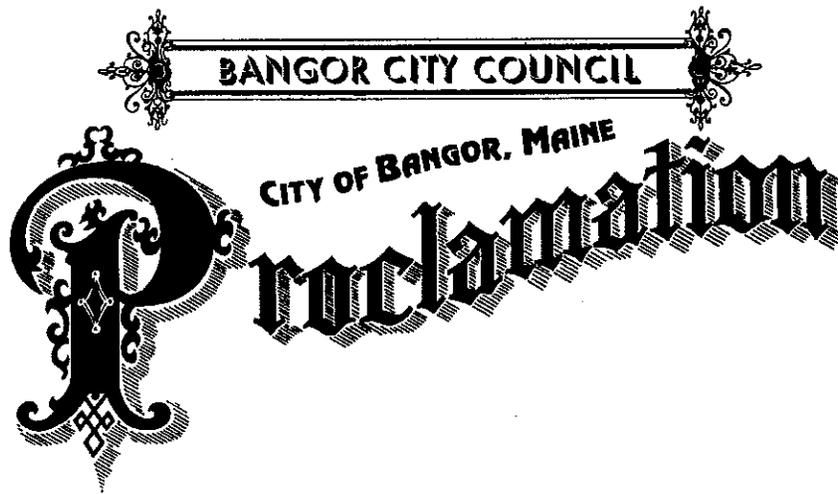
**Executive Summary:** This order will authorize the purchase of property located at 171 Garland Street (Map, Lot 054-046) for \$10,000. The parcel is currently owned by Robert M. McNally and is currently a substandard structure which is boarded up and has been a longtime blight to neighborhood. The structure has been reviewed by code staff and would need to be demolished. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its November 18, 2014 meeting.

**15-019      ORDER      Authorizing Disposition of City Property located at 120 Third Street to Habitat for Humanity – Map and Lot (034-216)      FAIRCLOTH**

**Executive Summary:** Recently, the City of Bangor acquired a parcel of land at 120 Third Street (Map and Lot 034-216) utilizing Neighborhood Stabilization Program (NSP) funds. Habitat for Humanity has been looking for an appropriate lot for a single family housing project in the City of Bangor. This Order authorizes the disposition of the 0.23 acre parcel of land at 120 Third Street to Habitat for Humanity for construction of a single family home. Under the terms of the disposition, Habitat for Humanity would pay the City \$1 for the lot to construct a single family home. Disposition of the land to Habitat for Humanity is an acceptable use of NSP program funds. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its November 18, 2014 meeting.

**15-020      ORDER      Authorizing Execution of Contract with Credere Associates, LLC – Brownfields Assessment Program      PLOURDE**

**Executive Summary:** As a part of its recent award from the Environmental Protection Agency, the City issued an RFP seeking qualified environmental consultants to assist the City Order will authorize the City Manager to execute a contract with Credere Associates in implementing its Brownfields Assessment Program. Staff has recommended the contract be awarded to Credere Associates, LLC. This will be a contract price not to exceed \$360,000. Credere will assist City staff with site eligibility, reporting, and managing the testing process at each location. This was reviewed and recommended for approval by the Business & Economic Development Committee at its November 18, 2014 meeting.



### **SMALL BUSINESS SATURDAY IN THE CITY OF BANGOR**

**WHEREAS,** Bangor, Maine is a community that celebrates our local small businesses and the contribution they make to our local economy and community; and

**WHEREAS,** the United States Small Business Administration states that there are currently 23 million small businesses in the United States, that they represent more than 99 percent of American companies, create two-thirds of the net new jobs, and generate 46 percent of private gross domestic product; and

**WHEREAS,** Bangor is a community that supports and recognizes the importance that our small businesses play in job creation and the boost they provide to our local economy.

**NOW, THEREFORE, I, Nelson E. Durgin, Mayor of the City of Bangor,** on behalf of the City Council do hereby proclaim November 29, 2014 to be ***Small Business Saturday*** and urge the residents of our community, and communities across the country, to support small businesses and merchants both on Small Business Saturday and throughout the year.

Given this the 24<sup>th</sup> day of November, 2014.

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Nelson E. Durgin, Mayor



**CONSENT  
AGENDA**

**MINUTES OF ORGANIZATIONAL MEETING BANGOR CITY COUNCIL – NOVEMBER 10, 2014**

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*Meeting Called to Order at 10:00 AM  
Meeting Chaired by Councilor Sprague  
Councilors Absent: None  
Meeting Adjourned at 10:08 AM*

*Rev. Brad Morin of St. Paul The Apostle Parish gave the Invocation for the new City Council.*

*City Clerk, Lisa Goodwin, administered the oath of office to newly elected Council members Baldacci, Faircloth and Sprague.*

**NEW BUSINESS  
ITEM NO.**

**15-001 ORDER To Elect City Council Chair**

*Action: Motion made and seconded to nominate Nelson Durgin as Council  
Chair.  
Passed*

  
\_\_\_\_\_  
Lisa J. Goodwin, MMC, City Clerk

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 10, 2014**

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*Meeting Called to Order at 7:30 PM  
 Chaired by Council Chairman Durgin  
 Councilors Absent: None  
 Meeting Adjourned at 7:52 PM*

**PUBLIC COMMENT**                      *Assistant Fire Chief, Tom Higgins, introduced six new firefighters for the City of Bangor.*

<b>CONSENT AGENDA ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
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**MINUTES OF:**    *Bangor City Council Regular Meeting of October 27, 2014 and Business and Economic Development Committee Meeting of October 7, 2014*

*Action: Accepted and Approved*

<b>LIQUOR LICENSE RENEWALS:</b>	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Allon R. Fish d/b/a BAFS Inc., 61 Florida Avenue</i>	<b>BLANCHETTE</b>
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*Action: Approved*

	<i>Application for Liquor License Renewal, Malt, Vinous of Giacomo's d/b/a Giacomo's, 1 Central Street</i>	<b>BLANCHETTE</b>
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*Action: Approved*

	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Spectacular Event Center d/b/a Spectacular Event Center, 395 Griffin Road</i>	<b>BLANCHETTE</b>
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*Action: Approved*

<b><u>15-002</u></b>	<b><u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 8 Maxwell Lane (Map 69, Lot 50)</i>	<b>CIVIELLO</b>
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*Action: Passed*

<b><u>15-003</u></b>	<b><u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 308 Pearl Street (Map 52, Lot 127C)</i>	<b>GRAHAM</b>
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*Action: Passed*

<b><u>15-004</u></b>	<b><u>RESOLVE</u></b>	<i>Ratifying Execution of Municipal Quitclaim Deed – Real Estate Located at 285 Forest Avenue (Map 46 Lot 182)</i>	<b>NEALLEY</b>
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*Action: Passed*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 10, 2014**

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<b>REFERRALS TO COMMITTEE AND FIRST READING</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>
<u>15-005</u>	<u>ORDINANCE</u>	<i>Amending Chapter 291, Vehicles and Traffic, of the Code of the City of Bangor, By Amending Limited Time Parking to Include Ninety Minute Parking</i>	<b>SPRAGUE</b>
	<i>Action:</i>	<i>First Reading and Referral to Business and Economic Development Committee Meeting on November 18, 2014</i>	
<u>15-006</u>	<u>RESOLVE</u>	<i>Appropriating a \$150,000 Non-point Source Pollution Grant Fund for Capehart Brook Restoration, Phase II.</i>	<b>BLANCHETTE</b>
	<i>Action:</i>	<i>First Reading and Referral to Finance Committee Meeting on November 17, 2014</i>	
<u>15-007</u>	<u>RESOLVE</u>	<i>Appropriating a \$42,000 604b Grant Fund for Arctic Brook Assessment &amp; Watershed Management Plan Project</i>	<b>PLOURDE</b>
	<i>Action:</i>	<i>First Reading and Referral to Finance Committee Meeting on November 17, 2014</i>	

