

## CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of Caribou will hold a City Council Meeting on **Monday, May 17, 2021**, in the Council Chambers located at 25 High Street, **6:00 pm**.



**DUE TO SPACE LIMITATIONS AND IN ACCORDANCE WITH THE GOVERNORS LATEST EXECUTIVE ORDERS, THIS MEETING LOCATION WILL BE CLOSED TO THE PUBLIC. THE MEETING WILL BE BROADCAST ON CABLE CHANNEL 1301 AND THE CITY'S YOUTUBE CHANNEL.**

- 1. Roll Call**
- 2. Invocation/Inspirational Thought**
- 3. Pledge of Allegiance**
- 4. Public Forum** (**PUBLIC COMMENTS SUBMITTED TO THE CITY CLERK PRIOR TO 4:30PM ON THE MEETING DATE WILL BE SHARED WITH THE COUNCIL DURING PUBLIC FORUM. Email [dbrissette@cariboumaine.org](mailto:dbrissette@cariboumaine.org)**)

**5. Minutes –**

- a. May 3, 2021 Regular Council Meeting
- b. May 13, 2021 Special Personnel Meeting

**6. Bid Openings, Awards, and Appointments**

- a. Approval of Deputy Clerk Appointment – Cherie Garman
- b. Appointment of Election Wardens for June 8, 2021 election

**7. Public Hearings and Possible Action Items**

- a. 2021 CDBG Application for Gary's Yamaha Store at 323 Sweden Street for \$180,000
- b. Ordinance No. 03, 2021 Series, Authorizing Lease of Ogren Dump Property
- c. Ordinance No. 04, 2021 Series, Regarding Tax Acquired Property Disposal Policy
- d. Ordinance No. 05, 2021 Series, Charter Amendment - Councilor Qualifications
- e. Ordinance No. 06, 2021 Series, Charter Amendment - Councilor Meeting Attendance
- f. Ordinance No. 07, 2021 Series, Charter Amendment - City Public Notice Requirements

**8. Reports by Officials and Staff**

- a. Financials for April 2021
- b. Manager's Report

**9. New Business, Ordinances and Resolutions**

- a. Discussion with MDOT Regarding Removal of Otter Brook Bridge
- b. Discussion and Possible Action Regarding RSU June 8, 2021 Election Warrant
- c. Introduction of Ordinance No. 8, 2021 Series, Charter Amendment, City Real Estate Transaction Requirements
- d. Introduction of Ordinance No. 9, 2021 Series, Rubbish Hauler Licensing
- e. Introduction of Ordinance No. 10, 2021 Series, Administrative Amendments to Title 13

**10. Old Business**

- a. Discussion and Possible Action Regarding TIF Credit Enhancement Agreement with Gary Gagnon
- b. Discussion and Possible Action Regarding Collective Bargaining Agreement with Caribou Professional Firefighters, IAFF Local 5191
- c. Discussion and Possible Action Regarding Collective Bargaining Agreement with Local 220, Council No. 93, American Federation of State County and Municipal Employees, AFL-CIO

**11. Reports and Discussion by Mayor and Council Members**

**12. Executive Session(s)** (May be called to discuss matters identified under Maine Revised Statutes, Title 1, §405.6)

- a. Real Estate and Economic Development under §405.6.C.
- b. Labor Negotiation items with the city's four unions under §405.6.D.
- c. Personnel items under §405.6.A.

**13. Next Regular Meetings:** June 14, June 28

**14. Adjournment**

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If you are planning to attend this Public Meeting and due to a disability, need assistance in understanding or participating in the meeting, please notify the City ten or more hours in advance and we will, within reason, provide what assistance may be required.

**Certificate of Mailing/Posting**

The undersigned duly appointed City official for the municipality of Caribou City hereby certifies that a copy of the foregoing Notice and Agenda was posted at City Offices and on-line in accordance with City noticing procedures.

BY: \_\_\_\_\_ Danielle Brissette, City Clerk

Council Agenda Item #1: Roll Call

The Caribou City Council held a Council meeting on Monday, May 3, 2021 at 6:00 p.m. in Council Chambers with the following members present Councilors Ayer, Boma, Goughan, Morrell, Theriault, Willey and Mayor Smith.

Dennis L Marker, City Manager and Danielle Brissette, City Clerk were present.

Staff members and parties with interest in agenda items connected through electronic Zoom Meeting.

The meeting was broadcasted via Spectrum and Caribou's YouTube Channel.

Council Agenda Item#2: Invocation / Inspirational Thought

Father David Raymond from the Holy Rosary Catholic Church offered the invocation.

Council Agenda Item #3: Pledge of Allegiance

Mayor Smith led the Pledge of Allegiance.

Council Agenda Item #4: Public Forum

Mayor Smith read a letter submitted by Claudette and Mark Draper regarding a Tax Acquired property on the Belanger road in Caribou that abuts their property and why they are interested in the property.

Mayor Smith read a letter from Lena Giggey regarding 399 Madawaska Road and why she would like to be able to purchase her property back that has been tax acquired and her plan to pay the back taxes.

Council Agenda Item #5: Minutes

a. April 20, 2021 Minutes

Motion made by Deputy Mayor Ayer, seconded by Councilor Morrell to accept the April 20, 2021 Regular Council Meeting Minutes as presented.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Council Agenda Item#6: Consent items

- a. Rubbish Hauler Permit Renewal for City Sanitation
- b. Rubbish Hauler Permit Renewal for Crown of Maine
- c. Rubbish Hauler Permit Renewal for Pine Tree Waste

Motion made by Deputy Mayor Ayer, seconded by Councilor Morrell to approve the renewal of Rubbish Hauler Permits for City Sanitation, Crown of Maine Sanitation, and Pine Tree Waste.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Council Agenda Item #7: Bid Openings, Awards, and Appointments

- a. Award of Bids for 2020 Tax Acquired Properties

Motion made by Deputy Mayor Ayer, seconded by Councilor Theriault to reject all bids from Land Ho, Inc. who has demonstrated an unwillingness to pay taxes or conduct property maintenance, which has resulted in blighted conditions within the community.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – No, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Boma to accept Mark and Claudette Drapers bid of \$1,425.00 for the property at 348 Belanger Road in Caribou.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Morrell to accept the bid from Daniel Jarose for 11 Lower Washington Street for the bid amount of \$3,000.00.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Theriault to accept the bid from Douglas Lagasse for the Tax acquired property Map/Lot 028-093-C on Fontaine Drive for the bid of \$1,401.00.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Boma to table the discussion regarding the bid at 142 Lower Lyndon Street and move it to executive session under Real Estate until the 17<sup>th</sup>.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Willey to accept the bid from Leonard Lednum for Map/Lot 022-044-A on the Van Buren Road for \$615.00.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Councilor Theriault, seconded by Councilor Willey to accept the bid from Chad & Chelsea Cavagnaro for the property at 399 Madawaska Road in the amount of \$10,000.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Boma to award the bid to Nor'Easter Exposure (Justin Powers) for the property located at Map/Lot 030-163-C on Broadway Street for \$1,200.00.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Willey to accept the bid from Dean R. Scoble's bid for 14 Haines Street in the amount of \$10,025.00.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Theriault to accept Diana Ouellette's bid for 110 Washburn Street in the amount of \$2,700.00.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

b. Awards of Bids for Public Works Materials (Sand, Asphalt, Salt, Culverts, Paint)

Motion made by Deputy Mayor Ayer, seconded by Councilor Morrell to accept the bid from EJ Prescott for Culverts in the amount of \$7,391.80.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Morrell to accept the bid from Franklin Paint for Street Paint in the amount of \$11,159.54.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Morrell to accept the bid from Trombley Industries for Shim & Patch in the amount of \$78.50 per ton.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Councilor Morrell, seconded by Councilor Boma to accept the bid from Lane Construction for Country Paving in the amount of \$77.80.

Roll Call Vote: T. Ayer – No, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Deputy Mayor Ayer, seconded by Councilor Theriault to accept the bid from K&M Sand & Gravel out of Grand Falls, NB in the amount of \$10.75.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Councilor Morrell, seconded by Mayor Smith to split tonnage between Lane Construction and Soderberg Construction for In Town Paving for \$81.00 per ton.

Roll Call Vote: T. Ayer – No, C. Boma – No, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - No, L. Willey – No, J. Smith – Yes (Motion failed due to lack of quorum).

Motion made by Deputy Mayor Ayer, seconded by Councilor Theriault to award the bid to Soderberg Construction for in town Paving for \$81.00 per ton.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - No, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Council Agenda Item #8: Public Hearings and Possible Action Items

There were none.

Council Agenda Item #9: Reports by Officials and Staff

Manager Marker reviewed the City Manager's report dated April 30, 2021.

Council Agenda Item #10: New Business, Ordinances and Resolutions

a. Discussion and Possible Action Regarding TIF Credit Enhancement agreement with Gary Gagnon

Manager Marker explained that this is a rough draft for the council to look at regarding a major office building renovation and has a tenant that is willing to sign a 15-year agreement. The new tenant will bring over \$640,000 of new equipment to the city. The owner, Mr. Gagnon, anticipates roughly \$900,000 in renovation costs going into the building. Mr. Gagnon is hoping that the City Council will entertain a credit enhancement agreement so he would be able to receive some funding back because this is in the TIF District. The downtown TIF district that he is in only has 15 more years of life, therefore that is the maximum amount of time that a Credit Enhancement Agreement can be put into place for him on this property. The Council adopted an ordinance so that no Credit Enhancement will receive more than 80 percent of the incremental funds for any given year. This is an item that can be discussed in an economic executive session.

b. Discussion and Possible Action Regarding Functions of Library & Nylander Museum

Manager Marker explained that we have received a letter of resignation from our Librarian. He proposes that the new Librarian have responsibility for the Nylander Museum as well, and that it is built into the job advertisement. This provides whoever is volunteering or hired as part-time staff at the museum to have direct report to trained professionals rather than to a volunteer board. Under the charter if these changes are going to be made to a department the council would need to approve them by ordinance. Council directed that the manager prepare an appropriate ordinance for the change.

c. Discussion and Possible Action Public Access Easement on Bennett Drive

Manager Marker explained that the RSU 39 community school project has some final landscaping and site improvements to finish. One of the items planned is 360' of sidewalk on the east side of Bennett Drive between the wellness center and Liberty Street. The sidewalk would be on private property and needs a public access easement. The RSU is asking if the Council will accept the easements and responsibility for the sidewalk if the RSU does all the work to have it installed. The intent is to provide an improved path for pedestrians so there is less potential for pedestrian / vehicle conflicts along the Bennett Drive shoulder. Councilors noted that student safety is always a concern, the improvements will have long term maintenance costs, and all affected property owners have not yet given consent for the work.

Motion made by Councilor Willey, seconded by Councilor Theriault to accept the improvements if the RSU can get all the property owners on board.

Roll Call Vote: T. Ayer – No, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - No, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

d. Discussion and Possible Action Regarding Collective Bargaining Agreement with Caribou Professional Firefighters, IAFF Local 5191

No action or discussion ready at this time.

e. Discussion and Possible Action Regarding Collective Bargaining Agreement with Local 220, Council No. 93, American Federation of State Country and Municipal Employees, AFL-CIO

No action or discussion ready at this time.

Council Agenda Item #11: Old Business

A. Discussion and Possible Action Regarding Collective Bargaining Agreement with New England Police Benevolent Association Local 605

Motion made by Councilor Willey, seconded by Councilor Theriault to accept the Agreement with New England Police Benevolent Association Local 605.

Roll Call Vote: T. Ayer – No, C. Boma – Yes, R.M. Goughan – No, D. Morrell - No, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Council Agenda Item #12: Reports and Discussion by Mayor and Council Members

Deputy Mayor Ayer explained that he was invited to the Caribou Assembly of God Church for a Feet washing ceremony. He stated that he was touched by stories that he heard and regarding the walk-through life one citizen had had and how he has turned around. He extends his gratitude to the community and church and wants to raise awareness that resources are available to help people in need. He appreciates all the Police & EMS do to help people in a time of need.

Councilor Morrell expressed concern about a home on Route 1 that has a pile of rubbish outside to the windows.

Councilor Boma stated that they had a Public Safety Building Meeting today and there are plans to meet with the architect soon.

Mayor Smith stated that they will be having an investment committee meeting coming up soon.

Council Agenda Item #13: Executive Session(s) (May be called to discuss matters under Maine Revised Statutes, Title 1, §405.6.)

A. Personnel Matters under §405.6.C

Motion made by Deputy Mayor Ayer, seconded by Councilor Willey to enter executive session at 7:52 p.m. to discuss Personnel Matters under §405.6. C.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – No, D. Morrell - No, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Council exited executive session at 9:02 p.m.

No action taken.

Motion made by Councilor Morrell, seconded by Councilor Willey to discuss real estate and economic development factors pertaining to 142 Lower Lyndon.

Council exited executive session at 9:20 p.m.

Motion made by Councilor Morrell, seconded by Councilor Willey to accept the bid of \$10,000.00 for the property at 142 Lower Lyndon subject to the Manager and legal counseling finalizing an agreement to be brought back to the Council for approval.

Councilor Goughan raised concern that the minimum bid amount was set at \$75,000 and the city should reject the bid even though the Council is in favor of pursuing a deal with bidder. Manager Marker recommended the Council reject the bid but then direct staff to engage Caldwell's in negotiation as allowed by the city's tax-acquired property disposal policy.

Councilor Morrell amended his motion to reject the bid and the manager be directed to prepare a contract for Council approval such that Caldwell's would receive the property by sale for \$10,000 but that the city would not receive the property back upon completion of demolition nor would the city be liable for damages that may result from demolition of the buildings. Councilor Willey seconded the amended motion.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Motion made by Councilor Morrell, seconded by Councilor Boma to adjourn the meeting at 9:25 p.m.

Roll Call Vote: T. Ayer – Yes, C. Boma – Yes, R.M. Goughan – Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey – Yes, J. Smith – Yes (So voted)

Danielle Brissette, Secretary



Council Agenda Item #1: Roll Call

The Caribou City Council held a Council meeting on Thursday, May 13, 2021 at 6:00 p.m. in the Wellness Center with the following members present Councilors Ayer, Boma, Goughan, Morrell, Theriault, Willey and Mayor Smith.

Carolyn Ball, consultant from Maine Municipal Association was present.

The meeting was not broadcast via Spectrum nor Caribou's YouTube Channel.

Council Agenda Item#2: Executive Session to discuss personnel matters regarding City Manager applicants.

Motion made by Councilor Willey to enter executive session to discuss applicants for the City Manager position. Seconded by Councilor Theriault. Unanimous vote in favor.

Council exited executive session at 6:54pm.

No action was taken.

Motion made by Councilor Willey to adjourn the meeting. Seconded by Councilor Theriault. Unanimous vote in favor.

Meeting ended at 6:55pm.

**CARIBOU ADMINISTRATION  
25 HIGH STREET  
CARIBOU, ME. 04736**



**MEMO**

**To: Mayor and Council Members**  
**From: Danielle Brissette, City Clerk**  
**Date: 05/20/2020**  
**Re: Clerks' Office Items**

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**Council Agenda Item 6.a**

The City Clerk would like to appoint Cherie Garman as Deputy City Clerk. Ms. Garman has worked for the city for more than a year and will be replacing Ms. Sue Skidgell who left city employment in March. City Charter requires the Council to review the Clerk's recommended appointment.

**Council Agenda Item 6.b**

The Clerk's Office is preparing for the June 8, 2021 election and is requesting Council approval for the following:

1. Poll opening time will be 8 a.m.
2. Appointment of Danielle Brissette as Election Warden,
3. Appointment of Cherie Garman as Deputy Election Warden, and
4. Appointment of Christine Foster as Deputy Election Warden for the June 8, 2020 Election.

**Council Agenda Item 9.b**

State law requires city officials to countersign any RSU Warrant and Notice of Election (*MRS Title 20-A, §1502.1.B Method of calling a regional school unit referendum*). It is therefore requested that the Council approve countersigning the attached RSU warrant and Notice of June 8 Election.

CARIBOU ADMINISTRATION  
25 HIGH STREET  
CARIBOU, ME. 04736



## MEMO

To: Mayor and Council Members  
From: Dennis L. Marker, City Manager  
Date: 05/13/2021  
Re: Public Hearings

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Public Hearings are needed for Council agenda Items 7a – 7f.

### **Agenda Item 7a. Review of 2021 CDBG application for Gary's Yamaha**

Gary's Yamaha is asking for a \$120K grant from the State CDBG program to help opening their new store at 323 Sweden Street. The CDBG process requires the Council to approve the final application before it can be submitted. The city can only submit one CDBG application each year under this economic development program and the applicants must be vetted previously by the State for final application consideration. Gary's was the only application received in timely fashion. **The application is attached for your review.** It must be submitted before May 21, 2021 at 4:00 P.M. **It is proposed that the Council approve the Gary Yamaha 2021 CDBG Application for submission and authorize the manager to execute the appropriate documents.**

### **Agenda item 7b. Approves Lease of Public Property**

This ordinance was introduced during the April 20, 2021 Council Meeting. It approves a lease agreement with SynerGen Solar who will build a solar power generation facility on the city's old Ogren Road Dump property. Since the ordinance was introduced, there were additional legal changes to the document (**see attached SynerGen lease changes memo**). **The whole lease agreement is not included in this packet** but is part of the April 20, 2021 packet and available for review online or in the City Manager's office. **It is proposed that the Council approve Ordinance No. 3, 2021 Series with all legal changes incorporated and authorize the Manager to execute the same.**

### **Agenda Item 7c. Tax Acquired Property Disposal Policy**

This ordinance was introduced during the April 20, 2021 Council Meeting. This ordinance formalizes the city's procedures for disposing of tax acquired properties. Previous actions were handled under Council approved policy resolutions, but the city charter requires actions to be in accordance with an adopted ordinance. Resolutions provide guidance and direction to staff but an Ordinance is binding as law upon the staff and elected officials. There are no changes proposed to the language as previously introduced. Copies of the ordinance are available on-line as part of April 20 Council packet and in the Clerk's office. The language was provided to the Council prior to this meeting packet. **It is proposed that the Council approve Ordinance No. 4, 2021 Series.**

### **Agenda Item 7d. Charter Amendment - Councilor Qualifications**

This ordinance was introduced during the April 20, 2021 Council Meeting. The effect of this ordinance is to make clear that all City Councilors and Councilors elect are required to pay all taxes owed to the city prior to taking office and by December 31 of each year while in office. Failure to pay their taxes in timely

manner is ground for forfeiture of office. The ordinance further outlines that any person whose wages are based on the Council approved expense budget, cannot be a City Councilor. The Council is required to conduct a public hearing on this ordinance and may postpone action to gather additional feedback if desired.

**Agenda Item 7e. Charter Amendment - Councilor Meeting Attendance**

This ordinance was introduced during the April 20, 2021 Council Meeting. This ordinance seeks to clarify the forfeiture requirements pertaining to City Council meeting attendance. The Council is required to conduct a public hearing on this ordinance and may postpone action to gather additional feedback if desired.

**Agenda Item 7f. Charter Amendment - City Public Notice Requirements**

This ordinance was introduced during the April 20, 2021 Council Meeting. This ordinance enables the city to use internet-based platforms to post public notices in addition to notices sent to local newspapers. The Council is required to conduct a public hearing on this ordinance and may postpone action to gather additional feedback if desired.

The Charter amendment ordinances must be approved by the Council subject to ratification by the voting public in a general election before they can take effect.

**The Council will need to act on the Charter amendments before September 1 to have them on the November ballot.**

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

Please note that all information requested in this application must be included for the application to be considered complete. Please refer to Page 8 for the Economic Development Program Application Package Requirements. The Office of Community Development (OCD) will only process complete applications. All materials submitted to OCD in connection with your EDP application shall become the property of OCD, unless otherwise requested and shall be retained or destroyed in accordance with OCD's file retention policy.

**I. APPLICANT MUNICIPALITY INFORMATION**

Municipality: City of Caribou	County: Aroostook
Mailing Address: 25 High Street	State: ME      Zip Code+4: 04736-0000
Manager/Contact Person: Dennis Marker, City Manager	E-Mail: citymanager@cariboumaine.org
Phone: 207-493-5962	Fax: 207-498-3954
Applicant Municipality DUNS (Dunn & Bradstreet) #: 060991452 (visit <a href="http://fedgov.dnb.com/webform">http://fedgov.dnb.com/webform</a> if business needs to obtain a number)	

**II. APPLICANT BUSINESS INFORMATION**

Legal Name of Business: Gary's Yamaha			
Legal Address of Business where jobs will be created and/or retained: 323 Sweden Street			
Town/City: Caribou	State: ME	Zip Code: 04736	County: Aroostook
Manager/Contact Person: Jonathan Raymond			
Phone: 207-498-2549		Fax:	
Email: garysyamaha@gmail.com		Website: www.garysyamaha.net	
Please check if you <input checked="" type="checkbox"/> Own <input type="checkbox"/> Lease <input type="checkbox"/> Rent			
Square Feet: 6,560	Monthly Payment: \$0	Replaced by New Facility <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Federal Employer Identification Number: 12 - 0442044 (of applicant business)			
Applicant Business DUNS (Dunn & Bradstreet) #: 127704619 (visit <a href="http://fedgov.dnb.com/webform">http://fedgov.dnb.com/webform</a> if business needs to obtain a number)			
Is the Applicant Business currently in bankruptcy proceedings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Has the Applicant Business or any owner of more than 20% of the Applicant Business been in bankruptcy proceedings in the last ten years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If the answer to either of the above is "Yes," please give particulars, including the court location and docket # of the proceedings.			

