



WESTBROOK CITY COUNCIL
REGULAR CITY COUNCIL MEETING AGENDA
MONDAY MAY 4, 2020 AT 7:00 PM
ZOOM VIDEOCONFERENCE: <https://zoom.us/j/729634588>



This Regular City Council meeting will be conducted in accordance with 1 M.R.S.A. § 403-A, which permits public proceedings to be conducted through remote access during the declared State of Emergency due to COVID-19.

I. ROLL CALL

II. APPROVAL OF MINUTES

April 6, 2020 Regular Council Meeting Minutes

III. MAYOR'S MESSAGE

Mayoral Proclamation – Armenian Genocide Commemoration Day
Mayoral Proclamation – International Firefighters Day
Mayoral Proclamation – Building Safety Month
Mayoral Proclamation – Municipal Clerks Week
Police Department Employee of the Quarter – Sergeant Brian Olson

IV. STUDENT REPRESENTATIVE UPDATE

V. PUBLIC COMMENT

Pursuant to Resolve 2020-13: Comments intended for inclusion in the public record must be submitted in writing to the City Clerk's Office (clerk@westbrook.me.us) at least 24 hours prior to each scheduled meeting. Comments must pertain to current agenda items and shall be limited to 3 minutes in length. Such comments may be read into the record by the meeting facilitator(s). Comments received not pertinent to the current agenda items shall not be included in the public record but may be forwarded to City Councilors. The first public comment period of each meeting shall be reserved for comments submitted in accordance with these provisions.

VI. UNFINISHED BUSINESS

VII. ORDERS OF THE DAY (SECOND AND FINAL READING)

Order 2020-36	Authorizing Award of Settlement for 29 Maple Street
Order 2020-37	Amending Order 2018-137 Regarding Acceptance & Expenditure of Additional Assistance to Firefighters Grant Funds
Order 2020-38	Authorizing Temporary Construction & Access Easement Agreement with Bath Savings Institution
Order 2020-39	Authorizing Acceptance of Police Department Forfeiture Funds
Order 2020-40	Authorizing Emergency Expenditure for Replacement Fire Alarm Panel
Order 2020-41	Authorizing Purchase of Radio Equipment
Order 2020-42	Authorizing Acceptance & Expenditure of STOP Violence Against Women Formula Grant
Order 2020-43	Authorizing Expenditures & Amendments to the Wastewater Annual Vendor List

Order 2020-44 Accepting Donation from the Warren Memorial Foundation & Establishing the
Westbrook-Warren Memorial Foundation Emergency Arts Grant Fund

VIII. NEW BUSINESS

Resolves (One Reading Required)

Resolve 2020-18 Approving Appointment to the Long Creek Watershed Management District
Board of Directors

Orders (Two Readings Required)

Order 2020-45 Authorizing Funding & Expenditure for Community Policing Sub-Station

Order 2020-46 Authorizing Purchase of Speed Radar Trailer

Order 2020-47 Authorizing Purchase of Police Utility Uniforms

Order 2020-48 Authorizing Sale of Lot 2 in Westbrook Heights Business Park

Order 2020-49 Authorizing Payment of Deductible & Settlement of Litigation

Order 2020-50 Authorizing Westbrook Environmental Improvement Corporation (WEIC)
Expenditure for Small Business Emergency Commercial Rental Assistance
Program

IX. PUBLIC COMMENT

Pursuant to Resolve 2020-13: The second public comment period shall be reserved for City Councilors and the City administration. General questions pertaining to City business received during the Council meeting may be read into the record by the meeting facilitator(s) to the extent possible. The City cannot guarantee that all comments will be read live during the meeting.

X. REFERRALS

XI. COMMITTEE REPORTS

Committee of the Whole

Hours for Construction & Noise Ordinance

Residential Landlord Registration

City Council Rules & Procedures

Facilities & Streets Committee

Austin Street Extension

Reducing Speed Limit on Lincoln Street

Sidewalks & Traffic at Haskell Street

Condition of Westbrook Middle School Baseball Field

Traffic Issues on Forest Street

Finance

Creating a Fire Truck Fund

Public Safety Committee

None

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT



MAYOR'S OFFICE



Mayor Michael T. Foley

2 York Street

Westbrook, Maine 04092

Phone: 207-591-8110

Fax: 877-688-9553

To: Honorable City Council
From: Jerre R. Bryant, City Administrator
Date: April 30, 2020
Subject: Position Paper for Regular City Council Meeting of May 4, 2020

Included below are brief summaries of the items presented to City Council for consideration, along with a statement indicating the position of the Administration on each item.

ORDERS OF THE DAY

- 2020-36 This authorizes an award of settlement with Kimberly Blenk, 29 Maple Street in the amount of \$8,250 as determined by the Finance Committee following a hearing on March 2, 2020. Due to some unique circumstances regarding this property's connection to the public sewer line that was replaced, the Finance Committee determined that the city should financially contribute to a portion of the plumbing costs for this property to reconnect to the public system. Ms. Blenk has agreed to release all claims based on this settlement. Funding for this settlement amount is available in the Sewer Construction Budget for this project. This authorization is recommended by the Finance Committee, received first reading on April 6, 2020 and is in order for final Council action.
- 2020-37 This authorizes the acceptance and expenditure approval of \$2,968 from the 2018 Assistance to Firefighters Grant Funds to cover the costs for Suburban Propane to extend a gas line to service the new generator at Station 3 (\$1,915) and for Gillman Electric for supplies and materials to connect the generator (\$1,053). This closes out the 2018 grant. This authorization is supported by the Administration, received first reading on April 6, 2020 and is in order for final Council action.
- 2020-38 This authorizes the granting of Temporary Construction & Access Easement to Bath Savings Institution for the construction of a sidewalk on city owned property along a portion of Spring Street and further authorizes the acceptance of a Quit Claim Deed from Bath Savings Institution for the portion of the sidewalk that is being constructed on what is currently BSI property. This new sidewalk is a condition of the Planning Board's approval of the construction of a new BSI band at the corner of Spring Street and William Clarke Drive. These authorizations are supported by the Administration, received first reading on April 6, 2020 and are in order for final Council action.

- 2020-39 This authorizes the acceptance of \$4,751 in Asset Forfeiture Funds to be used in support of the Westbrook Police Department. The expenditure of these funds will be separately approved by the City Council. This acceptance of Asset Forfeiture Funds is supported by the Administration, received first reading on April 6, 2020 and is in order for final Council action.
- 2020-40 This is the council confirmation of and emergency purchase of a replacement fire alarm control panel (purchase and installation) from R.B, Allen of North Hampton, NH to replace a failed fire alarm panel at the Public Safety Building. This work was performed in early February and followed the procedures for Emergency Purchases in the City's Purchasing Ordinance. Funding for this repair is available in the Building Maintenance budget. This confirmation of an emergency purchase is supported by the Administration, received first reading on April 6, 2020 and is in order for final Council action.
- 2020-41 This authorizes purchase of radio equipment from Radio communications, Inc. of Portland to add a simulcast/receiver site at the Public Safety Building, 570 Main Street, at a total cost of \$29,880.64. This will eliminate a 'dead spot' in the new digital emergency communications system, which is necessary for all public safety responders to have full emergency communications capabilities. This installation is being performed by the same vendor that installed the full system for the city. Funding for this purchase is split 50/50 between the current FY20 and next year's FY21 budgets. This purchase is supported by the Administration, received first reading on April 6, 2020 and is in order for final Council action.
- 2020-42 This authorizes the acceptance and expenditure of a \$65,173 STOP Violence Against Women Formula Grant from the Maine Department of Public Safety to fund the Enhanced Police Intervention Collaboration Program Coordinator position. This position will be an employee of Through These Doors, an agency that provides shelter, support, counseling and advocacy to victims of domestic violence. Chief Roberts will be available to speak on this grant and program on Monday evening. Authorization for acceptance and expenditure of these grant funds is supported by the Administration, received first reading on April 6, 2020 and is in order for final Council action.
- 2020-43 This authorizes payments to three vendors, W.B. Mason (\$454.06), Walsh Printing & Graphics (\$239.27) and Tri-State Tool & Hoist, Inc. (\$5,535.00), as supported in the enclosed invoices. In addition, this Order adds the first two vendors to the Wastewater Fund vendor list. This authorization is supported by the Administration, received first reading on April 6, 2020 and is in order for final Council action.
- 2020-44 This authorizes the acceptance of a donation from the Warren Memorial Foundation for the establishment of an Emergency Arts Grant Fund, to be administered by the city's Economic Development Department. This fund will assist Westbrook-based artists and

organizations/businesses that support the development of artists that can demonstrated a loss of income related to the COVID-19 pandemic. Economic Development Director Daniel Stevenson will be available to speak on this grant/program on Monday evening. This donation acceptance and expenditure authorization is supported by the Administration, received first reading on April 6, 2020 and is in order for final Council action.

NEW BUSINESS

Resolves

2020-18 This confirms the re-appointment of Eric Dudley, Director of Engineering & Public Services to serve as a Westbrook representative on the Long Creek Watershed Management District Board of Directors. This District was established in compliance with the Environmental Protection Agencies storm water standards and covers the entire watershed area of Long Creek, which includes areas of South Portland, Portland, Westbrook and Scarborough. Each community has a seat on the Board of Directors. Westbrook was initially represented by former City Councilor John O’Hara, but given the technical compliance work of the District, the City Engineer was determined to be a more appropriate representative. This re-appointment is for a term of three years. This appointment confirmation is supported by the Administration and is in order for final City Council action.

Two-Reading Orders

2020-45 This authorizes the use of previously received funding for the Westbrook Police Department through the estate of Eleanor Saunders to cover three months of rent for the Frenchtown Community Policing Sub-Station located at 192 Brown Street. This sub-station was established in 2015 and is staffed by a civilian employee of the Police Department. It provides a physical presence of our Community Policing activities on Brown Street, a convenient meeting place for interaction with community members, businesses and agencies and coordinates all Community Policing activities for the entire city. For many it provides a setting for interaction between the community and the department in an environment that is less intimidating than the Public Safety building. This has proven to be very effective in fostering communication and other interaction to both prevent and resolve points of challenge and conflict within the community. Support for this rental expense has previously been provided through generous support from the Cornelia Warren Community Association and the Westbrooks Environmental Improvement Corporation. It is now recommended that we utilize funding provided to the department through the Eleanor Saunders bequest to cover this rental expense for the remaining three months of the current fiscal year. This authorization is supported by the Administration and is in order for first reading.

- 2020-46 This is an award of bid for the purchase of an electronic display speed trailer to be deployed throughout the city to help monitor and curtail excessive vehicle speed. The display flashes the vehicle speed when a vehicle exceeds the posted speed limit and has proven effective in gaining compliance with speed regulations. This will initially be utilized in 'hot spot' areas where we are receiving complaints regarding speeding vehicles. This will supplement and not replace active speed patrol and enforcement by the department. This purchase is funded through revenue generated from use of police vehicles in traffic details for construction and other activities that interrupt the flow of traffic on public streets. This purchase is supported by eh Administration and is in order for first reading.
- 2020-47 This is an award of bid to Huntress Uniforms, Manchester, NH, low bidder in the amount of \$5,880 for the purchase of utility uniforms for the Police Department. These are less formal than the standard police uniform and will be utilized for traffic details, event details or other assignments when deemed appropriate by the Police Chief. Each officer will have one issue of the utility uniforms which are being funded with revenue generated from traffic details. This award of bid is supported by the Administration and is in order for first reading.
- 2020-48 This authorizes the sale of Lot #2 in the Westbrook Heights Business Park, an eight-lot city owned and developed commercial subdivision located off Saco Street. This is one of the two remaining lots in this development, which has been marketed for the City by the Dunham Group. The sale price for this two-acre lot is \$140,000. The purchaser, Glass Solutions, sells and installs commercial and residential glass doors, windows and mirrors. Their primary supplier is SIGCO, a glass manufacturing and metal fabrication business located directly across street from this lot. Glass Solutions will be constructing a 6,000 square foot building to accommodate their business, which they are relocating from Portland, and also provides a second commercial space. This is one of the two smaller, undeveloped lots remaining in this park. We are currently in negotiations with a prospective buyer of the last remaining lot. With this sale of lot #2 we will have covered all of the city's expenses for the purchase and development of this property, with one remaining lot to sell. This sale is supported by the Administration and is in order for first reading.
- 2020-49 This authorizes the expenditure of \$25,000 to cover the deductible for our public official's liability insurance and to authorize settlement of a claim filed against the City. That claim was filed by a former city employee who simultaneously held part-time employment positions with both the City of Westbrook and the Westbrook School Department. The City and School Department have always functioned as separate employers. The claim asserted that the City and School was a single employer and that this employee should be treated as a full-time employee and receive full time benefits (retirement, health insurance, etc.) and be paid overtime for any weeks that the combined hours worked in both part time positions exceeded forty hours. This claim

was mediated through legal counsel retained by both the City's and School Department's insurance carriers, with the final outcome a settlement agreement totaling \$100,000 with \$15,000 from the school's insurance carrier, \$85,000 from the City's insurance carrier, which is subject to a \$25,000 deductible payment from the city's insurance budget. This agreement does not admit to any wrong doing by either the City or Schools Department. The city no longer employs any individual who is also employed by the Westbrook School Department. This settlement will be confidentially discussed with legal counsel prior to the regular City Council meeting. Authorization of this deductible payment and settlement agreement is recommended by the Administration and is in order for first reading.

2020-50

This authorizes the establishment and funding of the Small Business Emergency Commercial Rental Assistance Program to assist small Westbrook businesses that have experienced a significant loss of income due to limited operations of closure during the COVID 19 public health emergency. This program will assist eligible businesses with rent payments up to a cumulative maximum of \$1,500. A detailed description of the program is enclosed. This program was approved by the Westbrook Environmental Improvement Corporation (WEIC) on Wednesday along with funding approval for \$100,500. WEIC's funding comes from four separate Tax Increment Funding districts (TIF's). The strength of this program is quick, easy processing of applications, quick turnaround and a grant not a loan. At the funding level of \$100,500 we could serve 67 small businesses with commercial rental assistance. This program and funding approval is supported by the Administration and is in order for first reading.



**WESTBROOK CITY COUNCIL
REGULAR CITY COUNCIL MEETING MINUTES
MONDAY APRIL 6, 2020
REMOTE ACCESS MEETING**



Note: This Emergency Special City Council meeting was conducted in accordance with 1 M.R.S.A. § 403-A, which permits public proceedings to be conducted through remote access during the declared State of Emergency due to COVID-19.

CALL TO ORDER

Meeting called to order at 7:02pm by City Council President Gary Rairdon.

City Councilors Present: Michael Shaughnessy (At-Large); David C. Morse (Ward 1); Victor Chau (Ward 2); Anna A. Turcotte (Ward 3, Vice President); Gary Rairdon (Ward 4, President); Elliot Storey (Ward 5); Claude Rwaganje (At-Large)

City Councilors Absent: None

Other City Officials Present: Jerre Bryant (City Administrator); Michael T. Foley (Mayor); Angela Holmes (City Clerk); Janine Roberts (Police Chief); Daniel Stevenson (Director of Economic Development)

PLEDGE OF ALLEGIANCE

Due to the remote access format of this meeting, the Pledge of Allegiance was not included on the agenda.

MINUTES

President Rairdon stated that if there were no objections, the minutes from the following meetings would stand as presented: the Finance Committee & Regular City Council meetings held on February 3, 2020; the Building Tour Workshop held on February 12, 2020; the Committee of the Whole and Regular City Council meetings held on March 2, 2020; and the Emergency Special City Council meeting held on March 19, 2020. No objections received. Minutes stand as presented.

MAYOR'S MESSAGE

Mayor Foley shared the following messages:

1. The State of Emergency Report 2020-2 was issued on April 1, 2020.
2. All City departments, including the School Department, have been asked to revise their FY 2021 budget requests.
3. The following City employees were recognized for their work in recent days: Firefighter/Paramedic Alex Dewitt, teachers and administrators at Canal, Congin and Saccarappa Elementary Schools, Superintendent Dr. Peter Lancia and his team, Fire Chief & Public Health Officer Andrew Turcotte, Deputy Chief & Infectious Control Officer Stephen Sloan, Emergency Communications & Management Director Greg Hamilton, Marketing & Communications Director Tina Radel, Creative Services Manager Barry Dodd, and City department heads.

4. The Presumpscot Regional Land Trust announced the establishment of Pride Preserve, 175 acres in the Pride's Corner area.
5. Husson University announced on March 9, 2020 that they will close their Westbrook campus, and will soon place their facility on the market for sale.
6. Westbrook residents are encouraged to participate in the 2020 Census, as this data influences Westbrook's eligibility for federal and state funding.
7. The first two winners of the Westbrook Takeout & Delivery Support Effort Contest have been announced – Jaclyn Hazlewood and Stephanie Davis. They both won \$100 gift cards to local Westbrook eateries.

STUDENT REPRESENTATIVE UPDATE

No Student Representatives were present.

PUBLIC COMMENT

Pursuant to Resolve 2020-13, comments intended for inclusion in the public record must be submitted in writing to the City Clerk's Office at least 24 hours prior to each scheduled meeting. The public comment period of each meeting is reserved for such submissions.

President Rairdon asked that any comments submitted in accordance with these provisions be read into the record. Ms. Holmes confirmed that no written comments were submitted by the public.