<b>UNFINISHED BUSINESS</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>
<u>14-331</u>	<u>ORDINANCE</u>	<i>Amending Schedule IV of Chapter 291, Article III, Sec. 39 of the Code of the City of Bangor – Two Hour Parking – 227 State Street</i>	<b>GRAHAM</b>
	<i>Action:</i>	<i>Motion made and Seconded for Passage</i>	
		<i>Vote: 9 – 0</i>	
		<i>Councilors Voting Yes: Baldacci, Blanchette, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin</i>	
		<i>Councilors Voting No: None</i>	
		<i>Passed</i>	

<b>PUBLIC HEARING</b>			
<b>ITEM NO.</b>			
<u>14-332</u>	<u>ORDER</u>	<i>Authorizing Issuance of \$150,000 of the City's General Obligation Bonds and a Tax Levy There For</i>	<b>BLANCHETTE</b>
	<i>Action:</i>	<i>Motion made and Seconded to Open the Public Hearing</i>	
		<i>Public Hearing Opened</i>	
		<i>Motion made and Seconded to Close the Public Hearing</i>	
		<i>Public Hearing Closed</i>	
		<i>Motion made and Seconded for Passage</i>	
		<i>Passed</i>	

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 10, 2014**

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**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**PUBLIC HEARING:**      *Application for Liquor License Malt, Spirituous, Vinous of Arista LLC d/b/a Kouzina Mediterranean Grill, 96 Hammond Street*      **BLANCHETTE**

**Action:**      *This item was pulled from the agenda per the request of the applicant.*

**PUBLIC HEARING:**      *Application for Liquor License Malt of Chipotle Mexican Grill of Colorado LLC d/b/a Chipotle Mexican Grill #2287, 583 Stillwater Avenue*      **BLANCHETTE**

**Action:**      *Motion made and Seconded to Open the Public Hearing  
Public Hearing Opened  
Motion made and Seconded to Close the Public Hearing  
Public Hearing Closed  
Motion made and Seconded for Approval  
Approved*

**PUBLIC HEARING:**      *Application for Special Amusement License Renewal of Spectacular Event Center d/b/a Spectacular Event Center, 395 Griffin Road*      **BLANCHETTE**

**Action:**      *Motion made and Seconded to Open the Public Hearing  
Public Hearing Opened  
Motion made and Seconded to Close the Public Hearing  
Public Hearing Closed  
Motion made and Seconded for Approval  
Approved*

  
\_\_\_\_\_  
*Lisa J. Goodwin, MMC, City Clerk*

**COUNCIL ACTION**

Item No. **15-008**

Date: **November 24, 2014**

**Item/Subject: ORDER, Appointing Nominees to Bangor Water District Board of Trustees**

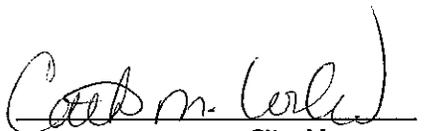
**Responsible Department:** City Clerk

**Commentary:**

This Order will authorize the appointment of Ralph Foss and Gerry G.M. Palmer Jr. to the Bangor Water District Board of Trustees. As in the past, vacancies were advertised in a variety of ways and all applicants were interviewed by the Council's Personnel Committee. The Committee has completed the process of interviewing applicants for these positions and has developed the attached recommendations for full Council consideration. The item was reviewed by the Personnel Committee in executive session on October 6, 2014.

  
Department Head

**Manager's Comments:**

  
City Manager

**Associated Information:**

Order, List of recommended nominees.

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral**



Assigned to Councilor Nealley

## CITY OF BANGOR

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**(TITLE.) ORDER, Appointing Nominees to Bangor Water District Board of Trustees**

WHEREAS, the City of Bangor has taken applications from citizens for vacant positions on the Bangor Water District Board of Trustees; and

WHEREAS, the Personnel Committee of the Council has interviewed these applicants and made recommendations as to appointments.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT the recommendations of the Personnel Committee of the City Council are hereby accepted and Ralph Foss and Gerry G.M. Palmer Jr. are hereby appointed to the Bangor Water District Board of Trustees for a term of three years.

Date: November 24, 2014

Item/Subject: ORDER, Authorizing Bid Award for the Purchase of a Front End Loader

Responsible Department: Fleet Maintenance

Commentary:

On November 5, 2014 the City received three bids for a front end loader. The total "life cycle" cost over a five year period ranged from \$73,500 – \$102,000 – see attached bid tabulation.

The "life cycle" bidding process guarantees a maximum cost of repairs over a five year period as well as a buy back amount at the end of the five years. See bid tabulation for details.

On November 17, 2014, the Finance Committee reviewed and approved staff recommendation to purchase the front end loader from Notrax in the amount of \$188,500. At the end of the five years, the City will have the option of keeping the machine or returning it to Nortrax for the guaranteed buy back amount of \$115,000.

The contract award recommendation must be reviewed approved by the City Council as it is over \$100,000.

\_\_\_\_\_  
Department Head

Manager's Comments:

  
\_\_\_\_\_  
City Manager

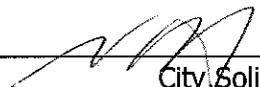
Associated Information:

Bid Tabulation

Budget Approval:

  
\_\_\_\_\_  
Finance Director

Legal Approval:

  
\_\_\_\_\_  
City Solicitor

Introduced for

- Passage - Consent
- First Reading
- Referral

15-009  
NOVEMBER 24, 2014

Assigned to Councilor Sprague



## CITY OF BANGOR

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(TITLE.) **Order, Authorizing Bid Award for the Purchase of a Front End Loader**

*By the City Council of the City of Bangor:*

**ORDERED,**

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a purchase order to Nortrax in the amount of \$188,500 for the purchase of a front end loader.

City of Bangor Bid Tabulation  
 Bid No. B15-012: Front End Loader  
 Bid Opening: 11/5/14

Item	Description	Milton Cat Brewer, ME	Nortrax Hermon, ME	Central Equipment Co. Stillwater, ME
1	Front End Loader			
	Plus guaranteed max. total cost of repairs for 5yrs/4,500hrs	\$184,500.00	\$188,500.00	\$170,000.00
2		\$5,500.00		
	<b>Subtotal (line 1 &amp; 2)</b>	<b>\$190,000.00</b>	<b>\$188,500.00</b>	<b>\$170,000.00</b>
3	Less guaranteed buy back amount at end of 5yr/4,500hrs	\$88,000.00	\$115,000.00	\$70,000.00
	<b>Total "Life Cycle" Bid Amount</b>	<b>\$102,000.00</b>	<b>\$73,500.00</b>	<b>\$100,000.00</b>

**COUNCIL ACTION**

**Item No. 15-010**

**Date: November 24, 2014**

**Item/Subject:** Order, Accepting funding in the amount of \$10,000 from the Maine Health Access Foundation.

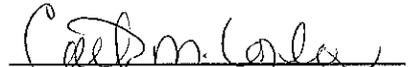
**Responsible Department:** Public Health and Community Services

**Commentary:** This order would accept an additional \$10,000 in planning funds from the Maine Health Access Foundation to extend the current planning grant for six months. Under the grant, Bangor Public Health and Community Services is bringing together a diverse group representing public and private organizations across multiple industries and sectors to work collectively to identify 1-2 critical health issues that warrant attention in the Bangor Region. The amount of funding is increased from \$19,480 to \$29,480 and the term of the grant is extended to November 1, 2013 – April 30, 2015.