Type of Entity: ☐ C Corp ☐ S Corp ☒ Sole Proprietorship ☐ Partnership  
☐ Limited Liability Company (list "type"): ☐ Other (list):

State of Organization: Maine

### III. BUSINESS OWNERSHIP (attach additional sheets as necessary)

Name and Title: Jonathan Raymond

% of Ownership: 50

Legal Address: 228 Lombard Rd, Caribou, ME 04736

Annual Compensation: \$60,000

Name and Title: Gary Raymond

% of Ownership: 50

Legal Address: 75 Baird Rd, Caribou, ME 04736

Annual Compensation: \$60,000

### IV. PROPOSED SOURCES AND USES OF FINANCING

Sources:	Amount:	Uses:	Amount:	
Bank	\$		\$	
Owner Cash Contribution	\$60,000	Capital Investment	\$60,000	
CDBG	\$120,000	Payroll	\$120,000	
Other (Specify)	\$		\$	
<b>Total Project Cost</b>	<b>\$180,000</b>	<b>Total Project Cost</b>	<b>\$180,000</b>	

### V. PROPOSED COLLATERAL

**Available to secure job creation or job retention connected with the grant of CDBG funds in the event DECD elects to secure such requirement/repayment with assets of the Applicant business for a term of up to five years; to secure CDBG Economic Development Program Funds**

Type/ Description	Existing Lienholder	Outstanding Balance	Available Collateral	
Building	None	\$0	\$275,000	

### VI. SUMMARY OF BUSINESS EMPLOYMENT AND BENEFITS

**Current Employment:**

Full-Time #

Part-Time#

**Projected Employment Increases Over Next 12 Months:**

Full-Time #

Part-Time #

**Minimum Starting Hourly Wage:**

Full-Time \$

Part-Time \$

In determining CDBG National Objective compliance with job creation/retention only **Permanent** jobs may be counted; temporary jobs may not. Full time jobs require a worker to work at least 1750 hours per year. Part time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full Time Equivalents (FTE). A FTE is defined as two part time jobs. **Seasonal** jobs may count only if the seasonal job lasts long enough and provides sufficient income to be considered the employee's principal occupation. (Contact OCD prior to counting seasonal jobs towards LMI benefit.) **All** permanent jobs created by the project must be counted, regardless of funding source(s). Jobs indirectly created by the project (i.e., remote location, "trickle down" jobs) do not count.

Number of positions to be created as part of this development project by job classification identifiers:

Managerial/Officer

Professional

Technical

Sales

Clerical/Office

Craftworker

Operatives

Laborer

Service Worker

**VII. CERTIFICATION BY AUTHORIZED OFFICIAL OF MUNICIPALITY AND BUSINESS**

## 1. State Certifications

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

## 2. Federal Certifications

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



obtaining a grant and/or loan. OCD will maintain the confidentiality of this information and it will not be released without authorization.

### 3. CDBG Program Certifications.

The Municipality certifies that (1) it is capable of investigating the Applicant Business and the proposed Development Project to determine that the job creation and/or job retention requirements can be met, (2) it has investigated the Applicant Business and the proposed Development Project and determined that the job creation and/or job retention requirements can be met, (3) the EDP assistance to the Applicant Business is for a Development Project that is necessary and appropriate, (4) the EDP assistance to be provided is commensurate with the community benefits that will accrue from the Development Project, and (5) the Municipality will comply with the documentation requirements for jobs created and/or jobs retained and are cognizant of the requirements that should the intended Job Creation/Retention National Objective of the CDBG program; (6) understand that DECD may elect to secure such requirement/repayment with assets of the Applicant Business for a term of up to five years should this project be approved for funding; and (7) it and the applicant fully understand that DECD may deduct from the amount of any Grant the cost of legal fees associated with the review, underwriting and securing of collateral should this project be approved for funding.

### 4. Liabilities:

The borrower has no liabilities except as contemplated by this grant and/or loan agreement and fully disclosed in the borrower's financial records as presented to the Government (in your case, DECD). Such financial records are true and correct. No data was withheld and no material adverse change in the borrower's financial position has occurred which would adversely effect such statements. The borrower's assets are not less than its liabilities as determined in accordance with generally accepted accounting principles and the borrower is solvent.

### 5. Litigation and Taxes:

There are no actions, suits or proceedings pending or, to the knowledge of the borrower, threatened against or affecting the borrower at law or in equity before any court or administrative officer or agency which might result in any material adverse change in the business or financial condition of the borrower. The borrower is not in default (a) in the payment of any taxes levied or assessed against it or any of its assets or (b) under an applicable statute, rule, order, decree, writ, injunction or regulation of any governmental body (including any court).

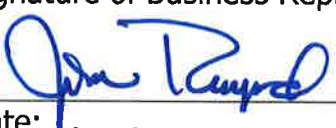
Signature of Authorized Municipal Official:	Name:
Date:	Title:
Signature of Authorized Business Representative:	Name: Jonathan Raymond
Date: 4/30/2021	Title: Owner/Manager

# Community Development Block Grant Economic Development Program

## EDP PROJECTS IN SUPPORT OF RETAIL BUSINESSES

OCD may accept an EDP application in support of a retail business activity only under the following limited conditions:

- (1.) The retail business represents the provisions of new products and services previously unavailable in the community or is a tourism-related business; and
- (2.) The development or expansion of the retail business represents a net economic gain for the community and the region. Applications supporting a retail business or businesses are required to certify that the development represents a new overall gain for the region economy and not a shift from existing established businesses to a new or expanded one; and
- (3.) The retail business is located in either a downtown district meeting the definition of Public Law 776 enacted by the 119<sup>th</sup> legislature; or a designated local growth area contained in an adopted and consistent comprehensive plan; and
- (4.) At least 50% of the jobs created by the retail business must be full-time jobs.

Signature of Municipal Official:	Name:
Date:	Title:
Signature of Business Representative: 	Name: Jonathan Raymond
Date: 4/30/2021	Title: Owner/Manager

# Community Development Block Grant Economic Development Program

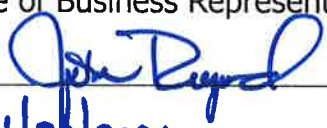
## GRANTEE/BUSINESS ASSURANCES JOB CREATION

The Business (as identified below), having applied for funding from the Municipality (as identified below) through the Maine Community Development Block Grant (CDBG) Program agrees to create a minimum of 4 new jobs above the employment baseline within approximately a 12 month period from the time the CDBG EDP application is notified of grant award. The specific job creation deadline date will be stated in the CDBG contract between the Municipality and the State of Maine. The Business also agrees that at least 51% of the new full-time and full-time equivalent jobs must be taken by qualified low-to-moderate income (LMI) persons in compliance with the Maine CDBG program rules, regulations and policies. The Business will verify the job creation achievements and assist the Municipality in compiling the appropriate documentation as required by the Maine CDBG Program.

In determining CDBG National Objective compliance with job creation only **Permanent** jobs may be counted; temporary jobs may not. Full-time jobs require a worker to work at least 1750 hours per year. Part-time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full-Time Equivalents (FTE). An FTE is defined as two part time jobs. **Seasonal** jobs may count only if the seasonal job lasts long enough and provides sufficient income to be considered the employee's principal occupation. (Contact OCD prior to counting seasonal jobs towards LMI benefit.) **All** permanent jobs created by the project must be counted, regardless of funding source(s). Jobs indirectly created by the project (i.e., remote location, "trickle down" jobs) do not count.

**It is understood by the Business and the Municipality that, in the event the job creation goals are not met within the prescribed time frame and according to the regulations of the State of Maine Community Development Block Grant Program, the State of Maine will exercise its right and seek repayment from the Municipality in accordance with the contract provisions and the Municipality may exercise its rights and seek repayment in accordance with the default provisions contained in any agreement it may have with the Business.**

Having read and fully understanding the requirements set forth in this agreement, the undersigned agree to the job creation requirements contained herein, and to comply with all regulations of the U.S. Department of Housing and Urban Development and the State of Maine governing this program including submission of quarterly status reports regarding job creation benefit.

Signature of Municipal Official:	Name:
Date:	Title:
Signature of Business Representative: 	Name: Jonathan Raymond
Date: <u>4/30/2021</u>	Title: Owner/Manager

## Community Development Block Grant Economic Development Program Matching Funds Table

Funding Source	Grant/Loan	Amount	Terms of borrowing or bond sale
Owner		\$60,000	Cash
	TOTAL:	\$60,000	

**Submit a copy of this Matching Funds Table and all letters of commitment with the original and all four copies of the application.**

April 30, 2021

Office of Community Development  
111 Sewall Street  
59 State House Station  
Augusta, ME 04333-0059

To Whom It May Concern,

This letter represents a commitment by me, Jonathan Raymond, as owner/manager of Gary's Yamaha, to provide a minimum of \$60,000 in matching support for CDBG funds for a new parts business in which I am seeking \$120,000 from CDBG for payroll expenses. This commitment is valid through December 31, 2022.

I also certify that I own, free of any liens or mortgages, the property at 323 Sweden St, Caribou, Maine. The Warranty Deed from Beauregard Maine Realty, LLC to myself, Jonathan M Raymond, can be found recorded with the Aroostook Registry of Deeds in book # 6112; and page # 95. I am willing to use the property as collateral if CDBG needs collateral for the \$120,000.

Of this support, \$60,000 is committed as direct cash by me, Jonathan Raymond, to carry out the work on this project as outlined in the CDBG application.

Sincerely,



Jonathan Raymond,  
Owner, Gary's Yamaha

# Community Development Block Grant Economic Development Program

## Budget Summary

Cost Category	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	CDBG	Local	State	Utility	Federal	Other	Total
Acquisition (if allowable)							
Clearance/Demolition							
Site Improvements							
New Building Construction							
Building Renovations							
Water/Sewer Improvements/Drainage							
Lighting							
Roads & Streets							
Parking							
Utility Lines/Fiber Optics							
Rail Lines & Spurs							
Equipment							
Inventory						60,000	60,000
Fixtures							
Working Capital							
Professional Fees							
Legal Expenses							
Inspection							
Architectural/Engineering							
Other (List)							
1. Payroll	120,000						120,000
<b>TOTAL COSTS</b>	<b>120,000</b>					<b>60,000</b>	<b>180,000</b>

### Directions for Completing Budget Summary

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



# Community Development Block Grant Economic Development Program

## CONSUMER CREDIT AUTHORIZATION


You have submitted a request to the Department of Economic and Community Development (DECD) to provide financing through the Office of Community Development administered Community Development Block Grant Program.

The DECD designee's procedure for reviewing this kind of request include the purchase and review of credit reports, which include information on both the Business, and primary principals of businesses. A primary principal is any person having an ownership interest in the company of twenty percent (20%) or more. Prior to ordering these reports the DECD must have written permission from each primary principal. Please sign below acknowledging notification of the DECD's intent to order consumer credit information in the Business and/or your name and providing your permission to do so.

The DECD will not proceed with review of the financing request without these reports. Therefore, this form must be signed by all applicable individuals and included with your application.

Thank you in advance for your cooperation.

**The undersigned acknowledges the above and gives permission to DECD and/or its designee to acquire any consumer credit information or reports it requires in connection with the above referenced application for financing assistance.**

Signature: 	Printed Name: Jonathan Raymond
Title: Owner/Manager	Date: 4/30/2021
Ownership Percentage: 50%	Social Security Number: 255-37-9070

# Community Development Block Grant Economic Development Program

## Financial Summary Statement (not required for municipally owned projects)

Provide the following information on the current obligation of the Business to be assisted for the following:

Current Debt	Debt Holder	Rate/Term	Payment	Collateral
None				

Proposed new obligations of the Business after EDP assistance:

Proposed Debt	Debt Holder	Rate/Term	Payment	Collateral
None				



## **Appendix A Responses**

### **Scope**

Over the recent years the City of Caribou has seen businesses either close down or move to other cities. This has left several commercial buildings vacant and left to decay. This has also led to a loss of many good paying jobs. As jobs leave the City, often, so do residents. If a person that lost their job as a result of a business moving or closing is forced to find a job 20-30 miles away it is all too common for those people to also start looking at housing options closer to work. Vacant houses and vacant building are usually not maintained to the same standards as if they were occupied. This results in a loss of value which directly impacts the property tax assessed on these properties. Studies also seem to indicate that the more decay there is the faster it spreads. Some refer to this as the "broken window theory of urban decay". There is very little incentive for a business owner to maintain their building to a high standard if it is right next to a vacant building that needs a lot of work.

### **Impact**

One such building is the location of the former Crown Tractor and Equipment. Crown Tractor and Equipment operated out of a building at 323 Sweden Street for decades. This building is across the street from the Caribou High School as well as the Caribou Performing Arts Center. The building was starting to show signs of decay around the year 2003 and it was clear the owners knew they were going to be selling and stopped investing money into upkeep and renovation. Once Beauregard Equipment bought the building on May 1<sup>st</sup>, 2019, they moved everything to their new location 15 miles away in the city of Presque Isle including the 4-6 employees. The building remained vacant until December 11, 2020 which is when Gary's Yamaha purchased it. The building needs new floors, new siding, new heating systems, new windows, and a new roof. The loss of these jobs had a direct impact on the City. That was half a dozen or so employees that would buy from local stores at lunch time, they would swing by grocery stores and gas stores on their way to and from work. People that visited the high school or Performing Arts Center passed this large vacant building which would give off the impression the town was dying and was certainly nothing that would incentivize a parent to move to Caribou and enroll their children in the school. The property has been assessed at \$269,200 every year since 2012. That is mainly because the property was not been reassessed since 2012. The front part of the building that will be housing the Kioti dealership is undergoing a \$150,000 renovation. It is estimated that the value of the building will increase by around \$75,000. If the new parts business is started that will further increase both the assessed value as well as the business equipment tax amount from all of the on-hand parts inventory.

### **Need**

There is a need for new jobs in the City of Caribou to assist in keeping residents in the town and/or attracting new residents to the town. There is also a need for people to take over these vacant buildings and open up businesses to stop the decay and decline of property tax revenue. Crown Tractor and Equipment was also one of the main sources of parts for several local farmers who farm in the Caribou area and the only source for many farming related parts in the City of Caribou. When Crown Tractor and Equipment was bought out and moved 15 miles south to a different city that created a hardship for many of these local farmers. Many farmers operate 15-20 miles north of Caribou so when Beauregard moved to Presque Isle this doubled the distance and time that many farmers had to travel for parts support. Some farmers report at least an hour's drive each way to get to Beauregard vs only 30 minutes to where Crown Tractor used to be. During the few weeks of harvest any downtime can quickly lead to lost revenue if farmers aren't able to get all of their crops

harvested. In addition, if a tractor or other harvest related equipment is down the farmers are forced to pay employees to do nothing while waiting for someone to run to Beauregard Equipment and back. These added expenses and/or lost revenues lead to an increase in assistance requests with the Department of Agriculture.

To start a new parts business with today's robust online marketplace it is very difficult, if not impossible, to generate a profit on a parts business if you have to get a loan to purchase the parts. The profit margin on parts is not very big and that profit margin is how you have to pay for your employee's and overhead. If an additional 4-7% had to be factored in to repay a loan then the business plan becomes untenable. Some customers are willing to pay a little more for the convenience of having it available local but once your price reaches a certain point above what is available from an online source you start to lose customers.

### **Solution**

Gary's Yamaha currently operates the Kioti dealership as well as the Yamaha dealership out of the same building in Caribou. Gary's Yamaha is currently the only tractor dealership in Caribou. Gary's Yamaha is a sole proprietorship owned by a father and son team, Gary, and Jonathan Raymond. Over the course of the next year Jonathan will be transitioning to become the sole owner of Gary's Yamaha as his father, Gary, retires. To that end Jonathan purchased the expansion property in just his name. Jonathan purchased the former Crown Tractor and Equipment building with the intent to do a complete renovation and expand his current operations. To that end he has worked with the Kioti graphic design team to greatly enhance the curb appeal of the building. This will greatly enhance the tax value of the building while also adding to the aesthetics of this high traffic neighborhood.

In addition, Gary's Yamaha intends to expand their operations by opening up a parts supply business in the new building. The goal is for this new business to fill the hole left by the departure of Crown Tractor and Beauregard Equipment by stocking the parts that will support the local farmers who have seen their travel time to the parts store more than double. Currently Gary's Yamaha primarily stocks parts for the machines it sells and not many, if any, of the parts that Crown Tractor used to stock. This new business is expected to be large enough to employ four new full-time employees and will carry parts unavailable anywhere else in Caribou. These four new jobs will also greatly assist in either keeping Caribou residents in the city or possibly even enticing people to move to Caribou to be closer to their new job.

This new expanded parts business will require a significant capital investment. The EDP funds will be utilized to expand the parts business. With the capital investment Gary's Yamaha has made in the new building there is not enough capital left to both purchase all of the required parts and hire four new people. The EDP funds will be used to hire four new Parts Service Representatives to run the expanded parts business and whatever is not used for the new payroll will be used to increase the on-hand parts inventory. It is anticipated to spend \$30,000 as a starting salary for each of the four positions. Depending on the experience of the applicants Gary's Yamaha is willing to go as high as \$41,600 as a salary for these positions. Parts businesses require significant upfront capital investment which don't produce a return on that investment until the parts are sold. These EDP funds will enable Gary's Yamaha to start the part's business at the exact size that Gary's thinks it needs to be to serve the local community and be a sustainable business. Without the EDP funds it would take an estimated 10 years to slowly grow the business to where it needs to be. That's 10 years without these new positions starting out and that's 10 years the local farmers would suffer as well. It's also 10 years that Gary's Yamaha isn't sure it wants to invest. Gary's Yamaha is estimating a minimum of

\$60,000 to renovate and stock the new parts business. If all four employees are entry level with no prior experience their starting salary will be \$30,000 which would be covered by the EDP funds but Gary's Yamaha would still be paying for the employer tax and benefits on top of that salary in addition to the renovation and capital investment. Any employee started out higher than \$30,000 would result in increased costs for Gary's Yamaha not covered by the EDP and Gary's Yamaha is willing to commit those funds as well.

It is possible that Gary's Yamaha won't try and start a parts business without being awarded the EDP funds. The reality is the parts business that Caribou needs is capital intensive without a huge return on investment. To have the greatest chance at success Gary's Yamaha would need to stock a vast quantity of a variety of parts that the farmers and other industrial businesses would require. The idea is to earn the reputation of being the one stop shop for machinery parts. It's a similar business model to Walmart. One of the reasons Walmart is so successful is they have everything the average customer needs all under one roof. This is a similar situation. Without the EDP funds Gary's Yamaha would have to spend years, if not decades, saving up the capital and slowly growing the parts business. At first, he would use existing staff which would not create any new jobs. If awarded the EDP funds Gary's Yamaha will use all of that money to hire the four people he needs for the new business and will match that money with their own money to purchase the parts and renovate the new parts business area. The EDP funds are expected to be expended in 2021. The new location is marked in red on the attached ariel map and according to FEMA is in a Zone C flood zone which is minimal risk.

### **Effect on Assisted Business**

The EDP award will have the effect of bringing back a lost source of local parts for the city of Caribou and the farmers that live and work in Caribou and the surrounding area. This would fill a hole left by the departure of Crown Tractor and Equipment and would not compete with another existing business in Caribou. By being able to better support the farmers and other industrial businesses and creating new jobs these EDP funds would assist Caribou in keeping people in Caribou for their business instead of them having to leave the City for assistance.

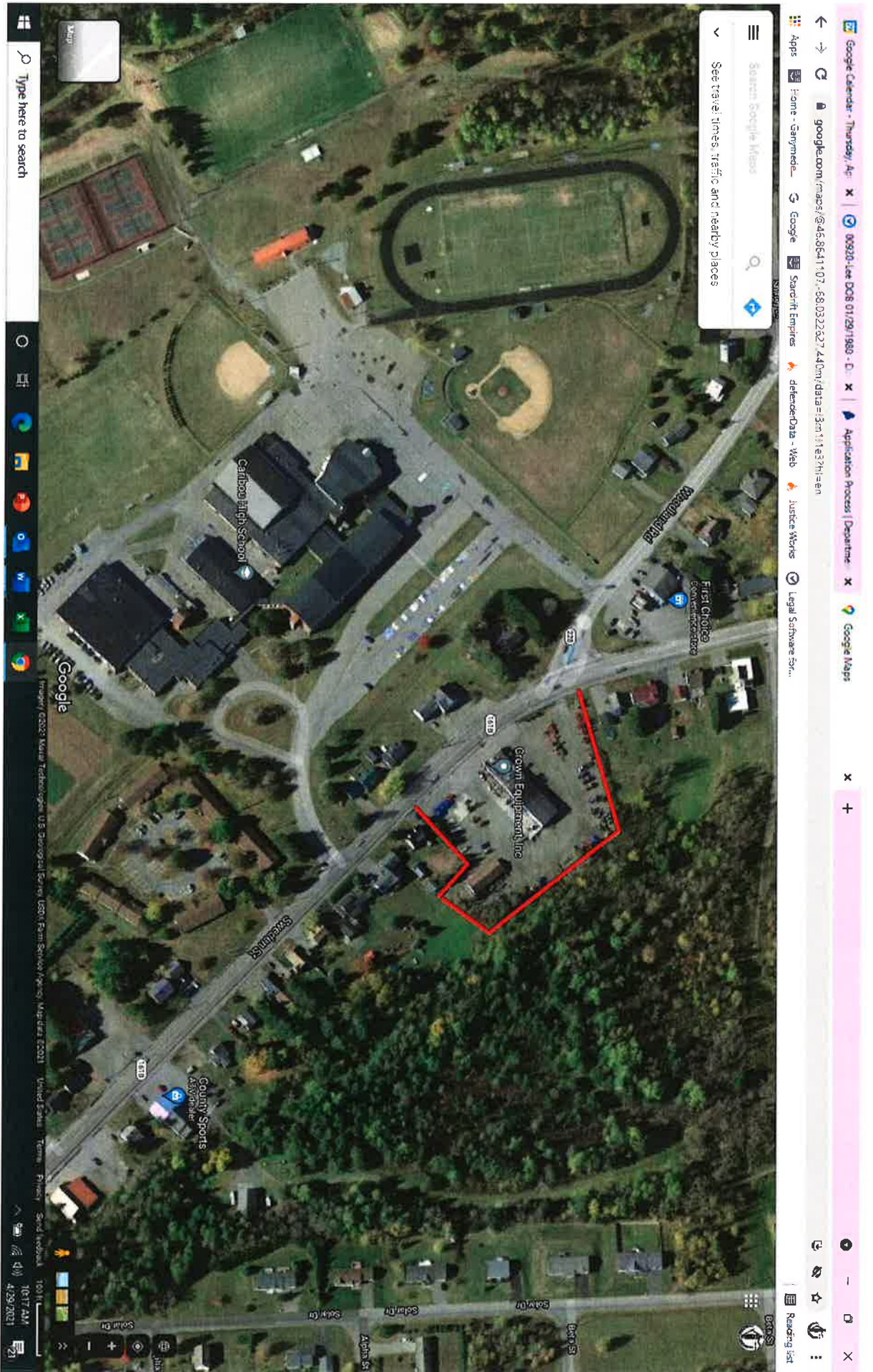
### **Project Timeline and Feasibility**

These EDP funds will be used to hire four new employees and job advertisements will go out shortly after the funds are received. The only danger in these funds not being used in 12 months is if there aren't enough people looking for a job and Gary's Yamaha is simply not able to get four applicants. Gary's Yamaha has started renovating the exterior of the new building and a portion of the interior already. But work has not commenced on the portion of the building set aside for the new parts business. That project is waiting on the outcome of this application as Gary's Yamaha does not have the capital to renovate and stock the new parts area and hire four new people.