President Rairdon opened the floor for comments from City Councilors and the Mayor. The following individuals spoke: Mayor Foley, President Rairdon, Councilor Rwaganje, Councilor Shaughnessy

ORDERS OF THE DAY (SECOND AND FINAL READING)

Included below are the City Council Orders which require second and final reading. Ms. Holmes noted for the record that pursuant to 1 M.R.S.A. § 403-A, all votes cast must be in the form of a roll call vote.

1. **Order 2020-32. Authorizing Acceptance & Expenditure of High Visibility Impaired Driving Enforcement Grant.**
Order 2020-33. Authorizing Acceptance & Expenditure of Donation for Domestic Violence Prevention Alarm System.
Order 2020-34. Authorizing Award of Bid for 2020 Sewer Lining Project.
Order 2020-35. Authorizing Utility Receivable Agreement with Maine Department of Transportation.
Motion to approve second and final reading of Orders 2020-32 through 35.
Moved by Vice President Turcotte, seconded by Councilor Shaughnessy.
President Rairdon asked if any Councilor wishes any item to be considered separately. No one spoke.
President Rairdon opened the floor for comments on the motion to approve Order 2020-32 through 35.
No one spoke.
Motion carried. Orders 2020-32 through 35 adopted. (Vote 7-0)
Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey
Nays: None

NEW BUSINESS

Included below are the Council actions on New Business, which includes business licenses requiring City Council approval, City Council Resolves and Orders receiving first and final reading, City Council Orders receiving the first of two required readings, and all items to be considered in Executive Session. Pursuant to 1 M.R.S.A. § 403-A, all votes were cast by a roll call vote.

1. **Resolve 2020-15. Approving Appointment of Matthew Brunner to the Recreation & Conservation Commission.**

Motion to approve first and final reading of Resolve 2020-15.

Moved by Councilor Shaughnessy, seconded by Vice President Turcotte.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. The following individuals spoke: Mayor Foley, Councilor Shaughnessy

Motion carried. Resolve 2020-15 adopted. (Vote 7-0)

Ayes: Rwanje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

2. **Resolve 2020-16. Accepting the Zoning Board of Appeals' Annual Report for 2019.**

Motion to approve first and final reading of Resolve 2020-16.

Moved by Vice President Turcotte, seconded by Councilor Morse.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. No one spoke.

Motion carried. Resolve 2020-16 adopted. (Vote 7-0)

Ayes: Rwanje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

3. **Resolve 2020-17. Approving Election Clerks for 2020-2021.**

Motion to approve first and final reading of Resolve 2020-17.

Moved by Councilor Morse, seconded by Councilor Shaughnessy.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. The following individuals spoke: Mayor Foley

Motion carried. Resolve 2020-17 adopted. (Vote 7-0)

Ayes: Rwanje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

4. **Order 2020-36. Authorizing Award of Settlement for 29 Maple Street.**

Motion to approve the first of two readings for Order 2020-36.

Moved by Vice President Turcotte, seconded by Councilor Shaughnessy.

President Rairdon opened the floor for comments on the motion to approve first reading of the legislation. The following individuals spoke: Mayor Foley

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwanje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

5. **Order 2020-37. Amending Order 2018-137 Regarding Acceptance & Expenditure of Additional Assistance to Firefighters Grant Funds.**

Motion to approve the first of two readings for Order 2020-37.

Moved by Vice President Turcotte, seconded by Councilor Morse.

President Rairdon opened the floor for comments on the motion to approve first reading of the

legislation. No one spoke.

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

6. Order 2020-38. Authorizing Temporary Construction & Access Easement Agreement with Bath Savings Institution.

Motion to approve the first of two readings for Order 2020-38.

Moved by Councilor Shaughnessy, seconded by Councilor Rwaganje.

President Rairdon opened the floor for comments on the motion to approve first reading of the legislation. The following individuals spoke: Mayor Foley

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

7. Order 2020-39. Authorizing Acceptance of Police Department Forfeiture Funds.

Motion to approve the first of two readings for Order 2020-39.

Moved by Councilor Rwaganje, seconded by Councilor Shaughnessy.

President Rairdon opened the floor for comments on the motion to approve first reading of the legislation. No one spoke.

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

8. Order 2020-40. Authorizing Emergency Expenditure for Replacement Fire Alarm Panel.

Motion to approve the first of two readings for Order 2020-40.

Moved by Vice President Turcotte, seconded by Councilor Chau.

President Rairdon opened the floor for comments on the motion to approve first reading of the legislation. No one spoke.

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

9. Order 2020-41. Authorizing Purchase of Radio Equipment.

Motion to approve the first of two readings for Order 2020-41.

Moved by Councilor Rwaganje, seconded by Councilor Morse.

President Rairdon opened the floor for comments on the motion to approve first reading of the legislation. No one spoke.

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

10. Order 2020-42. Authorizing Acceptance & Expenditure of STOP Violence Against Women Formula Grant.

Motion to approve the first of two readings for Order 2020-42.

Moved by Vice President Turcotte, seconded by Councilor Morse.

President Rairdon opened the floor for comments on the motion to approve first reading of the legislation. The following individuals spoke: Mayor Foley

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

11. Order 2020-43. Authorizing Expenditures & Amendments to the Wastewater Annual Vendor List.

Motion to approve the first of two readings for Order 2020-43.

Moved by Councilor Shaughnessy, seconded by Councilor Rwaganje.

President Rairdon opened the floor for comments on the motion to approve first reading of the legislation. No one spoke.

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

12. Order 2020-44. Accepting Donation from the Warren Memorial Foundation & Establishing the Westbrook-Warren Memorial Foundation Emergency Arts Grant Fund.

Motion to approve the first of two readings for Order 2020-36.

Moved by Vice President Turcotte, seconded by Councilor Chau.

President Rairdon opened the floor for comments on the motion to approve first reading of the legislation. The following individuals spoke: Mayor Foley, Mr. Stevenson, Councilor Morse, Councilor Rwaganje

Motion carried. Legislation passed first reading. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

PUBLIC COMMENT

Pursuant to Resolve 2020-13, the second public comment period is reserved for City Councilors and the City administration. General questions pertaining to City business received during the Council meeting may be read into the record by the meeting facilitator(s) to the extent possible.

President Rairdon opened the floor for comments from City Councilors and the Mayor and asked the Mayor to read into the record any questions received during the course of the meeting. The following individuals spoke: President Rairdon, Mayor Foley, Chief Roberts, Councilor Shaughnessy, Vice President Turcotte, Councilor Rwaganje

REFERRALS

There were no new referrals.

COMMITTEE REPORTS

There were no reports from City Council committees.

ADJOURNMENT

Motion to adjourn at 8:12pm.

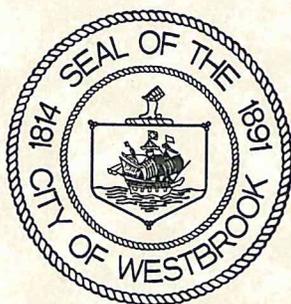
Moved by Vice President Turcotte, seconded by Councilor Shaughnessy.

Motion carried. Meeting adjourned. (Vote 6-0-1)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon

Nays: None

Absent: Storey



**MAYORAL PROCLAMATION
ARMENIAN GENOCIDE COMMEMORATION DAY
APRIL 24, 2020**

WHEREAS, between 1915 and 1923, Armenians were subjected to torture, starvation, mass murder and exile from their historic homeland; **AND**

WHEREAS, 1.5 million people lost their lives. The Armenian Genocide, also known as the “First Genocide of the Twentieth Century,” represented a deliberate attempt by the Ottoman Empire to eliminate all traces of a thriving, noble civilization; **AND**

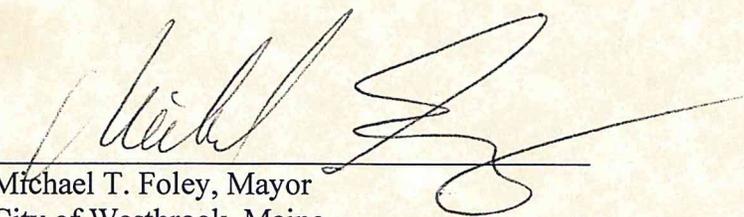
WHEREAS, Some Turks and others jeopardized their safety in order to protect Armenians from the crimes being perpetrated by the regime, but the genocide of the Armenian people constituted one of the most egregious violations of human rights in the history of the world; **AND**

WHEREAS, Armenian communities all over the world commemorate this tragedy on April 24th. On this day, we honor the victims and survivors of the genocide, and reaffirm our commitment to preventing future atrocities from being committed against any people; **AND**

NOW, THEREFORE, I, Michael T. Foley, Mayor of the City of Westbrook, Maine do hereby recognize April 24, 2020 as Armenian Genocide Commemoration Day in our City of Westbrook, and I call this observance to the attention of all our citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Westbrook to be affixed this 24th day of April, 2020.





Michael T. Foley, Mayor
City of Westbrook, Maine



**MAYORAL PROCLAMATION
INTERNATIONAL FIREFIGHTERS DAY
MAY 4, 2020**

WHEREAS, International Firefighter's Day is observed each year on May 4th to honor and remember past firefighters who have lost their lives while serving their communities, to express gratitude to those that have served in this line of work, and to show support and appreciation for those who presently serve; **AND**

WHEREAS, regardless of the language a firefighter speaks, or the country in which he or she works and resides, all firefighters fight against the same enemy – fire; **AND**

WHEREAS, the personnel of the Westbrook Fire & Rescue Department follow a long line of tradition and honor while showing bravery and compassion in carrying out this critical public safety mission; and risk injury and exposures to severe hazards when protecting our citizens and their property from harm's way; and furthermore, not hesitating to risk their own lives when called upon to save the lives of others; **AND**

WHEREAS, at a moment's notice, firefighters are quick to respond to uncertain situations to mitigate danger and combat the threat of destructive fire in order to protect individuals, families, and the economic being of our community; **AND**

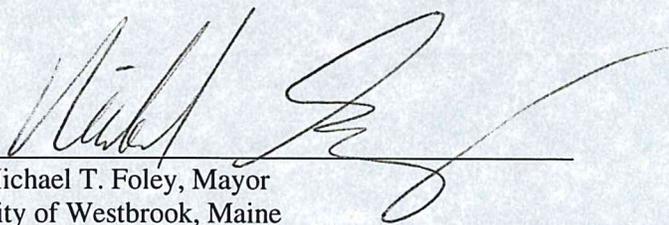
WHEREAS, the personnel of the Westbrook Fire & Rescue Department are vital members of our community with their commitment to continued training, skill enhancement and numerous community outreach initiatives that work with the citizenry to achieve a safe environment in which to live, work and play; **AND**

WHEREAS, the acts of kindness and appreciation received from our citizens provide the needed encouragement and support of Westbrook Fire & Rescue personnel as they confront the dangerous and uncertain perils experienced in their everyday emergency duties.

NOW, THEREFORE, I, Michael T. Foley, Mayor of the City of Westbrook, Maine do hereby proclaim May 4, 2020 as "INTERNATIONAL FIREFIGHTERS DAY" in the City of Westbrook, and call upon the people of Westbrook to show gratitude to any fire rescue members that you come into contact with and to support the safety activities of the City of Westbrook Fire & Rescue Department on this day and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Westbrook to be affixed.





Michael T. Foley, Mayor
City of Westbrook, Maine



**MAYORAL PROCLAMATION
BUILDING SAFETY MONTH
MAY 2020**

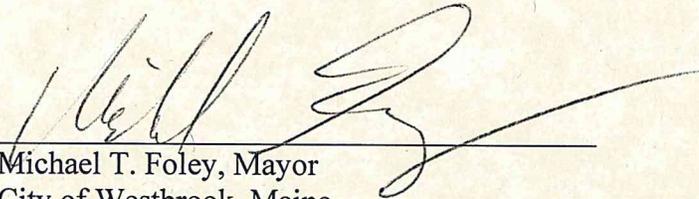
- WHEREAS,** the City of Westbrook is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster; and
- WHEREAS,** our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and
- WHEREAS,** these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, play; and
- WHEREAS,** our nation benefits economically and technologically from using the International Codes that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the world; and
- WHEREAS,** these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; which, according to a FEMA-commissioned study by the National Institute of Building Sciences, provide \$11 in future mitigation benefits for every dollar invested; and
- WHEREAS,** Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to America's prosperity; and

WHEREAS, "Safer Buildings, Safer Communities, Safer World," the theme for Building Safety Month 2020, encourages all Americans to raise awareness about the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2020 encourages appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses; and

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Michael T. Foley, Mayor, City of Westbrook, do hereby proclaim the month of May 2020 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.




Michael T. Foley, Mayor
City of Westbrook, Maine



MAYORAL PROCLAMATION
Municipal Clerks Week
May 3-9, 2020

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; **and**

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants; **and**

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; **and**

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; **and**

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community; **and**

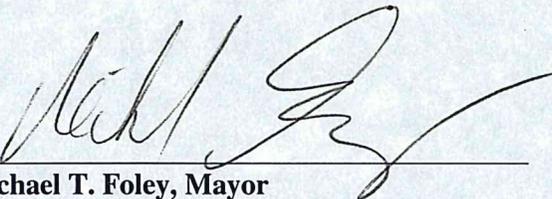
WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; **and**

WHEREAS, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Michael T. Foley, Mayor of the City of Westbrook, do recognize the week of May 3 through May 9, 2020, as Municipal Clerks Week, and further extend appreciation to our City Clerk, our Clerk's Office staff, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Westbrook to be affixed.





Michael T. Foley, Mayor
City of Westbrook, Maine



CITY OF WESTBROOK

Police Department Employee of the Quarter January – March 2020

Sergeant Brian Olson

You are hereby named the Westbrook Police Department's Employee of the Quarter for the first quarter of 2020.

You have been selected for this honor by a committee of your peers.

This award is presented to you in recognition of your performance as a Patrol Sergeant for the Westbrook Police Department.

Throughout the last quarter you have worked with the Administration in efforts to lead and coordinate the training of several new and lateral officers. For these new hires, you have been a personal mentor, meeting with them to provide insight and guidance on how they can best prepare for the Academy. You have set up training schedules that expose the new hires to criminal and motor vehicle laws, law enforcement officers' procedures, and department policies. In your role as the Field Training Officer (FTO) supervisor, you continue to mentor the FTO's, providing them feedback and leadership on how they can work to enhance their skills and teaching techniques.

Your work as Westbrook Police Association President has also been beneficial to the entire department. You have advocated for your members while maintaining a professional working relationship with the Administration. You have shown compassion and fairness in balancing individual members' wants/needs with the majority of the membership. You have shown courage and accountability to draw the line with members when issues brought forward are not legitimate and bringing forward those that are. You have shown professionalism and integrity in ensuring the collective bargaining agreement is followed. Most recently, you have worked collaboratively with the Administration on modifications made to respond to the COVID-19 pandemic.

In your day-to-day duties as the day shift supervisor, you continue to do a stellar job of overseeing the shift, responding to serious calls, and promptly getting reports approved. Day shift patrol operates smoothly and cohesively because of your supervisory efforts. You are responsible for filling a lot of overtime jobs, and you do so promptly and without error.

For all of this and more, we are proud of you Brian. We thank you for the inspiration you have given us. And, we present you with this plaque as a memento of our appreciation.

Dated: April 21, 2020

Chief Janine L. Roberts



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-36

AUTHORIZING AWARD OF SETTLEMENT FOR 29 MAPLE STREET

That the Westbrook City Council hereby authorizes the award of settlement in the amount of \$8,250 to Kimberly Blenk of 29 Maple Street in accordance with the determination of appeal approved by Order 2020-27, adopted on March 2, 2020, entitled *Adopting Findings Concerning Appeal of Insurance Claim Denial*, subject to Ms. Blenk's agreement to the release of all claims.

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Authorization of Award of Appeal for 29 Maple Street

REQUESTED BY: Katherine Kelley

DATE: 03/04/2020

SUMMARY:

This order is requesting authorization to award funds in the amount of \$8,250.00 to Ms. Kimberly Blenk of 29 Maple Street, as outlined in the written findings that were approved at the March 3rd, 2020 Committee of the Whole and City Council meeting.

BUDGET LINES AFFECTED (IF APPLICABLE):

48003250 58900 B1702

OK SMC

**FINDINGS OF FACT AND CONCLUSIONS
APPEAL OF KIMBERLY BLENK-29 MAPLE STREET**

On March 2, 2020, the Westbrook City Council met as the Committee of the Whole to conduct a hearing on the appeal by Kimberly Blenk concerning issues related to the connection of her property to the City's sewer line. During the hearing, the Council heard testimony from Kimberly Blenk; Katherine Kelly, the Wastewater Division Manager; and Eric Dudley, the Director of Public Services and City Engineer.

As an initial matter, Councilor Chau disclosed that he is familiar with this matter since he is Ms. Blenk's ward Councilor and has seen her basement. He does not feel that this information will impact his ability to hear this matter impartially. The remainder of the Council had no objection to Councilor's Chau's participation.