The original resolve to accept and appropriate funding was heard and approved by the Council on October 28, 2013.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

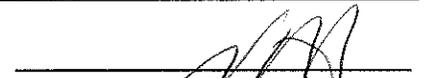
  
\_\_\_\_\_  
City Manager

**Associated Information: Council Order**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

- XX Passage - Consent**
- First Reading**
- Referral to Government Operations Committee**

**Page 1\_ of 1\_**



**Assigned to Councilor Civiello**

## CITY OF BANGOR

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(TITLE.) Order, Accepting funding in the amount of \$10,000 from the Maine Health Access Foundation.

BE IT ORDERED THAT: \$10,000 in additional Grant Funding from the Maine Health Access Foundation is hereby accepted to continue bringing together a diverse group representing public and private organizations across multiple industries and sectors to work collectively to identify 1-2 critical health issues that warrant attention in the Bangor region.

**COUNCIL ACTION**

**Item No. 15-011**

**Date: November 24, 2014**

**Item/Subject: ORDER, Authorizing Execution of an Easement to Bangor Gas Company, LLC – Florida Avenue**

**Responsible Department: Community & Economic Development**

**Commentary:**

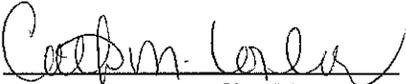
This easement will enable Bangor Gas Company, LLC to install an underground gas line across City property to provide service to 39 Florida Ave. and 49 Florida Ave. The City Council has previously approved funding to convert the boilers at those two locations to utilize natural gas.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its meeting on November 18, 2014.

Tanya Emery

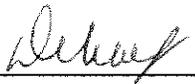
Department Head

**Manager's Comments:**

  
City Manager

**Associated Information:**

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral

Page \_\_ of \_\_

NOVEMBER 24, 2014

Assigned to Councilor Faircloth



## CITY OF BANGOR

---

**(TITLE.) ORDER,** Authorizing Execution of an Easement to Bangor Gas Company, LLC –  
Florida Avenue

**WHEREAS,** Bangor Gas Company, LLC has requested an easement from the City to extend gas service across City property to buildings located at 39 Florida Avenue and 49 Florida Avenue:

**NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

The City Manager is hereby authorized, on behalf of the City of Bangor, to execute an easement with Bangor Gas Company, LLC to extend a gas service line across City property to service buildings located at 39 and 49 Florida Avenue; said easement to be in a final form as approved by the City Solicitor or Assistant City Solicitor.

**COUNCIL ACTION**

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**Item No. 15-012**

**Date: November 24, 2014**

**Item/Subject: ORDER,** Authorizing an Indenture of Lease with KidsPeace at 49 Florida Avenue (001-270)

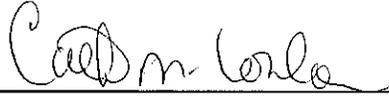
**Responsible Department: Community & Economic Development**

**Commentary:** KidsPeace wishes to lease the building at 49 Florida Ave., Bangor for use as an administrative office. The lease term is five (5) years.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its November 18, 2014 meeting.

Tanya Emery  
Department Head

**Manager's Comments:**

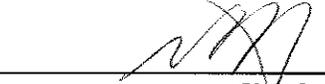
  
City Manager

**Associated Information:**

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral**

**Page \_\_ of \_\_**



Assigned to Councilor Baldacci

## CITY OF BANGOR

---

**(TITLE.) Order,** Authorizing an Indenture of Lease with KidsPeace at 49 Florida Avenue (001-270)

**WHEREAS,** the City of Bangor is the owner of Building #270, 49 Florida Avenue; and

**WHEREAS,** KidsPeace wishes to lease the office building at 49 Florida Ave.:

**BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

The City Manager is hereby authorized, on behalf of the City of Bangor, to execute an Indenture of Lease with KidsPeace for the building at 49 Florida Ave. in a form approved by the City Solicitor or Assistant City Solicitor.

**COUNCIL ACTION**

**Item No. 15-013**

**Date:** November 24, 2014

**Item/Subject:** **ORDER**, Appointing Members to the Historic Preservation Commission

**Responsible Department:** Legal

**Commentary:**

The City Council has appointed members of the Historic Preservation Commission effective January 1, 2015. However, pending the effective date of the appointments, there are two vacant positions on the Historic Preservation Commission. The Commission expects to have meetings before the effective date of the appointment of members and it is in the best interest of the Commission and the City of Bangor to fill the two vacant positions pending the effective date of the appointments made by the Council.

This Order, if approved, will fill those two vacant positions through the end of the calendar year with two of the persons that the Council has previously appointed to be on the Commission.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
*Carl M. Corbo*  
City Manager

**Associated Information:**

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
*[Signature]*  
City Solicitor

**Introduced for**  
 **Passage**  
 **First Reading**  
 **Referral**

**Page**    **of**

Assigned to Councilor Blanchette



## CITY OF BANGOR

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**(TITLE.) ORDER,** Appointing Members to the Historic Preservation Commission

WHEREAS, by Order 14-333 the City Council appointed members of the Historic Preservation Commission effective January 1, 2015; and

WHEREAS, the City of Bangor has two vacant positions on the Historic Preservation Commission; and

WHEREAS, the Historic Preservation Commission expects to have meetings before the effective date of the appointment of members and it is in the best interest of the Commission and the City of Bangor to fill the vacant positions pending the effective date of the appointments made by the Council.

*By the City Council of the City of Bangor:*

**ORDERED,**

Andrew Saucier is appointed to fill the vacant position formerly held by Robert Reed through December 31, 2014 and George Burgoyne is appointed to fill the vacant position formerly held by Robb Gordon through December 31, 2014.

COUNCIL ACTION

**Item No. 15-014**

**Date: November 24, 2014**

**Item/Subject: Order, Authorizing the City Clerk to Cast Voting Ballot for the Municipal Review Committee, Inc. Board of Directors**

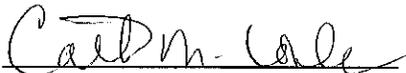
**Responsible Department:** Executive

**Commentary:** As a Charter Municipal member of the Municipal Review Committee, the City of Bangor is entitled to vote for representatives to the Board of Directors. The MRC represents municipal interests and oversees jointly owned assets regarding the operation of the PERC Waste-to-Energy facility in Orrington. City Manager Conlow currently holds one of the nine seats on the MRC Board through December 31, 2015. Three seats on the Board expire this December 31<sup>st</sup>, and this Order would authorize the City Clerk to cast Bangor's ballot for Sophia Wilson, Town Manager of Orono. Wilson is a current member of the MRC Board and serves as Treasurer and Chair of the Finance Committee

This has been reviewed and recommended for approval by the Government Operations Committee on November 17, 2014.