### **Citizen Participation**

Citizen participation was mainly in the form of enthusiasm for the work being done on the building. Farmers and potential parts customers are cautiously optimistic about a local parts store but they remain skeptical as money is tight these days and grant money tends to go elsewhere in their opinion. Other business and business leaders are supportive of the project and so far, no opposition has been heard. Advertisement for the public hearing was made in the local newspaper and all documents pertaining to the project were made available to the public at City Hall from the day the advertisement first ran.





CARIBOU ADMINISTRATION  
25 HIGH STREET  
CARIBOU, ME. 04736



MEMO

To: Mayor and Council Members  
From: Dennis L. Marker, City Manager  
Date: 05/13/2021  
Re: SynerGen Lease Agreement Changes

The following changes were made in the SynerGen lease agreement by legal counsel since ordinance No. 3 was introduced.

Paragraph 6.6(a) of the lease agreement was modified as follows:  
(underlined text is added, stricken text is deleted)

- (a) Landlord ~~has~~ makes no actual knowledge that the Leased Premises is not suitable for the installation, construction and operation of the Project or representation or warrant as to the suitability of the Leased Premises for Tenant's use hereunder.
- ~~(a)-(b) Landlord represents and warrants to Tenant that it has no knowledge of any claim having been made by any Governmental Authority, or any facts or circumstances that could reasonably be expected to result in such a claim, that an unmitigated violation of Applicable Laws (including Environmental Laws) exists with regard to the Land, or any part thereof, as of the Effective Date due to an Environmental Condition. that there are any site conditions or construction requirements, including, without limitation, any Environmental Condition that would increase the cost of installing the Project on or at the Leased Premises or create any potential additional liabilities for Tenant. For the purposes of this Lease, the term "Environmental Condition" shall mean any of the following; (a) the violation or alleged violation of any Environmental Laws at or on the Leased Premises; (b) the Release (past or present) or potential Release of any Hazardous Material at, on or from the Leased Premises; and/or (c) any other environmental matter adversely affecting the Leased Premises (and including, without limitations, any matters related to the landfill located on the Land), in each case, except as directly caused by Hazardous Materials brought onto the Property by or on behalf of Tenant. Landlord further represents and warrants to Tenant that it has no knowledge of any claim having been made by any Governmental Authority that a violation of Applicable Laws (including Environmental Laws) exists with regard to the Land, or any part thereof, as of the Effective Date.~~

Paragraph 6.6(c) is stricken and former paragraph (b) is renumbered as (c).

Ordinance Introduced by Councilor \_\_\_\_\_  
on \_\_\_\_\_, 2021

**Ordinance No. 03, 2021 Series**  
**City of Caribou**  
**County of Aroostook**  
**State of Maine**

**AN ORDINANCE ADOPTING POLICIES PERTAINING TO MANAGEMENT OF TAX  
ACQUIRED PROPERTIES**

Short Title: Tax Acquired Properties Ordinance

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine and is granted home rule authority under Maine Revised Statutes, Title 30-A, §3001; and

**WHEREAS**, Maine Revised Statutes, Title 36 further gives the City power to tax and lien properties to secure the payment of all taxes legally assessed; and

**WHEREAS**, the City previously adopted a policy regarding the management and disposal of properties acquired by tax lien; and

**WHEREAS**, the City now desires to codify its tax acquired property policy in order to be more transparent about the processes of acquisition and disposal of such properties as well as to formalize those processes in ordinance form.

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, does ordain the following:

**Section I. Official Policy for Tax Acquired Property**

The City hereby creates Chapter 19 of the Caribou Code, which shall read as shown in the attached Exhibit A, and which by this reference is made part of this ordinance.

**Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

### **Section III. Posting and Effective Date**

This ordinance, being introduced on April 5, 2021 and a public hearing being held on April 20, 2021 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_ day of \_\_\_\_\_ 2021. This ordinance shall become effective 14 days after adoption by the Council.

\_\_\_\_\_  
Jody Smith, Mayor

\_\_\_\_\_  
Thomas Ayer, Deputy Mayor

\_\_\_\_\_  
Courtney Boma, Councilor

\_\_\_\_\_  
R. Mark Goughan, Councilor

\_\_\_\_\_  
Doug Morrell, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Louella Willey, Councilor

Attest:

\_\_\_\_\_  
Danielle Brissette, City Clerk

## **Chapter 19: POLICY FOR TAX ACQUIRED PROPERTY**

### **Section 1.0 General Purpose Statement**

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 manage or dispose of tax acquired property, as granted under City Charter and State law, within the best interest of the City of Caribou.

All Properties as may be subject to Tax Lien from time to time shall be treated as in MRSA Title 36 of State Law and as further outlined in this Chapter. Special considerations of all Properties may be granted under Sections 1.0 - 4.0, as amended. 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 and this Chapter.

### **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 all 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 checklist documenting the steps of the process described in this policy for each tax acquired property.

### **Section 3.0 Consideration of Lien Waivers**

City Administration shall present the list derived under 2.3 to the City Council for final approval. Review and approval by the City Council 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 shall be subject to a Waiver of Foreclosure Action under section 4.0.

### **Section 4.0 Waiver of Foreclosure**

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



Exhibit A

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 Management**

5.1 The City reserves all rights provided under MRSA Title 14 regarding protection of claims.

5.2 Following the foreclosure of tax lien Property, the Tax Collector shall

- (a) within 15 days after foreclosure, 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 may be reclaimed at the sole discretion of the City Council and in accordance with this chapter. Notice will also indicate the prior owner's potential rights to have the property sold in accordance with 36 M.R.S. §943-C.

5.3 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,

- (a) City Administration shall obtain liability coverage for the property.
- (b) For those acquired properties which are abandoned and contain structures,
  - (1) City Administration shall cause the property to be posted with no trespassing signs and secure the structures from entry.
  - (2) City Administration shall send notice to the prior owner of record notifying them of the city's securing actions and the means by which the owner can access the property to retrieve personal property. This notice shall also indicate that personal property unclaimed within 30 days shall be considered abandoned and may be disposed of at the discretion of the City in accordance with M.R.S.A Title 30-A, Section 3106 Disposition of abandoned property.
- (c) For properties acquired and which may be occupied, the city affirms its rights of protection from any obligations or responsibility under verbal or written contracts made prior to foreclosure. It is the city's intent that no situation nor obligation occur in which the city will act in a landlord role.
  - (1) The city shall expeditiously dispose of any properties under this part by public bid or conveyance under Section 6.1
  - (2) If the city intends to dispose of the property but will continue to own and control it beyond 60 days after foreclosure, the city shall send notice to the property tenants and inform them of the city's ownership in the property and advise the tenant to seek legal counsel with regard to any matters between them and the prior owner or future owner.
  - (3) If the city intends to retain the property under 6.1(c), the city shall, within 5 days of Council decision to retain the properties, notify the prior land owner and any tenants of the property that the city has ownership and that the tenants will have 60 days from Council decision or until April 30, whichever is later, to vacate the premises.

5.4 The Tax Collector shall, not more than 60 days after expiration of a tax lien, prepare a listing of all tax acquired Properties and submit the same to the City Council for determination of preferred disposal method as allowed under Section. 6.0.

**Section 6.0 Disposal of Tax Acquired Properties**

6.1 The Council may exercise the following four options for disposal of tax acquired property:

- (a) permit the prior owner to reclaim their property as provided under Section 7.0,

Exhibit A

(b) Place acquired properties for public bid or sale as outlined under Section 8.0,

(c) Retain acquired properties for public purpose. 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, or

(d) After abating past due taxes, convey the property to a local non-profit organization approved by the Council as a landbank entity for the city and in order to have the property restored or redeveloped. Public Bid procedures are not necessary for properties to be conveyed under this part so long as contractual agreements are made which provide, as a minimum, for the city to be fully compensated for taxes abated within one year from conveyance, and the city will receive payments in lieu of taxes if the property remains in non-profit status longer than one year from conveyance.

6.2 Properties not reclaimed by the prior owner, conveyed to a non-profit or directed for retention under 6.1 (c) or (d) shall be placed for sale by Public Bid, pursuant to Section 8.0.

6.3 After Council determination of the preferred disposal method under Section 6.0, they may, by majority action, alter the preferred method for any or all properties up until the properties are disposed.

### **Section 7.0 Reclaiming Property After Foreclosure**

At the discretion of the City Council, the prior owner of a tax acquired property may reclaim their property if, by January 31 of the year after foreclosure, all past due taxes, fees and costs related to the acquired property have been paid. Furthermore, if blight conditions are evident, as determined by the City Council, a consent agreement may be required that stipulates timeframes and requirements for cleanup and restoration of the property in accordance with city building and property maintenance codes.

### **Section 8.0 Public Bid Process for Tax Acquired Properties**

8.1 Upon the positive vote of the City Council under Section 5.4, properties shall be placed for competitive Public Bid under this section, except that the special sale process required by 36 MRSA 943-C for qualifying homestead property shall be used if the property is to be sold to anyone other than the former owner(s).

8.2 The City Administration shall provide a minimum 10-day notice of properties available for public bid. Such notice shall be advertised at least once in the local paper and on the city's website.

- (a) Advertisement of a property or properties shall contain a notification to potential Bidders that it shall be the responsibility of any successful Bidder to establish any tenant owner relationships or to evict any current occupants.
- (b) All advertisements shall list the property by Map and Lot and 911 address, shall give a 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.

Exhibit A

**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 publicly opened by City Administration 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 on [Date] during the [Regular or Special] 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.

8.3 The City Manager, with approval of the Council, shall set minimum bids for all properties. Considerations for the minimum Bid shall include at least the amount of outstanding taxes in total, any liens for water or sewer held by the Caribou Utilities District, fees for legal work or advertising or any other associated costs.

8.4 All bids shall be submitted with an Administration provided Notice and Acknowledgement form, on which the bidder/buyers acknowledge inherent risks associated with the purchase/acquisition of property by municipal quitclaim deed per an expired tax lien.

8.4 The City Administration shall provide a summary of all submitted bids for Council consideration. Upon review of the submitted bids, the Council may accept, not accept, or reject any or all bids for the properties advertised. The Council shall provide within their bid approving motion any pre-authorization to administration for actions subsequent to a void of an accepted Bid, namely 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.

8.5 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) Provided the selling price is not lower than the advertised minimum bid, offer by negotiated sale by Quitclaim deed the property to last owner of record, any abutting landowner, other bidders on the property, or other interested Parties,
- b) Re-Advertise the property for competitive Bid
- c) Retain the Property subject to Section 5.0, or
- d) other actions as deemed by the City Manager to be within the best interest of the City.

8.6 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

Exhibit A

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.

**Section 9.0 Savings Clause**

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.

Ordinance Introduced by Councilor \_\_\_\_\_  
on \_\_\_\_\_, 2021

**Ordinance No. 05, 2021 Series**  
**City of Caribou**  
**County of Aroostook**  
**State of Maine**

**AN ORDINANCE TO AMEND THE CITY CHARTER BY CLARIFYING CITY COUNCILOR ELIGIBILITY REQUIREMENTS**

Short Title: Councilor Eligibility Amendments

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine and is granted home rule authority under Maine Revised Statutes, Title 30-A, §3001; and

**WHEREAS**, the City's Charter outlines the city's form of government and means by which a City Councilor is eligible to hold, retain or forfeit their elected position; and

**WHEREAS**, owing to disputes about interpretation of the Councilor eligibility standards, the City Council believes it is prudent to clarify the Councilor eligibility standards; and

**WHEREAS**, any ordinance seeking to amend the charter must be approved by a vote of the citizens at the next general election.

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, and Maine Revised Statutes, Title 30-A, §2104, presents for consideration of the voters, the following changes to the Charter.

**Section I. Councilor Eligibility Requirements Amendments**

**A. Caribou City Charter Section 2.01 Composition, Eligibility, Election and Terms** paragraph b is amended as follows: (underlined text is added, stricken text is deleted)

(b) Councilor Eligibility. Each sitting City Councilor must:

(1) Only Be qualified voters of the City,

(2) Not hold any other City Office or hold a position that has its wages based upon the City Council approved annual expense budget, and

(3) , who are current for On or before December 31<sup>st</sup> of each year, have all annual personal and real property taxes due to the city paid in full on or before December 31<sup>st</sup> of the previous year, shall be eligible to hold the office of Councilor. None of the above eligibility requirements shall be interpreted to preclude someone from running for public office.

**B. Caribou City Charter Section 2.05 Prohibitions** is amended as follows: (underlined text is added, stricken text is deleted)

(a) ~~Holding other office. Except where authorized by law, no Councilor shall hold any other City Office or hold a position that has its salary determined by the City Council or its designee(s).~~

(b) a) Appointments and removals. Neither the Council nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or

employees whom the Manager or any of his/her subordinates are empowered to appoint, but the Council may express its views and fully and freely discuss, with the Manager, anything pertaining to appointment and removal of such officers and employees.

(e**b**) Interference with administration. Except for the purpose of inquiries and investigation under Section 2.08, the Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the Manager, solely through the Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.

## **Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

## **Section III. Posting and Effective Date**

This ordinance, being introduced on \_\_\_\_\_, 2021 and a public hearing being held on \_\_\_\_\_, 2021 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_ day of \_\_\_\_\_ 2021. This ordinance shall become effective 24 hours after affirming vote of the citizens during the November 2021 election.

\_\_\_\_\_  
Jody Smith, Mayor

\_\_\_\_\_  
Thomas Ayer, Deputy Mayor

\_\_\_\_\_  
Courtney Boma, Councilor

\_\_\_\_\_  
R. Mark Goughan, Councilor

\_\_\_\_\_  
Doug Morrell, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Louella Willey, Councilor

Attest:

\_\_\_\_\_  
Danielle Brissette, City Clerk

Ordinance Introduced by Councilor \_\_\_\_\_  
on \_\_\_\_\_, 2021

**Ordinance No. 06, 2021 Series**  
**City of Caribou**  
**County of Aroostook**  
**State of Maine**

**AN ORDINANCE TO AMEND THE CITY CHARTER BY CLARIFYING CITY COUNCILOR MEETING ATTENDANCE REQUIREMENTS**

Short Title: Councilor Attendance Requirements

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine and is granted home rule authority under Maine Revised Statutes, Title 30-A, §3001; and

**WHEREAS**, the City's Charter outlines the city's form of government and means by which a City Councilor is eligible to hold, retain or forfeit their elected position; and

**WHEREAS**, owing to disputes about interpretation of the subject standards, the City Council believes it is prudent to clarify the Councilor meeting attendance standards; and

**WHEREAS**, any ordinance seeking to amend the charter must be approved by a vote of the citizens at the next general election.

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, and Maine Revised Statutes, Title 30-A, §2104, presents for consideration of the voters, the following changes to the Charter.

**Section I. Councilor Eligibility Requirements Amendments**

- A. Caribou City Charter Section 2.04 General Powers and Duties** is amended as follows:  
(underlined text is added, stricken text is deleted)

All powers of the City shall be vested in the Council except as otherwise provided by law or this Charter and the Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law.

Councilors are expected to attend all regular council meetings, city budget workshop meetings, and meetings of councilor committees to which they have been assigned, unless excused by the council.

- B. Caribou City Charter Section 2.06 Vacancies; Forfeiture of Office; filling of Vacancies** paragraph (b)(4) is amended as follows: (underlined text is added, stricken text is deleted)

(4) fails to attend ~~three consecutive~~ 80% of regular meetings of the Council without being excused by the Council,

- C. Caribou City Charter Section 2.06 Vacancies; Forfeiture of Office; filling of Vacancies** paragraph (b)(7) is amended as follows: (underlined text is added, stricken text is deleted)

(7) fails to attend, in a calendar year, at least 80% of all budget workshop meetings and meetings of councilor committees to which they have been assigned, unless excused by the council. Community boards or meetings where a Councilor acts in a liaison role are excluded from this requirement.

## **Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

## **Section III. Posting and Effective Date**

This ordinance, being introduced on \_\_\_\_\_, 2021 and a public hearing being held on \_\_\_\_\_, 2021 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_ day of \_\_\_\_\_ 2021. This ordinance shall become effective 24 hours after affirming vote of the citizens during the November 2021 election.

\_\_\_\_\_  
Jody Smith, Mayor

\_\_\_\_\_  
Thomas Ayer, Deputy Mayor

\_\_\_\_\_  
Courtney Boma, Councilor

\_\_\_\_\_  
R. Mark Goughan, Councilor

\_\_\_\_\_  
Doug Morrell, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Louella Willey, Councilor

Attest:

\_\_\_\_\_  
Danielle Brissette, City Clerk



Ordinance Introduced by Councilor \_\_\_\_\_  
on \_\_\_\_\_, 2021

**Ordinance No. 7, 2021 Series**  
**City of Caribou**  
**County of Aroostook**  
**State of Maine**

**AN ORDINANCE TO AMEND THE CITY CHARTER BY CLARIFYING PUBLIC NOTICE REQUIREMENTS**

Short Title: Publication Requirements

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine, recognized as a body corporate and granted home rule authority under Maine Revised Statutes (M.R.S.), Title 30-A, §3001; and

**WHEREAS**, the City Charter mandates the posting of public notices for meetings and ordinances to be considered by the City Council; and

**WHEREAS**, The Council desires to alter the public notice requirements in order to reach a broader audience, utilize modern technology and methods of community outreach, and reduce city expenses.

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, and Maine Revised Statutes, Title 30-A, §2104, presents for consideration of the voters, the following changes to the Charter.

**Section I. Amendments to Actions Requiring an Ordinance**

**Caribou City Charter Section 2.12 Ordinances in General** paragraph (e) is amended as follows: (underlined text is added, stricken text is deleted)

(e) "Publish" defined. As used in this section, the term "publish" means to provide notice of the ordinance to print in one or more newspapers of general circulation in the City, in addition to ~~be public notice is~~ posted to the City's website, social media sources and public access station, and notice is posted in three public locations along with ~~when available: (1) the ordinance or a brief summary thereof of the ordinance,~~ and (2) the places where copies have been filed and the times when they are available for public inspection.

**Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

### **Section III. Posting and Effective Date**

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Jody Smith, Mayor

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Thomas Ayer, Deputy Mayor

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Courtney Boma, Councilor

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R. Mark Goughan, Councilor

\_\_\_\_\_  
Doug Morrell, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Louella Willey, Councilor

Attest:

\_\_\_\_\_  
Danielle Brissette, City Clerk

## General Ledger Summary Report

Fund(s): ALL

April

Account	Beginning Balance	Beg Bal Net	Curr Mnth Net	---- Y T D ----		Balance Net
				Debits	Credits	
1 - Gen Fund	5,587.78	372,050.00	0.00	20,387,188.04	20,759,238.04	0.00
<b>Assets</b>	<b>10,266,838.54</b>	<b>10,268,861.14</b>	<b>-384,254.35</b>	<b>5,179,263.47</b>	<b>7,549,091.98</b>	<b>7,899,032.63</b>
101-00 CASH (BANK OF MAINE)	5,400,523.60	5,261,992.83	-243,529.20	3,362,834.55	5,013,741.66	3,611,085.72
102-00 RECREATION ACCOUNTS	37,575.67	29,570.42	0.00	0.00	0.00	29,570.42
103-00 NYLANDER CHECKING	1,565.95	1,566.02	170.07	170.27	0.00	1,736.29
110-00 SECTION 125 CHECKING FSA	14,660.47	14,696.61	-1,338.75	14,392.71	4,839.50	24,249.82
110-06 2020 SECTION 125 CHECKING HRA	69,828.56	61,808.57	0.00	0.00	6,575.58	55,232.99
110-07 2021 SECTION 125 CHECKING HRA	0.00	0.00	-2,732.92	85,200.00	8,051.87	77,148.13
111-00 RETIREMENT INVESTMENT	3,000,000.00	3,000,000.00	0.00	0.00	0.00	3,000,000.00
117-00 RLF #10 INVESTMENT	238,918.03	239,019.23	0.00	294.54	0.00	239,313.77
120-00 PETTY CASH	960.00	960.00	0.00	0.00	0.00	960.00
123-00 DIESEL INVENTORY	9,190.38	-5,501.00	8,244.87	69,892.50	70,510.28	-6,118.78
124-00 GAS INVENTORY	1,264.75	-3,998.00	-6,419.07	27,085.00	25,216.67	-2,129.67
125-00 ACCOUNTS RECEIVABLE	13,870.37	94,191.44	39,784.22	300,450.43	337,781.15	56,860.72
126-00 SWEETSOFT RECEIVABLES	359,062.27	433,982.22	21,391.48	458,196.45	539,292.59	352,886.08
140-00 RESERVE FOR UNCOLLECTIBLE TAX	-669.87	-669.87	0.00	0.00	0.00	-669.87
174-00 CDC LOANS REC (1280)	53,953.03	53,953.03	0.00	0.00	0.00	53,953.03
180-00 DR. CARY CEMETERY INVESTMENT	1,106.71	1,107.42	0.00	0.43	0.00	1,107.85
181-00 HAMILTON LIBRARY TR. INVEST	1,829.10	1,841.06	0.00	11.77	0.00	1,852.83
182-00 KNOX LIBRARY INVESTMENT	10,165.65	10,202.03	0.00	35.73	0.00	10,237.76
183-00 CLARA PIPER MEM INV	672.54	672.96	0.00	0.27	0.00	673.23
184-00 JACK ROTH LIBRARY INVEST	20,504.15	20,636.76	0.00	113.81	0.00	20,750.57
185-00 KEN MATTHEWS SCHOLARSHIP FUN	7,527.27	7,535.92	0.00	4.65	0.00	7,540.57
187-00 DOROTHY COOPER MEM INV	53,114.05	53,204.69	0.00	85.31	0.00	53,290.00
189-00 MARGARET SHAW LIBRARY INV	13,064.63	13,087.92	0.00	8.07	0.00	13,095.99
190-00 GORDON ROBERTSON MEM INV	11,533.98	11,541.25	0.00	7.11	0.00	11,548.36
191-00 MEMORIAL INVESTMENT	6,180.11	6,186.12	0.00	4.49	0.00	6,190.61
192-00 G. HARMON MEM INV	6,793.11	6,798.25	0.00	5.03	0.00	6,803.28
193-00 BARBARA BREWER FUND	5,549.16	5,557.56	0.00	8.23	0.00	5,565.79
194-00 RODERICK LIVING TRUST	16,492.54	16,505.18	0.00	10.44	0.00	16,515.62
196-00 PHILIP TURNER LIBRARY INV	9,121.15	9,143.11	0.00	10.15	0.00	9,153.26
198-00 TAX ACQUIRED PROPERTY	115,302.97	144,639.43	0.00	0.00	11,541.11	133,098.32
198-15 TAX ACQUIRED PROPERTY 2015	0.00	0.00	0.00	7,500.00	7,500.00	0.00
198-18 TAX ACQUIRED PROPERTY 2018	9,434.09	0.00	0.00	4,156.24	4,156.24	0.00
198-19 TAX ACQUIRED PROPERTY 2019	12,375.71	0.00	0.00	5,764.36	5,764.36	0.00
198-20 TAX ACQUIRED PROPERTY 2020	9,570.77	0.00	0.00	5,529.56	5,529.56	0.00
200-20 2020 TAX RECEIVABLE	606,154.36	606,154.36	-130,252.82	2,257.01	387,288.99	221,122.38
200-21 2021 TAX RECEIVABLE	-49,510.04	-49,512.46	-35,811.60	8,432.84	198,120.83	-239,200.45
205-16 2016 LIENS RECEIVABLE	9.29	9.29	0.00	0.00	0.00	9.29
205-17 2017 LIENS RECEIVABLE	741.80	741.80	-172.08	0.00	172.08	569.72
205-18 2018 LIENS RECEIVABLE	1,572.83	1,572.83	0.00	0.00	0.00	1,572.83
205-19 2019 LIENS RECEIVABLE	135,856.52	135,856.52	-14,986.53	0.00	47,144.10	88,712.42
210-10 2010 PP TAX RECEIVABLE	621.78	621.78	-148.86	0.00	491.79	129.99
210-11 2011 PP TAX RECEIVABLE	869.22	869.22	0.00	0.00	0.00	869.22
210-12 2012 PP TAX RECEIVABLE	5,166.61	5,166.61	0.00	0.00	0.00	5,166.61
210-13 2013 PP TAX RECEIVABLE	5,467.93	5,467.93	0.00	0.00	0.00	5,467.93
210-14 2014 PP TAX RECEIVABLE	6,210.55	6,210.55	0.00	0.00	0.00	6,210.55
210-15 2015 PP TAX RECEIVABLE	12,713.48	12,713.48	0.00	0.00	0.00	12,713.48
210-16 2016 PP TAX RECEIVABLE	10,634.58	10,634.58	0.00	0.00	0.00	10,634.58
210-17 2017 PP TAX RECEIVABLE	11,373.23	11,373.23	0.00	0.00	0.00	11,373.23
210-18 2018 PP TAX RECEIVABLE	12,417.57	12,417.57	-154.05	0.00	235.12	12,182.45
210-19 2019 PP TAX RECEIVABLE	16,183.53	16,183.53	-1,380.38	0.00	1,687.79	14,495.74