Based upon the testimony and evidence presented the City Council finds as follows:

1. Kimberly Blenk is the owner of a residential property located at 29 Maple Street in Westbrook. When she purchased the home, it had a full bathroom and the half bath in the basement. In 2016, she did an addition to the house and had three working toilets in addition to the one in the basement. The Code Enforcement Officer inspected the work. The tax records indicate that the house has 2 full baths and 2 half baths.
2. In 2017, the City engaged Gorrill Palmer Consulting Engineers, Inc. (Gorrill Palmer) to design a Combined Sewer Overflow (CSO) project.
3. As part of the design process, Gorrill Palmer undertook a survey of basements in properties that would be impacted by the CSO project. The intent of the survey was to get an accurate elevation of sewer laterals and to make sure that the new sewer main did not cause a conflict.
4. Not all property owners responded to the request for access for the survey. Gorrill Palmer did not get access to Ms. Blenk's property as part of this survey work. Ms. Blenk testified and provided an exhibit showing that several property owners in her section of Maple Street did not respond to the survey requests, but she and the people that she spoke with did not recall seeing any notice from the City about the survey. In addition, several of the homes in the area are new and Ms. Blenk feels that the City should have had sufficient information from those permits about the location of the sewer. Ms. Blenk had her lateral tested in 2016 and it was in working order. The new sewer line location is the reason that she cannot connect now without the additional work.
5. The City held two public meetings on the project and provided notice of each.

6. On May 8, 2019, David Margolis-Pineo, the City's representative on the CSO project, informed the City that the new sewer line on Maple Street was approximately 15 inches higher than the existing sewer line in the area between SMH 105 and SMH 106. The new sewer main unexpectedly changed in elevation near SMH 106. The City does not know why this happened, but does not believe that the design was negligent. The City was not aware prior to this that there was a bathroom and a utility sink in Ms. Blenk's basement because the prior owner did not get the required permits for the work and because Gorrill Palmer was unable to access her property during its survey work.

7. The construction contractor, Gorham Sand and Gravel, informed the City that it was able to make all of the existing sewer laterals on Maple Street work, with the exception of the lateral for 29 Maple Street. Changes would have to be made to the lateral to that property in order to make the connection, including raising the lateral.

8. Ms. Blenk worked with a plumber, who informed her that raising the house's sewer line to connect with the sewer main would cause her to lose the ability to use the bathroom in her basement unless it was relocated. The bathroom is not currently usable and cannot be used unless it either is relocated to connect with the new gravity feed and/or a pump is installed.

9. The City suggested three alternatives to Ms. Blenk and assisted in getting the cost estimates for the repair work.

10. Ms. Blenk wants to keep the bathroom in the basement and wants it to remain gravity-fed so that it continues to function when the power is out. She has done repair work to connect to the sewer, but it does not accommodate the bathroom.

11. The City offered to assist in the cost of re-piping the sewer line and removing and sealing the old sewer line and related fixtures and has paid for some repair costs concerning the location of the line.

12. Ms. Blenk requested that the City incur the entire cost of relocating her sewer service and bathroom, in the amount of \$19,950.00. The amount of this claim is based upon the provided estimates from Gorham Sand and Gravel and Warren Mechanical.

13. The City submitted Ms. Blenk's claim to its insurer.

14. The City's insurer denied the claim, determining that the City was not liable for the costs.

15. Ms. Blenk requested that the City Council consider her claim. She disagrees with the insurer's determination. She had a functioning sewer lateral and it was the work of the City that caused her connection to no longer work. Her position is that the City's design

was negligent. In addition, she cannot afford the amount required to correct this situation.

16. Ms. Blenk states that it is not reasonable to expect her to pay these costs. She feels that the City did not make reasonable efforts to determine the location of the sewer line as part of the design process.

Based upon the evidence provided, the City Council hereby determines as follows:___

The City's insurer has determined that the City is not liable for these costs under the Maine Tort Claims Act and therefore the claim is not covered by insurance. However, the Council determines that this situation is an anomaly. The property owners impacted by this project expected no change in their sewer service. Ms. Blenk has lost the use of the bathroom in her basement, which is important to her use of the house. As such, the Council awards to Ms. Blenk a total of \$8,250. This award is subject to a release of all claims related to this matter. Because of the anomalous nature of this situation, it is not intended to, and should not be construed as, setting any precedent for any future claims.

If Ms. Blenk agrees to the release, the Administration will bring forth the required appropriation order to resolve this matter.

The Administration is hereby authorized to issue a written notice of decision to Ms. Blenk.



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-37

**AMENDING ORDER 2018-137 REGARDING ACCEPTANCE & EXPENDITURE OF ADDITIONAL ASSISTANCE
TO FIREFIGHTER GRANT FUNDS**

That the Westbrook City Council hereby amends Order 2018-157 adopted on October 1, 2018, entitled *Accepting Assistance to Firefighters Grant Funds and Authorizing Expenditure of Matching Funds*, to accept and expend additional federal Assistance to Firefighters Grant funds in the amount of \$1,915 for gas line work and \$1,053 for electrical work relating to the installation of a generator, as outlined in the attached exhibit.

Funds available in budget line: 22002210-58900-G1801

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

OK
JTB
3/16/20

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Amending Order 2018-137

REQUESTED BY: Steve Sloan, Deputy Fire Chief

DATE: 01/15/2020

SUMMARY:

The Fire Department is requesting amendment to order 2018-137 to accept and expend additional federal funds to close out the Assistance to Firefighters grant (AFG).

The additional fund will be used for the following:

Suburban Propane- for gas line work during the generator install, for the amount of \$1,915
Gillman Electric- for wiring materials to hook up generator, not initially part of the electric work by Corey Electric, for the amount of \$1,053

BUDGET LINES AFFECTED (IF APPLICABLE):

22002210-58900-G1801,

OK ~~IAA~~
funds
available

Mary Morrissey

From: Mary Morrissey
Sent: Monday, March 2, 2020 9:48 AM
To: Angela Holmes
Subject: FW: Please add to the next council reading -CO Amending AFG 01062020.pdf
Attachments: doc15011120200116124026.pdf

Hi Angela,

This is the one I called about. Thanks for your help on this one.

I have two vendors Suburban and Gilman Electric with overdue invoices.

I am trying to have paid so we can close the grant.

Thanks so much! Mary

Mary Morrissey
Finance/Office Coordinator
Westbrook Public Safety
207-854-0644 Ext. 2302

mmorrissey@westbrook.me.us

From: Steve Sloan <ssloan@westbrook.me.us>
Sent: Monday, March 2, 2020 9:44 AM
To: Angela Holmes <aholmes@westbrook.me.us>
Cc: Mary Morrissey <mmorrissey@westbrook.me.us>
Subject: FW: CO Amending AFG 01062020.pdf

Regards,

Stephen A. Sloan Jr.

Stephen Sloan CFI II, CFPE
Deputy Fire Chief
Westbrook Fire & Rescue Department
570 Main Street
Westbrook, ME 04092
T: (207) 854-0644 ext 2305
F: (207) 854-0657
www.westbrookmaine.com

NOTICE: In accordance with 1 M.R.S. § 402(3) of Maine's Freedom of Access Act, any record (including this email) in the possession or custody of a public official which has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business may constitute a public record. There are very few exceptions. For more information, please visit www.maine.gov/foaa.

From: Steve Sloan
Sent: Thursday, January 16, 2020 11:03 AM
To: Angela Holmes <aholmes@westbrook.me.us>
Subject: FW: CO Amending AFG 01062020.pdf

Here are all the approved requests along with the invoice for the camera system

Regards,

Stephen A. Sloan Jr.

Stephen Sloan CFI II, CFPE
Deputy Fire Chief
Westbrook Fire & Rescue Department
570 Main Street
Westbrook, ME 04092
T: (207) 854-0644 ext 2305
F: (207) 854-0657
www.westbrookmaine.com

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From: Tressina Germani <tgermani@westbrook.me.us>
Sent: Thursday, January 16, 2020 10:46 AM
To: Steve Sloan <ssloan@westbrook.me.us>
Subject: RE: CO Amending AFG 01062020.pdf

Once you take out the Fire Reserve account ending in 02121, the council order is good to go!

From: Steve Sloan <ssloan@westbrook.me.us>
Sent: Thursday, January 16, 2020 10:35 AM
To: Tressina Germani <tgermani@westbrook.me.us>
Subject: CO Amending AFG 01062020.pdf



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-38

**AUTHORIZING TEMPORARY CONSTRUCTION & ACCESS EASEMENT AGREEMENT WITH BATH SAVINGS
INSTITUTION**

That the Westbrook City Council hereby authorizes the Mayor or his designee to enter into a Temporary Construction & Access Easement Agreement with Bath Savings Institution for the construction of a new paved sidewalk as outlined in the attached Exhibit.

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: AUTHORIZING TEMP EASEMENT AGREEMENT WITH BATH SAVINGS BANK

REQUESTED BY: Daniel Stevenson

DATE: 04/01/2020

SUMMARY:

Westbrook City Council is being asked to provide a Temporary Construction & Access Easement Agreement with Bath Savings Institution for the construction of a new paved sidewalk along the Spring Street side of the parcel as outlined in the attached Exhibit, and as required as part of the Planning Board approval for the new bank.

BUDGET LINES AFFECTED (IF APPLICABLE):

NONE

AFTER RECORDING RETURN TO:

Nicholas J. Morrill, Esq.
Jensen Baird Gardner & Henry
P.O. Box 4510
Portland, Maine 04112-4510

**TEMPORARY CONSTRUCTION
AND ACCESS EASEMENT AGREEMENT**

This TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT (“Temporary Construction Easement”) is made this ___ day of _____, 2020, by and between the **CITY OF WESTBROOK**, a Maine municipal corporation with offices located at 2 York Street, Westbrook, Maine 04092 (the “City”), and **BATH SAVINGS INSTITUTION**, a Maine banking corporation, with a mailing address of P.O. Box 548, Bath, Maine 04530 (“BSI”).

W I T N E S S E T H:

WHEREAS, the City is the owner of certain real estate and improvements located easterly of Spring Street, so-called, in the City of Westbrook, County of Cumberland, State of, Maine, being the premises described in a Quitclaim Deed from Jonathan S. Foss and Ruth M. Foss to the City of Westbrook, dated October 30, 2000 and recorded in the Cumberland County Registry of Deeds in Book 15823, Page 227, excepting, however, the real estate and improvements conveyed to BSI by Quitclaim Deed with Covenant from the City of Westbrook, dated February 12, 2020, and recorded in said Registry of Deeds in Book 36436, Page 48 (the “Temporary Easement Area”); and

WHEREAS, BSI desires to construct a new paved sidewalk on the Temporary Easement Area, and the City desires to consent to the same;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency being hereby acknowledged, the City and BSI agree as follows:

I. The City hereby grants to BSI the following temporary rights and easements over, through and under the Temporary Easement Area:

1. The right of BSI to enter the Temporary Easement Area, with people and machines, to construct, install and inspect a new paved sidewalk (the “Sidewalk”), which shall connect to existing sidewalk located at the intersection of Spring Street and William Clark Drive. The Sidewalk shall be constructed to the satisfaction of the City.
2. The right of BSI to perform or have performed any necessary clearing, excavating, paving, placing of fill material, loaming, seeding, revegetation, reconstruction, and any other incidental work consistent with the above.
3. Once BSI commences construction activity, it shall diligently pursue the same to completion, provided that any delay caused by the occurrence of any event beyond BSI’s reasonable control shall not constitute a breach of BSI’s obligation under this section.

II. Notwithstanding anything to the contrary contained herein, the temporary rights and easements herein granted are subject to the following:

1. Whenever any work is performed by BSI within the Temporary Easement Area pursuant to the provisions hereunder, such work (i) shall be performed in a safe, diligent and workmanlike manner, at BSI's sole cost and expense, in compliance with all applicable laws, ordinances, and regulations, including, without limitation, any and all requirements of the City regarding land use approvals; and (ii) shall be performed in a manner that causes the minimum of interference with the City and the general public's use of Spring Street.
2. Upon completion of the construction activity, and the Sidewalk, the Sidewalk shall become part of the public right of way of Spring Street, and BSI shall have no rights or claims to the Sidewalk, except the right of the general public to use the Sidewalk.

III. This Temporary Construction Easement shall automatically terminate upon completion of BSI's construction activity, to the reasonable satisfaction of the City, or at any point that the City Council reasonably determines it is in the best interest of the City to extinguish this Temporary Construction Easement for reasons such as, but not limited to, inactivity or inappropriate use of the Temporary Construction Easement or the Temporary Easement Area.

IV. Miscellaneous Provisions

1. Amendments, Etc. No amendment, modification, or waiver of any provision of this Agreement, or consent to any departure from the terms of this Construction Easement by any party hereto shall be effective unless the same shall be in writing and signed by all the parties hereto, and then such waiver or consent shall be effective only in the specific instance and for the specific purpose for which given.
2. No Waiver; Remedies. No failure on the part of any party hereto to exercise, and no delay in exercising, any right hereunder shall operate as a waiver thereof, nor shall any single or partial exercise of any right hereunder preclude any other or further exercise thereof or the exercise of any other right. The remedies herein provided are cumulative and not exclusive of any remedies provided by law.
3. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.
4. Governing Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Maine, regardless of the law that might otherwise govern under applicable principles of conflict of laws thereof.
5. Entire Agreement. This Agreement embodies the entire agreement and understanding of the parties hereto in respect of the subject matter hereof and supersedes all prior

agreements, representations, warranties, and understandings between or among the parties with respect to such subject matter.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the said City of Westbrook has caused this instrument to be signed and sealed in its corporate name by Michael T. Foley, Mayor, duly authorized this ____ day of _____, 2020.

WITNESS:

CITY OF WESTBROOK

By: _____

Michael T. Foley
Title: Mayor

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

_____, 2020

Then personally appeared before me, the above-named Michael T. Foley, Mayor of the City of Westbrook, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the City of Westbrook.

Notary Public/Attorney-at-Law

Name: _____

Commission Expiration: _____

IN WITNESS WHEREOF, the said Bath Savings Institution has caused this instrument to be signed and sealed in its corporate name by _____, its _____, duly authorized this ____ day of _____, 2020.

WITNESS:

BATH SAVINGS INSTITUTION

By: _____

Name:

Title:

STATE OF MAINE

COUNTY OF CUMBERLAND, ss.

_____, 2020

Then personally appeared before me, the above-named _____, _____ of Bath Savings Institution, and acknowledged the foregoing instrument to be her/his free act and deed and the free act and deed of Bath Savings Institution.

Notary Public/Attorney-at-Law

Name: _____

Commission Expiration: _____

QUITCLAIM DEED

BATH SAVINGS INSTITUTION, a Maine banking corporation with a mailing address P.O. Box 548, Bath, Maine 04530, for consideration paid, releases to the **CITY OF WESTBROOK**, a Maine a Maine municipal body corporate and politic with a mailing address of 2 York Street, Westbrook, Maine 04092, all its right, title and interest in a certain lot or parcel of land in Westbrook, Cumberland County, Maine, together with all buildings and improvements thereon, bounded and described in Exhibit A attached hereto and incorporated herein.

For grantor's source of title, reference is made to a deed of Richard A. Moulton and Dorothy L. Moulton dated August 1, 2019 and recorded in the Cumberland County Registry of Deeds in Book 35854, Page 325.

In Witness Whereof, Bath Savings Institution has caused this instrument to be executed by _____, its _____, hereunto duly authorized, as of the ____ day of _____, 2020.

Witness:

Bath Savings Institution

By: _____

Name: _____

Its: _____

STATE OF _____

COUNTY OF _____, 2020

Then personally appeared the above-named _____, _____ of Bath Savings Institution, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said entity.

Before me,

Notary Public

Print Name: _____

My Commission Expires: _____

EXHIBIT A

A certain lot or parcel of land situated on the easterly side of Spring Street, so called, in the City of Westbrook, County of Cumberland, State of Maine, being more particularly bounded and described as follows:

Beginning at a capped rebar marked #2433 found on the easterly sideline of Spring Street so called, at the northwesterly corner of land now or formerly of Mary Jacobs as described in a deed recorded at the Cumberland County Registry of Deeds in Book 22605, Page 173 and at the southwesterly corner of the Grantor;

thence N 16°55'04" W along the easterly sideline of said Spring Street, a distance of 90.83 feet to a capped rebar marked #2433 found at land now or formerly of the City of Westbrook as described in Book 5823, Page 227;

thence S 85°49'58" E along land of said City of Westbrook, a distance of 11.88 feet;

thence S 17°04'03" E through land of the Grantor, a distance of 86.27 feet to land of said Jacobs;

thence S 71°36'36" W along land of said Jacobs, a distance of 11.31 feet to the point of beginning.

The above described parcel contains 991 square feet, 0.02 acres.

All bearings noted are referenced to NAD83 Maine State Plane West Zone Grid North.



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-39

AUTHORIZING ACCEPTANCE OF POLICE DEPARTMENT FORFEITURE FUNDS

That the Westbrook City Council hereby authorizes the Police Department to accept a total of \$4,751 related to the Cumberland County Unified Court's Criminal Forfeiture disposition of property related to Docket No. CR-18-2831, *State v. Shawn Bragan* dated February 26, 2020.

Funds to be deposited in revenue line: 21002110-49000-02113

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Acceptance of Police Department Forfeiture

REQUESTED BY: Chief Roberts

DATE: 02/28/2020

SUMMARY:

Requesting the acceptance of Cumberland County Unified Court's Criminal Forfeiture disposition of property in the amount of \$4751.00.

Docket No. CR-18-2831 State v. Shawn Bragan dated February 26,2020.

