



City of Caribou, Maine

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AGENDA Caribou City Council Regular City Council Meeting 7:00 P.M. Monday, September 8, 2014 Caribou City Council Chambers

1. Public Input
 - a) Caribou Friends of Scouting 2
 - b) Jamie Bell 3-6
2. 2013 Audit Presentation
3. Declaration of Conflicts of Interest from the City Council regarding any agenda item.
4. Consider authorizing the minutes of the following meetings:
 - a) August 19, 2014 Special Council Meeting 7
 - b) August 11, 2014 Special Council Meeting 8
 - c) August 11, 2014 Council Meeting 9-11
 - d) August 25, 2014 Council Workshop 12
5. Consent Agenda
 - a) August 2014 Financials
 - b) August 2014 Police Department Report 13-14
 - c) August 2014 Fire Department Report 15-16
 - d) Approval of Beano or Games of Chance Licenses 17
 - e) Proclamation for Caribou Heritage Day 18-19
6. Tax Acquired Property Policy 20-26
7. Window installation bid 27
8. Demolition of Collins St Property 28
9. Sharing services with Woodland 29-33
10. Recreation Trail Grant 34-35
11. Other Business

Upcoming Meeting Dates:

Regular City Council Meeting, October 13, 2014 at 7:00 p.m.
Budget Workshop Thursday October 16, 2014 at 6:00 p.m.
Budget Workshop Monday October 20, 2014 at 6:00 p.m.
Budget Workshop Wednesday October 22, 2014 at 6:00 p.m.
Regular City Council Meeting, October 27, 2014 at 7:00 p.m.





8/28/14

**Caribou City Manager
High Street
Caribou, Maine**

Would it be possible to put us on the schedule for the City Council Meeting for September 8th 2014 for a Boy Scout Event.

The North Star Boy Scout in Aroostook County would like us, Caribou Friends For Scouts, to host the Winter Rama for 20-22 February 2015 at the Light Industrial Park in Caribou. We would need the assistance of Public Works Department. We would like to have the permission of the City Council to hold this event. I have been coordinating with the Rec. Dept., the Public Works Dept. and the local Snow Mobile Club. With your permission this event would help the North Star District Scouts and the local Boy Scouts. The local Boy Scout Hall would be used for feeding meals and used as a headquarters for this event. Thank you for your consideration and help.

Sincerely yours in Scouting

Vaughn Keaton



G. Firearms Range Rules and Procedures:

1. Employees must periodically attend firearms training and demonstrate competency in the use of firearms. These training sessions shall be scheduled by the agency Firearms Officer. Attendance shall be mandatory.
2. Full-time law enforcement officers shall attend firearms training conducted by a certified Firearms Instructor as required by the agency.
3. The agency Firearms Officer shall be the officer in charge at the range, regardless of rank. The agency Firearms Officer will insure that the minimum standards as determined by the Board of Trustees of the Maine Criminal Justice Academy are taught and all employees will be given ample training and the opportunity to demonstrate competency with their firearm. Employees who are unable to demonstrate competency shall not carry a firearm.
4. The agency Firearms Officer shall implement a list of safety rules pertaining to the safe handling and use of firearms both on and off the range. Appendix A of this policy is an example.

APPENDIX A

FIREARMS SAFETY

A. INTRODUCTION:

1. Safety must be foremost on the mind of all employees carrying a firearm at all times.
2. Employees carrying a firearm must know:
 - a. How the firearm works.
 - b. Whether or not it is loaded.
 - c. Where it is pointing at all times.
 - d. Where the target is.
 - e. What the target is.
 - f. Where the bullet may go after going through the target.

B. GENERAL SAFETY PRECAUTIONS:

1. Basic Safety:
 - a. Treat all firearms as if they were loaded.
 - b. Open the action before passing the firearm to another person.
 - c. All weapons unholstered for reasons other than firing, should be unloaded.

- d. Never point the firearm at anything you don't intend to shoot.
- e. Keep fingers out of the trigger guard until ready to fire.
- f. Don't cock hammers when you don't intend to fire.
- g. Never let yourself develop habits such as, playing with a weapon.
- h. Keep the handling of the firearm to an absolute minimum.
- i. Always wear safety equipment, including but not limited to ear and eye protection.

2. Safety at Home:

- a. Maintain all weapons out of the reach and sight of children.
- b. Weapons should be stored unloaded and secured. However, personal judgement will have to be used in reference to this.
- c. Locked storage is preferable with the key kept on the person or out of reach of children, again using personal judgement.
- d. You should always have control of your weapon, regardless of what you are doing.

3. Handling of Semi-automatic Pistol Safety:

- a. All basic safety rules apply.
- b. Be thoroughly familiar with weapon and operating features before carrying it.
- c. Never pass a semi-automatic pistol to anyone unless the magazine is removed and the slide is locked back open showing an empty chamber. Always pass the butt first, after determining that it is safe to do so.
- d. Never make adjustments on the weapon yourself, such as adjusting the trigger pull or working on the magazines. If you have a problem turn it into the agency armorer.
- e. Don't let your slide go forward slowly when loading a round in the chamber. To chamber a round, the slide must be allowed to go forward with its own momentum. Don't wrap the thumb of your weak hand over the back of your strong hand when firing.
- f. Be aware of the double action feature on the first round only. The trigger pull will be substantially different on subsequent rounds.
- g. NEVER, NEVER holster a cocked weapon.
- h. When holstering a semi-automatic weapon, always be sure it is decocked and your thumb is holding the hammer down as you slide the weapon into the holster.

4. Handling Revolver Safety:

- a. All basic safety points again apply.
- b. When passing a revolver, always have the cylinder open, unloaded and passed butt first with two (2) fingers through the top strap.
- c. Never flip the cylinder open.
- d. Never slam the cylinder shut.
- e. Never make adjustments to lighten the trigger pull.
- f. Never toss the weapon around.
- g. Do not use your gun butt as a hammer.

5. Handling Shotgun Safety:

- a. All basic safety points apply.
- b. Never pass a shotgun to another person unless it is not loaded, the action is open and the safety is on. The shotgun should always be carried with the muzzle up above the head of the handler when it is not in use.
- c. Never take the shotgun out of the vehicle, unless the situation calls for it.
- d. Make sure you rack the slide of the pump shotgun forcibly when loading the chamber. Failure to do so could cause a malfunction. Never use the shotgun butt as a hammer as the weapon could discharge, if loaded. Do not chamber a round when the shotgun is stored in the vehicle rack. If you can physically handle and maintain control of the shotgun, do not remove it from the vehicle as any time.

6. Range Safety:

- a. When entering the range, all weapons should be decocked.
- b. All weapons will be unlocked at the command of the range officer and either loaded with practice ammo or regular duty ammo for practice. All weapons are to remain holstered, unless commanded otherwise by the range officer. All persons not specifically firing on the firing line should remain well behind the firing line. With the completion of each firing course, each person will display to the range officer an empty weapon before recovering. No person shall be allowed down range until it is determined to be safe by the range officer.
- c. All misfires or malfunctions will be kept pointed down range until the problem is cleared.
- d. No unauthorized person will be allowed at the range when agency employees are training with firearms.