\_\_\_\_\_  
Department Head

**Manager's Comments:** Recommend approval

  
\_\_\_\_\_  
City Manager

**Associated Information:** Order

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

**Passage Consent Agenda**  
 **First Reading**  
 **Referral**

Page \_\_ of



Assigned to Councilor Plourde

## CITY OF BANGOR

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**(TITLE.) Order,** Authorizing the City Clerk to Cast Voting Ballot for the Municipal Review Committee, Inc. Board of Directors

*Be it Ordered by the Bangor City Council that:*

the City Clerk is hereby authorized to cast the voting ballot for the Municipal Review Committee Board of Directors for Sophia Wilson for a three year term commencing January 1, 2015 and ending December 31, 2018.



**REFERRALS TO COMMITTEES  
& FIRST READINGS**



Assigned to Councilor Graham



## CITY OF BANGOR

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**ORDINANCE**, Enacting Chapter 23, Article V, Downtown Parking Advisory Committee, of the Code of the City of Bangor

**WHEREAS**, the Downtown Parking Advisory Committee has historically been formed as a Special Committee of the Council under Section 9.9 for a finite term and purpose; and

**WHEREAS**, the City Council desires to have a more timely review of parking issues and topics to meet the needs of the growing Downtown district:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

Chapter 23, Article V of the Code of the City of Bangor be enacted as follows:

### **Article V. Downtown Parking Advisory Committee**

#### **§ 23-35. Establishment; membership; term.**

- A. There is hereby established a Downtown Parking Advisory Committee for the City of Bangor.
- B. The Committee shall consist of five members:
  1. A City Councilor, who shall serve as Committee Chair, appointed by the Council Chair;
  2. A staff member from the Community & Economic Development Department, appointed by the Department's Director;
  3. Two members of the Downtown Bangor Partnership Board of Directors, appointed by the Board; and
  4. A staff member from the Bangor Police Department, appointed by the Chief of Police.
- C. The term of each member shall be for one year or until the member's successor has been appointed. Any vacancy shall be filled in the same manner for the unexpired term.

#### **§ 23-36. Authority.**

The Downtown Parking Advisory Committee is hereby authorized to review the City's parking resources, prices and fees, and policies as they relate to on-street and off-street parking in the Downtown Parking Management Area and make recommendations regarding the same to the City Council and its appropriate committees.

**§ 23-37. Meetings; quorum.**

A. The Committee shall meet as follows:

1. Quarterly, at a regularly established time and date, provided that there is business to be conducted; and
2. When requested to meet by the Committee Chair or by the City Council.

B. A quorum shall consist of at least three Committee members, at least one shall be the Committee Chair.

**COUNCIL ACTION**

**Item No. 15-016**

**Date: November 24, 2014**

**Item/Subject:** RESOLVE, Authorizing the City Manager to Accept and Appropriate \$70,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program.

**Responsible Department:** Public Health and Community Services

**Commentary:** This resolve will authorize the City Manager to accept and appropriate \$70,000 in grant funds from Eastern Maine Healthcare Systems for the Partnership to Improve Community Health. Eastern Maine Healthcare Systems has received a three-year grant from the US Centers for Disease Control and Prevention (US CDC) to improve health outcomes in the region. The objectives of the project are to improve community access to healthy foods, increase opportunities for populations to engage in regular physical activity, and to strengthen clinical-community linkages and chronic disease prevention. If approved, Bangor Public Health and Community services would act as a sub-recipient and oversee the project for the communities that comprise our Healthy Maine Partnership service area. The proposed grant amount is \$70,000 for the term beginning December 1, 2014 and ending September 30, 2015. This item was reviewed and recommended for approval by the Government Operations Committee on November 17, 2014.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

Curt M. Corle  
City Manager

**Associated Information:**

Resolve

**Budget Approval:**

[Signature]  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral



**Assigned to Councilor Sprague**

## CITY OF BANGOR

**RESOLVE:** Authorizing the City Manager to Accept and Appropriate \$70,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program.

**BE IT RESOLVED THAT:** The City Manager is hereby authorized to Accept & Appropriate grant funds in the amount of \$70,000 in Grant Funds from Eastern Maine Healthcare Systems for the period December 1, 2014 to September 30, 2015 for the Partnerships to Improve Community Health (PICH) Program. The purpose of the program is to reduce the prevalence of chronic disease and related risk factors in the Healthy Maine Partnership service area.



**UNFINISHED  
BUSINESS**

**COUNCIL ACTION**

**Item No. 14-330**

**Date:** October 27, 2014

**Item/Subject:** **ORDINANCE**, Amending Schedule I of Chapter 291, Article III, Sec. 38 of the Code of the City of Bangor - No Parking – 375 Mt Hope Avenue

**Responsible Department:** Public Works

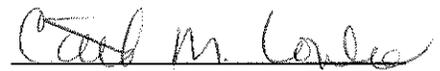
**Commentary:**

If approved, this Ordinance would create a No Parking zone 60 feet in length between the two driveways of 375 Mount Hope Avenue. Bud Butterfield, who is a representative of Pilgrim Orthodox Presbyterian Church at 375 Mt. Hope Avenue, has requested that no parking signs be placed between the two driveways of the church property. Placing a no parking sign between the driveways would allow for additional visibility. Repeated requests to his congregation have been unsuccessful in deterring parking at this location.

This item was initially reviewed at the Government Operations Committee meeting on October 20, 2014.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

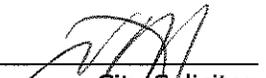
  
\_\_\_\_\_  
City Manager

**Associated Information:** Ordinance

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

**Passage**

**First Reading**

**Referral** to the Government Operations Committee on November 17, 2014

Assigned to Councilor Civiello



# CITY OF BANGOR

**ORDINANCE**, Amending Schedule I of Chapter 291, Article III, Sec. 38 of the Code of the City of Bangor - No Parking – 375 Mt Hope Avenue

**WHEREAS**, a combination of factors, including the speed of passing vehicles, the number and position of cars typically parked at certain times along Mt Hope Avenue, and the resulting poor visibility make it unusually difficult for visitors to 375 Mt Hope Avenue to safely exit the driveway in a vehicle;

**WHEREAS**, placing two No Parking signs for the sixty foot area on the southerly side of Mt Hope Avenue between the driveways of said property would increase visibility and safety;

**WHEREAS**, other potential means for dealing with this problem have been tried and have proven ineffective;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT:

Chapter 291, Schedule I of the Code of the City of Bangor is hereby amended as follows:

Schedule	Street	Parking Limitations Reference	Exact Location
...			
I	Mount Hope Avenue	prohibited co 94-196	Commencing at the easterly curblineline of Grove St and extending to the westerly curblineline of Forest Ave on the north side of said street as defined by signs
<u>I</u>	<u>Mount Hope</u>	<u>prohibited</u>	<u>Commencing at a point 955 feet easterly of the the easterly edge of Howard Street and extending for a distance of 60 feet in an easterly direction on the southerly side of Mount Hope Avenue as defined by signs</u>
...			

Additions are underlined, deletions ~~struck through~~.