BUDGET LINES AFFECTED (IF APPLICABLE):

21002110-49000-02113 Forfeiture revenue

OK
SJM



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-40

AUTHORIZING EMERGENCY EXPENDITURE FOR REPLACEMENT FIRE ALARM PANEL

That the Westbrook City Council hereby authorizes an emergency expenditure in the amount of \$4,907 to R.B. Allen of North Hampton, NH for the replacement of the fire alarm control panel at the Westbrook Public Safety Building as outlined in the attached exhibit.

Funds available in budget line 10006600-54300.

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Authorizing Expenditure for Replacement Fire Alarm Panel - Public Safety Building

REQUESTED BY: Eric Dudley, Director of Engineering and Public Services

DATE: March 6, 2020

SUMMARY:

The Department of Engineering and Public Services requests authorization in the amount of \$4,907 to R.B. Allen of North Hampton, NH for the replacement of the fire alarm control panel at the Public Safety Building. This is a sole source situation since the panel needs to work with the existing fire alarm system in the building and R.B. Allen is the sole vendor for this equipment in New England. The old control panel was malfunctioning and needed immediate attention in order to maintain occupant safety and compliance with fire code. The work was successfully performed in late January/early February and requires Council Action for payment.

BUDGET LINES AFFECTED (IF APPLICABLE):

10006600-54300

SINCE 1966

R.B. Allen Co., Inc.

NE 1-800-258-7264
FAX (603) 964-8885

P.O. Box 770
131 Lafayette Rd.
No. Hampton, NH 03862
(603) 964-8140

Invoice Number
115009833-1

Invoice Date
01/30/2020

INVOICE

Page 1

Bill To:
WESTBROOK PUBLIC SAFETY
570 MAIN ST
WESTBROOK, ME 04092

Ship To:
WESTBROOK PUBLIC SAFETY
570 MAIN ST
WESTBROOK, ME 04092

Contact:

Contact:

Customer #: WE7453 SalesPerson: TB PO#: westbrook public safety

Qty	Item	Description	Unit Price	Amount
1	IO1000R	Control Panel Enclosure		
1	RLCD CR	REMOTE ANN W/LCD/CONTROLS RED		
2	BSL 1075	12V 8 AH BATTERY		
1	IOSDC1	Expansion Loop for IO1000		
1	SUBTOTAL		4,822.00	4,822.00
1	Freight	I/O 1000 CHANGE OUT	85.00	85.00

PS Fire alarm Panel

1000660-54300

DATE: _____
ACCOUNT: _____
AUTH. BY: _____
AMOUNT: _____

Subtotal:	\$4,907.00
Tax:	\$0.00
Total Amount:	\$4,907.00

WE ARE NOW EMAILING INVOICES. PLEASE CONTACT MGODDARD@RBALLEN.COM WITH THE EMAIL ADDRESS YOU WOULD PREFER TO USE.

MATERIAL CANNOT BE RETURNED WITHOUT WRITTEN AUTHORIZATION
SYSTEMS: MUNICIPAL FIRE ALARM & SECURITY - INDUSTRIAL FIRE ALARM SECURITY - WATCH & SUPERVISORY
NOTE: TERMS ARE NET 30 DAYS UNLESS OTHERWISE INDICATED. ALL ACCOUNTS ARE PAYABLE WITHIN INVOICE TERMS. IN EVENT OF DEFAULT OF PAYMENT WHEN DUE, ALL COSTS OF COLLECTION, INCLUDING ATTORNEY'S FEES AND COURT COSTS, SHALL BE PAID BY THE CUSTOMER.



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-41

AUTHORIZING PURCHASE OF RADIO EQUIPMENT

That the Westbrook City Council hereby authorizes an expenditure in the total amount of \$17,790.07 to Radio Communications Mgmt, Inc. of Portland, ME for 50% of the cost of a simulcast transmitter/receiver site for the Public Safety Building, one base radio, one portable radio and an encryption key to enhance the City of Westbrook's digital radio system, as outlined in the attached exhibit.

Funds available in budget line 21002150-59000-02124.

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Request for purchase of radio equipment

REQUESTED BY: Gregory Hamilton

DATE: 03/06/2020

SUMMARY:

The attached invoices represent purchases needed to enhance and improve the capabilities of the City's digital radio system. Specifically, one half the cost of an added simulcast transmitter/receiver site for the Public Safety Building (\$14,940.32), one base radio (\$1,626.95), one portable radio and 8 encryption keys (\$1,222.80) The total expenditure request is \$17,790.07.

An in building portable radio coverage deficiency was identified in the area specifically around the Public Safety Building and surrounding locations. The addition of this site has mitigated that problem. The total cost of the simulcast site is \$29,880.64. One half the cost of the additional site as well as the other purchases listed here will come from the current year's radio antenna account. The second half of the additional site (\$14,940.32) will be billed July 1 and has been budgeted for in the IT budget new hardware line.

BUDGET LINES AFFECTED (IF APPLICABLE):

21002150 59000 02124

RADIO COMMUNICATIONS MGMT, INC
 158 RAND ROAD
 PORTLAND, ME 04102

Invoice
 Invoice Number
 82645

Voice: 207-797-7503
 Fax: 207-878-3521

Invoice Date
 Oct 28, 2019
 Page
 1

Sold To:

WESTBROOK POLICE DEPT
 570 MAIN STREET
 WESTBROOK, ME 04092

Ship to

WESTBROOK POLICE DEPARTMENT
 570 MAIN STREET
 WESTBROOK, ME 04092

Customer ID WESTBROOK POLICE DEP	Customer PO DMR ARC 4 Keys	Payment Terms Net 30 Days	
Sales Rep ID SCOTT	Shipping Method BEST	Ship Date	Due Date 11/27/19

Quantity	Item	Description	Unit Price	Extension
		Per request of Greg Hamilton order required additional DMR ARC4 encryption licenses for vehicles that were not part of the new system purchase		
		Updated: Order new Dispatch portable also		
8.00	KWD-5500EE	LICENSE KEY FOR DMR ARC4 ENHANCED ENCRYPTION	32.00	256.00
1.00	NX-5200K2	136 - 174 MHZ 6W 1024 CHAN DIGITAL VHF PORTABLE SN: B9411085	631.50	631.50
1.00	KSC-32	110/220V Rapid rate single unit tri-chemistry charger	56.00	56.00
1.00	KNB-L2M	LIO-ION 2600mAh BATTERY (STANDARD)	113.60	113.60
1.00	KRA-26M	VHF HELICAL ANTENNA 146-162 MHZ	14.50	14.50
1.00	KMC-42WDM	NX-5200 NOISE CANCELING SPEAKER MIC	91.20	91.20
1.00	KWD-5300CV	LICENSE KEY FOR DMR TIER II CONVENTIONAL. INCLUDES LABOR TO	60.00	60.00

Check No	Subtotal	Continued
	Service Provider / Sales T	Continued
	Total Invoice Amou	Continued
	TOTAL	Continued

RADIO COMMUNICATIONS MGMT, INC
 158 RAND ROAD
 PORTLAND, ME 04102

Invoice
 Invoice Number
 82645

Voice: 207-797-7503
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Invoice Date
 Oct 28, 2019
 Page
 2

Sold To:

WESTBROOK POLICE DEPT
 570 MAIN STREET
 WESTBROOK, ME 04092

Ship to

WESTBROOK POLICE DEPARTMENT
 570 MAIN STREET
 WESTBROOK, ME 04092

Customer ID		Customer PO		Payment Terms	
WESTBROOK POLICE DEP		DMR ARC 4 Keys		Net 30 Days	
Sales Rep ID		Shipping Method		Ship Date	Due Date
SCOTT		BEST			11/27/19
Quantity	Item	Description	Unit Price	Extension	
0.50	PROGRAMMING	UPDATE FIRMWARE & FEATURE IN THE RADIO 9/10/19, PROGRAM RADIO - #12 Programmed and tested per specifications. Saved as new file archive. *Did not have ARC4 license on hand. Will need reprogramming			

Subtotal 1,222.80
 Service Provider / Sales T
 Total Invoice Amou 1,222.80
TOTAL 1,222.80

Check No

RADIO COMMUNICATIONS MGMT, INC
 158 RAND ROAD
 PORTLAND, ME 04102

Invoice
 Invoice Number
 83549

Voice: 207-797-7503
 Fax: 207-878-3521

Invoice Date
 Jan 20, 2020

Page
 1

Sold To:

WESTBROOK POLICE DEPT
 570 MAIN STREET
 WESTBROOK, ME 04092

Ship to

WESTBROOK POLICE DEPARTMENT
 570 MAIN STREET
 WESTBROOK, ME 04092

Customer ID		Customer PO		Payment Terms	
WESTBROOK POLICE DEP		Patrol / Sgt Base		Net 30 Days	
Sales Rep ID		Shipping Method		Ship Date	Due Date
COMPLETED - 11		BEST			2/19/20
Quantity	Item	Description	Unit Price	Extension	
		Greg Hamilton requesting dual head RF Deck base radio for Patrol Room and Sergeants Office with external base antenna to assist with radio RX.			
		Originally, dual head radio to be installed, but determined that a single radio with (4) external speakers would cover the dead spots more appropriately.			
		NOTE: Per customer, external speakers not needed.			
1.00	NX-5700BK	50W, 136-174 MHz, RF DECK ONLY Serial Number: B8B10109	551.25	551.25	
1.00	FG1520	VHF ANTENNA 152-156 MHz UNITY GAIN	125.03	125.03	
1.00	WM4	4" WALL BRACKET	31.00	31.00	
75.00	LMR-400	9913 TYPE CABLE	1.26	94.50	
10.00	RG58U	ANTENNA CABLE	0.51	5.10	

Subtotal Continued

Sales Tax Continued

Total Invoice Amount Continued

TOTAL Continued

Check No

RADIO COMMUNICATIONS MGMT, INC
 158 RAND ROAD
 PORTLAND, ME 04102

Invoice
 Invoice Number
 83549

Voice: 207-797-7503
 Fax: 207-878-3521

Invoice Date
 Jan 20, 2020
 Page
 2

Sold To:

WESTBROOK POLICE DEPT
 570 MAIN STREET
 WESTBROOK, ME 04092

Ship to

WESTBROOK POLICE DEPARTMENT
 570 MAIN STREET
 WESTBROOK, ME 04092

Customer ID	Customer PO	Payment Terms	
WESTBROOK POLICE DEP	Patrol / Sgt Base	Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
COMPLETED - 11	BEST		2/19/20

Quantity	Item	Description	Unit Price	Extension
1.00	ICT12012-15AG	13 A POWER SUPPLY	145.00	145.00
1.00	KMC-35	Standard Dynamic Microphone (8-pin mod plug) standard with new TK-7160/8160 and TK-7180.8160 mobile	42.00	42.00
1.00	E30-7523-65	TK-7180 POWER CABLE	20.00	20.00
1.00	RFN-1005-3C	CONNECTOR	9.12	9.12
1.00	RFU-527	UHF FEMALE CRIMP	6.45	6.45
2.00	RFU-507-SI	UHF MALE CRIMP CONNECTOR SKU #87791	4.64	9.28
2.00	RFU-505	UHF MALE CRIMP RG58	3.46	6.92
1.00	RFU-537	UHF/UHF BULKHEAD ADAPTER	7.80	7.80
1.00	INSTALL KIT	INSTALLATION PARTS	26.50	26.50
1.00	KWD-5500EE	LICENSE KEY FOR DMR ARC4 ENHANCED ENCRYPTION	32.00	32.00
1.00	KWD-5300CV	LICENSE KEY FOR DMR TIER II CONVENTIONAL. INCLUDES LABOR TO UPDATE FIRMWARE & FEATURE IN THE RADIO	60.00	60.00
0.50	PROGRAMMING E	9/24/19, #27 RADIO PROGRAMMING USING EXISTING CUSTOMER FILE		

Subtotal Continued

Sales Tax Continued

Total Invoice Amount Continued

TOTAL Continued

Check No

RADIO COMMUNICATIONS MGMT, INC
 158 RAND ROAD
 PORTLAND, ME 04102

Invoice
 Invoice Number
 83549

Voice: 207-797-7503
 Fax: 207-878-3521

Invoice Date
 Jan 20, 2020

Page
 3

Sold To:

WESTBROOK POLICE DEPT
 570 MAIN STREET
 WESTBROOK, ME 04092

Ship to

WESTBROOK POLICE DEPARTMENT
 570 MAIN STREET
 WESTBROOK, ME 04092

Customer ID		Customer PO		Payment Terms	
WESTBROOK POLICE DEP		Patrol / Sgt Base		Net 30 Days	
Sales Rep ID		Shipping Method		Ship Date	Due Date
COMPLETED - 11		BEST			2/19/20
Quantity	Item	Description	Unit Price	Extension	
3.50	INSTALLATION CREW	9/24/19, INSTALLATION LABOR - 2 MEN #27, #30 Installed antenna on wall outside of the sally port and ran cable into the Captain's office.	130.00	455.00	
1.00	NOTE:	Ran cable through the wall and installed wall box and blank plate with bulkhead. Installed radio with power supply and programmed with licenses. Tested OK.			

Subtotal 1,626.95

Sales Tax:

Total Invoice Amount 1,626.95

Check No

TOTAL 1,626.95

RADIO COMMUNICATIONS MGMT, INC
 158 RAND ROAD
 PORTLAND, ME 04102

Invoice
 Invoice Number
 83632

Voice: 207-797-7503
 Fax: 207-878-3521

Invoice Date
 Jan 28, 2020

Page
 1

Sold To:

WESTBROOK POLICE DEPT
 570 MAIN STREET
 WESTBROOK, ME 04092

Ship to

WESTBROOK POLICE DEPARTMENT
 570 MAIN STREET
 WESTBROOK, ME 04092

Customer ID		Customer PO		Payment Terms	
WESTBROOK POLICE DEP		Add PSB Site		Net 30 Days	
Sales Rep ID		Shipping Method		Ship Date	Due Date
SCOTT		BEST			2/27/20

Quantity	Item	Description	Unit Price	Extension
1.00	TITLE	Add simulcast transmitter and voter receiver site at Public Safety Building for Police and Fire Primary channels.		
		Invoice 50% in January 2020		
		Invoice remaining 50% July 1, 2020		
2.00	RBS4000C	50% payment January 2020	14,940.32	14,940.32
		50% payment July 1, 2020	14,940.31	
2.00	TPRD1554	RBS4000C-V3025-W-A100-4W100-S1-V2-G1 BASE- 25W VHF (136 -174 MHz), V2 VOCODER, SINGLE GPS, 12 VOLT TELEWAVE - 144-174 MHz VHF DUPLEXER 600 KHz SEPARATION		
2.00	RM2512	20 AMP RACK MOUNT POWER SUPPLY		
150.00	LCF12-50J	1/2" FOAM HARDLINE SKU#70393		
2.00	NM-LCF12-D01	1/2" N(M) LCF12-50J CONNECTOR		
2.00	NF-LCF12-D01	1/2" N(F) LCF12-50J CONNECTOR		
2.00	MISC-ITEM	716M-LCF12-D01 OMNI Fit 7/16 Din Male Connector for 1/2" LCF12-50J		

Subtotal Continued

Sales Tax Continued

Total Invoice Amount Continued

TOTAL Continued

Check No

RADIO COMMUNICATIONS MGMT, INC
 158 RAND ROAD
 PORTLAND, ME 04102

Invoice
 Invoice Number
 83632

Voice: 207-797-7503
 Fax: 207-878-3521

Invoice Date
 Jan 28, 2020

Page
 2

Sold To:

WESTBROOK POLICE DEPT
 570 MAIN STREET
 WESTBROOK, ME 04092

Ship to

WESTBROOK POLICE DEPARTMENT
 570 MAIN STREET
 WESTBROOK, ME 04092

Customer ID		Customer PO		Payment Terms	
WESTBROOK POLICE DEP		Add PSB Site		Net 30 Days	
Sales Rep ID		Shipping Method		Ship Date	Due Date
SCOTT		BEST			2/27/20

Quantity	Item	Description	Unit Price	Extension
2.00	MISC-ITEM	SD210-HF2P4LDF		
2.00	MISC-ITEM	Antenna mounting hardware		
2.00	IS-50NX-C2-MA	ARRESTOR		
2.00	RF JUMPER	RF JUMPER CABLE		
12.00	SCF12-50J	1/2" SUPERFLEX CABLE		
4.00	15560751	1/2" N(M) CONNECTOR SCF12-50 SUPERFLEX		
1.00	GPS-TMG-40NMS	1575.42 MHz GPS TIMING ANTENNA		
50.00	LMR-400	9913 TYPE CABLE		
1.00	DGXZ 06NENF-A	GPS LINE PROTECTOR		
2.00	MISC-ITEM	Connectors for GPS antennas		
1.00	MISC-ITEM	GPS300 & TN0602 GPS Splitter		
2.00	TWS240NMSM-3'	SMA(M) TO N(M) LMR-240 3' JUMPER		
8.00	TECHNICIAN-50	TECHNICIAN LABOR - 50 - Configure (2) repeaters and system for new site		
8.00	INSTALLATION CREW	INSTALLATION LABOR - 2 MEN - Install (2) VHF antenna systems and (1) GPS antenna - Install repeater equipment		
-1.00	DISCOUNT	DISCOUNT GIVEN		

Subtotal 14,940.32

Sales Tax:

Total Invoice Amount 14,940.32

Check No

TOTAL 14,940.32



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-42

AUTHORIZING ACCEPTANCE & EXPENDITURE OF STOP VIOLENCE AGAINST WOMEN FORMULA GRANT

That the Westbrook City Council hereby authorizes the acceptance and expenditure of a \$65,173 STOP Violence Against Women Formula Grant provided through the State of Maine to fund the Enhanced Police Intervention Collaboration (EPIC) Program Coordinator position for Through These Doors, as outlined in the attached exhibit.