A special meeting of the Caribou City Council was held 8:00 a.m. on Tuesday, August 19, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, and Shane McDougall. Kenneth G. Murchison, Jr. was absent and excused.

Austin Bleess, City Manager and Tony Mazzucco, Assistant City Manager were present.

Council Agenda Item #1: Executive Session pursuant to MRSA Title 1 §405(6)(C) to discuss economic development.

8:00 a.m. Motion made by P. McDonough, seconded by D. Martin to move to executive session. (4 yes) So voted.

8:35 a.m. Motion made by D. Martin, seconded by P. McDonough, to move out of executive session. (4 yes) So voted.

Motion made by D. Martin, seconded by J. Theriault, to authorize City Manager to acquire property for economic development. (4 yes, D. Martin, J. Theriault, S. McDougall, G. Aiken, 1 no, P. McDonough) So voted.

Motion made by P. McDonough, seconded by D. Martin to adjourn.

Austin Bleess, City Manager

A special meeting of the Caribou City Council was held 5.30 p.m. on Monday, August 11, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, David Genthner, Kenneth G. Murchison, Jr., and Shane McDougall. Austin Bleess, City Manager and Tony Mazzucco, Assistant City Manager were present.

Council Agenda Item #1: Executive Session pursuant to MRSA Title 1 §405(6)(C) to discuss economic development.

5:30 p.m. Motion made by P. McDonough, seconded by D. Genthner, to move to executive session with City Manager Bleess, Assistant City Manager Mazzucco, Pam Wilcox, and Gary Gagnon to discuss economic development. (6 yes)

6:00 p.m. Motion made by P. McDonough, seconded by D. Martin, to move out of executive session. (6 yes) So voted.

No action taken.

Pam Wilcox and Gary Gagnon left the meeting.

Council Agenda Item #2: Executive Session to discuss an Abatement Request pursuant to MRSA Title 36 Chapter 105 Section 841 et seq.

6:01 p.m. Motion made by K. Murchison, seconded by P. McDonough, to move to executive session to discuss an Abatement Request pursuant to MRSA Title 36 Chapter 105 Section 841 et seq.

6:16 p.m. Motion made by D. Martin, second by J. Theriault, to move out of executive session. (6 yes) So voted.

Motion made by D. Martin, seconded by J. Theriault, to deny abatement request. (6 yes) So voted.

Council Agenda Item #3: Executive Session Pursuant to MRSA Title 1 §405(6)(E) to discuss a Legal Issue.

6:17 p.m. Motion made by P. McDonough, seconded by D. Martin, to move to executive session to discuss a legal issue. (6 yes) So voted.

6:17 p.m. Motion made by D. Martin, seconded by P. McDonough, to move out of executive session (6 yes) So voted.

Motion made by D. Martin, seconded by P. McDonough, to authorize the City Manager to sign the accord. (6 yes) So voted.

Council Agenda Item #4: Executive Session pursuant to MRSA Title 1 §405(6)(C) to discuss economic development.

6:18 p.m. Motion made by P. McDonough, seconded by D. Martin, to move to executive session to discuss economic development. (6 yes) So voted.

6:30 p.m. Motion by P. McDonough, seconded by D. Martin, to move out of executive session. (6 yes) So voted.

No action taken.

Meeting adjourned.

Austin Bleess, City Manager

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, August 11, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, Shane McDougall, David R. Genthner, and Kenneth G. Murchison, Jr.

Austin Bless, City Manager and Tony Mazzucco, Assistant City Manager were present.

Department Managers: Penny G. Thompson, Tax Assessor; Michael Gahagan, Police Chief; Kathleen Mazzuchelli, Supt. of Parks & Recreation; and Gary Marquis, Director of Parks.

Natalie De La Garza, representing the Aroostook Republican; and Time Warner covered the meeting.

Council Agenda Item #1: Public Input

Rino Marquis – Owner of 6 Morgan Drive – Requested that he be allowed to continue to make monthly payments of \$300 towards his back property taxes. He stated that he should be “caught up” by November of this year. He stated that he was not informed about the foreclosure and only learned July 17th that this property was going out to bid. He stated that starting next month he might be able to up the payment to \$350 or \$400 a month.

Council Agenda Item #2: Declaration of Conflicts of Interest from the City Council regarding any agenda item.

None.

Council Agenda Item #3: Consider authorizing the minutes of the following meetings:

- a) July 14, 2014 Council Workshop
- b) July 14, 2014 Council Meeting
- c) July 18, 2014 Special Council Meeting

Motion made by D. Martin, seconded by K. Murchison, to accept the minutes of July 14, 2014 Council Workshop and July 14, 2014 Council Meeting as presented. (6 yes) So voted.

Motion made by P. McDonough, seconded by J. Theriault, to accept the minutes of July 18, 2014 Special Council meeting as presented. (4 yes, 2 abstentions, D. Genthner, D. Martin) So voted.

Council Agenda Item #4: Consent Agenda

- a) July 2014 Financials
- b) July 2014 Police Department Report
- c) July 2014 Fire Department Report
- d) Fire Department Reports – Six month comparison 2013 and 2014
- e) Approval of Amusement and Liquor Licenses
 1. Caribou Bowladrome/Sport’s Inn
 2. The Great Wall d/b/a Jade Palace
- f) Approval of Quit Claim Deeds
 1. Map 16, Lot 8J – Estate of Bobby Thibodeau, Jr.
 2. Map 24, Lot 60 – Walter Alley
- g) Mutual Aid Ambulance Intercept Agreement
 1. Town of Van Buren
- h) Approval of purchase of years of service for MSRS
 1. Scott Michaud

Motion made by D. Martin, seconded by D. Genthner, to approve the Consent Agenda with Business Items A, B, C, D, E, G, and H as presented. (6 yes) So voted.

Motion made by P. McDonough, seconded by D. Martin, to approve the Consent Agenda Business Item F as presented. (6 yes) So voted.

Council Agenda Item #5: General Assistance Ordinance Amendment

7:10 p.m. Public Hearing Opened.

No public input.

7:11 p.m. Public Hearing Closed.

Motion made by P. McDonough, seconded by J. Theriault, to adopt Ordinance No. 6, 2014 Series, An Ordinance amending Appendix A of Chapter 17 General Assistance. (6 yes) So voted.

Council Agenda Item #6: Fee For Service Agreement with Facilities, Inc.

Motion made by D. Martin, seconded P. McDonough, to approve Fee For Service Agreements with Facilities, Inc. and Central Aroostook Association as written. (6 yes) So voted.