**COUNCIL ACTION**

**Item No. 15-005**

**Date:** November 10, 2014

**Item/Subject:** **ORDINANCE**, Amending Chapter 291, Vehicles and Traffic, of the Code of the City of Bangor, By Amending Limited Time Parking to Include Ninety Minute Parking

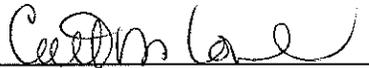
**Responsible Department:** Legal

**Commentary:**

This ordinance amendment would bring the Code into line with current practice by amending the Code to include ninety minute parking. Several years ago, a number of downtown parking spaces were changed from one hour parking to ninety minute parking. While the individual spaces were changed in the City's records and signs were changed to reflect the new time limit, no provision for 90 minute parking was added to the Code of Ordinance at that time. This ordinance amendment will codify that change.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

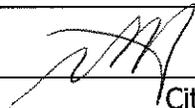
  
\_\_\_\_\_  
City Manager

**Associated Information:** Ordinance

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

**Passage**

**First Reading**

**Referral** to the B&ED Committee on November 18, 2014

Assigned to Councilor Sprague



## CITY OF BANGOR

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**ORDINANCE**, Amending Chapter 291, Vehicles and Traffic, of the Code of the City of Bangor, By Amending Limited Time Parking to Include Ninety Minute Parking

**WHEREAS**, several years ago a number of downtown parking spaces were changed to allow for 90 minute parking; and

**WHEREAS**, due to an oversight, no provision for 90 minute parking was added to the Code of Ordinances;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT

Chapter 291 of the Code of the City of Bangor be amended as follows:

**§ 291-40. Parking prohibited except for designated uses.**

It shall be unlawful and in violation of this article for any person:

. . .

C. Parking limited to 90 minutes - Schedule XI. To stop, stand or park a vehicle for more than 90 minutes between the hours of 8:00 a.m. and 5:00 p.m., except on Saturdays, Sundays and holidays when such parking may be permitted, on those streets or portions of streets described or specified in Schedule XI.

C.D. Parking limited to two hours . . .

D.E. Parking limited to four hours . . .

E.F. Handicapped parking . . .

Additions are underlined, deletions ~~struck through~~.

**COUNCIL ACTION**

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**Item No. 15-006**

**Date:** November 10, 2014

**Item/Subject:** Resolve, Appropriating a \$150,000 Non-point Source Pollution Grant Fund for Capehart Brook Restoration, Phase II

**Responsible Department:** Finance

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**Commentary:** In July 2014, the Council authorized application for and acceptance of Federal Section 319 grant funds passed through the Maine Department of Environmental Protection for projects within Capehart stream.

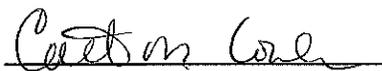
The attached Resolve would appropriate \$150,000 in grants funds for the Capehart Brook Restoration, Phase II. The primary goal of this project is to reduce and/or slow the volume of water making its way to the stream, and the secondary goal is to filter out pollutants that may be carried away with the rain water in this watershed.

These grant funds do require a 40% local match, which will be provided by in-kind labor provided by volunteer groups, Public Works, Engineering, and the City's environmental coordinator.

  
\_\_\_\_\_  
Department Head

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**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

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**Associated Information:** Resolve

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**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

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**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

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**Introduced for**

Passage

First Reading

Referral – Finance Committee of 11/17/2014

Page 1 of 1

Assigned to Councilor Blanchette



## CITY OF BANGOR

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**(TITLE.)** Resolve, Appropriating a \$150,000 Non-point Source Pollution Grant Fund for Capehart Brook Restoration Phase II

**BY THE CITY COUNCIL OF THE CITY OF BANGOR:**

**BE IT RESOLVED, THAT:**

Non-point Source Pollution Grant funds, through the Maine Department of Environmental Protection, in the amount of \$150,000 are hereby appropriated for Capehart Brook Restoration Phase II projects.

**COUNCIL ACTION**

**Item No. 15-007**

**Date:** November 10, 2014

**Item/Subject:** Resolve, Appropriating a \$42,000 604b Grant Fund for Arctic Brook Assessment & Watershed Management Plan project.

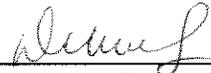
**Responsible Department:** Finance

**Commentary:**

In July 2014, the Council authorized application for and acceptance of Federal Section 604b grant funds passed through the Maine Department of Environmental Protection for assessment projects within Arctic Brook.

The attached Resolve would appropriate \$42,000 in grants funds for the Arctic Brook Assessment and Watershed Plan project. The primary goal of this project is to assess current stream corridor conditions and watershed sectors in order to produce a hybrid-like Watershed Management Plan for Arctic Brook. Once completed, the City will be able to apply for 319 Grants in order to reduce and/or slow the volume of water making its way to the brook, and the secondary goal is to filter out pollutants that may be carried away with the rain water in this watershed.

These grant funds do require a 40% local match, which will be provided by in-kind labor provided by volunteer groups including Bangor AP High School Students, Engineering, and the City's environmental coordinator. The City has also committed \$8,000 in cash, which is available within the Stormwater Utility budget, in addition to in-kind donated hours.



Department Head

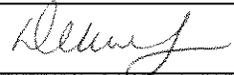
**Manager's Comments:**



City Manager

**Associated Information:** Resolve

**Budget Approval:**



Finance Director

**Legal Approval:**



City Solicitor

**Introduced for**

Passage

First Reading

Referral – Finance Committee of 11/17/2014

Assigned to Councilor Plourde



## CITY OF BANGOR

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**(TITLE.)** Resolve, Appropriating a \$42,000 604b Non-point Source Pollution Grant Fund for Arctic Brook Assessment and Watershed Management Plan.

**BY THE CITY COUNCIL OF THE CITY OF BANGOR:**

**BE IT RESOLVED, THAT:**

604b Non-point Source Pollution Grant funds, through the Maine Department of Environmental Protection, in the amount of \$42,000 are hereby appropriated for Arctic Brook Assessment and Watershed Management Plan project.



**NEW  
BUSINESS**

**COUNCIL ACTION**

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**Item No. 15-017**

**Date: November 24, 2014**

**Item/Subject:** **ORDER**, Authorizing the City Manager to Execute a Memorandum of Understanding with the University of Massachusetts Medical School.

**Responsible Department:** **Health and Community Services**

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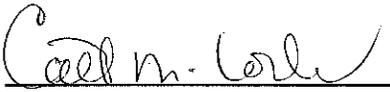
**Commentary:** This Order will authorize the City Manager to execute a memorandum of understanding with the University of Massachusetts Medical School to bill insurance on behalf of the Public Health and Community Services Department Travel & Infectious Disease Program for reimbursement of administrative costs associated with public vaccine clinics. The State of Maine Immunization Program has arranged for the University of Massachusetts Medical School to act as a third-party vendor for public health entities so that insurance claims can be made.

This agreement would be of no cost to the City of Bangor. As a fee for service, the University of Massachusetts Medical School would receive 20% of approved and paid claims. The agreement would be subject to an annual renewal by both parties. This was reviewed and recommended for approval by the Government Operations Committee on November 17, 2014.

\_\_\_\_\_  
Department Head

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**Manager's Comments:**

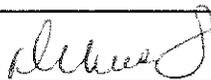
  
\_\_\_\_\_  
City Manager

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**Associated Information:** **Order**

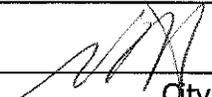
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**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

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**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

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**Introduced for**

**Passage**  
 **First Reading**  
 **Referral**

Page \_\_ of \_\_

15-017  
NOVEMBER 24, 2014

Assigned to Councilor Civiello



## CITY OF BANGOR

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**(TITLE.) ORDER, Authorizing the City Manager to Execute a Memorandum of Understanding with the University of Massachusetts Medical School.**

**BY THE CITY COUNCIL OF THE CITY OF BANGOR:**

**BE IT ORDERED,** that the City Manager is hereby authorized to enter into a Memorandum of Understanding with the University of Massachusetts Medical School to act as a third-party vendor for the Public Health & Community Services Department Travel & Infectious Disease Program.