# General Ledger Summary Report

Fund(s): ALL  
April

		Beginning	Beg Bal	Curr Mnth	---- Y T D ----		Balance
Account		Balance	Net	Net	Debits	Credits	Net
1 - Gen Fund CONT'D							
210-20	2020 PP TAX RECEIVABLE	33,762.08	33,762.08	-1,799.22	918.45	10,436.00	24,244.53
210-21	2021 PP TAX RECEIVABLE	-82.06	-82.06	-79.00	0.00	12,691.00	-12,773.06
303-00	FEDERAL WITHHOLDING	0.00	0.00	-4,876.72	148,050.78	148,050.78	0.00
304-00	FICA W/H	18.26	18.26	0.00	183,985.52	180,983.64	3,020.14
305-00	MEDICARE WITHHOLDING	4.27	4.27	0.00	43,028.76	42,326.70	706.33
306-00	STATE WITHHOLDING	0.00	0.00	0.00	60,045.92	58,916.52	1,129.40
307-00	M.S.R.S. W/H	88.95	73.65	0.00	39,676.00	39,676.00	73.65
307-01	MSRS EMPLOYER	-152.44	-152.39	0.01	39,597.62	39,597.55	-152.32
308-00	AFLAC INSURANCE	-1.70	0.00	-0.15	3,578.79	3,579.36	-0.57
309-00	DHS WITHHOLDING	0.00	0.00	0.00	2,052.00	2,052.00	0.00
312-00	HEALTH INS. W/H	-23,180.57	-23,180.57	-508.55	82,905.69	85,284.30	-25,559.18
314-00	UNITED WAY W/H	0.00	0.00	0.00	54.00	54.00	0.00
315-01	FIREFIGHTERS UNION W/H	0.00	0.00	0.00	3,368.40	3,368.40	0.00
316-00	COUNCIL #93 W/H	0.00	0.00	0.00	1,549.50	1,549.50	0.00
318-00	MMA INCOME PROTECTION	-6,861.65	-6,861.65	-547.21	12,628.70	13,319.66	-7,552.61
319-00	REAL ESTATE TAX W/H	0.00	0.00	0.00	12,174.00	12,174.00	0.00
320-00	ICMA RETIREMENT CORP	0.00	0.00	0.00	49,281.33	49,281.33	0.00
320-01	ICMA EMPLOYER MATCH	0.00	0.00	0.00	12,125.17	12,125.17	0.00
322-00	RETIRED HEALTH INS PROGRAM	-23.21	-23.21	0.00	4,571.79	4,571.79	-23.21
323-00	MMA SUPP. LIFE INSURANCE	-2,088.69	-2,088.69	-55.51	3,212.79	3,262.14	-2,138.04
324-00	MISC. WITHHOLDING	0.00	0.00	0.00	504.00	504.00	0.00
325-00	DED. FOR VALIC	0.00	0.00	0.00	13,597.48	13,597.48	0.00
325-01	VALIC EMPLOYER MATCH	0.00	0.00	0.00	3,323.05	3,323.05	0.00
329-00	SALES TAX COLLECTED	-36.24	-36.24	0.00	36.24	6.76	-6.76
330-00	VEHICLE REG FEE (ST. OF ME)	-3,206.00	0.00	-4,199.75	71,689.25	84,269.00	-12,579.75
331-00	BOAT REG FEE INLAND FISHERIES	-84.00	0.00	-2,030.30	1,080.70	4,009.20	-2,928.50
332-00	SNOWMOIBLE REG (F&W)	-13,091.06	0.00	2,703.75	17,492.63	17,492.63	0.00
333-00	ATV REGISTRATION (F&W)	-45.00	0.00	45.00	45.00	45.00	0.00
335-00	PLUMBING PERMITS (ST. OF ME)	-1,786.35	-33.85	-115.00	0.00	292.50	-326.35
336-00	CONCEALED WEAPON PERMIT	-305.00	-145.00	0.00	0.00	165.00	-310.00
338-00	CONNOR EXCISE TAX	-104.24	-104.24	-3,172.83	9,476.96	15,935.00	-6,562.28
339-00	CONNOR BOAT EXCISE	5.80	5.80	-20.00	6.00	26.00	-14.20
340-00	DOG LICENSES (ST. OF ME)	-1,050.00	993.00	-73.00	2,357.00	3,531.00	-181.00
341-00	FISHING LICENSES (ST. OF ME)	-600.00	0.00	-1,300.00	775.00	2,150.00	-1,375.00
342-00	HUNTING LICENSES (ST. OF ME)	-1,866.75	0.00	-890.25	1,858.00	3,049.25	-1,191.25
347-00	NEPBA UNION PD	0.00	0.00	0.00	1,755.00	1,755.00	0.00
Liabilities		7,506,560.45	7,165,162.11	-284,452.97	1,884,259.62	635,646.88	5,916,549.37
and Fund		0.00	0.00	0.00	0.00	0.00	0.00
Balances		7,506,560.45	7,165,162.11	-284,452.97	1,884,259.62	635,646.88	5,916,549.37
352-00	NYLANDER MUSEUM RESERVE	14,185.99	14,185.99	0.00	0.00	0.00	14,185.99
360-00	RETIREMENT INV FUND	3,000,000.00	3,000,000.00	0.00	0.00	0.00	3,000,000.00
362-00	RLF #10 RESERVE	238,918.03	239,019.23	0.00	0.00	294.54	239,313.77
365-01	COMMUNITY POOL IMPROVEMENT	50,939.52	50,939.52	0.00	0.00	0.00	50,939.52
365-02	REC CENTER IMPROVEMENTS	6,205.53	1,205.53	-34.00	34.00	5,000.00	6,171.53
365-03	LAND ACQUISTIONS/EASEMENTS	33,340.00	8,340.00	0.00	0.00	0.00	8,340.00
365-04	RAILS TO TRAILS PROGRAM	22,745.76	22,745.76	0.00	0.00	0.00	22,745.76
365-05	PARK IMPROVEMENT RESERVE	39,415.38	39,415.38	-1,959.00	22,600.00	448.20	17,263.58
365-07	REC/PARKS COMPUTER RESERVE	-604.00	-604.00	0.00	0.00	0.00	-604.00
365-09	RECREATION EQUIPMENT RESERVE	-9,458.33	-9,458.33	0.00	0.00	0.00	-9,458.33
365-10	REC LAWN MOWER RESERVE	21,095.44	21,095.44	0.00	0.00	0.00	21,095.44
365-11	TRAIL MAINTENANCE RESERVE	3,066.11	3,066.11	0.00	3,066.11	0.00	0.00

# General Ledger Summary Report

Fund(s): ALL  
April

Account	Beginning Balance	Beg Bal Net	Curr Mnth Net	---- Y T D ----		Balance Net
				Debits	Credits	
1 - Gen Fund CONT'D						
365-12 CRX/TOS RESERVE	4,091.66	4,091.66	-662.27	742.25	1,000.00	4,349.41
365-13 RECREATION - COLLINS POND	20,921.50	10,921.50	0.00	0.00	0.00	10,921.50
365-18 REC SCHOLARSHIPS	2,551.22	2,551.22	0.00	0.00	0.00	2,551.22
365-19 CIVIC BEAUTIFICATION RESERVE	0.14	0.14	0.00	0.00	0.00	0.14
365-20 SKI TRAIL PROGRAM	1,404.29	0.00	70.00	0.00	277.00	277.00
365-21 RD TRAILS GRANT	0.47	0.47	0.00	0.00	0.00	0.47
365-22 NON APPROP SKI RENTAL PROGRAM	9,297.21	8,926.26	90.00	491.67	1,980.00	10,414.59
365-24 CADET RESERVE	482.56	482.56	0.00	0.00	0.00	482.56
365-25 COMMUNITY BULLETIN BOARD	200.00	200.00	0.00	0.00	0.00	200.00
365-26 SPLASH PAD RESERVE	10,250.00	289,110.54	970.00	0.00	3,260.00	292,370.54
366-00 ASSESSMENT RESERVE	-205.00	-205.00	0.00	0.00	0.00	-205.00
366-01 LIBRARY BUILDING RESERVE	25,920.09	25,920.09	-2,373.75	2,373.75	0.00	23,546.34
366-02 LIBRARY MEMORIAL FUND	34,982.76	34,976.82	882.15	554.37	1,572.71	35,995.16
366-03 LIBRARY COMPUTER RESERVE	1,208.20	1,208.20	0.00	0.00	0.00	1,208.20
366-12 KING GRANT	1,565.11	1,565.11	0.00	0.00	0.00	1,565.11
367-01 POLICE DONATED FUNDS	24,687.18	24,687.18	0.00	151.18	4,050.00	28,586.00
367-02 POLICE DEPT EQUIPMENT	59,520.17	56,243.82	-1,495.00	4,693.95	2,250.58	53,800.45
367-03 POLICE CAR RESERVE	-11,819.88	-11,819.88	-956.94	956.94	0.00	-12,776.82
367-04 POLICE CAR VIDEO SYSTEM	3,128.75	3,128.75	0.00	0.00	0.00	3,128.75
367-05 DRINK GRANT PERSONNEL	17,251.32	17,073.76	-682.04	17,137.64	14,760.00	14,696.12
367-06 PD COMPUTER RESERVE	15,222.22	15,222.22	-765.00	1,365.00	0.00	13,857.22
367-07 POLICE DIGITAL FILING	9,000.00	9,000.00	0.00	0.00	0.00	9,000.00
367-08 MAJOR SYSTEMS REPLACEMENT	44,372.49	44,372.49	0.00	750.00	0.00	43,622.49
367-09 NEW POLICE STATION	-27,111.32	-25,574.78	0.00	0.00	0.00	-25,574.78
367-10 POLICE OFFICER RECRUITMENT RES	54,000.00	54,000.00	0.00	0.00	0.00	54,000.00
368-01 FIRE EQUIPMENT RESERVE	-115,030.29	-115,030.29	0.00	0.00	0.00	-115,030.29
368-02 FIRE HOSE RESERVE	5,006.25	5,006.25	0.00	0.00	0.00	5,006.25
368-03 FIRE DEPT FOAM RESERVE	1,443.50	1,443.50	0.00	0.00	0.00	1,443.50
368-04 FIRE TRAINING BLDG RESERVE	3,226.25	3,226.25	0.00	0.00	0.00	3,226.25
368-05 FIRE DEPT FURNACE	0.14	0.14	0.00	0.00	0.00	0.14
368-06 FIRE/AMB COMPUTER RESERVE	4,164.90	4,164.90	0.00	0.00	0.00	4,164.90
368-07 FIRE DISPATCH REMODEL	3,100.00	3,100.00	0.00	0.00	0.00	3,100.00
368-08 FIRE SMALL EQUIPMENT	3,156.05	3,156.05	0.00	0.00	0.00	3,156.05
368-09 FEMA TRUCK GRANT	5.00	5.00	0.00	0.00	0.00	5.00
368-10 FIRE/AMB BUILDING RESERVE	202,489.29	241,502.32	-13,378.00	141,562.24	0.00	99,940.08
368-12 FIRE/AMB UNIFORM RESERVE	0.00	1,855.00	0.00	1,547.00	0.00	308.00
369-01 AMBULANCE SMALL EQUIP RESERVE	14,150.32	14,150.32	0.00	0.00	0.00	14,150.32
369-02 AMBULANCE STAIRCHAIRS	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00
369-03 AMBULANCE RESERVE	95,881.67	95,881.67	0.00	0.00	0.00	95,881.67
370-03 PW EQUIPMENT RESERVE	122,369.36	122,369.36	0.00	0.00	0.00	122,369.36
370-04 STREETS/ROADS RECONSTRUCTION	56,696.35	56,696.35	0.00	0.00	0.00	56,696.35
370-05 CURBING RESERVE	5,178.30	5,178.30	0.00	0.00	0.00	5,178.30
370-06 FUEL TANK RESERVE	-68,555.34	-67,779.66	788.62	0.00	4,541.01	-63,238.65
370-07 PW BUILDING RESERVE	-15,733.28	-15,453.61	0.00	0.00	0.00	-15,453.61
370-09 RIVER ROAD RESERVE	-65,681.75	-65,681.75	0.00	0.00	0.00	-65,681.75
370-10 AIRPORT FUEL TANK RESERVE	1,992.48	1,992.48	0.00	0.00	0.00	1,992.48
371-01 ASSESSMENT REVALUATION RESER	65,351.91	65,351.91	0.00	0.00	0.00	65,351.91
371-02 ASSESSING COMPUTER RESERVE	445.50	445.50	0.00	0.00	0.00	445.50
371-03 AERIAL PHOTOGRAPHY	2,700.00	2,700.00	0.00	0.00	0.00	2,700.00
371-04 ASSESSING OFFICE EQUIPMENT	730.00	730.00	0.00	0.00	0.00	730.00
371-05 ASSESSING TRAVEL & TRAINING	-216.91	-216.91	1,250.00	0.00	1,250.00	1,033.09
372-01 AIRPORT RESERVE	61,468.24	61,468.24	0.00	0.00	20,000.00	81,468.24
372-04 AIRPORT HANGER SECURITY DEPOS	1,010.00	1,010.00	0.00	0.00	0.00	1,010.00

# General Ledger Summary Report

Fund(s): ALL  
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Account	Beginning Balance	Beg Bal Net	Curr Mnth Net	---- Y T D ----		Balance Net
				Debits	Credits	
<b>1 - Gen Fund CONT'D</b>						
373-01 GEN GOVT COMPUTER RESERVE	4,262.97	4,262.97	0.00	0.00	0.00	4,262.97
373-02 CITY COMPREHENSIVE PLAN	27.40	27.40	0.00	0.00	0.00	27.40
373-03 MUNICIPAL BUILDING RESERVE	40,975.64	40,975.64	0.00	3,040.00	0.00	37,935.64
373-04 VITAL RECORDS RESTORATION	776.50	776.50	0.00	0.00	0.00	776.50
373-05 BIO-MASS BOILERS	1,037.51	1,037.51	0.00	53,804.00	0.00	-52,766.49
373-07 T/A PROPERTY REMEDIATION RESEI	12,039.20	19,539.20	0.00	7,500.00	0.00	12,039.20
373-08 HRA CONTRIBUTION RESERVE	38,436.23	38,436.23	0.00	0.00	0.00	38,436.23
373-10 FLEET VEHICLES	1,221.20	1,221.20	0.00	0.00	0.00	1,221.20
373-11 NASIFF CLEAN UP	-8,072.55	-8,072.55	0.00	0.00	0.00	-8,072.55
373-12 NBRC BIRDS EYE	-59,203.55	-59,203.55	0.00	0.00	0.00	-59,203.55
373-17 LADDER ENGINE TRUCK 2016	116,700.80	116,700.80	0.00	116,999.60	0.00	-298.80
373-19 2020 HRA RESERVE	69,828.56	61,808.57	0.00	6,575.58	0.00	55,232.99
373-20 CDBG USDA 60 ACCESS/BIRDSEYE	37,950.84	33,844.59	-2,223.68	2,373.68	0.00	31,470.91
373-21 2021 HRA RESERVE	0.00	0.00	-2,732.92	8,051.87	85,200.00	77,148.13
374-00 REC/PARKS COMPUTER RESERVE	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
374-01 INDUSTRIAL PARK IMPROVEMENTS	12,440.88	12,440.88	0.00	0.00	0.00	12,440.88
374-03 DOWNTOWN INFRASTRUSTURE	36,415.42	36,415.42	0.00	0.00	0.00	36,415.42
380-01 CAPTS CDBG	-4,211.00	-4,211.00	0.00	13,986.64	0.00	-18,197.64
380-02 CDBG PORVAIR	0.68	0.68	0.00	9,564.68	0.00	-9,564.00
385-00 COMMUNITY DEVELOPMENT MATCH	8,423.52	8,423.52	0.00	0.00	23,950.78	32,374.30
387-00 BOUCHARD TIF	10,348.30	10,348.30	-4,518.07	4,518.07	0.00	5,830.23
388-00 HILLTOP TIF	1,438.06	1,438.06	0.00	0.00	0.00	1,438.06
392-00 PLANNING/ENGINEERING RESERVE	6,241.09	6,241.09	0.00	0.00	0.00	6,241.09
398-00 RECREATION ACCTS FUND BALANCE	37,575.67	29,570.42	0.00	0.00	0.00	29,570.42
399-00 PARKING LOT MAINTENANCE RES	42,866.51	32,866.51	0.00	0.00	0.00	32,866.51
402-00 CDC ECONOMIC DEVELOPMENT	240,000.00	240,000.00	0.00	0.00	0.00	240,000.00
403-00 CDC REVOLVING LOAN	360,961.54	386,682.34	0.00	0.00	0.00	386,682.34
406-00 TRAILER PARK RESERVE	49,254.77	50,833.41	0.00	0.00	0.00	50,833.41
407-00 COUNTY TAX	2.13	2.13	0.00	0.00	0.00	2.13
415-00 LIONS COMMUNITY CENTER RESERVA	16,056.20	16,056.20	0.00	0.00	0.00	16,056.20
417-00 COMPENSATED ABSENCES	118,314.25	118,314.25	0.00	18,365.71	0.00	99,948.54
419-00 DUE FROM CDC (1280)	53,953.03	53,953.03	0.00	0.00	0.00	53,953.03
421-00 DEFERRED TAX REVENUE	1,100,860.53	859,755.36	0.00	0.00	0.00	859,755.36
422-00 KEN MATTHEWS SCHOLARSHIP FUN	7,527.27	7,535.92	0.00	0.00	4.65	7,540.57
423-00 DR. CARY CEMETERY TRUST FUND	1,106.71	1,107.42	0.00	0.00	0.43	1,107.85
424-00 HAMILTON LIBRARY TRUST FUND	1,829.10	1,841.06	0.00	0.00	11.77	1,852.83
425-00 KNOX LIBRARY MEMORIAL FUND	10,165.65	10,202.03	0.00	0.00	35.73	10,237.76
426-00 CLARA PIPER MEM FUND	672.54	672.96	0.00	0.00	0.27	673.23
427-00 JACK ROTH LIBRARY MEM FUND	20,428.13	20,636.76	-189.05	854.90	113.81	19,895.67
429-00 BARBARA BREWER FUND	5,549.16	5,557.56	0.00	0.00	8.23	5,565.79
430-00 D. COOPER MEM FUND	53,114.05	53,204.69	0.00	2,000.00	85.31	51,290.00
432-00 MARGARET SHAW LIBRARY MEMORI	13,064.63	13,087.92	0.00	0.00	8.07	13,095.99
433-00 GORDON ROBERTSON MEM FUND	11,533.98	11,541.25	0.00	0.00	7.11	11,548.36
434-00 MEMORIAL INVESTMENT	6,180.11	6,186.12	0.00	0.00	4.49	6,190.61
435-00 RODERICK LIVING TRUST	16,492.54	16,505.18	0.00	0.00	10.44	16,515.62
436-00 AMBULANCE REIMBURSEMENT	14,574.45	14,402.11	5,239.32	1,219.75	11,076.48	24,258.84
437-00 DEFERRED AMBULANCE REVENUE	572,816.11	433,982.22	0.00	0.00	0.00	433,982.22
438-00 PHILIP TURNER LIBRARY MEMORIAL	9,121.15	9,143.11	0.00	0.00	10.15	9,153.26
441-00 AMBULANCE FUND BALANCE	1,005.62	1,005.62	0.00	0.00	0.00	1,005.62
447-00 EMA EQUIP RESERVE	1,991.79	1,991.79	0.00	0.00	0.00	1,991.79
450-00 RESOURCE RESERVE ACCOUNT	440,480.10	212,065.10	-1,187.50	22,125.00	0.00	189,940.10
457-00 HOMELAND SECURITY RESERVE	2,277.92	2,277.92	0.00	0.00	0.00	2,277.92
460-00 YARD SALE	-988.84	-988.84	1,051.01	433.99	1,485.00	62.17