Council Agenda Item #7: Caribou Community Swimming Pool

Kathleen Mazzuchelli, Supt. of Parks & Recreation, provided updated information on a pool repair funding options or whether the City should consider using its resources to develop a spray type facility, place it in a reserve account for engineering for an aquatic facility, or the development of a natural pool facility.

Currently the City has approximately \$40,555 in a reserve account. She estimates that it would cost approximately \$150,000 to \$175,000 to develop a spray type facility. A spray facility does not allow for swimming lessons, but Ms. Mazzuchelli noted that there is a pool within the RSU 39 district so there is an opportunity for cost sharing. For approximately \$3 million, the City could add to the Wellness Center an aquatic facility with a therapy pool, small lap pool, and a little spray park. An aquatic facility could generate revenues. There are grant opportunities for aquatic facilities.

When questioned by Councilor McDougall for her recommendation, Ms. Mazzuchelli stated two: 1) install a spray park or 2) take a look at the engineering for an aquatic facility that would offer cost sharing opportunities.

Council consensus: Apply for available grants plus

- Research a natural pool and its cost
- Cost to build a spray facility
- Cost to add to Wellness Center

Council Agenda Item #8: Bids on Tax Acquired Properties

The Council discussed Rino Marquis' foreclosure situation and the City's Tax Acquired Property Policy (TAP).

Motion made by J. Theriault, seconded by D. Martin, to reject all bids for Map 23, Lot 7 and to have Mr. Rino Marquis pay the total tax amount of \$4,055.50 as of July 14, 2014 plus interest and fees which may be incurred from July 14, 2014 until final payment is made to be paid by October 1, 2014. (5 yes, 1 no, P. McDonough) So voted.

Motion made by P. McDonough, seconded by D. Martin, to accept the bid of \$20,000 from Cheryl Drost for Map 36, Lot 52. (6 yes) So voted.

Council Agenda Item #9: Approving Purchase of Police Squad

The Chief answered several questions from the Council.

Motion made by P. McDonough, seconded by D. Martin, to approve the purchase of a 2015 Explorer 4-Door AWD for \$28,700. (6 yes) So voted.

Council Agenda Item #10: Sand Bids for Winter Season

For the upcoming season, the City requires 4,500 yd³ of sand.

Motion made by P. McDonough, seconded by D. Martin, to award the winter sand bid of \$10.25 per yd³ to K & M Sand and Gravel from Grand Falls. (6 yes) So voted.

Council Agenda Item #11: Wage and Classification

The current Wage and Classification was adopted in 2008 and has not been updated since then. The original intent was to review this policy every two years.

The Mayor recommends that this go to workshop.

Council Agenda Item #12: Discussion on land owned by Nasiff Land LLC

Property owner Steven R. Nasiff reviewed his submitted plan titled "August 7, 2004 Nasiff Land Plan for property in Caribou". (Exhibit A) He has received a quote of \$300,000 to bring all buildings down. Mr. Nasiff offered to sell the property to the City for \$100,000. Mr. Nasiff stated that he will not avail himself of loan funding from NMDC or the State of Maine, but will only move forward if there are public grant funding available. He stated that he would give the property to the City unless there is grant funding available.

After reviewing Mr. Nasiff's plan, City staff is recommending the Council move forward and authorize a Findings and Order - Pursuant to 17 M.R.S.A. § § 2851-2859 (Dangerous Buildings).

Motion made by P. McDonough, seconded by J. Theriault, authorize, sign, and implement the Findings and Order - Pursuant to 17 M.R.S.A. § § 2851-2859 to Nasiff Land LLC and Katahdin Trust Co. (interested party). (Exhibit B) (6 yes) So voted.

Council Agenda Item #13: Other Business

- a. Workshop scheduled for 6:00 p.m. on August 25, 2014 – topics: Tax Acquired Property Policy (TAP) and Wage and Classification.
- b. Mayor Aiken read a letter of resignation from Councilor David Genthner. Mr. Genthner is moving out of Caribou and requested that his resignation be effective August 11, 2014.

Motion made by K. Murchison, seconded by D. Martin, to accept with regrets the resignation and to order this open Council seat to be added to the November 4th election with nomination papers available August 11, 2014 with a submission deadline of 5:00 p.m. September 19, 2014. (5 yes, 1 abstention, D. Genthner) So voted.

Motion made by P. McDonough, seconded by K. Murchison, to take applications from individuals interested in serving as Councilor until the November 4th election. (6 yes) So voted.

Motion made by P. McDonough, seconded by J. Theriault, to adjourn the meeting at 9:23 p.m. (6 yes) So voted.

Upcoming Meeting Dates:

Regular City Council Meeting, September 8, 2014 at 7:00 p.m.

Jayne R. Farrin, Secretary

A workshop meeting of the Caribou City Council was held 6:00 p.m. on Monday, August 25, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, Kenneth G. Murchison, Jr., and Shane McDougall.

Austin Bleess, City Manager was present.

Department Managers: Michael Gahagan, Police Chief; Penny G. Thompson, Tax Assessor; Wanda Raymond, Finance Director; and Gary Marquis, Supt. of Parks and Recreation.

Item #1: Discussion on Tax Acquired Property Policy

The current Tax Acquired Property Policy (TAP) was updated and adopted in March 2013.

At the August 11th meeting, the Council decided that the TAP needed to be reviewed once again. The Council wants to make sure that the policy is clear, reduce taxpayer confusion, and to streamline the process.

Proposed changes: eliminate section 5.2 altogether, allow Tax Collector and/or City Manager to place tax acquired properties out for bid without going to Council, and allow City Administration to determine whether or not to acquire a property or to waive foreclosure.

Council discussion.

Council Consensus: To move forward with the adoption of the proposed changes to Caribou's TAP at the next Council meeting.

Workshop adjourned at 6:34 p.m.