Grant funds to be deposited into budget line 22002110-59000-02210

Funds to be expended from budget line 22002110-43400-02210

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Acceptance of STOP Violence Against Women Formula Grant

REQUESTED BY: Captain Steven Goldberg - Westbrook Police Department

DATE: 03/10/2020

SUMMARY:

The Westbrook Police Department has collaborated with Through These Doors, a Domestic Violence advocacy group, to apply for a STOP Violence Against Women Formula Grant. We were awarded the grant from the State of Maine for \$65,173. This grant will be used to fund the Enhanced Police Intervention Collaboration (EPIC) Program Coordinator position for Through These Doors. This is a collaboration that we have done in the past and it has been very successful. Through These Doors partners with us to provide Domestic Violence advocacy services to Domestic Violence victims in our community. Their work has helped countless victims.

There will be no City funds expended for this grant, and all match funds are already accounted for by hours worked by personnel.

It should be noted that the actual grant paperwork is over 90 pages. Due to size restrictions we have only attached a few pertinent pages. The full grant award document can be made available to any Councilor upon request.

BUDGET LINES AFFECTED (IF APPLICABLE):

Expense - 22002110 59000 02210
Revenue - 22002110 43400 02210

OIC
TJA



JANET MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
104 STATE HOUSE STATION
AUGUSTA, ME 04333



MICHAEL SAUSCHUCK
COMMISSIONER

March 5, 2020

Chief Janine Roberts
Westbrook Police Department
570 Maine Street
Westbrook, ME 04092

SUBJECT: Notice of Conditional Contract Awards under RFP # 201906105
STOP Violence Against Women Formula Grant

Dear Chief Roberts:

This letter is regarding the subject Request for Proposals (RFP), issued by the State of Maine Department of Public Safety for the STOP Violence Against Women Formula Grant Program. The Department has evaluated the proposals received using the evaluation criteria identified in the RFP, and the Department is hereby announcing its conditional contract awards to the following bidders:

- Through These Doors
- Maine Coalition Against Sexual Assault (both proposals)
- Caring Unlimited (both proposals)
- Sexual Assault Prevention and Response Services
- Sexual Assault Support Services of Midcoast Maine (SASSMM)
- Maine Transgender Network, Inc.
- Safe Voices
- Family Violence Project
- Next Step Domestic Violence Project
- Westbrook Police Department
- Lewiston Police Department
- Maine Office of the Attorney General
- Prosecutorial District IV

The bidders listed above received the evaluation team's highest rankings. The Department will be contacting the aforementioned bidders soon to negotiate a contract. As provided in the RFP, the Notice of Conditional Contract Award is subject to execution of a written contract and, as a result, this Notice does NOT constitute the formation of a contract between the Department and the apparent successful vendor. The vendor shall not acquire any legal or equitable rights relative to the contract services until a contract containing terms

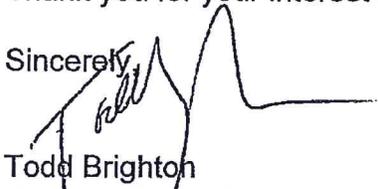
and conditions acceptable to the Department is executed. The Department further reserves the right to cancel this Notice of Conditional Contract Award at any time prior to the execution of a written contract.

As stated in the RFP, following announcement of this award decision, all submissions in response to the RFP are considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA). 1 M.R.S. §§ 401 et seq.; 5 M.R.S. § 1825-B (6).

This award decision is conditioned upon final approval by the State Procurement Review Committee and the successful negotiation of a contract. A Statement of Appeal Rights has been provided with this letter; see below.

Thank you for your interest in doing business with the State of Maine.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Brighton', is written over the word 'Sincerely,'. The signature is stylized and extends to the right, ending in a horizontal line.

Todd Brighton
Contract/Grant Specialist
Maine Department of Public Safety
104 State House Station (U.S. Mail)
45 Commerce Drive, Suite One (Delivery Service)
Augusta, ME 04333-0104

Phone (207) 624-7217

Fax (207) 287-3042

todd.brighton@maine.gov



SERVICE CONTRACT

DATE: 03/05/2020

ADVANTAGE CONTRACT #: 20200219000000002314

DEPARTMENT AGREEMENT #: LE-02-19

CONTRACT AMOUNT: \$ 65,173.00

START DATE: 10/1/2019 END DATE: 3/31/2021

This Contract, is between the following Department of the State of Maine and Provider:

State of Maine DEPARTMENT

DEPARTMENT: Department of Public Safety

Address: 45 Commerce Drive, Suite 1

City: Augusta State: Maine Zip Code: 04333-0104

PROVIDER

PROVIDER: Westbrook Police Department

Address: 570 Maine Street

City: Westbrook State: Maine Zip Code: 04092

Provider's Vendor Customer #: VC1000096131

Each signatory below represents that the person has the requisite authority to enter into this Contract. The parties sign and cause this Contract to be executed.

Department of Public Safety

Westbrook Police Department

Michael Sauschuck, Commissioner
Date:

Janine Roberts, Chief of Police
Date:

STATE OF MAINE | SERVICE CONTRACT

DEPARTMENT AND PROVIDER POINT OF CONTACTS

CONTRACT ADMINISTRATOR: The following person is designated as the Contract Administrator on behalf of the Department for this Contract. All financial reports, invoices, correspondence and related submissions from the Provider as outlined in Rider A, Reports, shall be submitted to:

Name: **Todd Brighton**
Email: **todd.brighton@maine.gov**
Address: **45 Commerce Drive, Suite 1**
City: **Augusta** State: **Maine** Zip Code: **04333 -0104**
Telephone: **(207) 624-7217**

PROGRAM ADMINISTRATOR: The following person is designated as the Program Administrator. This person will be able to respond to routine questions pertaining to the Contract; they will not be able to alter the scope of the Contract.

Name: **N/A**
Email:
Address:
City: State: Zip Code:
Telephone:

PROVIDER CONTACT: The following person is designated as the Contact Person on behalf of the Provider for the Contract. All contractual correspondence from the Department shall be submitted to:

Name: **Steven Goldberg**
Email: **sgoldberg@westbrook.me.us**
Address: **570 Maine Street**
City: **Westbrook** State: **Maine** Zip Code: **04092**
Telephone: **207 854-0644**



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-43

AUTHORIZING EXPENDITURES & AMENDMENTS TO THE WASTEWATER ANNUAL VENDOR LIST

That the Westbrook City Council hereby authorizes an expenditure in the amount of \$454.06 to W.B. Mason of Brockton, MA for general supplies, an expenditure in the amount of \$239.27 to Walsh Printing & Graphics of Westbrook, ME for informational door hangers, and an expenditure in the amount of \$5,535 to Tri-State Tool and Hoist, Inc. of Salem, OH for a portable hoist, and further authorizes an amendment to Order 2019-179, *Approving the CY 2020 Wastewater Division Budget & Annual Vendor List, Portland Water District Payment, Wastewater Assessment & Sewer User Rates*, to include the following items:

Wastewater Annual Vendor List

Account Number	Account Name	Vendor
80003250-5600	General Supplies	W.B. Mason Walsh Printing & Graphics

Funds available in budget lines 80003250-56000 and 48003250-58900-B1704

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Authorizing Payments & Amendment to 2020 Wastewater and County Road PS Vendor Lists

REQUESTED BY: Katherine Kelley

DATE: 02/28/2020

SUMMARY:

This is a request to add W.B. Mason and Walsh Printing & Graphics to the CY 2020 Wastewater Annual Vendor List and to authorize payment of \$454.06 to W.B. Mason for general supplies and \$239.27 for informational door hangers.

This is also a request to add Tri-State Tool and Hoist, Inc. to the County Road Pump Station Vendor List & authorize payment of \$5,535.00 for the portable hoist in the new pump station.

BUDGET LINES AFFECTED (IF APPLICABLE):

80003250-56000, 48003250 58900 B1704



PM

W.B.MASON CO., INC.
59 Centre St
Brockton, MA 02301

Address Service Requested
888-WB-MASON www.wbmason.com

DATE: 2/26/2020
ACCOUNT: 80003250-56000
AUTH. BY: K. Kelley
AMOUNT: \$12.99

Invoice Number	207822788
Customer Number	C1096848
Invoice Date	02/13/2020
Due Date	03/14/2020
PO Number	sewer
Order Date	02/11/2020
Order Number	S100651517
Order Method	WEB
Cost Center	Public Works

2605 1 AB 0.419 E0091X I0122 D5850414369 S2 P7144921 0001:0003



CITY OF WESTBROOK
2 YORK ST
WESTBROOK ME 04092-5710

Delivery Address
City Of Westbrook Public Works
Attn.: sewer
371 Saco Street
Westbrook ME 04092

W.B. Mason Federal ID #: 04-2455641

Important Messages

Sign up for Paperless Invoicing at wbmason.com/paperless. Your Registration Code: 5637466991

Looking for an easier way to see and pay bills?

Visit WWW.WBMASON.COM/ACCOUNTSTATEMENT.aspx to access your account, go paperless, review invoices and account statements, and link your checking account or credit card to make fast secure payments.

ITEM NUMBER	DESCRIPTION	QTY	U/M	UNIT PRICE	EXT PRICE
LEO68512	CLIP,MAGNETIC,SPRING,24/BX (2DZ)	1	BX	12.99	12.99

SUBTOTAL: 12.99
TAX & BOTTLE DEPOSITS TOTAL: 0.00
ORDER TOTAL: 12.99
Total Due: 12.99

To ensure proper credit, please detach and return below portion with your payment

3



W.B. MASON CO., INC.
59 Centre St
Brockton, MA 02301

Address Service Requested
888-WB-MASON www.wbmason.com

DATE: 2/25/2020
ACCOUNT: 80003200
AUTH. BY: K. Kelly 50000
AMOUNT: \$441.07

Invoice Number	207778973
Customer Number	C1096848
Invoice Date	02/12/2020
Due Date	03/13/2020
PO Number	sewer
Order Date	02/11/2020
Order Number	S100651517
Order Method	WEB
Cost Center	Public Works

3915 1 AB 0.419 E0130X I0209 D5846252799 S2 P7143493 0001:0002



CITY OF WESTBROOK
2 YORK ST
WESTBROOK ME 04092-5710

Delivery Address

City Of Westbrook Public Works
Attn.: sewer
371 Saco Street
Westbrook ME 04092

W.B. Mason Federal ID #: 04-2455641

Important Messages

Sign up for Paperless Invoicing at wbmason.com/paperless. Your Registration Code: 5637466991

Looking for an easier way to see and pay bills?

Visit WWW.WBMASON.COM/ACCOUNTSTATEMENT.aspx to access your account, go paperless, review invoices and account statements, and link your checking account or credit card to make fast secure payments.

ITEM NUMBER	DESCRIPTION	QTY	U/M	UNIT PRICE	EXT PRICE
AVE17012	BINDER,VIEW 1"WHT	5	EA	5.58	27.90
HEWCE310A	TONER,BLK. #126A,F/CP1025-1.2K	1	EA	51.68	51.68
HEWCF341A	TONER,HP 126A CYM TRI-PK, 1PK/BX	1	BX	155.03	155.03
QUA50260	ENVELOPE,COIN,#3,20#	1	BX	58.51	58.51
SAN80653	KIT,EXPO STARTER CHIS,AST	1	ST	8.20	8.20
BRTTZE631	LABEL,1/2" BLK/YEL	1	EA	17.99	17.99
BRTTZEFX231	LABEL,1/2",FLX,BK ON WHT	1	EA	20.34	20.34
PIL31020	PEN,RLRBLL,GELINK,FPT,BK	2	DZ	14.26	28.52
BRTTZES241	LABEL,3/4" BK/WHT,EXT	1	EA	16.28	16.28

- Please See Next Page for Continuation -

To ensure proper credit, please detach and return below portion with your payment

INVOICE DATE	INVOICE NUMBER	DESCRIPTION	INVOICE AMOUNT
02/13/2020	207822788	CUST C1096848 - MAGNETIC CLIPS	\$12.99
02/12/2020	207778973	CUST C1096848 - GENERAL SUPPLIES	\$441.07
01/30/2020	207349747	CUST C1096848 - DAWN DETERGENT & MAILING TAPE	\$112.56
02/07/2020	207651099	CUST C1096848 - CLIPBOARDS PO #: 2020263	\$17.26
02/10/2020	CR7822295	CUST C1096848 - CLIPBOARDS	-\$9.28
02/13/2020	207827661	CUST C1096848 - TABLES & CHAIRS PO #: 2020823	\$2,983.76
02/14/2020	207884214	CUST C1096848 - BULLETIN BOARD PO #: 2020823	\$39.99
02/14/2020	207864311	CUST C1096848 - LABELING TAGS PO #: 2020823	\$12.38

VENDOR NUMBER	VENDOR NAME	CHECK NUMBER	CHECK DATE	CHECK AMOUNT
1006	W B Mason	39909	02/28/2020	\$3,610.73



City of Westbrook

2 York St
Westbrook, ME 04092
(P) 207-854-9105 (F) 207-854-0635

Vendor Number	Check Number	Check Date
1006	39909	02/28/2020

\$3,610.73

Pay *Three Thousand Six Hundred Ten Dollars and 73 Cents*

To the Order Of W B Mason
PO Box 981101
Boston, MA 02298-1101

**FILE COPY
NON-NEGOTIABLE**

WALSH PRINTING & GRAPHICS

5 PATRIOT ROAD • WESTBROOK, MAINE 04092
TEL: (207) 856-7666 • FAX (207) 856-7667
wpgprint@maine.rr.com

INVOICE

Date	Invoice #
3/4/2020	0045-21

Bill To:

City of Westbrook
Attn: Katherine Kelley
2 York St.
Westbrook, ME 04092

Ship To:

Katherine Kelley
Saco Street
Westbrook, ME

Contact/P.O.#	Terms	Rep	Ship	Via
Katherine K	Net 20	BJW	3/4/2020	WP&G & ...



Quantity	Description	Price Each	Amount
500	Door Hangers Wipes Clog Pipes	0.47854	239.27

Thank you for your order!

TOTAL

\$239.27

Tri-State Tool & Hoist, Inc.



707 S. Ellsworth Ave.
Salem, OH 44460
Phone: (330) 332-3500
Fax: (330) 332-3510

QUOTATION NO. _____

PAGE 1 OF 1

Date: **3/6/2020**

Company Westbrook WWTP

Attn **Dan**
Phone 207-252-3824 Cell Ext: _____
Fax _____
dvaughan@westbrook.me.us

WE ARE PLEASED TO SUBMIT THE FOLLOWING QUOTATION FOR YOUR CONSIDERATION.

Quantity	Description	Your Net Cost Each	Total Line Item Cost
Subject Thern Davit Crane			
1	Thern Commander 2000, 5PT20-E2- 2000lbs. Capacity crane with 4WP2-K electric winch. Powder Coat Finish	\$ 3,705.00	\$ 3,705.00
1	Thern 5BR20- Wheel Base, Frame Powder Coat Finish	\$ 1,385.00	\$ 1,385.00
1	Thern WS25-36NS 1/4" x 36ft Stainless Steel wire rope assy.	\$ 245.00	\$ 245.00
1	Freight to Jobsite	\$ 200.00	\$ 200.00
TOTAL			\$ 5,535.00

Delivery 1 - 2 Weeks	F. O. B.: Weight	FOB	TERMS:	Net 30 Days to Approved Accounts
			Total Approximate Ship Weight (lbs)	0

Price is for material only, unless otherwise noted above.
Does not include taxes or any items not mentioned in quote.
Quote valid for 30 days.

Quoted By,
Brent Tice
BY _____

Date: _____

Note: Sign and return one (1) copy of this quotation to initiate order process.

Quotation is accepted subject to Standard Terms and Conditions.
I accept your Terms and Conditions. Please enter my Order.

CC _____

Company: _____

Cell _____

Address: _____

Signature: _____



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: April 6, 2020

Order: 2020-44

**ACCEPTING DONATION FROM THE WARREN MEMORIAL FOUNDATION & ESTABLISHING THE
WESTBROOK-WARREN MEMORIAL FOUNDATION EMERGENCY ARTS GRANT FUND**

That the Westbrook City Council hereby accepts a donation in the amount of \$50,000 from the Warren Memorial Foundation for the establishment of the Westbrook-Warren Memorial Foundation Emergency Arts Grant Fund to support Westbrook-based professional artists who have experienced loss of income during the COVID-19 pandemic, and further authorizes the City administration to administer such grant funds in partnership with the Warren Memorial Foundation as outlined in the attached exhibit.

Donation to be deposited into budget line 21001330-46400-02133.

Grant funds to be deducted from budget line 21001330-58900-02133.

First Reading: April 6, 2020

Second and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Westbrook-Warren Memorial Foundation Emergency Arts Fund

REQUESTED BY: Daniel Stevenson

DATE: 04/01/2020

SUMMARY:

The Warren Memorial Foundation will gift the City \$50,000 to support Westbrook-based professional artists (this includes working actors, performing artists, visual artists, musicians, filmmakers, writers, dancers, etc.) who can show loss of income during the COVID-19 pandemic.