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Fund(s): ALL  
April

Account	Beginning Balance	Beg Bal Net	Curr Mnth Net	---- Y T D ----		Balance Net
				Debits	Credits	
1 - Gen Fund CONT'D						
461-00 CRAFT FAIR	9,208.95	9,208.95	0.00	0.00	126.00	9,334.95
462-00 CDBG HOUSING REHABILITATION	3,879.87	3,879.87	10.00	0.00	42.00	3,921.87
463-00 MISC EVENTS	644.90	-558.87	0.00	0.00	307.00	-251.87
465-00 THURSDAYS ON SWEDEN	-241.36	-241.36	0.00	0.00	0.00	-241.36
465-01 STORY OF CARIBOU	7,500.00	7,500.00	0.00	0.00	0.00	7,500.00
466-00 HERITAGE DAY	-8,000.00	-8,000.00	0.00	0.00	0.00	-8,000.00
467-00 MARATHON	-35,721.53	-35,721.53	0.00	0.00	0.00	-35,721.53
469-00 DENTAL INSURANCE	2,413.09	2,413.09	21.77	6,578.58	6,646.96	2,481.47
470-00 EYE INUSRANCE	639.98	639.98	10.77	1,181.24	1,190.96	649.70
471-00 RC2 TIF	73,212.69	73,212.69	0.00	0.00	0.00	73,212.69
472-00 ANIMAL WELFARE	11,513.21	11,741.21	64.00	229.00	1,147.00	12,659.21
473-00 DOWNTOWN TIF	0.00	15,420.00	0.00	0.00	0.00	15,420.00
474-00 CADET RESERVE	0.00	0.00	200.00	0.00	200.00	200.00
477-00 LED STREET LIGHTS	60,385.84	78,575.53	0.00	0.00	0.00	78,575.53
478-00 G. HARMON MEM FUND	6,793.11	6,798.25	0.00	0.00	5.03	6,803.28
480-00 CITY RETIREMENT	1,079.76	1,079.76	0.00	0.00	0.00	1,079.76
483-02 DUE TO FUND 2	598,566.20	598,566.20	65,369.95	0.00	72,481.26	671,047.46
483-03 DUE TO FUND 3	693,103.74	706,934.80	11,880.21	0.00	30,176.95	737,111.75
483-04 DUE TO FUND 4	339,269.80	348,844.10	4,787.17	0.00	14,361.51	363,205.61
483-05 DUE TO FUND 5	3,131,289.65	3,163,435.58	1,170.07	0.00	1,229.85	3,164,665.43
484-02 DUE FROM FUND 2	-565,362.46	-566,131.05	-201.67	24,457.35	0.00	-590,588.40
484-03 DUE FROM FUND 3	-587,634.92	-592,405.27	-7,234.27	30,992.57	0.00	-623,397.84
484-04 DUE FROM FUND 4	-324,090.65	-331,238.46	-4,368.99	15,458.92	0.00	-346,697.38
484-05 DUE FROM FUND 5	-2,497,800.83	-2,585,979.05	-17,342.88	71,317.50	0.00	-2,657,296.55
486-00 RETIREMENT RESERVE	4,139.00	4,139.00	0.00	0.00	0.00	4,139.00
488-00 CHRISTMAS LIGHTS	825.87	-1,374.13	0.00	126.57	0.00	-1,500.70
490-00 T/A PROPERTY REMEDIATION RES	17,502.89	17,502.89	0.00	0.00	0.00	17,502.89
493-00 RSU 39 COMMITMENT	-1,082,828.16	-1,082,828.16	-315,932.58	1,263,730.32	0.00	-2,346,558.48
494-00 TRI COMMUNITY/AWS	0.00	0.00	0.00	0.00	324,082.00	324,082.00
496-00 BIRTH RECORDS STATE FEE	70.00	0.00	-6.80	243.20	345.60	102.40
497-00 DEATH RECORDS STATE FEE	182.40	0.00	-67.60	388.80	448.00	59.20
498-00 MARRIAGE RECORDS STATE FEE	36.40	0.00	4.00	116.00	160.00	44.00
Fund Balance	2,754,690.31	2,731,649.03	-99,801.38	13,323,664.95	12,574,499.18	1,982,483.26
500-00 EXPENDITURE CONTROL	0.00	0.00	-720,677.64	2,949,873.97	9,867,338.03	6,917,464.06
510-00 REVENUE CONTROL	0.00	0.00	620,876.26	10,373,790.98	2,277,890.15	-8,095,900.83
600-00 FUND BALANCE	2,754,690.31	2,731,649.03	0.00	0.00	429,271.00	3,160,920.03
2 - Snowmoible Trail Maintenance	0.00	0.00	0.00	151,628.61	151,628.61	0.00
Assets	0.00	0.00	0.00	0.00	0.00	0.00
Liabilities	37,449.56	38,218.15	154.72	72,481.26	95,779.12	61,516.01
and Fund	0.00	0.00	0.00	0.00	0.00	0.00
Balances	37,449.56	38,218.15	154.72	72,481.26	95,779.12	61,516.01
365-11 TRAIL MAINTENANCE RESERVE	70,653.30	70,653.30	65,323.00	0.00	71,321.77	141,975.07
483-01 DUE TO FUND 1	565,362.46	566,131.05	201.67	0.00	24,457.35	590,588.40
484-01 DUE FROM FUND 1	-598,566.20	-598,566.20	-65,369.95	72,481.26	0.00	-671,047.46
Fund Balance	-37,449.56	-38,218.15	-154.72	79,147.35	55,849.49	-61,516.01
500-00 Expense Control	0.00	0.00	-154.72	24,457.35	54,736.95	30,279.60

# General Ledger Summary Report

Fund(s): ALL  
April

Account	Beginning Balance	Beg Bal Net	Curr Mnth Net	---- Y T D ----		Balance Net
				Debits	Credits	
2 - Snowmoible Trail Maintenance CONT'D						
510-00 Revenue Control	0.00	0.00	0.00	45,100.00	1,112.54	-43,987.46
600-00 Fund Balance	-37,449.56	-38,218.15	0.00	9,590.00	0.00	-47,808.15
3 - Housing Department	0.00	0.00	0.00	163,552.52	163,552.52	0.00
Assets	0.00	0.00	0.00	0.00	0.00	0.00
Liabilities	-51,072.64	-53,133.35	-4,645.94	30,176.95	30,992.57	-52,317.73
and Fund	0.00	0.00	0.00	0.00	0.00	0.00
Balances	-51,072.64	-53,133.35	-4,645.94	30,176.95	30,992.57	-52,317.73
409-00 HOUSING RESERVE	54,396.18	61,396.18	0.00	0.00	0.00	61,396.18
483-01 DUE TO FUND 1	587,634.92	592,405.27	7,234.27	0.00	30,992.57	623,397.84
484-01 DUE TO FUND 1	-693,103.74	-706,934.80	-11,880.21	30,176.95	0.00	-737,111.75
Fund Balance	51,072.64	53,133.35	4,645.94	133,375.57	132,559.95	52,317.73
500-00 Expense Control	0.00	0.00	-7,234.27	30,992.57	102,383.00	71,390.43
510-00 Revenue Control	0.00	0.00	11,880.21	100,000.00	30,176.95	-69,823.05
600-00 Fund Balance	51,072.64	53,133.35	0.00	2,383.00	0.00	50,750.35
4 - FSS	0.00	0.00	0.00	87,266.43	87,266.43	0.00
Assets	0.00	0.00	0.00	0.00	0.00	0.00
Liabilities	-15,179.15	-17,605.64	-418.18	14,361.51	15,458.92	-16,508.23
and Fund	0.00	0.00	0.00	0.00	0.00	0.00
Balances	-15,179.15	-17,605.64	-418.18	14,361.51	15,458.92	-16,508.23
483-01 DUE TO FUND 1	324,090.65	331,238.46	4,368.99	0.00	15,458.92	346,697.38
484-01 DUE FROM FUND 1	-339,269.80	-348,844.10	-4,787.17	14,361.51	0.00	-363,205.61
Fund Balance	15,179.15	17,605.64	418.18	72,904.92	71,807.51	16,508.23
500-00 Expense Control	0.00	0.00	-4,368.99	15,458.92	52,330.00	36,871.08
510-00 Revenue Control	0.00	0.00	4,787.17	57,446.00	14,361.51	-43,084.49
600-00 Fund Balance	15,179.15	17,605.64	0.00	0.00	5,116.00	22,721.64
5 - ECONOMIC DEV	0.00	0.00	0.00	415,939.35	415,939.35	0.00
Assets	0.00	0.00	0.00	0.00	0.00	0.00
Liabilities	-324,877.05	-283,539.51	17,172.81	1,229.85	72,377.08	-212,392.28
and Fund	0.00	0.00	0.00	0.00	0.00	0.00
Balances	-324,877.05	-283,539.51	17,172.81	1,229.85	72,377.08	-212,392.28
473-00 DOWNTOWN TIF	20,545.33	5,850.58	0.00	0.00	0.00	5,850.58
474-00 TRAIL GROOMER RESERVE	37,914.48	37,914.48	1,000.00	0.00	1,059.58	38,974.06
475-00 REVOLVING LOAN RESERVE	200,000.00	200,000.00	0.00	0.00	0.00	200,000.00
476-00 FIRE STATION RESERVE	50,151.96	50,151.96	0.00	0.00	0.00	50,151.96
483-01 DUE TO FUND 1	2,497,800.83	2,585,979.05	17,342.88	0.00	71,317.50	2,657,296.55
484-01 DUE FROM FUND 1	-3,131,289.65	-3,163,435.58	-1,170.07	1,229.85	0.00	-3,164,665.43
Fund Balance	324,877.05	283,539.51	-17,172.81	414,709.50	343,562.27	212,392.28



# General Ledger Summary Report

Fund(s): ALL

April

Account	Beginning Balance	Beg Bal Net	Curr Mnth Net	---- Y T D ----		Balance Net
				Debits	Credits	
5 - ECONOMIC DEV CONT'D						
500-00 Expense Control	0.00	0.00	-17,342.88	71,317.50	343,392.00	272,074.50
510-00 Revenue Control	0.00	0.00	170.07	324,442.00	170.27	-324,271.73
600-00 Fund Balance	324,877.05	283,539.51	0.00	18,950.00	0.00	264,589.51
Final Totals	5,587.78	372,050.00	0.00	21,205,574.95	21,577,624.95	0.00

# Expense Summary Report

Fund: 1  
April

Account	Budget Net	Curr Mnth Net	YTD Net	Unexpended Balance	Percent Spent
10 - GENERAL GOVERNMENT	799,765.00	79,061.05	254,553.30	545,211.70	31.83
17 - HEALTH & SANITATION	255,671.00	20,650.00	87,556.00	168,115.00	34.25
18 - MUNICIPAL BUILDING	64,000.00	5,482.83	21,164.55	42,835.45	33.07
20 - GENERAL ASSISTANCE	52,604.00	3,007.72	12,395.66	40,208.34	23.56
22 - TAX ASSESSMENT	272,981.00	20,864.66	82,423.70	190,557.30	30.19
25 - LIBRARY	222,119.00	19,790.22	72,975.47	149,143.53	32.85
31 - FIRE/AMBULANCE DEPARTMENT	2,350,449.00	178,742.87	830,767.80	1,519,681.20	35.35
35 - POLICE DEPARTMENT	1,621,457.00	134,591.16	569,057.46	1,052,399.54	35.10
38 - PROTECTION	365,000.00	36,805.55	123,585.98	241,414.02	33.86
39 - CARIBOU EMERGENCY MANAGEMENT	13,238.00	31.73	2,727.08	10,510.92	20.60
40 - PUBLIC WORKS	2,191,691.00	134,607.74	588,955.89	1,602,735.11	26.87
50 - RECREATION DEPARTMENT	508,051.00	43,654.70	167,026.87	341,024.13	32.88
51 - PARKS	154,615.00	14,736.52	43,770.79	110,844.21	28.31
60 - AIRPORT	66,661.00	22,477.87	38,674.07	27,986.93	58.02
61 - CARIBOU TRAILER PARK	20,170.00	632.95	3,086.99	17,083.01	15.30
65 - CEMETERIES	6,850.00	0.00	0.00	6,850.00	0.00
70 - INS & RETIREMENT	93,960.00	384.00	18,199.15	75,760.85	19.37
75 - CONTRIBUTIONS	4,600.00	4,600.00	4,600.00	0.00	100.00
80 - UNCLASSIFIED	32,250.00	556.07	2,905.18	29,344.82	9.01
85 - CAPITAL IMPROVEMENTS	745,758.00	0.00	0.00	745,758.00	0.00
Final Totals	9,841,890.00	720,677.64	2,924,425.94	6,917,464.06	29.71

## Expense Summary Report

Fund: 2

April

Account	Budget Net	Curr Mnth Net	YTD Net	Unexpended Balance	Percent Spent
52 - SNOWMOBILE TRAIL MAINTENANCE	54,690.00	154.72	24,410.40	30,279.60	44.63
Final Totals	54,690.00	154.72	24,410.40	30,279.60	44.63

## Expense Summary Report

Fund: 3

April

Account	Budget Net	Curr Mnth Net	YTD Net	Unexpended Balance	Percent Spent
24 - HOUSING	102,383.00	7,234.27	30,992.57	71,390.43	30.27
Final Totals	102,383.00	7,234.27	30,992.57	71,390.43	30.27

## Expense Summary Report

Fund: 4  
April

Account	Budget Net	Curr Mnth Net	YTD Net	Unexpended Balance	Percent Spent
96 - SECTION 8 - FSS PROGAM	52,330.00	4,368.99	15,458.92	36,871.08	29.54
Final Totals	52,330.00	4,368.99	15,458.92	36,871.08	29.54

## Expense Summary Report

Fund: 5  
April

Account	Budget Net	Curr Mnth Net	YTD Net	Unexpended Balance	Percent Spent
11 - ECONOMIC DEVELOPMENT	324,042.00	16,614.53	68,809.83	255,232.17	21.23
12 - NYLANDER MUSEUM	19,350.00	728.35	2,507.67	16,842.33	12.96
Final Totals	343,392.00	17,342.88	71,317.50	272,074.50	20.77

# Revenue Summary Report

Fund: 1  
April

Account	Budget Net	Curr Mnth Net	YTD Net	Uncollected Balance	Percent Collected
10 - GENERAL GOVERNMENT	6,928,998.00	362,361.00	1,047,342.76	5,881,655.24	15.12
18 - MUNICIPAL BUILDING	4,000.00	333.33	1,333.32	2,666.68	33.33
20 - GENERAL ASSISTANCE	19,800.00	1,128.54	3,173.94	16,626.06	16.03
22 - TAX ASSESSMENT	872,950.00	606.00	606.00	872,344.00	0.07
23 - CODE ENFORCEMENT	7,790.00	1,270.00	2,667.50	5,122.50	34.24
25 - LIBRARY	5,100.00	618.55	1,606.30	3,493.70	31.50
31 - FIRE/AMBULANCE DEPARTMENT	1,705,195.00	223,718.09	656,460.68	1,048,734.32	38.50
35 - POLICE DEPARTMENT	88,715.00	17,888.00	18,658.00	70,057.00	21.03
39 - CARIBOU EMERGENCY MANAGEMENT	2,600.00	0.00	600.00	2,000.00	23.08
40 - PUBLIC WORKS	204,263.00	10,630.75	42,523.30	161,739.70	20.82
50 - RECREATION DEPARTMENT	6,900.00	402.50	427.50	6,472.50	6.20
51 - PARKS	300.00	0.00	150.00	150.00	50.00
60 - AIRPORT	46,500.00	1,039.50	5,380.87	41,119.13	11.57
61 - CARIBOU TRAILER PARK	6,000.00	880.00	4,430.00	1,570.00	73.83
70 - INS & RETIREMENT	0.00	0.00	17,850.00	-17,850.00	----
Final Totals	9,899,111.00	620,876.26	1,803,210.17	8,095,900.83	18.22

## Revenue Summary Report

Fund: 2  
April

Account	Budget Net	Curr Mnth Net	YTD Net	Uncollected Balance	Percent Collected
52 - SNOWMOIBLE TRAIL MAINTENANCE	45,100.00	0.00	1,112.54	43,987.46	2.47
Final Totals	45,100.00	0.00	1,112.54	43,987.46	2.47



## Revenue Summary Report

Fund: 3  
April

Account	Budget Net	Curr Mnth Net	YTD Net	Uncollected Balance	Percent Collected
24 - HOUSING	100,000.00	11,880.21	30,176.95	69,823.05	30.18
Final Totals	100,000.00	11,880.21	30,176.95	69,823.05	30.18

## Revenue Summary Report

Fund: 4  
April

Account	Budget Net	Curr Mnth Net	YTD Net	Uncollected Balance	Percent Collected
96 - SECTION 8 - FSS PROGAM	57,446.00	4,787.17	14,361.51	43,084.49	25.00
Final Totals	57,446.00	4,787.17	14,361.51	43,084.49	25.00

## Revenue Summary Report

Fund: 5  
April

Account	Budget Net	Curr Mnth Net	YTD Net	Uncollected Balance	Percent Collected
11 - ECONOMIC DEVELOPMENT	324,042.00	0.00	0.00	324,042.00	0.00
12 - NYLANDER MUSEUM	400.00	170.07	170.27	229.73	42.57
Final Totals	324,442.00	170.07	170.27	324,271.73	0.05

## Department Summary

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Vendor	Amount	Account
<b>10 GEN GOVT</b>		
<b>10-01 GEN GOVT / Gen Govt</b>		
01400 - COUNTY QWIK PRINT, INC.	64.00	E 10-01-003-07 GEN GOVT / Gen Govt - OFFICE SUPP / PAPER
01400 - COUNTY QWIK PRINT, INC.	22.67	E 10-01-003-08 GEN GOVT / Gen Govt - OFFICE SUPP / OFFICE SUPP
02319 - JIM'S AUTO CARE & RENTALS	64.00	E 10-01-074-01 GEN GOVT / Gen Govt - TIRES / TIRES
00524 - OAK LEAF SYSTEMS, INC	1,300.00	E 10-01-014-01 GEN GOVT / Gen Govt - NEW EQUIP / NEW EQUIP
04056 - GWI	398.92	E 10-01-015-04 GEN GOVT / Gen Govt - TELEPHONE / TELEPHONE
00551 - LAUSIER, DENISE	6.79	E 10-01-003-08 GEN GOVT / Gen Govt - OFFICE SUPP / OFFICE SUPP
02412 - HARRIS COMPUTER SYSTEMS	150.00	E 10-01-008-01 GEN GOVT / Gen Govt - COMP MAINT / COMP MAINT
00524 - OAK LEAF SYSTEMS, INC	2,110.00	E 10-01-008-01 GEN GOVT / Gen Govt - COMP MAINT / COMP MAINT
02206 - BERNSTEIN SHUR	1,064.00	E 10-01-005-04 GEN GOVT / Gen Govt - LEGAL FEES / LEGAL FEES
02206 - BERNSTEIN SHUR	467.50	E 10-01-005-04 GEN GOVT / Gen Govt - LEGAL FEES / LEGAL FEES
02111 - OFFICE DEPOT	10.05	E 10-01-003-08 GEN GOVT / Gen Govt - OFFICE SUPP / OFFICE SUPP
02111 - OFFICE DEPOT	452.57	E 10-01-003-03 GEN GOVT / Gen Govt - OFFICE SUPP / COPIER REN
02977 - BUSINESS CARD	744.00	E 10-01-008-02 GEN GOVT / Gen Govt - COMP MAINT / HOSTED SER
00099 - MMEHT	11,256.55	E 10-01-018-01 GEN GOVT / Gen Govt - HEALTH INS / HEALTH INS
<b>Division Total-</b>	<b>18,111.05</b>	
<b>Department Total-</b>	<b>18,111.05</b>	
<b>11 ECONO DEV</b>		
<b>11-01 ECONO DEV / ECONO DEV CONT'D</b>		
00099 - MMEHT	560.97	E 11-01-018-01 ECONO DEV / ECONO DEV - HEALTH INS / HEALTH I
00099 - MMEHT	24.39	E 11-01-018-01 ECONO DEV / ECONO DEV - HEALTH INS / HEALTH I
<b>Division Total-</b>	<b>585.36</b>	
<b>Department Total-</b>	<b>585.36</b>	
<b>NYLANDER MUS</b>		
<b>12-01 NYLANDER MUS / NYLANDER MUS CONT'D</b>		
04056 - GWI	84.45	E 12-01-015-04 NYLANDER MUS / NYLANDER MUS - TELEPHONE / TI
<b>Division Total-</b>	<b>84.45</b>	
<b>Department Total-</b>	<b>84.45</b>	
<b>18 MUN BUILDING</b>		
<b>18-01 MUN BUILDING / MUN BUILDING CONT'D</b>		
04116 - VERSANT POWER	1,130.51	E 18-01-027-11 MUN BUILDING / MUN BUILDING - ELECTRICITY / EI
00003 - UNIFIRST CORPORATION	59.95	E 18-01-031-01 MUN BUILDING / MUN BUILDING - BLDG MAINT / BL
04116 - VERSANT POWER	219.04	E 18-01-024-04 MUN BUILDING / MUN BUILDING - MAINT COMM / I
00466 - P & E DISTRIBUTORS, INC.	145.26	E 18-01-030-01 MUN BUILDING / MUN BUILDING - BLDG SUPPLY / B
01505 - DEAD RIVER COMPANY	335.83	E 18-01-025-01 MUN BUILDING / MUN BUILDING - HEAT COM CNT /
03231 - B & P CLEANERS	845.00	E 18-01-271-01 MUN BUILDING / MUN BUILDING - CONTR SERVIC /
<b>Division Total-</b>	<b>2,735.59</b>	
<b>Department Total-</b>	<b>2,735.59</b>	
<b>20 G A</b>		
<b>20-01 G A / G A CONT'D</b>		
00003 - UNIFIRST CORPORATION	3.75	E 20-01-019-01 G A / G A - MISC EXPENSE / MISC EXPENSE
00099 - MMEHT	485.90	E 20-01-018-01 G A / G A - HEALTH INS / HEALTH INS
00216 - BELANGER, WILLIAM	100.00	E 20-01-051-05 G A / G A - EQUIP MAINT / EQUIP MAINT
<b>Division Total-</b>	<b>589.65</b>	
<b>Department Total-</b>	<b>589.65</b>	
<b>22 TAX ASSESS</b>		
<b>22-01 TAX ASSESS / TAX ASSESS CONT'D</b>		
00099 - MMEHT	2,906.00	E 22-01-018-01 TAX ASSESS / TAX ASSESS - HEALTH INS / HEALTH :
00099 - MMEHT	11.31	E 22-01-018-01 TAX ASSESS / TAX ASSESS - HEALTH INS / HEALTH :
04056 - GWI	37.54	E 22-01-015-04 TAX ASSESS / TAX ASSESS - TELEPHONE / TELEPHO
00524 - OAK LEAF SYSTEMS, INC	70.00	E 22-01-051-01 TAX ASSESS / TAX ASSESS - EQUIP MAINT / SOFTW