Jayne R. Farrin, Secretary

Caribou Police Department

AUGUST 2014 MONTHLY REPORT

	OFFENSE	Amount		OFFENSE	Amount
1	Complaints	2512	40	Violation of Bail Complaints	0
2	Motor Vehicle Accidents	19	41	Viol. Of Title 29 A Sec 2101	0
3	Escorts	3	42	Violation of Permit	0
4	Theft Complaints	20	43	Failure to Stop at Stop Sign	2
5	Crim. Mischief Complaints	7	44	Failure to Stop for Pedestrians	0
6	Animal Complaints	18	45	Passing Stopped School Bus	0
7	Domestic Complaints	6	46	Stops and Checks M/V	1933
8	Burglary Complaints	5	47	Parking Tickets	0
9	Oper. M/V Under the Infl.	1	48	Business Alarms	15
10	Criminal Trespass Comp.	13	49	M/V Permits	22
11	Motor Vehicle Theft	2	50	Handling Prisoners	54
12	Unsecured Doors&Windows	0	51	Running Intoxilyzer	6
13	Motor Vehicle Complaints	33	52	No Insurance	23
14	Missing Persons	3	53	Warrant Arrests	11
15	Harassment Complaints	16	54	Neg. Worthless Instrument Arrests	0
16	Assault Complaints	7	55	Leave the Scene of Accident	0
17	O.A.S. Arrests	10	56	Failure to Yield the Right of Way	0
18	Juvenile Complaints	5	57	Arson Complaints	0
19	Fight Complaints	0	58	Suicide Complaints	0
20	Noise Complaints	7	59	Disorderly Conduct Complaints	30
21	Criminal Threat Complaints	1	60	Unlawful Sexual Contact	1
22	Lost & Found	7	61	Gross Sexual Contact	0
23	Neg. Worthless Inst. Comp.	0	62	Unattended Death Reports/Hospice	1
24	Prowler Complaint	0	63	Burglary Arrests	1
25	Criminal Trespass Arrest	0	64	Violation of Probation Arrests	0
26	Assist Other Agencies	23	65	Criminal Records Check	30
27	Assault Arrest	4	66	Drug Complaints	0
28	Drunk Complaint	0	67	Violation of Liquor Laws	1
29	Litter Arrest	0	68	Violation of Tobacco Laws	0
30	Theft Arrest	4	69	Violation of Drug Laws	1
31	Oper.Unregistered M/V	2	70	Illegal Transportation of Liquor	0
32	Oper M/V Without a License	0	71	Snowsled & ATV Complaints	8
33	Driving To Endanger	0	72	Juvenile Arrests	4
34	Expired Inspection	11	73	Prov. A Place for Minors to Consume Alc.	0
35	Inadequate Exhaust	1	74	Criminal Mischief Arrests	3
36	Unnecessary Noise	3	75	Violation of Bail Conditions	4
37	Violation of Equipment Rule	0	76	Seatbelt Violation	0
38	Speeding	40	77	Disorderly Conduct Arrests	3
39	Window Tint Violation	0	78	Receiving Stolen Property	0

Caribou Police Department

OFFENSE		Amount	OFFENSE		Amount
79	House Watch Requests	3	91	Hindering Apprehension	0
80	Robbery, Armed Arrest	1	92	911 Calls	24
81	Truant from School	1	93	Unauthorized Use of Property	0
82	Criminal Threatening Arrests	0	94	Assault Domestic Violence	2
83	Terrorizing Arrests	0	95	Check on Well Being	13
84	Loaded Firearm in a M/V	0	96	Police Information	9
85	Making a False Public Report	0	97	Suspicious Activity/Person/MV	28
86	Child Endangerment	1	98	Civil Complaint	6
87	Tampering with a Witness	0			
88	Violation Of Protection Order	0			
89	Carrying a Concealed Weapo	0			
90	Multi-handgun purchase	0			

Respectively Submitted,

Chief Michael W. Gahagan
Caribou Police Department

**CFAD MONTHLY REPORT
August 2014**

Total Fire/ Rescue Calls 17
 -Alarms for Fires (33) 3
 -Alarms for Rescues (66)
 -Silent Alarms 14
 -Haz-Mat 1
 -Grass Fires
 -Chimney Fires
 -False Alarms 2
 -10-55's 4
 -Aid to Police
 -Public Service

Total Hours Pumped 3.25 hrs
 Gallons of Water Used 13,000
 Amt. of Hose used: 1,450'
 Ladders Used (in Feet): 70' (75' Ariel)____
 Thermal Imaging Camera Used: 2
 CO2 Meter Used:
 Rescue Sled & Snowmobile:
 Rescue Boat:
 Jaws Used:

MUTUAL AID TO:

P.I.F.D.
 F.F.F.D.
 L.F.D. 1 - Water Shuttle Drill
 W.F.D.
 Stockholm F.D.
 North Lakes FD
 Crown Amb 1 - Cancelled en route
 Van Buren Amb. 1 - Intercept

Total Amb. Calls 192 inc. Air & Assists
 - Ground Amb.: 172
 - Air Amb. Flights: 8
 - Amb. Assist Calls: 12
 - ALS Calls 118
 - BLS Calls 48
 - No Transport 14
 - Calls Turned Over: 5 = \$9,148
 Total Out of Town Amb. Calls 24
 Total Out of Town Fire/Rescue Calls 3
 Est. Fire Loss, Caribou \$43,800
 Est. Fire Loss, out of City \$
 Total Est. Fire Loss \$43,800
 Total Maint. Hours 16 mhrs.
 Total Training Hours 36 mhrs.
 Miles Traveled by all Units 14,363
 Fire Permits Issued 40

***Color Guard Training 25.25 mhrs.**

Total Fire & Amb. Calls 209

MUTUAL AID FROM:

P.I.F.D. 3
 F.F.F.D.
 L.F.D.
 W.F.D. 1
 Stockholm F.D.
 North Lakes FD
 Crown Amb

OUT OF CITY FIRES/RESCUES

LOCATION	# OF CALLS	MAN HRS.
Woodland		
New Sweden	1	4.5 mhrs.
Connor		
Westmanland		

RESCUE - Aid to Ambulance

Stockholm 2 2.5 mhrs

3 Racetrack Standby
 2 Fire Extinguisher Classes = 86 participants

Scott Susi, Chief
 Caribou Fire and Ambulance

BREAKDOWN OF FIRES
For August 2014

Situation Found	# Of Incidents	Fire Casualties	Est. Property Damage
1. Private Dwellings inc. Mobile Homes	3		
2. Apartments (3 or more)	1		\$43,800
3. Hotels & Motels			
4. Dormitories & Boarding Homes			
5. Public Assembly (Church, Restaurant)			
6. Schools			
7. Institutions (Hospitals, Jails, Nursing Homes)			
8. Stores, Offices			
9. Industry, Utility, Defense	2		
10. Storage			
11. Vacant Buildings or being Built			
12. Fires outside structure w/value (crops, timber, etc.)			
13. Fires Highway Vehicles			
14. Other Vehicles (planes, trains, etc.)			
15. Fires in brush, grass w/no value			

Other Incidents

16. Haz-Mat	1
17. False Calls	2
18. Mutual Aid Calls	1 - Limestone FD - Water Shuttle
19. Aid to Ambulance (10-55's)	4
20. Aid to Police	
21. Investigation (Smoke, CO ₂ or Alarm)	3 - Smoke
22. Service Calls	

Total Calls for the Month: 17



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: September 8, 2014
Re: Approval of Beano or Games of Chance Licenses

The American Legion Post #15 has applied for licenses to run the following Games of Chance:

1. Bingo to be held no more than three times per week
2. Texas Hold 'Em to be held no more than two per month
3. Sealed tickets sold no more than five times per week
4. Cards played no more than five times per week.