## Memorandum

To: Government Operations Committee  
From: Patty Hamilton, Director of Health & Community Services  
Date: November 13, 2014  
Re: Flu Clinic Reimbursement

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PH&CS, Travel Health & Infectious Disease program has been working with the State Immunization program to provide flu shots in school settings for several years now. We vaccinate teachers, parents and siblings at these 'school located clinics'. Research shows that by providing vaccines in school settings more children are immunized resulting in fewer missed days of work for parents, fewer missed days of school for children and an overall decrease in circulating flu in the community.

We participate in the Universal Vaccination program meaning we receive 'free' vaccine from the state of Maine for this purpose and are required to provide vaccines free of charge to children up to age 19. Receiving free vaccine does not however mean there are no costs associated with providing the service. To help cover costs such as staff time, supplies and disposal we are allowed to ask for a \$10.00 administration fee. Although we have been fairly successful this is not a reliable way to recoup our expenses.

We have had on-going discussions with State of Maine Immunization program staff about the barrier of cost to us to continue to offer this service. In response the state began conversations with the University Of Massachusetts Medical School who has for several years acted as a third party vendor in Massachusetts for entities like ours to recoup vaccine expenses.

Signing this MOU would allow us to go through this vendor and have them act as a clearing house for insurance claims for vaccine administration from public clinics. This would allow us a more stable revenue stream and over time would enable us to more accurately budget for this program. This agreement would be no cost to the City of Bangor. The University of Massachusetts Medical School would receive 20% of approved claims. The legal department has reviewed the MOU and recommended a yearly MOU vs. an automatic renewal and the University has agreed and made this change.

**Agreement By and Between**

**XXX (Public Clinic)**

**and the University of Massachusetts Medical School**

This Agreement is entered into as of September 1, \_\_\_\_\_, by and between \_\_\_\_\_ (hereinafter referred to as the "Public Clinic"), located at \_\_\_\_\_ and the University of Massachusetts Medical School, located at 529 Main Street, Charlestown, MA (hereinafter referred to as "UMMS").

UMMS makes available to Public Clinics services related to collecting reimbursement that may be available for the vaccines that Public Clinics administer to patients. The available reimbursement sources may be: commercial health insurers and Medicare Part B.

Public Clinic provides and administers vaccines ("Vaccine Administration") for which certain payers have agreed to provide payment ("Payer(s)").

Payers include Insurers and Medicare as those terms are defined below:

- A. Certain commercial health insurers ("Insurers") that have agreed to provide payment to Maine public clinics for Vaccine Administration and to use UMMS as a clearinghouse to facilitate such payment.
- B. The federal Medicare Part B Program ("Medicare"). Public clinics that participate in the Medicare Part B Program are eligible to receive payment from the Medicare Part B Program for Vaccine Administration, in accordance with Medicare Part B Program requirements.

UMMS has agreed to act as a clearinghouse for claims for Vaccine Administration from Public Clinics.

The parties hereto agree as follows:

**Section I. Payers**

The responsibilities of the parties set forth in this Agreement will apply to the claims for Vaccine Administration by the Public Clinic with respect to only those Payers checked below ("Claims"):

- A.  **Insurers:** Commercial health insurers that have agreed to provide payment to Maine Public Clinics and to use UMMS as a clearinghouse to facilitate such payment. Certain Insurers may require different or additional terms and conditions than those set forth in this Agreement. If that is the case, such terms and conditions will be set forth in either a written amendment to this Agreement signed by Public Clinic and UMMS or a separate agreement signed by Public Clinic and UMMS.
- B.  **Medicare:** Public Clinics that participate in the Medicare Part B Program are eligible to receive payment from the Medicare Part B Program for Vaccine Administration, in accordance with Medicare Part B Program requirements.

## **Section II. UMMS Services**

### **A. UMMS: General Responsibilities**

The following services will be provided to Public Clinic by UMMS with respect to Claims for all Payers checked in Section I, above.

UMMS will:

1. Provide training material to Public Clinic regarding all data requirements necessary to prepare and submit Claims, including the Health Screen and Permission Form (attached hereto as Exhibit #1). The Health Screen and Permission Forms are updated annually, and UMMS will provide Public Clinic with current forms in a timely manner.
2. Collect the Health Screen and Permission Form and other data for Claims for Vaccine Administration by Public Clinic.
3. Verify eligibility of individuals receiving Vaccine Administration in the plan identified Health Screen and Permission Form in section 10 titled *Health Insurance*.
4. Prepare and submit Claims for payment of Vaccine Administration for individuals UMMS has determined to be eligible in a particular plan sponsored by a Payer, pursuant to Section I, above.
5. Attempt to resubmit and reprocess any rejected or denied Claims at the discretion of UMMS only.
6. In the event that third-party liability coverage is identified, UMMS will attempt to submit the Claim to the appropriate payer or return the Claim to Public Clinic, as appropriate.
7. Reconcile Claims and provide a report to Public Clinic that includes a summary of paid and denied Claims.
8. UMMS will not be responsible for unreimbursed/denied Claims.

### **B. UMMS: Payer-Specific Responsibilities**

1. **Insurers:** UMMS will provide the following services for Claims to “Insurers” if that box is checked in Section I.A, above:
  - a. Submit Claims for Vaccine Administration defined in Exhibit #2 attached hereto, entitled *Vaccine Administration for Insurers*, to Insurers for complete Health Screen and Permission Forms received by UMMS for services provided by Public Clinic for individuals UMMS has determined to be eligible for coverage by Insurer. When additional Insurers agree to provide payment for Vaccine Administration, UMMS will provide Public Clinic notification of such agreement, including which Vaccine Administration services the additional Insurer will cover.
  - b. Receive payment from Insurers on behalf of Public Clinic for Claims approved for payment by the Insurers (“Insurer Approved Claim(s)”).

- c. Make payment to Public Clinic in an amount equal to the amount received by UMMS for Insurer Approved Claims less a fee of 20% per Insurer Approved Claim paid to UMMS by Insurers.
2. **Medicare:** UMMS will provide the following services for Claims to “Medicare” if that box is checked in Section I.C, above:
- a. Assist Providers with the acquisition of a National Provider Identifier (“NPI”) if the Provider does not have an active NPI.
  - b. Assist the Provider with the completion of the CMS 855B Medicare Enrollment Application for Clinics, Group Practices, and Certain Other Suppliers.
  - c. Review the Medicare Enrollment Application to ensure that all sections have been properly completed and executed.
  - d. Submit Claims for payment of Vaccine Administration of Influenza and Pneumococcal vaccines for individuals UMMS has determined to be eligible for Medicare.
  - e. Accept payment for Medicare claims that have been approved for payment by Medicare (“Medicare Approved Claims”) according to the method checked below:
    - UMMS will offset the amounts to UMMS for Medicare Approved Claims under the agreement by offsetting the amounts UMMS owes to Public Clinic for Insurer Approved Claims pursuant to Section II.B.1.c, above. UMMS reserves the right to withhold payment for Insurer Approved Claims until UMMS has been compensated for 20% of the Medicare Approved Claims;
    - OR
    - UMMS will submit an invoice to the Public Clinic for 20% of the Medicare Approved Claims per the 835 and paper remittance advices.

### **Section III. Responsibilities of Public Clinic**

#### **A. Public Clinic: General Responsibilities:**

Public Clinic is responsible for the following activities with respect to Claims for Vaccine Administration for all Payers checked in Section I, above (“Claims”).