## Department Summary

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Vendor	Amount	Account
<b>22 TAX ASSESS</b>		
<b>22-01 TAX ASSESS / TAX ASSESS CONT'D</b>		
02977 - BUSINESS CARD	75.00	E 22-01-011-02 TAX ASSESS / TAX ASSESS - TRAIN & EDU / TRAIN & EDU
<b>Division Total-</b>	<b>3,099.85</b>	
<b>Department Total-</b>	<b>3,099.85</b>	
<b>24 HOUSING</b>		
<b>24-01 HOUSING / HOUSING CONT'D</b>		
00524 - OAK LEAF SYSTEMS, INC	70.00	E 24-01-003-12 HOUSING / HOUSING - OFFICE SUPP / SOFTWARE
04056 - GWI	32.85	E 24-01-015-04 HOUSING / HOUSING - TELEPHONE / TELEPHONE
00099 - MMEHT	16.50	E 24-01-018-01 HOUSING / HOUSING - HEALTH INS / HEALTH INS
02977 - BUSINESS CARD	11.03	E 24-01-003-03 HOUSING / HOUSING - OFFICE SUPP / COPIER RENT
02977 - BUSINESS CARD	195.00	E 24-01-011-02 HOUSING / HOUSING - TRAIN & EDU / TRAIN & EDU
02111 - OFFICE DEPOT	184.96	E 24-01-003-03 HOUSING / HOUSING - OFFICE SUPP / COPIER RENT
<b>Division Total-</b>	<b>510.34</b>	
<b>Department Total-</b>	<b>510.34</b>	
<b>25 LIBRARY</b>		
<b>25-01 LIBRARY / LIBRARY CONT'D</b>		
00099 - MMEHT	896.04	E 25-01-018-01 LIBRARY / LIBRARY - HEALTH INS / HEALTH INS
00003 - UNIFIRST CORPORATION	26.31	E 25-01-031-01 LIBRARY / LIBRARY - BLDG MAINT / BLDG MAINT
04056 - GWI	164.87	E 25-01-015-04 LIBRARY / LIBRARY - TELEPHONE / TELEPHONE
04116 - VERSANT POWER	415.62	E 25-01-027-11 LIBRARY / LIBRARY - ELECTRICITY / ELECTRICITY
01272 - BAKER & TAYLOR	177.08	E 25-01-055-03 LIBRARY / LIBRARY - BOOKS & PERI / BOOKS & PER
01272 - BAKER & TAYLOR	27.19	E 25-01-055-03 LIBRARY / LIBRARY - BOOKS & PERI / BOOKS & PER
03941 - AMAZON CAPITAL SERVICES, INC	5.72	E 25-01-055-03 LIBRARY / LIBRARY - BOOKS & PERI / BOOKS & PER
03941 - AMAZON CAPITAL SERVICES, INC	29.99	E 25-01-014-01 LIBRARY / LIBRARY - NEW EQUIP / NEW EQUIP
00524 - OAK LEAF SYSTEMS, INC	70.00	E 25-01-008-01 LIBRARY / LIBRARY - COMP MAINT / COMP MAINT
00406 - COUNTY ELECTRIC, INC.	202.89	E 25-01-031-01 LIBRARY / LIBRARY - BLDG MAINT / BLDG MAINT
03231 - B & P CLEANERS	825.00	E 25-01-271-01 LIBRARY / LIBRARY - CONTR SERVIC / JAN & SUPP
<b>Division Total-</b>	<b>2,840.71</b>	
<b>Department Total-</b>	<b>2,840.71</b>	
<b>31 FIRE/AMB</b>		
<b>31-01 FIRE/AMB / AMBULANCE CONT'D</b>		
01633 - BOUND TREE MEDICAL, LLC	354.51	E 31-01-087-01 FIRE/AMB / AMBULANCE - MED SUPPLIES / AMB SUP
01633 - BOUND TREE MEDICAL, LLC	120.69	E 31-01-087-01 FIRE/AMB / AMBULANCE - MED SUPPLIES / AMB SUP
01633 - BOUND TREE MEDICAL, LLC	307.60	E 31-01-087-01 FIRE/AMB / AMBULANCE - MED SUPPLIES / AMB SUP
02977 - BUSINESS CARD	50.17	E 31-01-071-03 FIRE/AMB / AMBULANCE - RADIO MAINT / RADIO MAINT
02977 - BUSINESS CARD	83.85	E 31-01-085-01 FIRE/AMB / AMBULANCE - TRANS MEAL / TRANS MEAL
02977 - BUSINESS CARD	570.36	E 31-01-014-01 FIRE/AMB / AMBULANCE - NEW EQUIP / NEW EQUIP
00524 - OAK LEAF SYSTEMS, INC	70.00	E 31-01-051-03 FIRE/AMB / AMBULANCE - EQUIP MAINT / MAINT CC
03056 - ZOLL MEDICAL CORPORATION GPO	533.07	E 31-01-077-02 FIRE/AMB / AMBULANCE - BATTERIES / EQUIPMENT
02003 - AUTOTRONICS, LLC	51.49	E 31-01-073-01 FIRE/AMB / AMBULANCE - VEHICLE REP / VEHICLE REP
03263 - ABILITY NETWORK INC.	104.58	E 31-01-003-09 FIRE/AMB / AMBULANCE - OFFICE SUPP / BILLING S
03263 - ABILITY NETWORK INC.	104.58	E 31-01-003-14 FIRE/AMB / AMBULANCE - OFFICE SUPP / CALAIS
03263 - ABILITY NETWORK INC.	104.58	E 31-01-003-16 FIRE/AMB / AMBULANCE - OFFICE SUPP / ISLAND FA
03263 - ABILITY NETWORK INC.	104.58	E 31-01-003-17 FIRE/AMB / AMBULANCE - OFFICE SUPP / PATTEN
04116 - VERSANT POWER	685.46	E 31-01-027-11 FIRE/AMB / AMBULANCE - ELECTRICITY / ELECTRICI
04056 - GWI	29.48	E 31-01-015-04 FIRE/AMB / AMBULANCE - TELEPHONE / TELEPHONE
04056 - GWI	324.24	E 31-01-015-04 FIRE/AMB / AMBULANCE - TELEPHONE / TELEPHONE
01840 - SUSI, SCOTT	157.92	E 31-01-011-02 FIRE/AMB / AMBULANCE - TRAIN & EDU / TRAIN & E
03182 - RADIO COMMUNICATIONS MGMT, IN	210.10	E 31-01-071-01 FIRE/AMB / AMBULANCE - RADIO MAINT / VEHICLE
02092 - S.W. COLLINS CO.	123.13	E 31-01-031-01 FIRE/AMB / AMBULANCE - BLDG MAINT / BLDG MAI
02111 - OFFICE DEPOT	77.08	E 31-01-003-03 FIRE/AMB / AMBULANCE - OFFICE SUPP / COPIER R
02111 - OFFICE DEPOT	16.27	E 31-01-003-09 FIRE/AMB / AMBULANCE - OFFICE SUPP / BILLING S

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Vendor	Amount	Account
<b>31 FIRE/AMB CONT'D</b>		
<b>31-01 FIRE/AMB / AMBULANCE CONT'D</b>		
02111 - OFFICE DEPOT	16.28	E 31-01-003-14 FIRE/AMB / AMBULANCE - OFFICE SUPP / CALAIS
02111 - OFFICE DEPOT	16.28	E 31-01-003-16 FIRE/AMB / AMBULANCE - OFFICE SUPP / ISLAND FA
02111 - OFFICE DEPOT	16.28	E 31-01-003-17 FIRE/AMB / AMBULANCE - OFFICE SUPP / PATTEN
00099 - MMEHT	24,945.95	E 31-01-018-01 FIRE/AMB / AMBULANCE - HEALTH INS / HEALTH IN:
00099 - MMEHT	2,876.43	E 31-01-018-02 FIRE/AMB / AMBULANCE - HEALTH INS / AMB BILL
02977 - BUSINESS CARD	286.70	E 31-01-085-01 FIRE/AMB / AMBULANCE - TRANS MEAL / TRANS ME
00099 - MMEHT	27.00	E 31-01-018-01 FIRE/AMB / AMBULANCE - HEALTH INS / HEALTH IN:
<b>Division Total-</b>	<b>32,368.66</b>	
<b>Department Total-</b>	<b>32,368.66</b>	

### 35 POLICE DEPT

#### 35-01 POLICE DEPT / POLICE DEPT CONT'D

00099 - MMEHT	29.40	E 35-01-018-01 POLICE DEPT / POLICE DEPT - HEALTH INS / HEALTH
00099 - MMEHT	20,559.88	E 35-01-018-01 POLICE DEPT / POLICE DEPT - HEALTH INS / HEALTH
02999 - NORTHERN BUSINESS PRODUCTS	160.00	E 35-01-003-03 POLICE DEPT / POLICE DEPT - OFFICE SUPP / COPIE
02999 - NORTHERN BUSINESS PRODUCTS	46.58	E 35-01-003-08 POLICE DEPT / POLICE DEPT - OFFICE SUPP / OFFIC
02999 - NORTHERN BUSINESS PRODUCTS	119.97	E 35-01-094-01 POLICE DEPT / POLICE DEPT - VIDEO EQUIP / VIDEO
02999 - NORTHERN BUSINESS PRODUCTS	28.75	E 35-01-003-08 POLICE DEPT / POLICE DEPT - OFFICE SUPP / OFFIC
03197 - SOULE'S AUTO SUPPLY, INC	55.89	E 35-01-073-01 POLICE DEPT / POLICE DEPT - VEHICLE REP / VEHIC
03197 - SOULE'S AUTO SUPPLY, INC	20.79	E 35-01-073-01 POLICE DEPT / POLICE DEPT - VEHICLE REP / VEHIC
00216 - BELANGER, WILLIAM	300.00	E 35-01-102-01 POLICE DEPT / POLICE DEPT - COMP TECH / COMP
01850 - VALLEY STEAM-WAY	320.00	E 35-01-068-01 POLICE DEPT / POLICE DEPT - JANITOR SVCE / JANI
04056 - GWI	262.15	E 35-01-015-04 POLICE DEPT / POLICE DEPT - TELEPHONE / TELEPH
03412 - OIT A/P	152.77	E 35-01-017-03 POLICE DEPT / POLICE DEPT - COMMUNICATE / INT
00524 - OAK LEAF SYSTEMS, INC	70.00	E 35-01-102-01 POLICE DEPT / POLICE DEPT - COMP TECH / COMP
00508 - BOB BARKER COMPANY, INC.	34.60	E 35-01-098-02 POLICE DEPT / POLICE DEPT - MEDICAL SUPP / LAU
00464 - MAINE CHIEFS OF POLICE ASSN.	100.00	E 35-01-011-02 POLICE DEPT / POLICE DEPT - TRAIN & EDU / TRAIN
<b>Division Total-</b>	<b>22,260.78</b>	
<b>Department Total-</b>	<b>22,260.78</b>	

### 38 PROTECTION

#### 38-01 PROTECTION / PROTECTION CONT'D

04116 - VERSANT POWER	19.61	E 38-01-105-01 PROTECTION / PROTECTION - STREET LIGHT / STRI
04116 - VERSANT POWER	72.98	E 38-01-105-01 PROTECTION / PROTECTION - STREET LIGHT / STRI
04116 - VERSANT POWER	90.16	E 38-01-105-01 PROTECTION / PROTECTION - STREET LIGHT / STRI
<b>Division Total-</b>	<b>182.75</b>	
<b>Department Total-</b>	<b>182.75</b>	

### 40 PUBLIC WORKS

#### 40-01 PUBLIC WORKS / PUBLIC WORKS CONT'D

04056 - GWI	88.43	E 40-01-015-04 PUBLIC WORKS / PUBLIC WORKS - TELEPHONE / TE
03049 - MATHESON TRI-GAS INC	244.11	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
00167 - DAIGLE & HOUGHTON, INC.	540.62	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
00852 - F.W. WEBB COMPANY	33.10	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
00852 - F.W. WEBB COMPANY	57.11	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
02977 - BUSINESS CARD	22.47	E 40-01-019-01 PUBLIC WORKS / PUBLIC WORKS - MISC EXPENSE /
02977 - BUSINESS CARD	77.99	E 40-01-070-03 PUBLIC WORKS / PUBLIC WORKS - CLOTHS ALLOW /
02977 - BUSINESS CARD	152.11	E 40-01-111-01 PUBLIC WORKS / PUBLIC WORKS - TOOLS - SHOP /
00524 - OAK LEAF SYSTEMS, INC	70.00	E 40-01-003-12 PUBLIC WORKS / PUBLIC WORKS - OFFICE SUPP / S
02111 - OFFICE DEPOT	78.52	E 40-01-003-11 PUBLIC WORKS / PUBLIC WORKS - OFFICE SUPP / E
00099 - MMEHT	17,254.94	E 40-01-018-01 PUBLIC WORKS / PUBLIC WORKS - HEALTH INS / HE
00099 - MMEHT	20.40	E 40-01-018-01 PUBLIC WORKS / PUBLIC WORKS - HEALTH INS / HE
<b>Division Total-</b>	<b>18,639.80</b>	

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Vendor	Amount	Account
<b>Department Total-</b>	<b>18,639.80</b>	
<b>EC DEPT</b>		
<b>50-01 REC DEPT / REC DEPT CONT'D</b>		
00099 - MMEHT	5,205.58	E 50-01-018-01 REC DEPT / REC DEPT - HEALTH INS / HEALTH INS
00524 - OAK LEAF SYSTEMS, INC	70.00	E 50-01-008-01 REC DEPT / REC DEPT - COMP MAINT / COMP MAINT
04056 - GWI	197.10	E 50-01-015-02 REC DEPT / REC DEPT - TELEPHONE / REC CENTER
03455 - HANNAFORD	2.68	E 50-01-031-01 REC DEPT / REC DEPT - BLDG MAINT / BLDG MAINT
04116 - VERSANT POWER	15.72	E 50-01-027-07 REC DEPT / REC DEPT - ELECTRICITY / SOUCIE SPO
<b>Division Total-</b>	<b>5,491.08</b>	
<b>Department Total-</b>	<b>5,491.08</b>	
<b>51 PARKS</b>		
<b>51-01 PARKS / PARKS CONT'D</b>		
04116 - VERSANT POWER	15.72	E 51-01-027-11 PARKS / PARKS - ELECTRICITY / ELECTRICITY
04056 - GWI	52.39	E 51-01-015-04 PARKS / PARKS - TELEPHONE / TELEPHONE
02556 - GERVAIS FENCE AND GUARDRAIL, IN	60.00	E 51-01-237-01 PARKS / PARKS - CIVIC BEAUT / CIVIC BRAUT
01623 - CROWN PRODUCTS LLC	319.66	E 51-01-147-01 PARKS / PARKS - PARK MAINT / PARK MAINT
03856 - COUNTY AG & TURF SUPPLY, INC.	184.00	E 51-01-147-01 PARKS / PARKS - PARK MAINT / PARK MAINT
03622 - ULINE, INC.	262.91	E 51-01-147-01 PARKS / PARKS - PARK MAINT / PARK MAINT
00099 - MMEHT	13.80	E 51-01-018-01 PARKS / PARKS - HEALTH INS / HEALTH INS
<b>Division Total-</b>	<b>908.48</b>	
<b>Department Total-</b>	<b>908.48</b>	
<b>60 AIRPORT</b>		
<b>60-01 AIRPORT / AIRPORT CONT'D</b>		
03361 - COUNTY ENVIRONMENTAL ENGINEER	742.44	E 60-01-051-05 AIRPORT / AIRPORT - EQUIP MAINT / EQUIP MAINT
04056 - GWI	80.86	E 60-01-015-04 AIRPORT / AIRPORT - TELEPHONE / TELEPHONE
<b>Division Total-</b>	<b>823.30</b>	
<b>Department Total-</b>	<b>823.30</b>	
<b>70 INS &amp; RETIRE</b>		
<b>70-01 INS &amp; RETIRE / INS &amp; RETIRE CONT'D</b>		
03584 - GROUP DYNAMIC, INC.	390.00	E 70-01-311-01 INS & RETIRE / INS & RETIRE - SECTION 125 / SECT
<b>Division Total-</b>	<b>390.00</b>	
<b>Department Total-</b>	<b>390.00</b>	
<b>96 SECT 8 FSS</b>		
<b>96-01 SECT 8 FSS / SECT 8 FSS CONT'D</b>		
00099 - MMEHT	11.40	E 96-01-018-01 SECT 8 FSS / SECT 8 FSS - HEALTH INS / HEALTH II
<b>Division Total-</b>	<b>11.40</b>	
<b>G/L Account Total</b>	<b>11.40</b>	
<b>G/L Accounts</b>		
<b>G/L Accounts-01 / CONT'D</b>		
00099 - MMEHT	21,737.07	G 1-312-00 Gen Fund / HEALTH INS
00099 - MMEHT	3,171.75	G 1-318-00 Gen Fund / INCOME PROT
00099 - MMEHT	751.70	G 1-323-00 Gen Fund / SUPP LIFE
01483 - TREASURER, STATE OF MAINE	2,928.50	G 1-331-00 Gen Fund / BOAT REG
00721 - TREASURER, STATE OF MAINE	6,458.04	G 1-338-00 Gen Fund / CONNOR EXC
00721 - TREASURER, STATE OF MAINE	20.00	G 1-339-00 Gen Fund / CONNOR BOAT
01385 - TREASURER, STATE OF MAINE	181.00	G 1-340-00 Gen Fund / DOG LIC
01483 - TREASURER, STATE OF MAINE	1,375.00	G 1-341-00 Gen Fund / FISH LIC
01483 - TREASURER, STATE OF MAINE	1,191.25	G 1-342-00 Gen Fund / HUNT LIC
04153 - HALEY WARD	412.50	G 1-373-20 Gen Fund / CDBG USDA
04165 - ZIMMERMAN, REBECCA	12.30	G 1-436-00 Gen Fund / AMB REIMB
00524 - OAK LEAF SYSTEMS, INC	1,400.00	G 1-450-00 Gen Fund / RESOURCE RA
00099 - MMEHT	1,645.39	G 1-469-00 Gen Fund / DENTAL INS

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Vendor	Amount	Account
<b>G/L Accounts CONT'D</b>		
<b>G/L Accounts-01 / CONT'D</b>		
00099 - MMEHT	306.47	G 1-470-00 Gen Fund / EYE INS
00521 - TREASURER, STATE OF MAINE	102.40	G 1-496-00 Gen Fund / BIRTH STATE
00521 - TREASURER, STATE OF MAINE	59.20	G 1-497-00 Gen Fund / DEATH STATE
00521 - TREASURER, STATE OF MAINE	44.00	G 1-498-00 Gen Fund / MARRIAGE STA
<b>Division Total-</b>	<b>41,796.57</b>	
<b>G/L Account Total</b>	<b>41,796.57</b>	
<b>Final Total-</b>	<b>151,429.82</b>	