Caribou Senior Citizens Bingo has applied for licenses to run the following Games of Chance:

1. Bingo to be held no more than three times per week
2. Sealed tickets sold no more than three times per week

The Lister-Knowlton VFW Auxiliary has applied for a license to run the following Games of Chance:

1. Bingo to be held no more than one time per week

The Knights of Columbus have applied for licenses to run the following Games of Chance:

1. Bingo to be held no more than one time per week
2. Sealed tickets sold no more than one time per week

The Lister-Knowlton VFW Post 9389 has applied for a license to run the following Games of Chance:

1. Bingo to be held no more than two times per week

These licenses would be good from January 1, 2015 – December 31, 2017.

The Police Chief, Fire Chief, and Code Enforcement have all reviewed the applications and are okay with them.

Staff is recommending Council approval.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: September 8, 2014
Re: Proclamation for Caribou Heritage Day

With the successful events last year of O. P. Pierson days the City and Chamber have decided to continue the great community event with a few modifications. The name will be Caribou Heritage Day and this year we will be celebrating Alexander Cochran.

As Mr. Cochran was the first person to build a mill in our area back in 1839 he led to the settlement of the Caribou area.

As such the Chamber is requesting the Council declare September 27, 2014 as Alexander Cochran Day.

The full text of the proclamation is on the next page.



CITY COUNCIL
CARIBOU, MAINE

A PROCLAMATION FOR ALEXANDER COCHRAN

WHEREAS Alexander Cochran erected the first mill of any type in the area 185 years ago; and

WHEREAS his gristmill, located on what is now Water Street along the Caribou Stream, was instrumental to the survival of the earliest settlers; and

WHEREAS said mill bridged the gap to the development of the area after the boundary was settled in 1839; and

WHEREAS said mill also led to the earliest roads in the area as they were grubbed out to help people bring their grain to the mill; and

WHEREAS Alexander Cochran passed away on November 6, 1864 in Caribou;

NOW TEHREFORE, WE the City Council of the City of Caribou, Maine do hereby proclaim September 27, 2014 to be Alexander Cochran Day.

Gary Aiken, Mayor

Kenneth G. Murchison Jr, Councilor

Shane McDougall, Councilor

David Martin, Councilor

Philip J. McDonough II, Councilor

Joan Theriault, Councilor

Attest:

Jayne R. Farrin, City Clerk



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: September 8, 2014
Re: Tax Acquired Property Policy

As was discussed at the last Council workshop the Tax Acquired Property policy is here tonight for Council approval. The consensus from the Council was to not allow an opportunity for owners of record to enter into payment arrangements to buy back their property after has been foreclosed on due to lack of payment on property taxes in accordance with state law.

The letter that already goes out already states “**IF THE LEAN FORECLOSURES, THE MUNICIPALITY WILL OWN YOUR PROPERTY**” as is required language by state law. The new letter will continue to state that but we will work to put some additional letter stuffer in with it to help catch the attention of the citizens.

This is the biggest change to the policy.

Other changes in the policy include:

- Section 3.1 allowing the City Administration to determine whether or not to acquire a property or to waive foreclosure.
- Section 5.3 The process already happens concurrently and simply cleans up the policy.
- Section 6.2 By changing to City Manager it brings it into line with the wording in Section 6.3
- Section 6.3 gives the Manager the option to sell the property to the last owner of record or any abutting land owner at a price lower than the advertised minimum bid only after it has gone out to bid and we have received no bids or the council rejected bids. Instead of putting out ads for property to sell it at \$1 we could simply make that decision on a staff level and save the time and energy of going out for bids. The Council still has to approve the sale when they approve the quit claim deed.

The policy is on the following pages.

CITY OF CARIBOU
Policy for
TAX ACQUIRED PROPERTY

Section 1.0 General Purpose Statement

1.1 The purpose of this policy is to establish procedures and guidelines for the management and disposition of real property acquired for non-payment of taxes, service charges or fees as provided for in State law under MRSA Title 36 as amended from time to time. However, nothing in these guidelines shall limit or restrict the authority of the City Council to waive these guidelines to manage or dispose of tax acquired property, as granted under City Charter and State law, within the best interest of the City of Caribou.

Section 2.0 Pre-Foreclosure Review and Evaluation of Liened Property

2.1 At the same time that Notice of Foreclosures are sent, pursuant to MRSA Title 36 §943, the Tax Collector shall make available for review the list of pending properties. Said properties shall be reviewed by City Administration to include, but not limited to, the Tax Collector, City Manager, Code Enforcement Officer, Assessor and Fire Chief for the purposes of conducting the Review of Property under Section 2.2.

2.2 Review of the Property as defined under Section 2.1 shall be initially conducted by City Administration. City Administration shall examine such Properties for such factors as situations involving known deposits or exposures of hazardous waste, conditions of Properties that might be considered a public safety or health hazard, terms and or conditions that might preclude or prevent reasonable foreclosure by tax lien, landlord related claims, market value at time of foreclosure and any other factors deemed within the best interest of the City. The Review of Property shall be conducted as an assessment to the City's ability to perfect such liens and reasonable collection, as a minimum, the net sum of back taxes owed at time of foreclosure.

2.3 If necessary, after completion of the Review of Property by City Administration, a list of Properties shall be compiled with description of said property, location by Map and Lot and a recommendation as to why the Property should not be subject to automatic tax lien foreclosure pursuant to MRSA Title 36.

2.4 City Administration shall complete a check-list documenting the steps of the process described in this policy for each tax acquired property.

Section 3.0 Consideration of Property

3.1 The City Council hereby designates the City Administration (as defined in Section 2.1) to complete the may review and act upon the list of Properties as developed under Section 2.0 ~~or they may designate such review and action to City Administration, hereinafter Designee, as in Section 2.1.~~ Review and Action under this subsection shall determine a final list of Properties

that will not expire under automatic tax lien foreclosure processes, pursuant to MRSA Title 36. Properties identified under Section 2.3 that are acted upon by the Council and or Designee by majority vote shall be subject to a Waiver of Foreclosure Action.

Section 4.0 Waiver of Foreclosure

4.1 Any Properties as identified and acted upon under Section 3.0 shall be subject to a Waiver of Foreclosure, pursuant to MRSA Title 36 §944. The Tax Collector shall prepare prior to redemption of tax lien the Waiver of Foreclosure form and shall submit the same to the appropriate Registry of Deeds for recording. The City shall retain all rights as granted under MRSA Title 36 for continued actions of equitable relief as amended from time to time.

Section 5.0 Tax Acquired Properties

5.1 All Properties as may be subject to Tax Lien from time to time shall be treated as in MRSA Title 36 of State Law. Special considerations of all Properties as granted under this Policy Sections 1.0 - 4.0, as amended, shall be made. All other Properties as NOT acted upon under Sections 1.0-4.0 of this Policy shall be subject to and acted upon by the tax laws of the State of Maine. In the event that a tax-acquired property remains or becomes vacant for 60 consecutive days following the date of foreclosure of the tax liens under which the City becomes the owner of a property, the City Manager shall obtain liability coverage for the property.