The Emergency Arts Grant Fund was created to help artists in Westbrook recover from income loss and personal emergencies by awarding grants for unanticipated financial hardship during the Covid-19 pandemic. Local artists who meet the requirement checklist for eligibility will be encouraged to apply via Google Form for a \$1500 cash stipend to help cover necessary expenses due to canceled work and/or for lost sales due to the Covid-19 related financial downturn.

The City will administer the grants as part of a partnership with the Warren Memorial Foundation. The Westbrook-Warren Memorial Foundation Emergency Arts Funds application is attached.

BUDGET LINES AFFECTED (IF APPLICABLE):

21001330 - 46400 - 02133
21001330 - 58900 - 02133

New Account/Project
OR SM

WESTBROOK-WARREN MEMORIAL FOUNDATION EMERGENCY ARTS FUND

Westbrook-Warren Memorial Foundation Emergency Arts Fund

The Fund was created to help artists in Westbrook, Maine recover from income loss and personal emergencies by awarding grants for unanticipated financial hardship during the Covid-19 pandemic. Local artists who meet the requirement checklist for eligibility are encouraged to apply via Google Form for a \$1500 cash stipend to help cover necessary expenses due to cancelled work and/or for lost sales due to the Covid-19 related financial downturn.

REQUIREMENT CHECKLIST:

Please review the following requirements to assess your eligibility:

Shall demonstrate “working artist” status in 2020 through website and/or social media links, flyers, documents, reviews etc.

Shall be a Westbrook, Maine, resident or an artist with a primary studio, performance space, or other arts-based business in Westbrook, Maine.

Shall be at least 21 years old.

Shall be able to provide documentation of loss of income. This includes but is not limited to: emails, screenshots, cancelled event posts on social media, and webpages. Please also provide a statement concerning current employment status, if any, including the name of the employer.

Shall provide a personal statement with a compelling argument on how the applicant has been adversely affected by the current emergency. An honor system is at play here, as each applicant must be mindful that other applicants may be in more extreme need.

ELIGIBILITY:

Eligible applicants for the Emergency Fund include Westbrook-based professional artists (this includes working actors, performing artists, visual artists, musicians, filmmakers, writers, dancers, etc.) who can show loss of income during the COVID-19 pandemic.

REQUIREMENT SUBMISSIONS:

- Shall demonstrate “working artist” status in 2020 through website and/or social media links, flyers, documents, reviews etc. (Application supports uploaded documents)
- Shall be a Westbrook resident or an artist with a primary studio, performance space, or other arts-based business in Westbrook. Please provide your home address and the address of your primary studio, performance space or arts-based business.
- Shall be at least 21 years old.
- Shall demonstrate income loss. Evidence may include but is not limited to: emails, screenshots, cancelled event posts on social media, and webpages. Document proof of loss specifically due to the Covid-19 pandemic. Examples: gallery closures due to Covid-19, cancelled trade shows where sales or

other marketing were planned, cancelled outdoor shows, loss of web based sales and traffic, loss of sales from Etsy or other online selling platforms, cancelled tours, performances, teaching or workshop cancellations, etc.

- Shall provide a personal statement with a compelling argument on why the applicant has been adversely affected by Covid-19. An honor system is at play here, as each applicant must be mindful that other applicants may be in more extreme need.

GUIDELINES:

Complete the application and please allow up to 10-12 days for processing after submission. We will notify recipients by email. **A completed W-9 is required prior to the disbursement of grant funds to recipients.** Applications will be reviewed on a rolling basis and a second round of submissions may be opened if funding is available. Board members of the Warren Memorial Foundation, elected city officials of the city of Westbrook, Maine and employees of the City of Westbrook, Maine are not eligible to apply.

Any questions, contact:

Daniel Stevenson, Economic Development Director: dstevenson@westbrook.me.us or 207.956.3197.

Any uploaded files may be shared outside of the organization they belong to. All application materials are confidential. However, numbers of awards, and amounts may be reported publicly.

* Required

Legal name of applicant *

Artist Name/Business Name

Residential Street Address *

Unit, Apartment, Suite #

City *

State *

Zip Code *

Mailing Address and business address (if different from above)

Are you age 21 or older? *

Yes

No

Date of Birth

MM

/

DD

/

YYYY

What is your artistic practice?

What genre (musician, dancer, actor, filmmaker, writer, visual artist etc.)? Do you have more than one job? If yes, explain the arts profession and your other job(s). Please be specific. *

Why are you applying to the Westbrook-Warren Memorial Foundation Emergency Arts Fund? *

To recover monetary losses caused by cancelled/postponed events, including but not limited to: performances in all performing arts genres, exhibitions, readings, and speaking engagements.

To counteract lost income as teaching artist from cancelled classes/closures

To recapture self-funded travel expenses related to exhibitions, artist residency, and tours.

To support my creative endeavors after losing supplemental income, such as service industry work, and while unable to obtain unemployment.

All of the above

Other

Explain why you need funding from the Arts Emergency Fund in detail (500 words max). *

Please be specific as possible and provide a detailed explanation of lost income and artistic opportunity. For example, if your event was cancelled, please detail: Where and when was it supposed to take place? What was the event? How much income was lost? How long did you prepare for the event? How are you coping with these changes and how do they affect your life?



Please attach proof that confirms your loss of income. This includes but is not limited to: emails, screenshots, web pages, service industry closings, etc.



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: May 4, 2020

Resolve: 2020-18

APPROVING REAPPOINTMENT TO THE LONG CREEK WATERSHED MANAGEMENT DISTRICT BOARD OF DIRECTORS

That the Westbrook City Council hereby approves the reappointment of Eric Dudley, Director of Engineering & Public Services, to the Long Creek Watershed Management District Board of Directors as the City of Westbrook's municipal representative, for a three-year term expiring July 2023.

First and Final Reading: May 4, 2020

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Approving the Appointment to the Long Creek Watershed Management District Board of Directors

REQUESTED BY: Administration

DATE: 04/27/2020

SUMMARY:

Approving the reappointment of Eric Dudley, Director of Engineering & Public Services, to the Long Creek Watershed Management District Board of Directors for a 3-year term expiring July 2023.

BUDGET LINES AFFECTED (IF APPLICABLE):

N/A



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: May 4, 2020

Order: 2020-45

AUTHORIZING FUNDING & EXPENDITURE FOR COMMUNITY POLICING SUB-STATION

That the Westbrook City Council hereby authorizes an expenditure in the total amount of \$4,500 to HRM Properties, LLC for rent payment for the Community Policing Sub-Station located at 192 Brown Street, Apartment 1, for the months of April – June 2020.

Funds available in budget line 21002110-59000-02126

First Reading: May 4, 2020

Second and Final Reading:

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Community Policing rent expense -192 Brown St. Apt. 1

REQUESTED BY: Chief Roberts

DATE: 04/06/2020

SUMMARY:

Requesting approval for rent payments to HRM properties for the months of April through June 2020.

The monthly cost of \$1500.00 to be paid from from the Eleanor Saunders account covering a total cost \$4500.00

BUDGET LINES AFFECTED (IF APPLICABLE):

Expense 21002110-59000-02126



Janine L. Roberts
Chief of Police
570 Main Street
Westbrook, Maine 04092
Phone: 207-854-0644
Fax: 207-854-0648

April 6, 2020

To: Angela Holmes Westbrook City Clerk
From: Chief Janine L. Roberts

Re: City Council Agenda – Requesting approval- rent payments for the Community Policing Office

The Frenchtown Community Policing Sub-station located at 192 Brown St. has been in operation since fall of 2015. Community policing brings together the neighborhoods with the Police Department, community members, landlords, businesses and local agencies. The partnership aids in addressing community concerns and supports community initiatives and social programs.

Community Policing Rent is supported by donations and is currently \$1500.00 monthly. The next Council reading occurring later in May will delay timely rent payment. Therefore we respectfully ask for the approval of rent payments for April and May to HRM properties be paid in advance. The June rent payment would be made after the council reading with the approved council order.

The \$1500.00 monthly rent to HRM Properties will be expended out of account# 21002110-59000-02126.

Please add the approval of Community Policing rent payments for April, May and June 2020 to the future City Council Agenda.

Respectfully,

Janine L. Roberts
Chief of Police



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: May 4, 2020

Order: 2020-46

AUTHORIZING PURCHASE OF SPEED RADAR TRAILER

That the Westbrook City Council hereby authorizes the purchase of a Decatur OnSite 300MX Matrix Speed Radar Trailer from M.S. Martin Enterprises, Inc. of Amsterdam, NY at a total cost of \$9,967 to assist the Police Department with traffic control initiatives.

Funds available in budget line 22002110-58900-02213

First Reading: May 4, 2020

Second and Final Reading:

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

*Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required **prior** to submission.*

PROPOSED TITLE: Award the purchase of one-speed trailer to M S Martin Enterprises, Inc (Decatur) 1319 State Route 147 Amsterdam, N.Y. 12010. The purchase price(s) of OnSite 300MX Matrix Speed Trailer (include amount).

REQUESTED BY: Lieutenant David Thompson

DATE: 04/02/2020

SUMMARY:

As part of the Police Department's new focused traffic initiative, we are looking to invest in a new speed radar trailer. Speeding complaints are the number one issue with citizens. Speeding complaints are a quality of life issue that citizens encounter on a daily basis. The speed trailer is expected to help in several ways:

- Raise citizens' awareness of speed limits and their traveling speed.
- Used to show public safety alerts.
- Gain voluntary compliance by reminding and reinforcing motorist speeds.
- Collect traffic related data which will help evaluate problem areas, guiding officers' traffic enforcement efforts where the need is most.

I obtained the following quotes.

Decatur

M S Martin Enterprises, Inc.

OnSite 300MX Matrix Speed Trailer \$9,967.00

Stalker

Applied Concepts, Inc.

Stalker Awareness Monitor \$8,989.00

MPH Industries Inc.

Speed Monitor Trailer \$12,120.00

The Police Administration respectfully asks for Council approval to purchase the Decatur OnSite 300MX Matrix Speed Trailer of \$9,967.00. We select the mid-level priced product for the accessories and capabilities it includes and M S Martin Enterprises is a vendor we have an established relationship with.

We ask for this approval now, to be proactive when society returns to normal. The purchase will not affect a budget line; instead, it will be purchased from the Cruiser Fees line.

BUDGET LINES AFFECTED (IF APPLICABLE):

Cruiser Fees: 22002110-58900-02213

M S Martin Enterprises, Inc.
 Master Distributors
 1319 State Route 147
 Amsterdam, NY 12010
 (800) 488-1049
 emily@msmpublicsafety.com

Quote



ADDRESS
 Janine Roberts
 Westbrook Police Dept.
 570 Main St.
 Westbrook, ME 04092

SHIP TO
 Janine Roberts
 Westbrook Police Dept.
 570 Main St.
 Westbrook, ME 04092

QUOTE #	DATE	EXPIRATION DATE
2945	03/05/2020	07/31/2020

SALES REP
 MM

ACTIVITY	QTY	RATE	AMOUNT
Onsite: Onsite 300MX; DEIW OnSite 300MX Speed Trailer with White LEDs, fully assembled. Full matrix of LEDs, 45 pre-programmed messages and graphics, English and Spanish, also client programmable	1	7,090.00	7,090.00
EZ Stat S792-625-0 EZ Stat Traffic Data Collector	1	795.00	795.00
Timer S792-69-0 Timer for OnSite MX series	1	160.00	160.00
S792-627M-0 Bluetooth download kit for Gen3 EZ Stat for Matrix display	1	179.00	179.00
Solar Panel OS300 S792-605A-0 100W Solar Panel for OS300	1	663.00	663.00

- Shipping shall be via LTL Common Carrier insured
 - Unit is shipped battery charged and no assembly required by client

SUBTOTAL	8,887.00
SHIPPING	1,080.00
TOTAL	\$9,967.00

Accepted By

Accepted Date

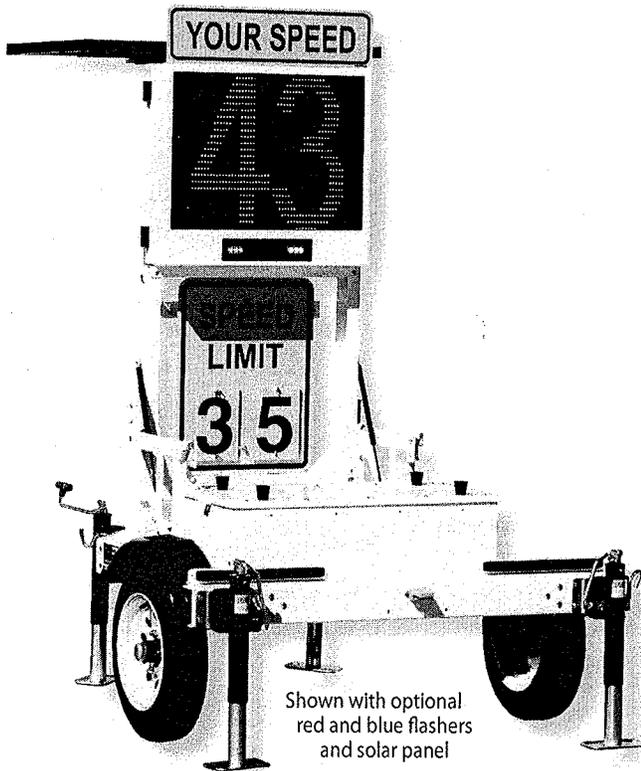
OnSite™ 300MX

Matrix Speed Trailer

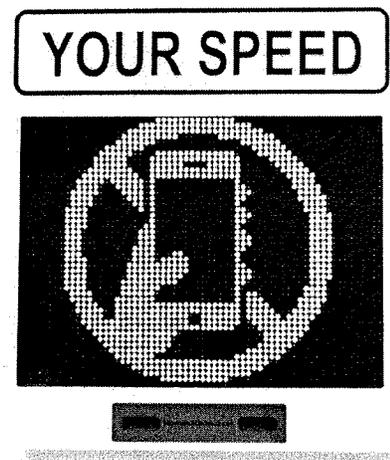
Radar
Trailers
Video



The Onsite 300MX easily allows you to display current speed, a message or a graphic triggered by the vehicle's speed. The Onsite 300MX gives unparalleled flexibility in all of your traffic calming applications



Shown with optional red and blue flashers and solar panel



MUTCD 2009 Compliant (California MUTCD 2014 Compliant with Amber Display)

18 Preloaded Messages

SLOW DOWN, DRIVE SAFE, FINE (Amount adjustable), FINES X 2, WORK ZONE, TOO FAST, DONT TEXT, SAVE LIVES, DUST AREA, School Zone, No Fireworks, CLICK IT OR TICKET, CHECK POINT AHEAD, Reduce Speed Ahead, Road Hazard Ahead, Please Drive Safely, US SPEED LIMIT, BLANK (Nothing displayed)

14 Preloaded Graphics



13 Preloaded Spanish Messages

NO USE EL CEL, Bajale, CUIDADO, Peligro, CUIDA TU VIDA, RETEN A 100M, RETEN A 150M, RETEN A 200M, Familia te Espera, No Tome y Maneje, Zona Escolar, respete las senales, Vas Muy Rapido

OnSite™ 300MX

Matrix Speed Trailer Features

Radar
Trailers
Video



OnSite Trailer

- American Made Steel Frame Trailer
- Lightweight Aluminum Display
- Folding Speed Display For Easy Transport And Storage
- Light Duty Trailer Chassis & Removable Tongue With DEI Store-In-Place Feature
- Speed Limit Sign With Interchangeable Numbers
- Optional 100W Fold Down Solar Panel
- The Trailer Frame Is Painted High Visibility White For Maximum Motorist Safety
- Utilizes The Industry's Best Processes And Practices To Ensure That The Finish Is Durable In All Weather Conditions. Polyester Powder Coat Finish Over Epoxy Primer. UV And Graffiti Resistant
- Four 2000lb Leveling Jacks Make Leveling The Trailer Simple. Four Point Ground Contact Ensures Trailer Stability Even During High Wind Load Events
- Two 6 Volt 225AH Batteries. Also Available With An Extra Set Of Batteries Doubling Battery Capacity To 450AH

OnSite Matrix Display

- Matrix Size 64 X 48 Pixels, 25" X 19" High Intensity White or Amber LEDs
- Range Settings: Short, Medium, Long
- Brightness Settings: Low, Med, Hi, Auto
- Two Levels of Speed Based Warning Messages. Speed Event Triggers: Blank, Speed Limit, Warning 1, Warning 2
- MPH or KPH Selectable
- Text: 2 or 3 Lines, 5 1/2" Tall Characters Numbers: 3 Digits, 19" Tall. Can Display Up To 199
- Eco Mode Provides Additional Run Time
- Vehicle Trigger Mode Shows Message Based On Vehicle Detection Not Speed
- 1, 2, 3 Line User Selectable Custom Messages. Seven Characters Per Line Maximum

Decatur Electronics

Radar Innovation for Over 60 Years



MSM PUBLIC SAFETY
PUBLIC SAFETY PRODUCTS

Authorized U.S. Distributor



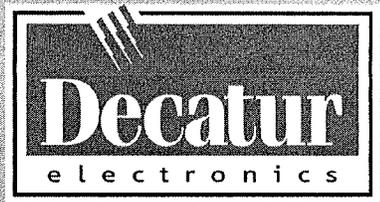
Designed, Built and
Supported in the USA