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Vendor	Amount	Account
<b>10 GEN GOVT</b>		
<b>10-01 GEN GOVT / Gen Govt</b>		
02977 - BUSINESS CARD	14.99	E 10-01-008-01 GEN GOVT / Gen Govt - COMP MAINT / COMP MAINT
02977 - BUSINESS CARD	600.00	E 10-01-019-01 GEN GOVT / Gen Govt - MISC EXPENSE / MISC EXPENSE
02977 - BUSINESS CARD	300.00	E 10-01-009-04 GEN GOVT / Gen Govt - PROF DUES / PROF DUES
01400 - COUNTY QWIK PRINT, INC.	27.99	E 10-01-003-05 GEN GOVT / Gen Govt - OFFICE SUPP / PRINTER INK
00551 - LAUSIER, DENISE	31.50	E 10-01-010-01 GEN GOVT / Gen Govt - TRAVEL EXP / MILEAGE
03401 - MAINE MUNICIPAL ASSOCIATION	136.39	E 10-01-036-01 GEN GOVT / Gen Govt - VEHICLE INS / VEHICLE INS
03401 - MAINE MUNICIPAL ASSOCIATION	2.18	E 10-01-012-01 GEN GOVT / Gen Govt - ELECTIONS / ELECTIONS
<b>Division Total-</b>	<b>1,113.05</b>	
<b>Department Total-</b>	<b>1,113.05</b>	
<b>11 ECONO DEV</b>		
<b>11-01 ECONO DEV / ECONO DEV CONT'D</b>		
02977 - BUSINESS CARD	307.00	E 11-01-009-01 ECONO DEV / ECONO DEV - PROF DUES / SUBSCRIP
02977 - BUSINESS CARD	599.88	E 11-01-009-01 ECONO DEV / ECONO DEV - PROF DUES / SUBSCRIP
<b>Division Total-</b>	<b>906.88</b>	
<b>Department Total-</b>	<b>906.88</b>	
<b>12 NYLANDER MUS</b>		
<b>12-01 NYLANDER MUS / NYLANDER MUS CONT'D</b>		
04116 - VERSANT POWER	43.08	E 12-01-027-11 NYLANDER MUS / NYLANDER MUS - ELECTRICITY / I
03401 - MAINE MUNICIPAL ASSOCIATION	41.09	E 12-01-032-01 NYLANDER MUS / NYLANDER MUS - PROP INS / PRO
<b>Division Total-</b>	<b>84.17</b>	
<b>Department Total-</b>	<b>84.17</b>	
<b>18 MUN BUILDING</b>		
<b>18-01 MUN BUILDING / MUN BUILDING CONT'D</b>		
03401 - MAINE MUNICIPAL ASSOCIATION	87.61	E 18-01-032-01 MUN BUILDING / MUN BUILDING - PROP INS / PROP
00576 - MCNEAL'S TRUCKING	110.00	E 18-01-031-01 MUN BUILDING / MUN BUILDING - BLDG MAINT / BL
00003 - UNIFIRST CORPORATION	36.10	E 18-01-031-01 MUN BUILDING / MUN BUILDING - BLDG MAINT / BL
<b>Division Total-</b>	<b>233.71</b>	
<b>Department Total-</b>	<b>233.71</b>	
<b>25 LIBRARY</b>		
<b>25-01 LIBRARY / LIBRARY CONT'D</b>		
03941 - AMAZON CAPITAL SERVICES, INC	23.79	E 25-01-014-01 LIBRARY / LIBRARY - NEW EQUIP / NEW EQUIP
03971 - BOOKPAGE	354.00	E 25-01-055-03 LIBRARY / LIBRARY - BOOKS & PERI / BOOKS & PER
02977 - BUSINESS CARD	18.90	E 25-01-055-03 LIBRARY / LIBRARY - BOOKS & PERI / BOOKS & PER
02977 - BUSINESS CARD	12.66	E 25-01-406-01 LIBRARY / LIBRARY - PROGRAM / LIBRARY PROG
03401 - MAINE MUNICIPAL ASSOCIATION	147.73	E 25-01-032-01 LIBRARY / LIBRARY - PROP INS / PROP INS
01505 - DEAD RIVER COMPANY	500.30	E 25-01-026-03 LIBRARY / LIBRARY - HEATING FUEL / HEATING FUE
02111 - OFFICE DEPOT	102.66	E 25-01-003-03 LIBRARY / LIBRARY - OFFICE SUPP / COPIER RENT
03310 - SEACOAST SECURITY, INC	87.00	E 25-01-031-01 LIBRARY / LIBRARY - BLDG MAINT / BLDG MAINT
<b>Division Total-</b>	<b>1,247.04</b>	
<b>Department Total-</b>	<b>1,247.04</b>	
<b>31 FIRE/AMB</b>		
<b>31-01 FIRE/AMB / AMBULANCE CONT'D</b>		
03401 - MAINE MUNICIPAL ASSOCIATION	273.20	E 31-01-037-01 FIRE/AMB / AMBULANCE - LIABILITY IN / LIABILIT I
03401 - MAINE MUNICIPAL ASSOCIATION	282.86	E 31-01-036-01 FIRE/AMB / AMBULANCE - VEHICLE INS / VEHICLE I
03401 - MAINE MUNICIPAL ASSOCIATION	96.09	E 31-01-032-01 FIRE/AMB / AMBULANCE - PROP INS / PROP INS
03401 - MAINE MUNICIPAL ASSOCIATION	1,008.83	E 31-01-036-01 FIRE/AMB / AMBULANCE - VEHICLE INS / VEHICLE I
01400 - COUNTY QWIK PRINT, INC.	210.00	E 31-01-070-01 FIRE/AMB / AMBULANCE - CLOTHS ALLOW / UNIFOR
03590 - NAPA AUTO PARTS	546.59	E 31-01-073-01 FIRE/AMB / AMBULANCE - VEHICLE REP / VEHICLE R
00576 - MCNEAL'S TRUCKING	70.00	E 31-01-031-01 FIRE/AMB / AMBULANCE - BLDG MAINT / BLDG MAI
00914 - NORTHEAST PROPANE	380.29	E 31-01-026-03 FIRE/AMB / AMBULANCE - HEATING FUEL / HEATING

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Vendor	Amount	Account
<b>31 FIRE/AMB CONT'D</b>		
<b>31-01 FIRE/AMB / AMBULANCE CONT'D</b>		
00466 - P & E DISTRIBUTORS, INC.	45.90	E 31-01-030-01 FIRE/AMB / AMBULANCE - BLDG SUPPLY / BLDG SUP
00466 - P & E DISTRIBUTORS, INC.	176.20	E 31-01-030-01 FIRE/AMB / AMBULANCE - BLDG SUPPLY / BLDG SUP
00466 - P & E DISTRIBUTORS, INC.	45.90	E 31-01-030-01 FIRE/AMB / AMBULANCE - BLDG SUPPLY / BLDG SUP
03440 - WEX BANK	220.81	E 31-01-076-01 FIRE/AMB / AMBULANCE - DIESEL / DIESEL
03815 - BERGERON PROTECTIVE CLOTHING,	480.00	E 31-01-014-01 FIRE/AMB / AMBULANCE - NEW EQUIP / NEW EQUIP
00136 - HIGHWAY TIRE INC.	108.00	E 31-01-074-01 FIRE/AMB / AMBULANCE - TIRES / TIRES
03919 - CARNEY FAMILY BEVERAGE, LLC	37.00	E 31-01-030-01 FIRE/AMB / AMBULANCE - BLDG SUPPLY / BLDG SUP
03919 - CARNEY FAMILY BEVERAGE, LLC	36.00	E 31-01-030-01 FIRE/AMB / AMBULANCE - BLDG SUPPLY / BLDG SUP
03919 - CARNEY FAMILY BEVERAGE, LLC	36.00	E 31-01-030-01 FIRE/AMB / AMBULANCE - BLDG SUPPLY / BLDG SUP
00122 - CARY MEDICAL CENTER-BILLING DEF	236.60	E 31-01-087-01 FIRE/AMB / AMBULANCE - MED SUPPLIES / AMB SUP
01400 - COUNTY QWIK PRINT, INC.	135.49	E 31-01-003-08 FIRE/AMB / AMBULANCE - OFFICE SUPP / OFFICE SL
<b>Division Total-</b>	<b>4,425.76</b>	
<b>Department Total-</b>	<b>4,425.76</b>	
<b>35 POLICE DEPT</b>		
<b>35-01 POLICE DEPT / POLICE DEPT CONT'D</b>		
04140 - ROY BOY'S TRUCK WORKS	5,444.46	E 35-01-073-01 POLICE DEPT / POLICE DEPT - VEHICLE REP / VEHIC
00466 - P & E DISTRIBUTORS, INC.	33.66	E 35-01-030-01 POLICE DEPT / POLICE DEPT - BLDG SUPPLY / BLDG
00466 - P & E DISTRIBUTORS, INC.	76.12	E 35-01-030-01 POLICE DEPT / POLICE DEPT - BLDG SUPPLY / BLDG
00466 - P & E DISTRIBUTORS, INC.	84.37	E 35-01-030-01 POLICE DEPT / POLICE DEPT - BLDG SUPPLY / BLDG
03282 - CENTRAL AROOSTOOK	40.00	E 35-01-019-01 POLICE DEPT / POLICE DEPT - MISC EXPENSE / MISI
03072 - COMPUTER PROJECTS OF ILLINOIS,	720.00	E 35-01-017-03 POLICE DEPT / POLICE DEPT - COMMUNICATE / INT
02370 - DOW HEBERT AND PLOURDE INC.	266.30	E 35-01-003-08 POLICE DEPT / POLICE DEPT - OFFICE SUPP / OFFIC
03401 - MAINE MUNICIPAL ASSOCIATION	646.31	E 35-01-036-01 POLICE DEPT / POLICE DEPT - VEHICLE INS / VEHIC
03401 - MAINE MUNICIPAL ASSOCIATION	51.09	E 35-01-032-01 POLICE DEPT / POLICE DEPT - PROP INS / PROP INS
03401 - MAINE MUNICIPAL ASSOCIATION	30.92	E 35-01-036-01 POLICE DEPT / POLICE DEPT - VEHICLE INS / VEHIC
03401 - MAINE MUNICIPAL ASSOCIATION	867.23	E 35-01-037-01 POLICE DEPT / POLICE DEPT - LIABILITY IN / LIABII
<b>Division Total-</b>	<b>8,260.46</b>	
<b>Department Total-</b>	<b>8,260.46</b>	
<b>38 PROTECTION</b>		
<b>38-01 PROTECTION / PROTECTION CONT'D</b>		
04116 - VERSANT POWER	15.72	E 38-01-105-01 PROTECTION / PROTECTION - STREET LIGHT / STRI
04116 - VERSANT POWER	47.86	E 38-01-105-01 PROTECTION / PROTECTION - STREET LIGHT / STRI
<b>Division Total-</b>	<b>63.58</b>	
<b>Department Total-</b>	<b>63.58</b>	
<b>39 CEM</b>		
<b>39-01 CEM / CEM CONT'D</b>		
03401 - MAINE MUNICIPAL ASSOCIATION	202.44	E 39-01-036-01 CEM / CEM - VEHICLE INS / VEHICLE INS
03401 - MAINE MUNICIPAL ASSOCIATION	29.83	E 39-01-032-01 CEM / CEM - PROP INS / PROP INS
<b>Division Total-</b>	<b>232.27</b>	
<b>Department Total-</b>	<b>232.27</b>	
<b>40 PUBLIC WORKS</b>		
<b>40-01 PUBLIC WORKS / PUBLIC WORKS CONT'D</b>		
03590 - NAPA AUTO PARTS	737.38	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
01833 - ODB COMPANY, INC	1,489.92	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
03239 - PHIL'S AUTO SUPPLY	145.35	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
03401 - MAINE MUNICIPAL ASSOCIATION	225.72	E 40-01-032-01 PUBLIC WORKS / PUBLIC WORKS - PROP INS / PROF
03401 - MAINE MUNICIPAL ASSOCIATION	2,208.75	E 40-01-036-01 PUBLIC WORKS / PUBLIC WORKS - VEHICLE INS / VI
03401 - MAINE MUNICIPAL ASSOCIATION	25.13	E 40-01-036-01 PUBLIC WORKS / PUBLIC WORKS - VEHICLE INS / VI
03555 - KIMBALL MIDWEST	91.33	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
00257 - FASTENAL COMPANY	43.98	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E

Vendor	Amount	Account
<b>40 PUBLIC WORKS CONT'D</b>		
<b>40-01 PUBLIC WORKS / PUBLIC WORKS CONT'D</b>		
00136 - HIGHWAY TIRE INC.	235.00	E 40-01-074-04 PUBLIC WORKS / PUBLIC WORKS - TIRES / TRUCKS
00136 - HIGHWAY TIRE INC.	60.00	E 40-01-074-04 PUBLIC WORKS / PUBLIC WORKS - TIRES / TRUCKS
00136 - HIGHWAY TIRE INC.	60.00	E 40-01-074-04 PUBLIC WORKS / PUBLIC WORKS - TIRES / TRUCKS
02247 - LOWE'S	94.97	E 40-01-112-01 PUBLIC WORKS / PUBLIC WORKS - TOOLS / TOOLS
01027 - TIME WARNER CABLE	44.95	E 40-01-017-03 PUBLIC WORKS / PUBLIC WORKS - COMMUNICATE /
02899 - ACADIAN SPRINGS	5.50	E 40-01-019-01 PUBLIC WORKS / PUBLIC WORKS - MISC EXPENSE /
00556 - BELANGER DIESEL	20.55	E 40-01-051-05 PUBLIC WORKS / PUBLIC WORKS - EQUIP MAINT / E
00466 - P & E DISTRIBUTORS, INC.	66.87	E 40-01-030-01 PUBLIC WORKS / PUBLIC WORKS - BLDG SUPPLY / E
00466 - P & E DISTRIBUTORS, INC.	87.15	E 40-01-030-01 PUBLIC WORKS / PUBLIC WORKS - BLDG SUPPLY / E
00466 - P & E DISTRIBUTORS, INC.	16.89	E 40-01-030-01 PUBLIC WORKS / PUBLIC WORKS - BLDG SUPPLY / E
01505 - DEAD RIVER COMPANY	1,178.04	E 40-01-026-03 PUBLIC WORKS / PUBLIC WORKS - HEATING FUEL /
<b>Division Total-</b>	<b>6,837.48</b>	
<b>Department Total-</b>	<b>6,837.48</b>	

**50 REC DEPT**

**50-01 REC DEPT / REC DEPT CONT'D**

03361 - COUNTY ENVIRONMENTAL ENGINEER	235.00	E 50-01-031-01 REC DEPT / REC DEPT - BLDG MAINT / BLDG MAINT
03443 - J B SHEETMETAL INC.	108.00	E 50-01-031-01 REC DEPT / REC DEPT - BLDG MAINT / BLDG MAINT
00438 - LEVESQUE BUSINESS SOLUTIONS	18.99	E 50-01-003-08 REC DEPT / REC DEPT - OFFICE SUPP / OFFICE SUPP
00466 - P & E DISTRIBUTORS, INC.	253.69	E 50-01-030-01 REC DEPT / REC DEPT - BLDG SUPPLY / BLDG SUPPLY
03213 - RECTOR, LARRY	80.00	E 50-01-031-01 REC DEPT / REC DEPT - BLDG MAINT / BLDG MAINT
02999 - NORTHERN BUSINESS PRODUCTS	130.00	E 50-01-003-03 REC DEPT / REC DEPT - OFFICE SUPP / COPIER REN
00576 - MCNEAL'S TRUCKING	60.00	E 50-01-031-01 REC DEPT / REC DEPT - BLDG MAINT / BLDG MAINT
02977 - BUSINESS CARD	604.78	E 50-01-145-01 REC DEPT / REC DEPT - SPEC EVENTS / SPEC EVENT
02977 - BUSINESS CARD	55.90	E 50-01-003-02 REC DEPT / REC DEPT - OFFICE SUPP / ADVERTISING
02977 - BUSINESS CARD	44.10	E 50-01-031-01 REC DEPT / REC DEPT - BLDG MAINT / BLDG MAINT
02977 - BUSINESS CARD	100.00	E 50-01-011-02 REC DEPT / REC DEPT - TRAIN & EDU / TRAIN & EDU
03401 - MAINE MUNICIPAL ASSOCIATION	475.55	E 50-01-032-01 REC DEPT / REC DEPT - PROP INS / PROP INS
<b>Division Total-</b>	<b>2,166.01</b>	
<b>Department Total-</b>	<b>2,166.01</b>	

**51 PARKS**

**51-01 PARKS / PARKS CONT'D**

03401 - MAINE MUNICIPAL ASSOCIATION	145.55	E 51-01-036-01 PARKS / PARKS - VEHICLE INS / VEHICLE INS
03401 - MAINE MUNICIPAL ASSOCIATION	229.16	E 51-01-036-01 PARKS / PARKS - VEHICLE INS / VEHICLE INS
02977 - BUSINESS CARD	190.61	E 51-01-073-01 PARKS / PARKS - VEHICLE REP / VEHICLE REP
02977 - BUSINESS CARD	63.28	E 51-01-051-05 PARKS / PARKS - EQUIP MAINT / EQUIP MAINT
02977 - BUSINESS CARD	144.20	E 51-01-030-01 PARKS / PARKS - BLDG SUPPLY / BLDG SUPPLY
03590 - NAPA AUTO PARTS	30.09	E 51-01-147-01 PARKS / PARKS - PARK MAINT / PARK MAINT
03590 - NAPA AUTO PARTS	-2.11	E 51-01-051-05 PARKS / PARKS - EQUIP MAINT / EQUIP MAINT
02092 - S.W. COLLINS CO.	136.56	E 51-01-147-01 PARKS / PARKS - PARK MAINT / PARK MAINT
00239 - GARY'S YAMAHA/GARY'S SALE & SER	138.81	E 51-01-075-01 PARKS / PARKS - GAS/OIL/FILT / GAS/OIL/FILT
00239 - GARY'S YAMAHA/GARY'S SALE & SER	59.97	E 51-01-051-04 PARKS / PARKS - EQUIP MAINT / REPAIRS
00154 - HOGAN TIRE INC	12.50	E 51-01-073-01 PARKS / PARKS - VEHICLE REP / VEHICLE REP
03856 - COUNTY AG & TURF SUPPLY, INC.	92.00	E 51-01-147-01 PARKS / PARKS - PARK MAINT / PARK MAINT
00917 - CARQUEST AUTO PARTS STORES	6.43	E 51-01-147-01 PARKS / PARKS - PARK MAINT / PARK MAINT
00917 - CARQUEST AUTO PARTS STORES	12.25	E 51-01-147-01 PARKS / PARKS - PARK MAINT / PARK MAINT
<b>Division Total-</b>	<b>1,259.30</b>	
<b>Department Total-</b>	<b>1,259.30</b>	

**60 AIRPORT**

**60-01 AIRPORT / AIRPORT CONT'D**

03401 - MAINE MUNICIPAL ASSOCIATION	161.18	E 60-01-032-01 AIRPORT / AIRPORT - PROP INS / PROP INS
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**Department Summary**  
Pay Date: 05/13/2021

Vendor	Amount	Account
<b>Division Total-</b>	<b>161.18</b>	
<b>Department Total-</b>	<b>161.18</b>	

**61 TRAILER PARK**

**61-01 TRAILER PARK / TRAILER PARK CONT'D**

03401 - MAINE MUNICIPAL ASSOCIATION	3.61	E 61-01-032-01 TRAILER PARK / TRAILER PARK - PROP INS / PROP I
00576 - MCNEAL'S TRUCKING	140.00	E 61-01-161-01 TRAILER PARK / TRAILER PARK - GARBAGE COLL / C
02301 - RP WATER QUALITY MONITORING LI	376.10	E 61-01-028-05 TRAILER PARK / TRAILER PARK - WATER / WATER
<b>Division Total-</b>	<b>519.71</b>	
<b>Department Total-</b>	<b>519.71</b>	

**70 INS & RETIRE**

**70-01 INS & RETIRE / INS & RETIRE CONT'D**

02977 - BUSINESS CARD	190.73	E 70-01-046-01 INS & RETIRE / INS & RETIRE - AWARDS/RECOG / A
03401 - MAINE MUNICIPAL ASSOCIATION	22.19	E 70-01-037-01 INS & RETIRE / INS & RETIRE - LIABILITY IN / LIAB
03401 - MAINE MUNICIPAL ASSOCIATION	11.01	E 70-01-037-01 INS & RETIRE / INS & RETIRE - LIABILITY IN / LIAB
03401 - MAINE MUNICIPAL ASSOCIATION	783.87	E 70-01-037-01 INS & RETIRE / INS & RETIRE - LIABILITY IN / LIAB
03401 - MAINE MUNICIPAL ASSOCIATION	1,384.53	E 70-01-037-01 INS & RETIRE / INS & RETIRE - LIABILITY IN / LIAB
03401 - MAINE MUNICIPAL ASSOCIATION	119.74	E 70-01-037-01 INS & RETIRE / INS & RETIRE - LIABILITY IN / LIAB
<b>Division Total-</b>	<b>2,512.07</b>	
<b>Department Total-</b>	<b>2,512.07</b>	

**80 UNCLASSIFIED**

**80-01 UNCLASSIFIED / UNCLASSIFIED CONT'D**

01499 - CARIBOU UTILITIES DISTRICT	566.71	E 80-01-045-01 UNCLASSIFIED / UNCLASSIFIED - REFUND/REIMB / I
<b>Division Total-</b>	<b>566.71</b>	
<b>G/L Account Total</b>	<b>566.71</b>	

**Accounts**

**G/L Accounts-01 / CONT'D**

00015 - TREASURER STATE OF MAINE	12,579.75	G 1-330-00 Gen Fund / VEHICLE REG
00015 - TREASURER STATE OF MAINE	13,708.50	G 1-330-00 Gen Fund / VEHICLE REG
02977 - BUSINESS CARD	77.98	G 1-365-04 Gen Fund / RAIL TRAIL P
00262 - SPORTS FIELDS, INC.	1,769.80	G 1-365-05 Gen Fund / PARK IMP RES
00239 - GARY'S YAMAHA/GARY'S SALE & SER	8,500.00	G 1-365-10 Gen Fund / REC LAWN MR
02977 - BUSINESS CARD	526.00	G 1-365-12 Gen Fund / CRX/TOS
02977 - BUSINESS CARD	22.89	G 1-365-22 Gen Fund / NON APP SKI
02977 - BUSINESS CARD	52.10	G 1-366-02 Gen Fund / LIB MEM FUND
03563 - ATLANTIC TACTICAL, INC.	1,252.02	G 1-367-02 Gen Fund / POLICE EQUIP
00675 - CENTER POINT LARGE PRINT	139.02	G 1-427-00 Gen Fund / J. ROTH LIB
04166 - PINETTE, RYAN J.	250.00	G 1-436-00 Gen Fund / AMB REIMB
03316 - VA MAINE HEALTHCARE SYSTEM	8,116.78	G 1-436-00 Gen Fund / AMB REIMB
<b>Division Total-</b>	<b>46,994.84</b>	
<b>G/L Account Total</b>	<b>46,994.84</b>	
<b>Final Total-</b>	<b>77,584.22</b>	



## City Manager's Report

May 14, 2021

### Economic Projects

<b>River Front - Powerplants</b>	MEDEP awarded the environmental study of the powerplants to County Environmental. This work should start within 2 weeks and will take a month to complete.
<b>Broadband Initiative</b>	Met with Spectrum to discuss expansion options. Sent them a list of 448 homes that need service. They will get a bid back.
<b>Ogren Dump Solar Project</b>	On current agenda for final approval. Researching a right-of-way issue on Ogren Rd for Versant
<b>2021 CDBG Applications</b>	On current agenda for final approval.
<b>Events and Marketing</b>	Kayak race on Aroostook River will be May 15. Starting at 10am. City-wide yard sale started May 14. Runs through Sunday May 16. June 3 Thursday on Sweden event will be held in the North Mall parking lot.
<b>Landbank</b>	On current agenda as part of the tax acquired property disposal policy for final approval.
<b>Title 13 ReWrite</b>	Major Administrative changes on agenda for introduction. Planning Board now working on Home Occupations and process revisions.
<b>Federal American Rescue Plan Act</b>	Still waiting for final amounts and restrictions. Must be spent by December 2024 or returned to treasury.
<b>Blight Cleanup</b>	Asbestos siding found at 864 Main. Bids were received for demolition of the building. Getting bids to demolish multiple dangerous buildings that failed to demonstrate abatement progress. Sent eviction notices to occupants of tax acquired properties on Hillcrest and North Street.
<b>Birdseye Cleanup</b>	Still waiting final approval from DEP before putting out RFP to do final soils cleanup.
<b>60 Access Highway</b>	No additional communications from developers. Still waiting for finish plans on building.
<b>River Front - Master Plan</b>	Stake holder group will conduct public outreach at kayak race. Continue to work on goals and plan options.
<b>Façade Improvement Program</b>	Modified program details for next spring to include expiration period. 2021 grantees moving forward with their projects.
<b>Hilltop Senior Living</b>	Waiting for open house date from developer.
<b>Sitel Building</b>	No change in status.
<b>Aldrich ATV/Snowmobile Storage</b>	Property is purchased from CEGC. Owner waiting to see how Jarosz Storage on Limestone works before moving ahead.
<b>Jarosz Storage - Limestone St</b>	This project is now under construction.
<b>River Front - Salmon</b>	No change in status.
<b>Affordable Housing Development</b>	Will create list of potential properties for rehab or development as part of landbank efforts.