5.2 Following the foreclosure of tax lien Property and within ~~90-15~~ days, the Tax Collector shall notify the owner of record at the last known address by certified mail, return-receipt that his/her right to redeem said Property has expired, pursuant to MRSA Title 36. Such notification shall advise the owner of record that the Property will be disposed of in accordance with this policy. ~~after the allowance of 30 days from mailing for response and in accordance with State law; a copy of which shall be included with the notification. The owner of record shall be afforded the right to redeem said property upon the payment in full an amount due under the lien and for all unpaid taxes outstanding on said property at that time. Payment arrangements can be exercised as long as all taxes, interest, and associated fees are paid in full by June 30 of the current year. In the event the property owner is receiving a payment from the Maine Residents Property Tax Program, it should be agreed to have all payments from the program go toward amounts due to the City.~~

5.3 ~~After notification under Section 5.2, t~~The Tax Collector shall prepare a listing of all remaining tax acquired Properties and submit the same to the City Council for consideration ~~being not less than 120 days after expiration of said tax lien under Section 5.0 and~~ not more than ~~180-60~~ days after expiration of said tax lien under Section. 5.0.

5.4 Tax Acquired Properties, at the discretion of the City Council, shall be placed for Public Bid, pursuant to City Charter Section 2.11 (7) *Convey or lease any lands owned by the City of Caribou except for tax acquired property which shall be retained, sold or otherwise disposed of in accordance with any ordinance enacted by the City for retention or disposition of tax-acquired property.* Nothing in this subsection shall be construed to limit or preclude the

Council’s authority and decision processes to retain tax acquired property when so deemed by majority vote to be within the best interest of the City.

5.5 If the City Council deems it to be within the City’s best interest, the Council may retain tax acquired property without offering the property for sale, as determined on a case by case basis. Properties not so directed for retention shall be subject to further consideration for sale by Public Bid, pursuant to Section 6.0. Considerations for such determinations shall include, but not be limited to, property that may have recreational or open space values, economic importance, potential for necessary present or future public easements, location or additions for public facilities or other criteria as determined by the Council.

Section 6.0 **Public Bid, Sale and Disposition of Tax Acquired Property**

6.1 Upon the positive vote of the City Council under Section 5.4, Properties shall be placed for competitive Public Bid. The City Manager may establish a sale date and date of published notice in a local paper. The City Manager shall reserve the right to set minimum bids for any or all Properties and shall advertise such bids in the local paper giving a minimum of 10 days notice for public consideration for competitive Bid. Considerations for the minimum Bid shall include at least the amount of outstanding taxes in total, any lines for water or sewer held by the Caribou Utilities District, fees for legal work or advertising or any other associated costs.

Advertisement of a property or properties shall be broken into two categories; Occupied and Unoccupied. The advertisement of Occupied properties shall contain a notification to potential Bidders that the property is occupied and that it shall be the responsibility of any successful Bidder to establish any tenant owner relationships or to evict the current occupants. Unoccupied properties shall not include such statements.

All advertisements shall list the property by Map and Lot and 911 address, shall give minimal description, contain any minimum bid information, a statement advising bidders and additional information request contacts. Such advertisements shall substantially contain at least the following context:

FOR SALE BY BID
City of Caribou

The **City of Caribou** is soliciting competitive sealed bids for the sale of Tax Acquired Property.

Property #1: Tax Map __ Lot __ – (Description example *a 1972 Westbrook 12 x 60 mobile home unit, no land, located in the Caribou Trailer Park, N. Main Street. Unit must be removed from the Park within 30 days of acquisition.*) Minimum Bid - _____

Interested parties must submit their bids in writing in a sealed envelope with the words “Property Bid # 1 Map __ Lot__ addressed and delivered to Caribou City Office, 25 High Street, Caribou, Maine 04736, no later than 2:00PM on Day of Week, Month, Date, Year and will be opened publicly in the Council Chambers at that time. All bids must include a 10% deposit of bid amount in the form of a certified check or money order, return address and phone contact

information to be considered. Any bids not containing proper deposit will be rejected. Deposits will be return to unsuccessful bidders. Bids will be acted upon by the City Council at 7:00PM (*Date of Regular or Special Meeting*) during the regular Council meeting. The City Council reserves the right to accept or reject any or all bids deemed to be within the best interest of the City of Caribou. Purchasers of City-owned property will be issued Quitclaim deeds for the City's interest under Maine law and should verify any or all encumbrances against the property outside those held by municipal tax lien or deed. No warranties or guaranties can be granted by the municipality to the successful bidder. Property is currently occupied and it shall be the sole responsibility of the Buyer to establish any tenant-occupant contract or to effect legal eviction actions and the Buyer shall bear all expenses in effecting such actions, pursuant to Maine law. Bids not paid within 30 days shall be deemed void and deposit will be forfeited to the municipality as damages. Redemption period will end at bid opening for prior owners.

6.2 Should an accepted Bid be deemed void pursuant to non-payment within 30 days of Bid acceptance, administration shall move to the next highest Bid deemed by the City Manager to be within the City's best interest. The City Council shall view all bids at time of consideration and provide within their motion any pre-authorization to administration for actions subsequent to a void of an accepted Bid. The ~~Council~~ City Manager shall take actions under Section 6.3 if pre-authorization at time of Bid acceptance is not made.

6.3 Should the City Council reject or choose not to accept any Bids, or an accepted Bid becomes void or no bids were received, the City Manager may take any of the following actions:

- a) Re-Advertise for competitive Bid
- b) Retain the Property
- c) Negotiate with other Bidders on the property or other interested Parties, provided the selling price is not lower than the advertised minimum bid.
- d) Offer by negotiated sale by Quitclaim deed to last owner of record or any abutting land owner, ~~provided the selling price is not lower than the advertised minimum bid.~~
- e) Or other actions as deemed by the City Manager to be within the best interest of the City

6.4 Administration shall provide a Notice and Acknowledgement form to the Council accepted Bidder/Buyer of tax acquired property to inform such Buyers of inherent risks associated with the purchase/acquisition of property by municipal quitclaim deed per an expired tax lien.

6.5 Unless waived or amended by the City Council, a portion of net receipts from the sale of properties shall be deposited into G-1-490-00 Tax Acquired Property Remediation Reserve to be used to secure, plan, remediate, and re-employee tax acquired properties for future sale to private ownership and to return said properties to the taxable base. A portion of not less than 20% of the net receipts from the sale of the property, after satisfying the past due taxes, lien costs, and interest shall be deposited to the Reserve. The remaining balance of sale receipts shall be credited to the non-property tax revenue account of R-10-01-05 City Owned Property. The Council may waive or amend the amount of the deposit to Reserve at anytime dependent upon the Reserve balance versus the need as determined within the best interest of the City at such time.