Public Clinic will:

1. Within thirty (30) calendar days after Vaccine Administration, submit the Health Screen and Permission Forms to UMMS for each Patient and each Member in electronic or paper form. Health Screen and Permission Forms must be completed in entirety to ensure approval of Claims by Payers.
2. Obtain copies of patient insurance cards, whenever possible, and attach them to the Health Screen and Permission Form when submitted to UMMS.

3. Submit a copy of the invoice for all privately purchased vaccines related to the Claims.
4. Sort and batch the Health Screen and Permission Forms and related documents by Insurer, if possible.
5. Maintain originals of the Health Screen and Permission Form and copies of related documents submitted to UMMS.
6. Submit copies of completed Health Screen and Permission Forms to UMMS via
  - **Paper sent by certified U.S. Postal Service mail or some other delivery service/system by which shipments may be tracked:**

**To:** University of Massachusetts Medical School  
Center for Health Care Financing  
529 Main Street, 3<sup>rd</sup> Floor  
Charlestown, MA 02129  
ATTN: Holly Oldham

## **B. Public Clinic: Payer-Specific Responsibilities**

1. **Insurers:** If the box for “Insurers” is checked in Section I.A, above, Public Clinic will:
  - a. Enroll and maintain enrollment in the Maine Department of Public Health (MDPH) Vaccine Program.
  - b. Enter all vaccination information into the Maine Immunization Information System (MIIS) as required by MDPH.
2. **Medicare:** If the box for “Medicare” is checked in Section I.C, above, Public Clinic will:
  - a. Submit a complete CMS 855B application to the appropriate Medicare billing intermediary as directed by UMMS.
  - b. Submit all other documents as required by Centers for Medicare & Medicaid Services (CMS) to obtain and maintain the Medicare Provider number.
  - c. Pay Medicare any enrollment or revalidation fees as required by CMS.
  - d. Ensure that the individual responsible for authorizing the CMS 855B application supplies his/her Social Security Number.
  - e. Ensure that the individual responsible for authorizing the CMS 855B application signs and dates the application.
  - f. Provide UMMS with authorization to transmit electronic Claims in 837 files and to access all 835 remittance advices from the Medicare intermediary upon enrollment. If Medicare is not

able to conduct electronic transactions, Public Clinic will authorize UMMS to roster bill and to receive remittance advices.

- g. Maintain an active Medicare Provider number for the dates of service applicable to each Health Screen and Permission Form submitted to UMMS.
- h. Pay UMMS 20% of Medicare Approved Claims for invoices properly submitted to UMMS per Section II.B.3.e.

#### **Section IV. Public Clinic Representation and Warranty**

Public Clinic hereby agrees, represents and warrants that it shall accept as final payment in full for Vaccine Administration the amount paid to UMMS by the Payers less a fee of 20% per Payer Approved Claim by all Payers, and that Payers, if applicable, shall have no further liability for that Claim. Public Clinic further represents that it shall not charge, collect a deposit from, seek compensation, remuneration or reimbursement from eligible patients, or have any recourse against anyone other than the Payers for Vaccine Administration. The provisions of this Agreement shall survive termination of this Agreement and shall be construed to be for the benefit of the eligible patient.

#### **Section V. Confidentiality**

UMMS acknowledges that, in the performance of services under this Agreement it shall comply with all applicable federal and state law relating to confidentiality and the security of data, including the Privacy, Security, Breach Notification and Enforcement Rules at 45 CFR Part 160 and Part 164, promulgated pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology Economic and Clinic Health Act (HITECH) provisions in Title XIII of the American Recovery and Reinvestment Act of 2009, and M.G.L. Chapter 93H.

#### **Section VI. Recordkeeping**

UMMS shall maintain all records required by law and shall additionally maintain all records, books, files and other data in sufficient detail as to properly substantiate claims made for Payer reimbursement on behalf of the Public Clinic.

#### **Section VII. Taxpayer Identification Number and Form W-9 Certification**

Public Clinic will sign and submit to UMMS a University of Massachusetts substitute W-9 Form provided by UMMS.

#### **Section VIII. Term of Agreement**

This Agreement commences on September 1, 2014 and ends on June 30, 2015.

**Section IX. Integration**

This Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof, including all attachments hereto, and supersedes all prior agreements, representations, negotiations, and undertakings not set forth or incorporated herein.

**Section X. Contact Information**

Inquiries relating to this agreement should be directed to the following individuals:

**For UMMS:**

University of Massachusetts Medical School  
Center for Health Care Financing  
529 Main Street, 3<sup>rd</sup> Floor  
Charlestown, MA 02129  
Mary Fontaine  
(800) 890-2986  
Vaccine.Reimbursement@umassmed.edu

**For Public Clinic:**

Provider Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Address Line 2: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

IN WITNESS THEREOF, the parties hereto execute this Agreement as of the date first written above:

**Public Clinic:**

Signature \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Print Title: \_\_\_\_\_

**UMMS:**

Signature: \_\_\_\_\_  
Marc A. Thibodeau  
Executive Director, Center for Health Care Financing  
Commonwealth Medicine, UMMS

### Exhibit #1

## INFLUENZA VACCINE HEALTH SCREEN & PERMISSION FORM

Full Name:				Date of Birth:	Age:	Gender: <input type="checkbox"/> M <input type="checkbox"/> F	NPI:
Street Address:				Town/City:		Zip Code:	School Name:
Grade:	Teacher:			School Administrative Unit (District):			

Please answer the following questions about the person named above. Comments may be written on the back of this form.

	YES	NO
1) Does this person have a severe (life-threatening) allergy to eggs?		
2) Has this person ever had a severe reaction to an influenza immunization in the past?		
3) Has this person ever had Guillain-Barre Syndrome?		
<b>If you answered "yes" to any questions 1-3, please see your healthcare provider for flu vaccination.</b>		
4) Has this person received any other vaccinations in the past 4 weeks, or is not feeling well? If yes, Type of vaccine _____ Date _____		
5) Does this person have long-term health problems, allergies, asthma or wheezing problems, or on long-term aspirin treatment?		
6) Does this person have a weakened immune system, or come in close contact with someone who has a severely weakened immune system?		
7) Is this person pregnant or could this person be pregnant?		
<b>If you answered "yes" to any questions 4-7, this person cannot receive the intranasal flu vaccine.</b>		
8) Is this person an American Indian or an Alaskan Native?		
9) Is this person uninsured?		
10) Is this person insured by MaineCare (Medicaid)? MaineCare ID #:		
10) Health Insurance: Name of Company: _____		
ID Number: _____	Group number: _____	
Subscriber Name: _____		
Subscriber Date of Birth: _____		
11) Doctor's Name: _____		
Phone Number: _____		

### PERMISSION TO VACCINATE

- > I was given a copy of the Influenza Vaccine Information Statements, I have read them or had them explained to me and I understand the benefits and risks of the Influenza vaccine.
- > I give permission for a record of this vaccination to be entered into the ImmunPact Registry.
- > I give permission for information to be used to bill MaineCare or private insurance for the cost of providing the vaccine.
- > I give my consent for this person to receive the most appropriate vaccine, as determined by the health care clinic staff.
- > If my child refuses to receive the injection and does not have any of the conditions #4-7 listed above, you have my permission to give the nasal flu mist.
- > I give permission for the flu vaccine to be given to the person named above by signing below.