Mike Martin
(518) 441-9480

mike@msmpublicsafety.com

Technical Specifications

OnSite 300MX™
Radar Speed Trailer



www.DecaturElectronics.com
Phone: 800.428.4315

Decatur Electronics
15890 Bernardo Center Dr.
San Diego, CA 92127

General Specifications	
Type	2" Ball Bumper Pull
Display	25" X 19" Display With High Intensity White LEDs, Matrix Size 64 X 48 Pixels
Power	12 VDC power supply
Speed Range	5 - 150 mph (8 - 241 km/h)
Radar Type	SI-3C™, K-band
Finish	White powder coat
Construction	Formed 11-gauge 1008 cold rolled steel
Weight (w/o options)	500 lbs (226.796 kg)
Environmental	SI-3C™, -22°F to +158°F (-30°C to +70°C)
Safety	Meets all US D.O.T. safety standards for highway use

Detachable Speed Limit Sign	
Features	Meets all D.O.T. requirements
Dimensions	24" (H) x 18" (W) (60.96 cm x 45.72 cm)
Numbers	7" (H) x 5" (W) (17.78 cm x 12.7 cm) Interchangeable

Battery Box	
Dimensions	12" (H) x 14.5" (W) x 33" (L) (30.48 cm x 36.83 cm x 83.82 cm)
Capacity	3.32 cubic feet
Characteristics	Vented, Bolted
Contents	Contains the batteries & charging system

Mechanical	
Length	103" (261.62 cm) including the tongue. 87" (220.98 cm) without
Minimum Height	41" (104.14 cm) with display lowered
Maximum Height	86" (218.44 cm) with display frame raised
Width	58" (147.32 cm)
Lift	Two (2) 120 lb gas-lift struts used to lift the display

Electrical	
Power Source	Two (2) 6 VDC deep cycle marine batteries wired in series to form one (1) 12 VDC battery bank with option to add two (2) additional batteries.
Capacity	232 Amp-hours (1 battery bank)
Charging System	110 VAC automatic battery chargers with boost and float features
PV Charge Controller	3-stage photovoltaic charge controller for voltage regulation & low voltage disconnect of battery banks
110VAC Connection	Located on the curb side of the battery box (back)

Display	
Cabinet Dimensions (with "Your Speed" sign)	32" (H) x 27" (W) x 7" (D) (79 cm x 69 cm x 18 cm)
Display Matrix	MUTCD 2009 compliant (California MUTCD 2014 compliant with amber display)
Matrix Size	64 x 48 pixels
Text	2 or 3 lines, 5 1/2" tall characters
LEDs	High output LEDs, white (amber upon request)



MSM PUBLIC SAFETY
PUBLIC SAFETY PRODUCTS
Authorized U.S. Distributor

rev. 8-31-18



Technical Specifications

OnSite 300MX™
Radar Speed Trailer



Microwave	
Type	SI-3C™ (K-band)
Accuracy	± 1 unit of measure (± 1 mph, ± 1 km/h)
Beam Width	12° (Hor.) x 24° (Vert.)
Detection Distance	Adjustable through 3 settings
Direction	Approach only
FCC Identifier	VECDF6
Compliance	FCC Part 15
Frequency	24.125 GHz nominal, (K-Band)
Polarization	Linear
Output Power (EIRP)	+ 20 dBm
Sidelobe Rejection	10 dB typical

Frame	
Construction	Formed from 11-gauge 1008 cold rolled steel.
Dimensions	37" (H) x 56" (W) x 105" (D) 93.98 cm x 142.24 cm x 266.7 cm during transport
Finish	White powder coat
Suspension	900 lb (408.23 kg) torsion springs
Leveling Jacks	Four (4) 10" (25.4 cm) travel, 2000 lb (adjustable swivel jacks mounted to frame
Lights	Meets all D.O.T. requirements for turn signals, brake, tail & license plate lights
Fenders	High-density polyethylene material - corrosion proof and impact resistant
Tongue	42" (106.68 cm) long with 2" ball coupler. Removable
Tongue Weight	80 - 100 lbs (30 - 45 kg) (Based on optional batteries & solar panel
Wheels - Rims	12" one-piece white

Options	
Solar Panel Kit	S792-605A-0
Traffic Cone Holder Kit	S792-610-0
Pelican Case Kit	S792-607-0
24/7 Programmable Timer	P792-69-0
EZ Stat Data Logger	S792-625-0
Bluetooth	S792-627-0
Weatherized Padlock w/Key	P075-4
Locking Wheel Nuts	S792-658
Tail Light Violation Flasher Harness	S769-79266-0
Amber High Visibility LED Flasher	P792-39A
Blue High Visibility LED Flasher	P792-39B
Red High Visibility LED Flasher	P792-39R
White High Visibility LED Flasher	P792-39W
10 Ft. Black Extension Cord (16/3)	P792-4
Extra Battery Kit	S792-632C-0
12 Ft. Red Vinyl Cable w/Loops	S792-21



MSM PUBLIC SAFETY
PUBLIC SAFETY PRODUCTS

Authorized U.S. Distributor

Mike Martin
(518) 441-9480
mike@msmpublicsafety.com



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: May 4, 2020

Order: 2020-47

AUTHORIZING PURCHASE OF POLICE UTILITY UNIFORMS

That the Westbrook City Council hereby authorizes the purchase of Police utility uniforms from Huntress Uniform of Manchester, NY at a total cost of \$5,880.

Funds available in budget line 22002110-58900-02213

First Reading: May 4, 2020

Second and Final Reading:

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Purchase of police utility uniform from Huntress Uniform of Manchester, NH for \$5,880.00.

REQUESTED BY: Captain Sean Lally

DATE: 04/08/2020

SUMMARY:

In March 2020 the Police Department sought pricing to outfit each officer with a set of 5.11 brand utility uniforms to be worn during construction details, concert details, and other instances as determined by the Chief of Police. The uniforms are the same style as currently worn by our K-9 Officers and Parking and Animal Control Officer. We received 3 bids and the lowest bid was for \$5880.00 from Huntress Uniform of Manchester, NH.

I am requesting the council award the bid to Huntress Uniform and authorized the expenditure from the revenue line referenced below.

Funding for this purchase is available in the cruiser fees revenue line.

BUDGET LINES AFFECTED (IF APPLICABLE):

22002110-58900-02213

HUNTRESS UNIFORMS
 Div Uniform Mktg Assoc., Inc.
 333 VALLEY STREET
 MANCHESTER, NH 03103
 (800)446-8777
<http://www.huntressuniforms.com>

Quote

Account No.	Date	Ref No.
27637	3/05/20	254076

Sold To

WESTBROOK POLICE DEPT.
 570 MAINE ST.
 WESTBROOK, ME 04092

Clerk	Time	Station	PO Number	Ship Via	Est Delivery	Order Ref No.
TOMA	4:43PM	40	UNIFORMS			

Item	Description	Qty	Ship	Price	Extended
01100081	FIV-74371-NAVY-32R * CLASS B PDU TACLITE	40	0	49.00 m	1,960.00
01241026	FIV-71168-NAVY-S * PDU S/S CLASS B	40	0	49.00 m	1,960.00
01241031	FIV-72366-NAVY-S * TACLITE PDU L/S	40	0	49.00 m	1,960.00
01152357	UMA-NOTE * NOTES FOR ORDER	1	0	0.00	0.00

**PRICE INCLUDES ATTACHING 2 CUSTOMER SUPPLIED
 PATCHES TO SHIRTS AND HEMMING OF PANTS.**

Freight	0.00
Sub Total	5,880.00
Tax	0.00
Total	5,880.00
Received	0.00
Balance	5,880.00

QUOTES ARE GOOD FOR 30 DAYS UNLESS SPECIFIED OTHERWISE.



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: May 4, 2020

Order: 2020-48

AUTHORIZING SALE OF LOT 2 IN WESTBROOK HEIGHTS BUSINESS PARK

That the Westbrook City Council hereby authorizes the Mayor or his designee to enter into a Contract for the Sale of Commercial Real Estate for the sale of Lot 2 located within Westbrook Heights Business Park to Glass Solutions or its assigns for the total purchase price of \$140,000, as outlined in the attached exhibit and to take all actions necessary to complete such sale.

Funds to be deposited into revenue line 44001000-49000-04404.

First Reading: May 4, 2020

Second and Final Reading:

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Authorizing Sale of Lot 2 in Westbrook Heights Business Park

REQUESTED BY: Administration

DATE: 04/29/2020

SUMMARY:

The City of Westbrook owns two lots in Westbrook Heights Business Park (Lots 1 & 2, outlined in red in the attached map). This is a request to authorize the sale of Lot 2 (highlighted in yellow on the attached map) to Glass Solutions for total amount of \$140,000 as outlined in the attached Contract for the Sale of Commercial Real Estate.

Glass Solutions provides and installs aluminum storefront glazing and residential shower doors and mirrors. 99% of the supplies for Glass Solutions comes from SIGCO, which is located directly across the street from Lot 2. Glass Solutions has been in business 11 years and is proposed to construct an approximately 6,000 SF building. The building size and fits well on Lot 2, which has been a challenging lot to develop due to size and topography.

BUDGET LINES AFFECTED (IF APPLICABLE):

Funds to be deposited into budget line 44001000-49000-04404

CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

TO BE RECEIVED UPON ACCEPTANCE OF THIS OFFER BY THE SELLER from **Glass Solutions, or its assigns** (hereinafter called "Purchaser"), the sum of Five Thousand Dollars (\$5,000) as earnest money deposit toward the purchase and sale of certain real estate owned by **City of Westbrook, Maine** (hereinafter called "Seller) and located in Cumberland County along Spiller Drive in **Westbrook Heights Business Park, Westbrook, Maine**, consisting of Lot 2 in the Westbrook Heights Business Park containing 2.13 +/- acres of land, as more particularly described as Lot 2 on a plan entitled "Westbrook Heights Business Park, Final 100 Scale Subdivision Plan, Westbrook Heights Business Park, L.L.C, dated October 2003" and attached herewith as Exhibit A (the "Property"). of upon the terms and conditions indicated below.

1. **PERSONAL PROPERTY:** None.

2. **PURCHASE PRICE:** The total Purchase Price is One Hundred Forty Thousand Dollars (\$140,000) with payment to be made as follows:

Earnest money:	\$5,000
Balance due at closing, in immediately available funds:	\$135,000

3. **EARNEST MONEY/ACCEPTANCE:** NAI The Dunham Group ("Escrow Agent") shall hold the earnest money in a non-interest bearing account and act as escrow agent until closing.

4. **TITLE:** Within sixty (60) days of the Effective Date (the "Title Review Period"), Purchaser shall notify Seller in writing (the "Title Objection Notice") of any matters affecting title to the property that are objectionable to Purchaser in Purchaser's sole discretion ("Title Defects"). Purchaser shall be deemed to have waived the right to object to any matter affecting title as of the Effective Date, except for any mortgage, tax lien, mechanics' lien, judgment lien, or other liens, encumbering the property (for which no objection is required), if Purchaser fails to specifically identify such matters in the Title Objection Notice (each matter not objected to being a "Permitted Encumbrance"). Within twenty-one (21) days of Seller's receipt of the Title Objection Notice, Seller shall notify Purchaser in writing whether or not Seller elects to cure any of the matters identified in the Title Objection Notice. If Seller elects to cure certain Title Defects, Seller shall use good faith efforts to cure such Title Defects and shall have a period of not more than forty-five (45) days after notice of Seller's election within which to cure any such Title Defects (the "Title Cure Period"), and the Closing Date shall be extended until five (5) days after the expiration of the Title Cure Period. Seller agrees that, after the Effective Date, it shall not permit or suffer encumbrance of the property with any liens, easements, leases or other encumbrances without Purchaser's prior written consent. On or before the Closing Date, Seller shall remove at its sole cost any such matters affecting the title to the property suffered or created by or consented to by Seller after the Effective Date that are not approved by Purchaser. If Seller elects not to cure any Title Defects or if Title Defects which Seller elects to cure are not cured within the Title Cure Period, Purchaser shall elect, by written notice to Seller on or before the Closing Date, as the same may be extended, either (i) to accept title to the property subject to such uncured Title Defects without reduction of the purchase price and without any liability on the part of Seller therefor, in which case such Title Defects shall be Permitted Encumbrances, or (ii) to terminate this Contract, whereupon the earnest money immediately shall be returned to Purchaser and neither party shall have any further obligations under this Contract.

5. **DEED:** In return for payment in full of the purchase price, Seller shall convey the property **on or before June 15, 2020**, unless an earlier date is mutually agreed upon by the parties (the "Closing Date"), to Purchaser by Maine Statutory Short-Form Quit Claim Deed with Covenant (the "Deed"), and the parties agree to execute and deliver on the Closing Date such other documents that are

customary and/or reasonably necessary to complete the conveyance. It is a condition to Purchaser's obligations hereunder that title to the property shall be free and clear of all liens and encumbrances except for the following matters and otherwise in compliance with the requirements of this Contract: (i) zoning restrictions and land use laws and regulations and permits and approvals issued pursuant thereto; (ii) current taxes and assessments attributable to periods from and after the Closing, which Purchaser shall be liable to pay; (iii) any Permitted Encumbrance.

6. **POSSESSION/OCCUPANCY:** Possession/occupancy of property shall be given to Purchaser on the Closing Date unless otherwise agreed by both parties in writing.
7. **RISK OF LOSS:** Until transfer of title, the risk of loss or damage to the property by fire or otherwise is assumed by Seller unless otherwise agreed in writing. The property shall at closing be in substantially the same condition as of the Effective Date, excepting reasonable use and wear. If the property is materially damaged or destroyed prior to closing, Purchaser may either terminate this Contract and be refunded the earnest money deposit, or close this transaction and accept the property in its as-is condition together with an assignment of the Seller's right to any insurance proceeds relating thereto.
8. **PRORATIONS:** The following items shall be prorated as of the Closing Date:
 - a. Real Estate Taxes based on the municipality's current tax year. Seller is responsible for any unpaid taxes for prior years.
 - b. Purchaser and Seller shall each pay one-half of the transfer tax as required by the laws of the State of Maine.
9. **DUE DILIGENCE:** Purchaser is advised to seek information from professionals regarding any specific issue of concern. Neither Seller nor the Real Estate Licensees identified below make any representations or warranties regarding the condition, permitted use or value of Seller's real or personal property. Purchaser's obligation to close under this Contract is conditioned upon Purchaser's satisfaction with its investigations of the property, which may without limitation include boundary survey, environmental assessment, engineering studies, wetlands or soils studies, zoning compliance or feasibility, and code compliance, all by 5:00 pm, Eastern Time, on **May 15, 2020** (the "Due Diligence Deadline").

All investigations will be done by professionals chosen and paid for by Purchaser. If the result of an investigation is unsatisfactory to Purchaser, Purchaser may declare this contract null and void by notifying Seller in writing within the specified number of days set forth above, and said earnest money shall be returned to Purchaser. If Purchaser does not notify Seller that Purchaser's investigations are unsatisfactory within the time period set forth above, this contingency is waived by Purchaser. In the absence of any investigation(s) mentioned above, Purchaser is relying completely upon Purchaser's own opinion as to the condition of the property. Purchaser agrees to restore any disturbance to the property caused by Purchaser's investigations, and Purchaser agrees to indemnify and hold Seller harmless for any claims, damages, losses or costs, including without limitation reasonable attorneys' fees, incurred or suffered by Seller as a result of Purchaser's investigations of the property, which indemnification obligation shall survive termination or closing under this Contract. In the event Purchaser terminates this contract, Purchaser agrees to promptly provide Seller with copies of all title commitments, reports, surveys and other due diligence materials generated by Purchaser's investigations at no cost to Seller.

Seller represents to Purchaser that, within five (5) business days after the Effective Date, Seller shall have delivered to Purchaser complete copies of all title policies or reports, survey or site plans, and

reports pertaining to the property and in Seller's possession or control, including any engineering studies, soil investigations or reports, and information on hazardous materials and other environmental matters, including any prior environmental audits, and all similar materials that are owned by Seller or in Seller's possession or control and that concern the property. At all times during the term of this Contract Seller shall promptly furnish Purchaser with any new information that supplements the foregoing.

10. FINANCING: Notwithstanding anything to the contrary in this Contract, Purchaser's obligation to close hereunder is conditioned upon Purchaser's obtaining within forty-five (45) days from the Effective Date of this Contract (the "Commitment Date") a written commitment (the "Commitment") from a lender for a **mortgage loan in an amount that is at least fifty percent (50%) of the purchase price, at an interest rate not to exceed six percent (6%) per annum and amortized over twenty (20) years.** In the event the Purchaser is unable to obtain the Commitment, then Purchaser may terminate this Contract by written notice given to Seller by the Commitment Date, whereupon the earnest money shall be promptly returned to Purchaser and neither party shall have any further obligations under this Contract, except for those obligations, if any, which by their terms expressly survive. If Purchaser does not timely notify Seller that is has failed to obtain the Commitment, then Purchaser shall be in default of this Contract at the election of Seller. This contingency benefits Purchaser only, and only Purchaser may waive it by providing written notice to Seller specifically waiving this condition and contingency or any part thereof.
11. SELLER'S WARRANTIES: Seller hereby represents and warrants that, to Seller's knowledge, as of the date of this Contract, and on the date of Closing the following are true and correct:
- a. Seller is not the subject of any threatened or pending bankruptcy proceeding, or any insolvency, receivership, trusteeship or similar proceeding or arrangement.
 - b. There are no pending or threatened actions or proceedings regarding the ownership, use, or occupancy of the property, and Seller has not received any written notice asserting that the property, or the ownership, use, or occupancy thereof are in violation of any applicable legal requirement.
 - c. No underground storage tank or facility exists on the property.