NOTICE AND ACKNOWLEDGEMENT

(Sale/Purchase of municipal interests derived from Real Estate Tax Lien Foreclosure)

The City Council of the Municipality of Caribou (hereinafter referred to as the City), c/o City of Caribou, 25 High Street, Caribou, Maine 04736, notifies the Buyer of the following:

1. The City provides this Notice as a courtesy and to make certain that the Buyer is generally aware of the risks associated with real estate tax title acquisition.
2. The City strongly recommends the Buyer consult with an attorney to advise any actions that may be deemed necessary to complete the purchase transaction. The City does not provide such legal counsel nor may any verbal or written communications pertaining to this transaction be construed as the City giving legal advice on this matter.
3. The City is conveying all rights, titles and interests it may have, if any, acquired through the exercise of State of Maine Statutes in regards to the imposition, enforcement and collection of real estate taxation, subject to all matters, which could be raised to challenge the procedures followed, the rights obtained and the sale of these rights. As the law provides, the City is conveying whatever relevant interests, if any, it may be deemed to have acquired by law in the subject property and is transferring these interests by Municipal Quitclaim Deed, which transfers solely whatever rights State of Maine law indicates the City may have in this matter, and therefore these proceedings, and the fact of conveyance of any rights by Municipal Quitclaim deed providing no warranties or guarantees of any kind.
4. There are no representations made to the Buyer of any kind by the City or by any of its agents or employees, and the Buyer is hereby given notice that this is the case as regards the nature, extent, validity, value or utility of any rights the Buyer may be receiving as a result of the transaction with the City and the payment of money to the City in this matter.
5. There are risks to all purchasers including the Buyer in this matter inherent in acquisition of the rights of the City derived from State of Maine law on tax lien procedure and being a "tax title." These risks include but are not limited to loss of these rights without recourse to the City and therefore loss of ownership rights to the property in question to a legally determined superior competing claimant, loss of part or all of the Buyer's investment in the property or rights thereto, marketability limitations, which affect your ability to sell, otherwise convey or mortgage these rights and the property interests, and the continuing latent potential for incurring legal costs in determining or enforcing the nature and extent of any rights the Buyer may have received, including proceeding with or defending litigation towards a court decree or judgment as may be required to determine, define, value and/or exercise any rights the Buyer may have acquired.

Date _____, 20__

City of Caribou

By: _____

On Behalf of the Caribou City Council

I/We, the Buyer/s, acknowledge the receipt of this Notice

Date _____, 20__

Section 7.0 **Savings Clause**

7.1 In the event that this Policy or any part of it shall at any time be held to be contrary to law, void, or invalid by any court of competent and final jurisdiction or any administrative agency having final jurisdiction, or the City Council, such determination shall not prevent the appropriate collection of real property taxes as set forth under MRSA Title 36 as amended from time to time.

Approved 3-25-13

Amended 9-8-14



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: September 8, 2014
Re: Window installation bid

Recently we went out for bids for the installation of new windows, insulation, and trim work around the windows.

We have worked with SW Collins to get a quote on new windows for the City Hall buildings. The new windows would be shorter than the current windows and would increase energy savings as it would be insulated in rather than having larger windows that extends up past the ceilings throughout most of the building. The outside of the windows would look similar to the way the Middle School windows look.

Council is certainly aware of how poor the windows and insulation around them are. Throughout the winter months you can cold breezes through the windows even when they are closed as tight as possible. I know several councilors have experienced this right here in the Council Chambers.

Replacing the windows would help us to reduce our energy costs and also help make the building more air tight. In the winter months, when the pellet boiler is working, there is a strong smell of smoke in the building. This is not good for staff or customers that come in. New windows should greatly decrease the amount of smoke smell in the office.

The quote for windows came in at \$29,339.54 from SW Collins and the bid for window installation work came in at \$15,815 for a total project cost of \$45,154.54. We were hoping the total cost would come in lower.

Currently we only have \$34,477.35 in the Municipal Building Reserve. If the Council wants to move forward with this project this year we would spend over the line, and then reimburse the reserve line in 2015. This has been done in the past on other projects. I am positive there would be energy savings with this project, but it is hard to put a firm dollar amount on the annual savings that we would see right now.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: September 8, 2014
Re: Demolition of Collins St Property

We recently went out for bids for the demolition of two tax acquired properties on Collins Street. This is part of the larger push to get rid of slum and blight throughout the community. These buildings, 20 and 34 Collins Street, are in bad shape and need to be torn down. There is no chance for these buildings to be fixed up.

The bid for the demolition of these properties came in at \$4,500 with the low bid from MJ Ouellette and Daughters INC. The bid is for a backhoe to take down the buildings and put the debris into Public Works dump trucks and we will haul it away.

Estimating the fees at Tri-Community Landfill and the fuel costs for this project I believe we can do this for under \$12,000. Currently we have about \$82,000 in the Tax Acquired Property Remediation reserve line, which is set up for this exact purpose.

We have had environmental reviews and have had the asbestos issues taken care of and abated in accordance with state law.

I'm asking for Council to award the work to MJ Ouellette and Daughters Inc for the removal of the two buildings on Collins Street.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: September 8, 2014
Re: Sharing services with Woodland

As we are constantly looking at ways that we can share services and reduce costs or increase revenues we have had conversations with the Town of Woodland on some things that we could share services on. As they are currently without someone to do Code Enforcement things we have discussed the opportunities that exist in this area.

There are other areas that we can work with them including Assessing of Personal Property that we are discussing, but that is not yet ready to move forward. They do have an urgent need for Code Enforcement, and so we are bringing forth an agreement for that end.

In conversations with Woodland they typically issue 10-15 building permits per year. Their building code is much more relaxed as they are not mandated to follow MUBEC as Caribou is. This is a state requirement for us.

Given the low number of building permits we anticipate a few hours of work each month from May – September, with sporadic code enforcement work the rest of year. Staff has discussed this thoroughly on our own and with the staff at Woodland and we believe that this can be accomplished with a benefit to both sides.

This agreement has an easy out for both sides if it does not work well for all involved.

I'm asking for Council approval for this agreement.

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT, made as of the ____ day of September, 2014, by and between THE TOWN OF WOODLAND, MAINE (hereinafter referred to as “WOODLAND”), and THE CITY OF CARIBOU, MAINE (hereinafter referred to as “CARIBOU”).

WITNESSETH:

WHEREAS, WOODLAND wishes to contract with CARIBOU for services relating to Code Enforcement which includes but is not limited to Building Official, Land Use, and Health Officer duties; and

WHEREAS, CARIBOU and WOODLAND desire to share services for a short period of time to evaluate and make recommendations on operations;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. Contract for services. During the “Contract Period” as hereinafter defined, WOODLAND shall contract with CARIBOU for Code Enforcement Activities. CARIBOU will provide these services on a Contract basis. It is further understood that all employees of CARIBOU will be considered an employee of CARIBOU during the contact period and will not be considered employees of WOODLAND.

2. Duties. CARIBOU shall provide to WOODLAND all services commonly agreed upon to be within the scope of Code Enforcement.