X \_\_\_\_\_ Date: \_\_\_\_\_  
Signature of parent or guardian if person to be vaccinated is a minor or Signature of adult to be vaccinated  
Printed Name of Parent or Guardian: \_\_\_\_\_

### FOR OFFICE USE ONLY:

Date Dose Administered	Vaccine Manufacturer	Lot Number	Dose Volume	Signature and Title of Vaccinator	Body Site	Route	VIS date
						<input type="checkbox"/> IM single dose <input type="checkbox"/> IM multi vial <input type="checkbox"/> Intranasal	

Maine CDC - 7/10/14

## **Vaccine Administration for Insurers**

### **Administration**

- Administration of influenza virus (includes percutaneous, intradermal, subcutaneous, or intramuscular injections) for individuals **ages 6 months and older enrolled in any Insurer's health plan, including Medicare Advantage.**
- Administration of influenza virus by intranasal for individuals **ages 6 months and older enrolled in any Insurer's traditional health plan only.**

### **Provision of Privately Purchased Influenza and Pneumococcal Vaccine (Payment is not available for State-provided free flu vaccine.)**

- Influenza virus vaccine, trivalent or quadrivalent, split virus, preservative-free, for intramuscular use, administered to individuals **ages 19 and older enrolled in any Insurer's health plan, including Medicare Advantage.**
- Influenza virus vaccine, quadrivalent, live, for intranasal use, administered to individuals **ages 19 and older enrolled in any Insurer's traditional health plan only.**
- Influenza virus vaccine, trivalent or quadrivalent, split virus, intramuscular use, administered to individuals **ages 19 and older enrolled in any Insurer's health plan, including Medicare Advantage.**
- Influenza virus vaccine, split virus, preservative-free, for intradermal use, administered to individuals **ages 19 and older enrolled in any Insurer's traditional health plan only.**
- Influenza virus vaccine, split virus, preservative free, enhanced immunogenicity via increased antigen content for intramuscular use administered to individuals of **any age enrolled in any Insurer's health plan, including Medicare Advantage.**

**COUNCIL ACTION**

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Item No. **15-018**

Date: **November 24, 2014**

**Item/Subject: ORDER, Authorizing Purchase of Property at 171 Garland Street  
(054-046)**

**Responsible Department: Community and Economic Development**

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**Commentary:**

This order will authorize the purchase of property located at 171 Garland Street (Map, Lot 054-046). The parcel is currently owned by Robert M. McNally and is a substandard structure which is boarded up and has been a longtime blight to neighborhood. If approved, the City will purchase the parcel and solicit bids for the demolition and clearance of the property.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its November 18, 2014 meeting.

\_\_\_\_\_  
Tanya L. Emery  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
Cath M. Worley  
City Manager

**Associated Information:**

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**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral**

Page \_\_ of \_\_



Assigned to Councilor Baldacci

## CITY OF BANGOR

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**Item/Subject: Order,** Authorizing the Purchase of Property at 171 Garland Street  
(054-046)

**WHEREAS,** Robert M. McNally owns a parcel of land (054-046) on Garland Street; and

**WHEREAS,** Mr. McNally wishes to dispose of this property; and

**WHEREAS,** the City would benefit in the removal of a blighted, abandoned property:

**BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

The City Manager is hereby authorized to enter into a purchase and sale agreement with Robert M. McNally under such terms and conditions considered appropriate by the City Solicitor or Assistant City Solicitor; and in a final form approved by the City Solicitor or Assistant City Solicitor; wherein the City of Bangor agrees to purchase the parcel of land designated as 054-046 for the purpose of demolition and clearance.

**COUNCIL ACTION**

**Item No. 15-019**

**Date: November 24, 2014**

**Item/Subject: ORDER, Authorizing Disposition of City Property located at 120 Third Street to Habitat for Humanity – Map and Lot (034-216)**

**Responsible Department: Community and Economic Development**

**Commentary:**

Recently, the City of Bangor acquired a parcel of land at 120 Third Street (Map and Lot 034-216) utilizing Neighborhood Stabilization Funds (NSP). Habitat for Humanity has been looking for an appropriate lot for a single family housing project in the City of Bangor. This Order authorizes the disposition of the 0.23 acre parcel of land at 120 Third Street to Habitat for Humanity for construction of a single family home. Under the terms of the disposition, Habitat for Humanity would pay the City \$1 for the lot to construct a single family home. Disposition of the land to Habitat for Humanity is an acceptable use of NSP program funds.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its November 18, 2014 meeting.

\_\_\_\_\_  
Tanya L. Emery  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
*Colin M. Wheeler*  
City Manager

**Associated Information:**

**Budget Approval:**

\_\_\_\_\_  
*DeWay*  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
*[Signature]*  
City Solicitor

**Introduced for**  
 **Passage**  
 **First Reading**  
 **Referral**



Assigned to Councilor Fairecloth

## CITY OF BANGOR

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**Order, Authorizing Disposition of City Property located at 120 Third Street to Habitat for Humanity – Map and Lot (034-216)**

**WHEREAS,** the City of Bangor owns a parcel of land (034-216) on Third Street; and

**WHEREAS,** the City of Bangor wishes to dispose of this property; and

**WHEREAS,** Habitat for Humanity has been looking for an appropriate site for another housing project in the City of Bangor:

**BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

The City Manager is hereby authorized to enter into an agreement with Habitat for Humanity under such terms and conditions considered appropriate by the City Solicitor or Assistant City Solicitor; and in a final form approved by the City Solicitor or Assistant City Solicitor; wherein the City of Bangor agrees to sell a 0.23 acre parcel of land designated as 034-216 to Habitat for Humanity for construction of a single family home.

**COUNCIL ACTION**

**Item No. 15-020**

**Date: November 24, 2014**

**Item/Subject: ORDER, Authorizing Execution of Contract with Credere Associates, LLC – Brownfields Assessment Program**

**Responsible Department: Community & Economic Development**

**Commentary:** This Order will authorize the City Manager to execute a contract with Credere Associates for a contract price not to exceed \$360,000. As a part of its recent award from the Environmental Protection Agency, the City issued an RFP seeking qualified environmental consultants to assist the City in implementing its Brownfields Assessment Program. Staff has recommended the contract be awarded to Credere Associates, LLC. Credere will assist City staff with site eligibility, reporting, and managing the testing process at each location. This was reviewed and recommended for approval by the Business & Economic Development Committee at its November 18, 2014 meeting.

Tanya Emery  
Department Head

**Manager's Comments:**

Carl M. Cordeiro  
City Manager

**Associated Information:**

**Budget Approval:**

[Signature]  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**  
 **Passage**  
 **First Reading**  
 **Referral**

**Page \_\_ of \_\_**

Assigned to Councilor Plourde



## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing Execution of Contract with Credere Associates, LLC –  
Brownfields Assessment Program

**WHEREAS,** the City of Bangor was awarded a grant from the Environmental Protection Agency for Bangor's Brownfields Assessment Program; and

**WHEREAS,** the City of Bangor solicited bids for qualified firms to assist in the identification, eligibility determination, and testing of potentially contaminated sites in the City; and

**WHEREAS,** the Credere Associates' proposal and interview responses were the best match for the City's goals and objectives for the Program; and

**WHEREAS,** the Business & Economic Development Committee has recommended awarding the contract to Credere Associates:

### **BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

Catherine M. Conlow, City Manager, is authorized on behalf of the City of Bangor, to execute a contract with Credere Associates, LLC to assist the City in its implementation of the EPA Brownfields Assessment Grant. The contract price not to exceed \$360,000 and shall be in a final form as approved by the City Solicitor or Assistant City Solicitor.