It shall be a condition of Purchaser's obligation to close under this Agreement that all warranties and representations made by Seller hereunder are true, both as of the date hereof and as of the Closing.

12. AGENCY DISCLOSURE: Purchaser and Seller acknowledge that NAI The Dunham Group is representing the Seller in this transaction.
13. DEFAULT: If the sale of the property as contemplated hereunder is not consummated because of Purchaser's default, with Seller having fully performed its obligations hereunder, Seller shall be entitled to terminate this Contract and receive the earnest money as full and complete liquidated damages for the breach. Damages are difficult to ascertain and/or prove and the earnest money is a reasonable estimate and forecast of such actual damages. The parties acknowledge that the payment of the earnest money is not intended as a forfeiture or penalty, but is intended to constitute liquidated damages to Seller. In the event of an undisputed default by either party, the Escrow Agent may deliver the earnest money to the party entitled to it under this Contract, with written notice to both parties pursuant to Maine Real Estate Commission regulations. If a dispute arises between Purchaser and Seller as of the existence of a default hereunder and said dispute is not resolved by the parties within thirty (30) days,

the Escrow Agent may elect to file an action in interpleader and deposit the earnest money in the court to resolve said dispute, or otherwise disburse the earnest money pursuant to Maine Real Estate Commission regulations. Purchaser and Seller, jointly and severally, shall indemnify Escrow Agent for all costs, losses, expenses, and damages, including reasonable attorneys' fees, incurred by the Escrow Agent in connection with said action and/or in connection with any dispute relating to this Contract and/or the earnest money.

14. **MEDIATION:** Any dispute or claim arising out of or relating to this Contract or the premises addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the American Arbitration Association. This clause shall survive the closing of this transaction.
15. **PRIOR STATEMENTS:** This Contract sets forth the entire agreement between the parties, and there are no other representations, agreements or understandings with respect to the subject matter of this Contract. This Contract shall be construed according to the laws of the State of Maine.
16. **COUNTERPARTS:** This Contract may be signed on any number of identical counterparts, including telefax copies and electronically transmitted copies with the same binding effect as if all of the signatures were on one instrument.
17. **EFFECTIVE DATE:** This Contract is a binding contract when signed by both Seller and Purchaser and when that fact has been communicated to all parties or to their agents. Time is of the essence of this Contract. Seller or Licensees are given permission by the parties to complete the Effective Date blank below with the date of the last signature of the parties, and that date shall be the Effective Date for all purposes under this Contract, and if that blank is not completed then the Effective Date shall be the date of the last signature of the parties. Except as expressly set forth to the contrary in this Contract, the use of the term "days" in this Contract, including all addenda made a part hereof, shall mean calendar days. Deadlines in this Contract, including all addenda, expressed as "within x days" or the like shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 pm, Eastern Time, on the last day counted.
18. **CONFIDENTIALITY:** Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators, and other involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the closing statement to release a copy of the closing statement to the parties and their licensees prior to, at and after the closing.
19. **A copy of this Contract is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, consult an attorney.**
20. **OTHER CONDITIONS:** A) The sale of the property is conditioned upon Purchaser obtaining building permits and any municipal, State, and Federal approvals in order to develop a 6,000 SF industrial building on the Property; and
B) This Contract is contingent upon approval by the Westbrook City Council on or before June 2, 2020. Seller, its agent or representative, shall notify Purchaser by telephone by 5:00 p.m. on the day following the date of said Westbrook City Council approval. If the Westbrook City Council fails to approve this Contract then, Escrow Agent shall promptly return the Deposit to Purchaser, and each and every obligation of the parties under this Contract shall thereupon terminate.

starting date, and ending at 5:00 pm, Eastern Time, on the last day counted.

18. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators, and other involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the closing statement to release a copy of the closing statement to the parties and their licensees prior to, at and after the closing.

19. A copy of this Contract is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, consult an attorney.

20. OTHER CONDITIONS: A) The sale of the property is conditioned upon Purchaser obtaining building permits and any municipal, State, and Federal approvals in order to develop a 6,000 SF industrial building on the Property; and

B) This Contract is contingent upon approval by the Westbrook City Council on or before June 2, 2020. Seller, its agent or representative, shall notify Purchaser by telephone by 5:00 p.m. on the day following the date of said Westbrook City Council approval. If the Westbrook City Council fails to approve this Contract then, Eiserow Agent shall promptly return the Deposit to Purchaser, and each and every obligation of the parties under this Contract shall thereupon terminate.

The parties agree that none of the above are collateral agreements. It is the intent of the parties that except as expressly set forth in this Contract, all covenants, representations, statements and obligations of both parties herein shall not survive closing.

GLASS SOLUTIONS, OR ITS ASSIGNS

Legal Name of Purchaser

David Christopher

Date

4/14/2020

By:

Signature



Its:

Title

owner

Seller accepts Purchaser's offer and agrees to deliver the property at the price and upon the terms and conditions set forth above and agrees to pay NAI The Dunham Group a brokerage commission of eight percent (8%) of the purchase price at closing.

Signed this 14 day of April, 2020.

CITY OF WESTBROOK, MAINE

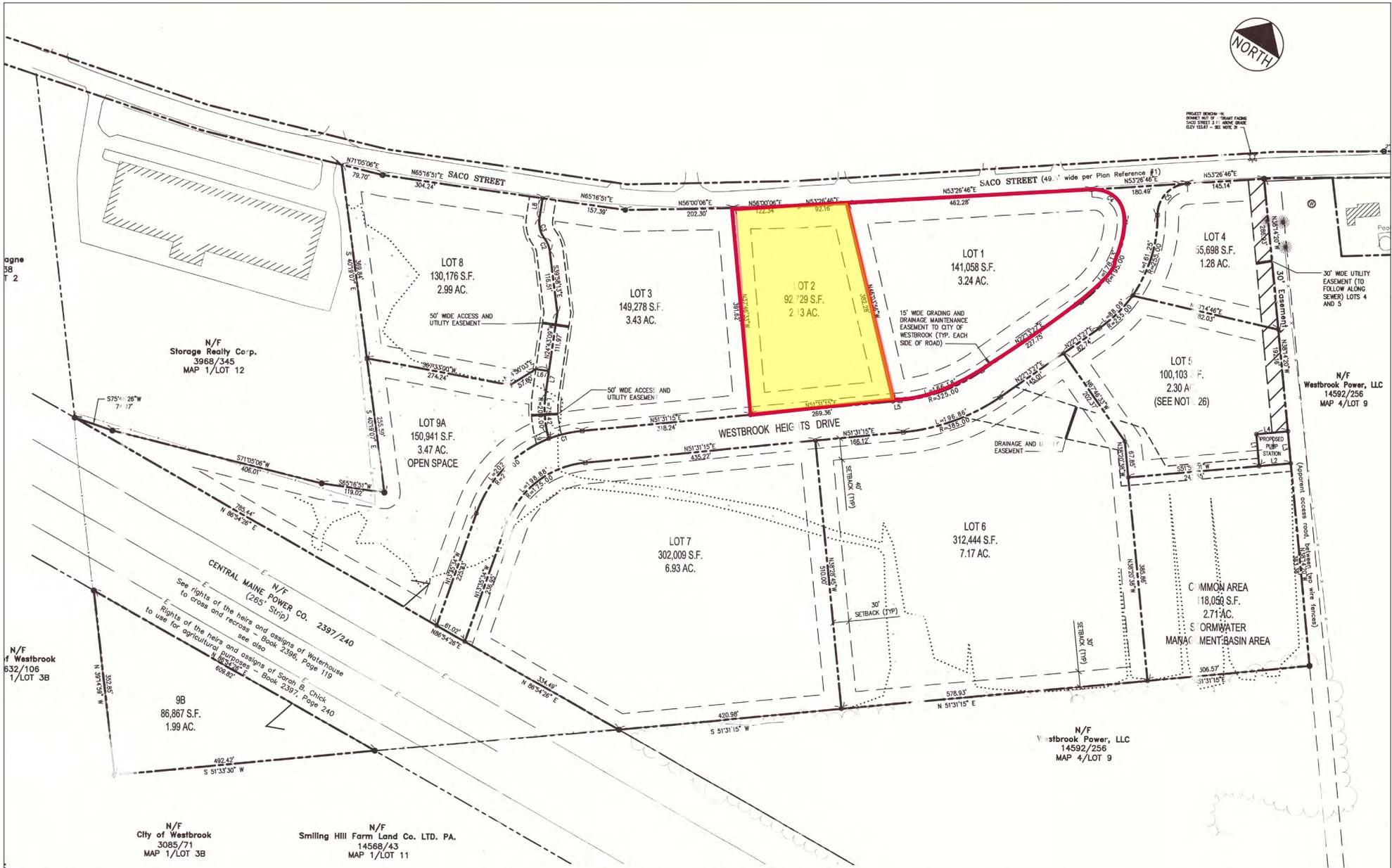
Legal Name of Seller

By:

Signature



PROJECT BEGIN - 10' FROM END OF 'DRAIN FACED' DITCH (SEE PLAN REFERENCE #1) ELEV 122.87 - SEE MORE AT



agne
88
7 2

N/F
Storage Realty Co.p.
3968/345
MAP 1/LOT 12

LOT 8
130,176 S.F.
2.99 AC.

LOT 3
149,278 S.F.
3.43 AC.

LOT 2
92,729 S.F.
2.13 AC.

LOT 1
141,058 S.F.
3.24 AC.

LOT 4
55,698 S.F.
1.28 AC.

LOT 5
100,103 S.F.
2.30 AC.
(SEE NOT 26)

N/F
Westbrook Power, LLC
14592/256
MAP 4/LOT 9

LOT 9A
150,941 S.F.
3.47 AC.
OPEN SPACE

LOT 7
302,009 S.F.
6.93 AC.

LOT 6
312,444 S.F.
7.17 AC.

COMMON AREA
118,058 S.F.
2.71 AC.
FORM WATER
MANAGEMENT BASIN AREA

9B
86,867 S.F.
1.99 AC.

N/F
City of Westbrook
3085/71
MAP 1/LOT 3B

N/F
Smiling Hill Farm Land Co. LTD. PA.
14568/43
MAP 1/LOT 11

N/F
Westbrook Power, LLC
14592/256
MAP 4/LOT 9

CENTRAL MAINE POWER CO. (265' Strip)
N/F
See rights of the heirs and assigns of Waterhouse to cross and recess - Book 2397, Page 119
Rights of the heirs and assigns of Sarah B. Chick to use for agricultural purposes - Book 2397, Page 240
N 88°34'28" E 608.82'

S 75°41'26" W 71.17'

S 71°03'08" W 408.01'

S 82°06'51" W 112.82'

N 65°14'05" E 356.65'

492.42'

S 51°33'30" W

N 65°14'05" E 356.65'



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: May 4, 2020

Order: 2020-49

AUTHORIZING PAYMENT OF DEDUCTIBLE & SETTLEMENT OF LITIGATION

That the Westbrook City Council hereby authorizes payment of a \$25,000 deductible pursuant to the terms of its insurance coverage and authorizes the settlement of Rosalyn Janney vs. City of Westbrook and Westbrook School Department for a total of \$100,000.00, with that amount to be shared by the City's and the School Department's insurers, and further authorizes any actions necessary to implement said settlement agreement.

Funds available in budget line 10001320-55201.

First Reading: May 4, 2020

Second and Final Reading:

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Authorizing Payment of Deductible & Settlement of Litigation

REQUESTED BY: Administration

DATE: 04/29/2020

SUMMARY:

This is a request to authorize the payment of a \$25,000 deductible and to authorize the settlement of litigation involving the City of Westbrook. The total settlement of \$100,000 shall be paid by the City's and School Department's insurance carriers, less the City's deductible amount.

The details of this matter will be discussed with legal counsel in an Executive Session scheduled at 6:30pm on Monday May 4, 2020.

BUDGET LINES AFFECTED (IF APPLICABLE):

\$25,000 deductible available in budget line 10001320-55201 (Insurance Deductible)

*OK
SM*



CITY OF WESTBROOK, MAINE
IN CITY COUNCIL

Date: May 4, 2020

Order: 2020-50

**AUTHORIZING WESTBROOK ENVIRONMENTAL IMPROVEMENT CORPORATION (WEIC) EXPENDITURE
FOR SMALL BUSINESS EMERGENCY COMMERCIAL RENTAL ASSISTANCE PROGRAM**

That the Westbrook City Council hereby authorizes a Westbrook Environmental Improvement Corporation (WEIC) expenditure in an amount not to exceed \$100,500 for the establishment of the Small Business Emergency Commercial Rental Assistance Program to support small businesses in Westbrook with rent payments during the COVID-19 pandemic, and further authorizes the City administration to administer such program funds as outlined in the attached exhibit.

Funds available in budget line: 22001390-59400-02299

First Reading: May 4, 2020

Second and Final Reading:

Attest:

City Clerk

Mayor



CITY OF WESTBROOK, MAINE

2 York Street, Westbrook, ME 04092

REQUEST FOR COUNCIL ACTION

Requests are due to the City Clerk two Fridays prior to a Council meeting. If expenditure/acceptance of funds is involved, Finance Department approval is required prior to submission.

PROPOSED TITLE: Authorizing WEIC Expenditure for Small Business Emergency Commercial Rental Assistance Program

REQUESTED BY: Administration

DATE: 04/29/2020

SUMMARY:

This is a request to authorize a Westbrook Environmental Improvement Corporation (WEIC) expenditure in the amount of \$100,500 for the establishment of the Small Business Emergency Commercial Rental Assistance Program. This program shall be administered by the Department of Economic Development. See attached for program details.

This program was approved by WEIC on April 29, 2020.

BUDGET LINES AFFECTED (IF APPLICABLE):

2200 1390 - 59400 - 02299

OK-8mm

Small Business Emergency Commercial Rent Assistance Program

Program Overview

The purpose of the Small Business Emergency Commercial Rent Assistance Program is to support Westbrook's small businesses in immediate need of rental or mortgage payment assistance, due to the COVID-19 Pandemic. This grant program may provide assistance for commercial rent or commercial mortgage not to exceed \$1,500.00, for businesses with 50 or fewer Westbrook based employees. The goal is to focus on individual businesses that are in need of assistance. To address this immediate need, speed, flexibility, simplicity and efficiency are critical elements of the grant program delivery. A flexible grant program will have a direct impact to help small businesses retain jobs and survive the crisis.

This Emergency Rental Assistance Grant Program, capitalized with \$100,500, was created to help Westbrook small businesses recover from revenue loss by awarding grants for rental or mortgage assistance during the coronavirus crisis. Businesses with 50 employees or less that meet the eligibility and requirements for submission are encouraged to apply via this Google Form. The grants will be paid directly to the applicant's landlord. For owner-occupied businesses, determinations will be made on a case-by-case basis to find the best way possible to assist with payment options.

ELIGIBILITY:

Business is located in Westbrook, Maine and pays rent or makes mortgage payments for a dedicated commercial space located in Westbrook.

Business had 50 or fewer part-time or full-time employees in Westbrook (between January 1, 2020 and March 1, 2020).

Business can demonstrate revenue loss as a result of the coronavirus crisis.

Note: City of Westbrook employees and elected officials are *not* eligible to apply. Home-based businesses are *not* eligible to apply.

Priority will be given to applicants that did not receive funds from the Federal Paycheck Protection Program, part of the Coronavirus Aid, Relief and Economic Securities Act (CARES Act). Any funds remaining may be allocated to applicants that have received prior assistance under the PPP if additional need is demonstrated.

REQUIREMENT SUBMISSIONS:

Completed application

Payroll report for the period from January 1, 2020 to March 1, 2020, demonstrating that the number of employees (including both full and part time) is 50 or less.

Copy of commercial lease showing monthly payment and landlord contact information or mortgage payment information.

Statement of need and demonstration of a reduction in revenue since the COVID-19 Pandemic as a result of temporary shutdown of business, cancelled accounts, cancelled events, etc. Evidence may include, but is not limited to: emails, screenshots, closure posts on social media and webpages.

GRANT PROCEDURE:

The City will provide an electronic application that will stipulate the requirements of a completed grant application. Completed applications will be reviewed weekly by Economic Development Staff, on a rolling basis, and a second round of submissions may be opened if funding is available. Please allow up to 10-12 days for processing after submission, and 2-3 weeks after award notification to receive funds. We will notify recipients by email. Grant award recipients will receive a 1099 form at the end of the calendar year.

Applications will be reviewed and processed on a weekly basis.

Deadline for submission is August 31, 2020.

The review committee reserves the right to reject any application if there is no substantive need.

GUIDELINES:

Applicant understands that uploaded files may be shared outside of the organization they belong to (except for financial application materials that include confidential information). However, numbers of awards and amounts may be reported publicly.

Any award of funds and conditions of the Small Business Emergency Commercial Rental Assistance Program are subject to City Council approval.

If you have trouble with this online platform, please contact Tina Radel, Marketing Director, via email at tradel@westbrook.me.us.

If you have any questions about the grant, please contact Daniel Stevenson, Economic Development Director, at dstevenson@westbrook.me.us or 207-956-3197.