3. Contract Period. The Contract Period shall commence on September ____, 2014 and shall continue until the close of business on March 27, 2014 (hereinafter referred to as the “Expiration Date”). Notwithstanding the foregoing, the Employment Period may be terminated as provided in paragraph 6 hereof.

4. Renewal

This agreement shall automatically be renewed for successive terms of one (1) year each unless either party provides written notice of termination to the other party at least 30 days prior to the expiration of this lease agreement or any renewal term. The compensation during any renewal term shall be subject to negotiation and agreement of WOODLAND and CARIBOU.

5. Compensation and Expenses.

WOODLAND shall pay CARIBOU during the Contract Period FORTY (\$40) per hour worked. WOODLAND shall pay CARIBOU mileage from the starting point of the Caribou Municipal Building to the location of services rendered in WOODLAND at the federal mileage rate as may be amended from time to time. CARIBOU shall track each hour worked and miles driven and bill WOODLAND no less than monthly for the services. If no services are rendered for a given month

6. Termination of Agreement:

a. Termination by WOODLAND. The Contract Period shall terminate upon the expiration of the agreement terms, or at WOODLAND's option, with or without cause, by the WOODLAND Town Manager, upon written notice to both parties.

b. Termination by CARIBOU. The Contract Period shall terminate upon the expiration of the agreement terms, or at CARIBOU's option, with or without cause, by the CARIBOU City Manager, upon written notice to both parties.

7. Return of WOODLAND Records. Upon the termination of the Contract Period, unless otherwise agreed in writing by WOODLAND, CARIBOU shall immediately deliver to WOODLAND any and all files, lists, books, records, disks, logs, equipment (the "Property") relating to or owned by WOODLAND. The Property shall be delivered in whatever form

received or currently stored, including, without limitation, computer memory or other electronic, magnetic or laser archival system.

8. Notices. All notices, requests, demands and other communications which are required or may be given pursuant to the terms of this Agreement shall be in writing and shall be deemed duly given when delivered in hand to the recipient or mailed by regular USPS mail as follows:

If to WOODLAND, to: Town of Woodland Attn: Janet Schofield, Town Clerk 843 Woodland Center Rd. Suite #1 Woodland, ME 04736	If to CARIBOU, to: City of CARIBOU Attention: Austin Bless, City Manager 25 High St CARIBOU, ME 04736
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9. Either party may change such address by giving the other party notice of such change in the aforesaid manner.

10. Default. In the event of any breach of this Agreement, either party shall be entitled to institute and prosecute proceedings in any court of competent jurisdiction, either at law or in equity, to obtain damages , to seek specific performance , to seek injunctive relief or to obtain any other relief that such party may elect to pursue.

11. Miscellaneous. This written Agreement between the parties of even or near even date embody the entire understanding and agreement of the parties hereto in relation to the subject matter hereof, and no promise, condition, representation or warranty, express or implied, not herein set forth shall bind any party hereto. No provision of this Agreement may be modified, waived or discharged unless such modification or discharge is agreed to in a writing signed by an executive officer of WOODLAND and CARIBOU. No waiver on any one occasion by either party of any breach by the other party of any condition or provision of this

Agreement to be performed by such other party shall be deemed a waiver of the same or any other provision or on any at any prior or subsequent occasion. If any provision of this Agreement is finally determined to be invalid or unenforceable in whole or in part, the balance of this Agreement shall remain in effect. The interpretation, construction and performance of this Agreement shall be governed by the laws of the State of Maine.

12. Parties. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

CITY OF CARIBOU

By: _____
Austin Bless:
Its: City Manager

TOWN OF WOODLAND

By: _____
Thomas Drew, Selectperson

By: _____
Peggy Espling, Selectperson

By: _____
Carl Grant, Selectperson



CARIBOU PARKS AND RECREATION DEPARTMENT
CARIBOU, MAINE

MEMO

TO: Mayor Aiken
CC: Caribou City Council, Manager Austin Bleess
FROM: Gary Marquis, Superintendent of Parks and Recreation
RE: Recreational Trails Grant
DATE: September, 8, 2014

Since the 1990's, the City of Caribou has worked diligently to develop an interconnected network of trails to benefit the residents and businesses in and around Caribou. In 2004 Kent Associates was contracted by the City to work with residents, businesses and city staff to develop a trails plan to meet four basic needs:

- Improving connectivity and access
- Meeting multiple user group needs
- Addressing landowner concerns
- Enhancing economic development potential associated with recreational trails

During the process, Kent Associates completed an assessment of existing and potential trails; mapped existing trails and delineated proposed connections and links; worked closely with a Trails Advisory Committee made up of a variety of users; and held public hearings to garner input from residents and interest groups. In the end, the City was able to develop a comprehensive, long term trails development plan that has been a working tool since its completion.

Since the plan was approved Parks and Recreation officials and City officials have worked on certain components of the plan along with interested parties. At this juncture, we are currently working on writing the grant for Segment B1 and D of the plan identified as the Riverfront Multiuse Trail and the West Side Riverfront Connector.

The sections identified were developed between 2008 and 2009 but only for all terrain vehicles and are commonly referred to as the Lagasse Trail North and South. The trail was developed and funded by the ATV Grants In Aid Program. The trail begins off the old Aroostook Valley Railroad off outer York St., moves along York St for a ways then follows the powerline east from York St. along the edge of the Jacobs Apartments, through Big Cheese Pizza where it crosses South Main St. The trail then proceeds east utilizing a section of Armco Ave then continues down under US Rt 1 to Lower Lyndon St. At this intersection the trail moves along Lyndon St to the Lyndon St Boat Launch where a removable wharf provides seasonal access across Caribou Stream. The trail then accesses Water St to Broadway to Limestone St then crosses the railroad tracks and travels parallel to US Rt 1 and Rt 89. It currently utilizes the old railroad bridge over Rt 89 and continues to the existing Bangor Aroostook Trail adjacent to the Otter St Park and Ride.

When combined with the cross town connector, it provides local residents with an 11.3 mile loop trail within the City with varying terrain and access to the Aroostook River, Caribou Stream and hundreds of miles of rail-trail without having to travel busy roadways. The primary goal of the grant application would be to enhance the trail for bicycle and pedestrian traffic thus developing a cohesive system of multiuse trails in and around the City itself for locals and visitors to utilize.

The grant is a matching grant and the City would be required to match 20% of the cost. The 20% match would be comprised of both cash and in kind labor. Prospective funding components would include G-365-03 Land Acquisition/Easements; G-1-365-04 Rails To Trails Program; G-365-13 Recreation Collins Pond Ext. and TIF Funds. The grant is comprehensive and will take a several months to prepare for a November 14, 2014 submittal. Once submitted it would go through a grant review with notification coming in February or March of 2015 and work commencing in the spring of that year should the application be successful.

We are anticipating receiving estimates prior to the council meeting.

Monday, September 8, Parks and Recreation staff will make a presentation to the City Council about this project. We hope the City Council will look favorably upon this request.