## Other Administrative Projects

<b>New City Manager Recruitment</b>	Eleven applications submitted. MMA consultant is scheduling first-round interviews.
<b>Union Negotiations.</b>	Will be discussed in executive session during the upcoming meeting.
<b>Tax Acquired Property Policy</b>	Ordinance No. 4 on agenda for public hearing and adoption.
<b>Fire Structural Work</b>	Roof membrane work is ongoing. Painters will be in building next week. Anticipated project completion in 3 weeks.
<b>Teague Park</b>	Splash pad work is moving forward. Footings and rough plumbing is installed.
<b>Public Safety Building</b>	Council Public Safety Committee met with architect consultants on Monday, May 13. Councilor Boma can provide additional details about next steps.
<b>Fire Station Renovations</b>	Waiting for sprinkler system bids before determining next steps on this project.
<b>Investment Policy</b>	Council investment committee met on Tuesday, May 12. Councilor Smith can provide additional details.
<b>Trailer Park Closure</b>	Received \$1,000 in back rent awards from ACAP. Additional applications submitted.
<b>Fish Hatchery Bridge</b>	On the current agenda for discussion.
<b>Cable Franchise Renewal</b>	State legislation being considered to have all franchises regulated by state.
<b>Airport</b>	Hangars full. Received bids for fence repairs.
<b>City Hall Boiler Systems</b>	Ready to send out RFP to have all thermostats and valves replaced. Had two valves stuck open this week.
<b>Chambers AV System</b>	Still waiting on final piece of equipment that will allow the manager to share screen to cable system.
<b>River Road</b>	Survey of Chomka property is progressing. Should be completed by end of May.
<b>New LED Street lights</b>	10 lights repaired. Work order submitted to replace mast arm and light on Bennet Drive by Walgreens.
<b>General Plan Update</b>	Still working on the current land use survey, which is needed for future land use discussions.
<b>Wage Policy</b>	No further action at this time.
<b>COVID-19 Status</b>	Monitoring and implementing Governor's latest opening dates and regulations.
<b>Personnel Policy</b>	No further action at this time.
<b>Parking Lot Paving</b>	Fire station rear lot and library are slated for this year. Finalizing plans for station retaining wall repairs.
<b>Procurement Policy</b>	Felch & Company has provided feedback on the policy and made some recommendations. Will revise for Council.

**CARIBOU ADMINISTRATION  
25 HIGH STREET  
CARIBOU, ME. 04736**



**MEMO**

**To: Mayor and Council Members**  
**From: Dennis L. Marker, City Manager**  
**Date: 05/13/2021**  
**Re: Discussion with MDOT regarding Removal of Otter Brook Bridge**

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Mr. Fred Michaud with Maine DOT recently finished a safety inspection of the Fish Hatchery Bridge (i.e. Otter Brook Bridge on Limestone Street). Mr. Michaud would like to discuss his findings with the Council and determine the Council's preferred methods for additional public comment and possible actions.

See Mr. Michaud's Bridge Removal Evaluation report attached.

## [Bridge Removal Evaluation Form]

**Date:** August 3, 2020

**Observed By:** Fred Michaud

**Asset Code:** 2284 Fish Hatchery Bridge

**Location:** Region 5, Limestone Street, Caribou, Aroostook

**Year built:** 1930

**Narrative:** Limestone Road is located east of Access Highway and west of the Aroostook River. The area has mixed use development including single family residential, some small commercial enterprises, and what appears to be a scrap metal operation adjacent to the rail tracks east of Limestone Road. From observation, impacts of removal seem somewhat minimal affecting school bus routing primarily, but not an insurmountable problem.

Based on my observations, when compared to other bridges under review, the removal of this bridge would, in my opinion, have minimal impact on the community.

### **December 17, 2020 Update**

Jay Kamm, Planner, Northern Maine Development Commission, and Fred Michaud, MaineDOT conducted a site visit of Limestone Street in Caribou to take a deeper dive into the potential negative impacts of closure and/removal of Fish Hatcher Bridge over Otter Brook.

The mixed-use development generates very little traffic and based on our observations of wheel marks on the snow-covered road, most of that traffic movement is south of the bridge with very little evidence of travel over and north of the bridge. Of the six or so businesses located on the street, only Hogan Tire located at the most southerly end of the street has walk-in retail customers. Other businesses include a roofing company, a lawn care company, and a scrap metal company. The former two appear to be conducting business via phone or other electronic means and the buildings are used mostly for equipment and product storage. The AIM scrap metal company receives all manner of metal waste gathered from around Aroostook County. It is collected at this location and is packed into trucks for outbound shipment to the southern part of Maine and beyond. With the exception of a small amount of metal waste from Limestone, the bulk of the scrap metal arriving at the yard would use the southern entrance to Limestone Street.

The Caribou Utility District is headquartered on Limestone Street. Again, from observation of tire tracks in the snow, nearly all the traffic to this site travels the southern portion of the street with minimal number of tracks turning northerly. The CUD prior to March, 2020, accepted payments from its customers at this location. With Covid the method of payment is electronic or by mail. No on-site payments are permitted. (I suspect that once Covid passes, the new methods and habits developed during this time will endure and that public traffic to the facility will not approach previous numbers.)

S.W. Cole maintains a small office at the southerly end of Limestone Street. The most likely approach to this building would be from the southerly end of the street. There seemed to be virtually no activity at the site, likely due to remote work.



The residential unit located on the street appear to use the southerly end of the street for access. This is completely understandable for several reasons. There is not a lot of work in Limestone and it is not a service center to Caribou. A few of the residents may travel north, using the bridge, but with the center of activity, i.e., Hannaford, municipal offices, retail shops on Sweden (Main) Street, and Bennett Drive, not to mention jobs in town and to the south in Presque Isle, it is highly likely that nearly all the traffic uses the southerly end of the street that provides direct access into an array of highways and roadways.

So, in looking this over, Jay and I discussed placement of turnarounds for school buses, public works vehicle, postal service, emergency services, and any number of other needs. There seems to be ample land to construct a L-shaped turn-around on an undeveloped parcel south side of the bridge. This could also be done on the north side of the bridge, however, the house that was previously located on the northeast end of the bridge has been removed and a new, four-bay garage constructed. It looks commercial or it could be personal storage for automobiles, boats, etc.

Removal of the bridge would be my recommendation and it could be achieved without having to acquire property except for the turnarounds. The parcels could be conveyed to the city.

The city is apparently looking at the Limestone Street area for redevelopment of a public open-space along the Aroostook River. The old railyard is abandoned and has all the characteristics that one would expect of something that looks abandoned. Should the city pursue the project, the likely preferred entrance will be from the south. The bridge would not come into play.

Attached is the current Real Estate information from the City listing property owners on Limestone Street. The first four property owners shown on Page 210 are located north of the bridge, all others to the south. Incidentally, these four have direct, immediate access to Route 89, which can be seen from the bridge.

Recommendation:

Initiate discussion with City to remove the bridge, unless of course the city wants to acquire it. Those discussions would include observed patterns of travel and alternatives for service vehicles to turn around. A few residents may be affected but I think that most of their travel is southerly and the inconvenience would be minimal and likely a wash depending upon their destination.

Question Number	Proxy Indicator	Proxy Descriptions	Narrative Scoring	Numeric Score	Total
Q1	Highway Corridor Priority	HCP 6	HCP 4 HCP 6	2 1	1
Q2	Traffic Patterns and Counts:	Average Daily Traffic Counts – 240 - 338 Last updated –	250+ 200-250 150-200 100-150 50-100 0-50	6 5 4 3 2 1	6
Q3	Residential Structure Count and Details:	18 <sup>±</sup>	20 > 15 to 20 10 to 15 5 to 10 0 to 5	5 4 3 2 1	4
Q4	Detour [Alternative Route] Impacts:	Detour Road Quality – Both truncated sections of Limestone Road connect to\ Access highway Detour Length – approximately 3.0 miles.	5-6 miles 4-5 miles 3-4 miles 2-3 miles 1-2 miles 0-1 miles	6 5 4 3 2 1	4
Q5	Emergency Service Route:	Service can be provided from either end. This is likely the current situation	No	0 5	0
Q6	School Bus Route:	School bus would have to provide service from two points if linear option eliminated.	Yes	0 5	5
Q7	Economic Impacts:	There are a couple businesses located on the road, but access to major highways is not serious impact.	No	0 5	0
Q8	Recreational Uses:	Other than fishing in Otter Brook, no impact to recreation	No	0 5	0
Q9	Agricultural Uses:	No agricultural production on Limestone Road	No	0 5	0
Q10	Historical/Cultural Uses:	Housing and other buildings are from modern era. No visible signs of important historical or cultural uses.	No	0 5	0

**WARRANT AND NOTICE OF ELECTION  
CALLING REGIONAL SCHOOL UNIT NO. 39  
BUDGET VALIDATION REFERENDUM  
(20-A M.R.S.A. §1486)**

TO: Timothy L. Doak, Superintendent of Schools of Regional School Unit No. 39 (the "Regional School Unit") composed of the City of Caribou and Town Stockholm, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within Regional School Unit No. 39, namely, the City of Caribou and the Town Stockholm an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers, who shall post the following warrant and notice of election:

**CITY OF CARIBOU  
REGIONAL SCHOOL UNIT BUDGET VALIDATION REFERENDUM  
WARRANT AND NOTICE OF ELECTION**

Aroostook ss.

State of Maine

TO: Danielle M. Brissette, Clerk of Caribou: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

**TO THE VOTERS OF THE CITY OF CARIBOU:**

You are hereby notified that a Regional School Unit No. 39 budget validation referendum election will be held at the Caribou Wellness Center, 55 Bennett Drive in the City of Caribou on **June 8, 2021** for the purpose of determining the following referendum articles:

Article 1:      Do you favor approving the Regional School Unit No. 39 budget for the upcoming school year that was adopted at the latest Regional School Unit budget meeting?

The voting on Article 1 shall be by secret ballot referendum. The polls will be opened at 8:00 a.m. and closed at 8:00 p.m.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May 5, 2021 at Caribou, Maine.

Betheny Anderson  
Betheny Anderson

Jan Tompkins  
Jan Tompkins

Tanya Sleeper

Ronald Willey  
Ronald Willey

Lindsey Theriault  
Lindsey Theriault

A majority of the Regional school Unit Board of Regional School Unit No. 39

A true copy of the Warrant and Notice of Election, attest:

Timothy L. Doak  
Timothy L. Doak  
Regional School Unit No. 39

Countersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2021 at Caribou, Maine.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A majority of the municipal officers of the City of Caribou

A true copy of the Warrant and Notice of Election,

Danielle M. Brissette  
Danielle M. Brissette  
Clerk  
City of Caribou

Ordinance Introduced by Councilor \_\_\_\_\_  
on \_\_\_\_\_, 2021

**Ordinance No. 08, 2021 Series**  
**City of Caribou**  
**County of Aroostook**  
**State of Maine**

**AN ORDINANCE TO AMEND THE CITY CHARTER BY CLARIFYING CITY  
ACTIONS REQUIRED TO CONDUCT REAL ESTATE TRANSACTIONS**

Short Title: Ordinance Requirement for Real Estate Transactions

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine, recognized as a body corporate and granted home rule authority under Maine Revised Statutes (M.R.S.), Title 30-A, §3001; and

**WHEREAS**, under M.R.S. Title 13-B, the city has power, as a body corporate, to engage in property transactions and contracts including, but not limited to buying, selling, leasing or otherwise encumbering real property; and

**WHEREAS**, the City Charter mandates all real estate transactions to be approved by the City Council in ordinance form after public notice, hearings, and multiple public meetings, which may require several months of procedure; and

**WHEREAS**, the city's ability expedite real estate transactions can limit or negatively impact those opportunities to improve the health, safety and welfare of the community; and

**WHEREAS**, The Council desires to maintain public transparency while enabling real estate transactions to occur in a more expeditious manner; and

**WHEREAS**, any ordinance seeking to amend the charter must be approved by a vote of the citizens at the next general election.

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, and Maine Revised Statutes, Title 30-A, §2104, presents for consideration of the voters, the following changes to the Charter.

**Section I. Amendments to Actions Requiring an Ordinance**

**Caribou City Charter Section 2.11 Actions Requiring an Ordinance** is amended as follows: (underlined text is added, stricken text is deleted)

In addition to other acts required by law or by specific provisions of this Charter to be done by ordinance, those acts of the City Council shall be by ordinance which:

- (1) Adopt or amend an administrative code or establish, alter, or abolish any City department, office or agency.
- (2) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed.

- (3) Levy taxes, except as otherwise provided in Article V with respect to the property tax levied by adoption of the budget.
- (4) Grant, renew or extend a franchise.
- (5) Regulate the rate charged for its services by a Municipal Public Utility.
- (6) An ordinance is required to borrow money except that a resolution is sufficient in the following circumstances: (a) to borrow money for a project authorized by a voter referendum; (b) for notes in anticipation of taxes; (c) in anticipation of municipal bond revenues which have already been approved.
- ~~(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.~~
- ~~(87)~~ Adopt with or without amendment ordinances proposed under the initiative power, and
- ~~(98)~~ Amend or repeal any ordinance previously adopted, except as otherwise provided in Article VIII with respect to repeal of ordinances reconsidered under the referendum power. Acts other than those referred to in the preceding sentence may be done either by ordinance or by resolution.
- ~~(109)~~ Changes in the personnel policy.

Ordinances are not required for the City Council to convey or lease lands. However, no real estate transaction, excepting those involving tax acquired properties, may be approved by the Council without first conducting a public hearing preceded by a seven [7] day public notice. Tax Acquired Property transactions shall be handled in accordance with the city's retention or disposition of tax acquired property ordinance.

## **Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

[Council signatures on next page]

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### **Section III. Posting and Effective Date**

This ordinance, being introduced on \_\_\_\_\_, 2021 and a public hearing being held on \_\_\_\_\_, 2021 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_ day of \_\_\_\_\_ 2021. This ordinance shall become effective 24 hours after affirming vote of the citizens during the November 2021 election.

\_\_\_\_\_  
Jody Smith, Mayor

\_\_\_\_\_  
Thomas Ayer, Deputy Mayor

\_\_\_\_\_  
Courtney Boma, Councilor

\_\_\_\_\_  
R. Mark Goughan, Councilor

\_\_\_\_\_  
Doug Morrell, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Louella Willey, Councilor

Attest:

\_\_\_\_\_  
Danielle Brissette, City Clerk

Ordinance Introduced by Councilor \_\_\_\_\_  
on \_\_\_\_\_, 2021

**Ordinance No. 09, 2021 Series**  
**City of Caribou**  
**County of Aroostook**  
**State of Maine**

**AN ORDINANCE PROVIDING ADMINISTRATIVE REVIEW OF RUBBISH HAULER  
LICENSES**

Short Title: Rubbish Hauler Licensing

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine and is granted home rule authority under Maine Revised Statutes, Title 30-A, §3001; and

**WHEREAS**, the City of Caribou adopted rubbish hauler licensing procedures as part of its ordinances and regulations; and

**WHEREAS**, the City Council desires to stream line license renewal processes.

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, does ordain the following:

**Section I. Code Amendment**

1. Section 6-202 of Chapter 6, Health and Sanitation is amended as follows: (stricken text is deleted, underlined text is added)

Section 6-202 License Necessary When Hauling For Hire

All persons hauling waste paper, ashes, or other refuse material for hire or pay in the City of Caribou shall secure a license from ~~the Municipal Officers~~ City Administration for the ability to haul said refuse for which they shall pay to the City Treasurer the sum of \$25.00 per truck used to haul said refuse. Said license holder shall make each vehicle, used to haul such refuse, available for inspection upon request to any police officer of the City of Caribou for adherence to State vehicle inspections laws as amended from time to time.

2. Article IV Commercial Rubbish Haulers, of Chapter 7, License and Permits is amended as follows: (stricken text is deleted, underlined text is added)

Any person engaged in the business of collection or disposal of garbage or rubbish in the compact area must apply for a license as provided in Chapter 6, Article III, Section 6-202.

**Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.



**Section III. Posting and Effective Date**

This ordinance, being introduced on May 3, 2021 and a public hearing being held on \_\_\_\_\_, 2021 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_ day of \_\_\_\_\_ 2021. This ordinance shall become effective 14 days after adoption by the Council.

\_\_\_\_\_  
Jody Smith, Mayor

\_\_\_\_\_  
Thomas Ayer, Deputy Mayor

\_\_\_\_\_  
Courtney Boma, Councilor

\_\_\_\_\_  
R. Mark Goughan, Councilor

\_\_\_\_\_  
Doug Morrell, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Louella Willey, Councilor

Attest:  
  
\_\_\_\_\_  
Danielle Brissette, City Clerk

Introduced by Councilor \_\_\_\_\_

On \_\_\_\_\_, \_\_\_\_ 2021

**ORDINANCE No. 10, 2021 Series**

**City of Caribou  
County of Aroostook  
State of Maine**

**An Ordinance Updating Administrative Elements of Title 13 Land Use Ordinance**

Short Title: An Ordinance Amending Title 13 Administration

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine and is granted home rule authority under Maine Revised Statutes, Title 30-A, §3001; and

**WHEREAS**, the City of Caribou has adopted Chapter 13, Land Use Ordinances as part of its ordinances and regulations, which outline land use laws and zoning regulations; and

**WHEREAS**, the Caribou City Planning Board was established to administer Title 13; and

**WHEREAS**, the Caribou City Planning Board determined that amendments to Title 13 were necessary to address regulatory policy changes resulting from litigation, legislation, current economic conditions, and interpretations of land use regulations; and

**WHEREAS**, the City Planning Board conducted multiple public meetings and hearings, the latest being conducted March 11, 2021, to receive comments on proposed changes to the regulations, which hearing was preceded by the notification to the general public in accordance with city notification procedures, and

**WHEREAS**, the City Planning Board has forwarded a positive recommendation to the City Council for the proposed Title 13 revisions.

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, does ordain the following:

**Section I. Title 13 Revisions**

Title 13 and its related exhibits are hereby amended as indicated in the attached Exhibit A.

**Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in

the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

**Section III. Posting and Effective Date**

This ordinance, being introduced on \_\_\_\_\_, 2021 and a public hearing being held on \_\_\_\_\_, 2021 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2021. This ordinance shall become effective 14 days after adoption by the Council.

\_\_\_\_\_  
Jody Smith, Mayor

\_\_\_\_\_  
Thomas Ayer, Deputy Mayor

\_\_\_\_\_  
Courtney Boma, Councilor

\_\_\_\_\_  
R. Mark Goughan, Councilor

\_\_\_\_\_  
Doug Morrell, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Lou Willey, Councilor

Attest: \_\_\_\_\_  
Danielle Brissette, City Clerk

**I. Section 13-100 Legal Status Provisions for the Zoning, Site Design Review, and Subdivision Ordinances is rewritten and adopted as follows:**

**Section 13-100 Legal Status Provisions for the Zoning, Site Design Review, and Subdivision Ordinances.**

1. **Title.** The Zoning Ordinance, Site Design Review Ordinance, and the Subdivision Ordinance collectively shall be known and may be cited as the "Land Use Ordinances of the City of Caribou" or (herein "these Ordinances").
2. **Purposes.** The purposes of these Ordinances are to:
  - A. To provide for the municipal review of development that could impact on the environment and the community,
  - B. Assure the comfort, convenience, health, safety, and general welfare of the residents of Caribou,
  - C. Encourage appropriate use of land throughout the City,
  - D. Promote traffic safety,
  - E. Prevent overcrowding of real estate,
  - F. Prevent development in unsuitable areas,
  - G. Provide an allotment of land area in new developments sufficient for all the requirements of community life,
  - H. Conserve and protect where necessary natural resources and City character,
  - I. Provide for adequate public services and facilities as an integral part of Caribou development,
  - J. Protect archaeological and historic resources, freshwater wetlands, fish spawning grounds, aquatic life, bird and other wildlife habitat, and buildings and lands from flooding and accelerated erosion,
  - K. Conserve shore cover, natural beauty, open space, and visual as well as actual points of access to inland waters,
  - L. Prevent and control water pollution,
  - M. Assure new development meets the goals and conforms to the policies of the Caribou Comprehensive Plan,
  - N. To provide local protection from those particular issues and nuisances which are not governed by State law or regulation,
  - O. To balance the rights of landowners to use their land with the corresponding right of abutting or neighboring landowners to live without undue disturbance from nuisances such as noise, smoke, dust, odor, glare, traffic, stormwater runoff, or the pollution of ground or surface waters,
  - P. To reduce the off-site problems associated with development, thereby decreasing the cost of maintaining or improving municipal services,
  - Q. Provide for an expeditious and efficient process for the review of proposed development; and
  - R. To clarify the criteria of the state Subdivision Law, Title 30-A, MRSA, Sections 4401-4407 et seq.
3. **Authority.** These Ordinances have been adopted in accordance with the provisions of Article VIII-A of the Maine Constitution; the provisions of MRSA Title 30-A, Sections 3001 (Home Rule) and 4401 et seq. (Subdivisions), and the State's Growth Management Law MRSA Title 30-A, §4312 et seq.; as may be amended.

4. **Repeal of Prior Ordinances.** All prior Zoning Ordinances, Site Design Review Criteria/Ordinances, and Subdivision Ordinances/Regulations, except for the Shoreland Zoning Ordinance of Caribou, are repealed as of the effective date.
5. **Effective Date.** These Ordinances shall take effect and be in force from the effective date pursuant to Section 2.12(d) of the Caribou City Charter.
6. **Conflict with Other Laws.** Ordinances shall be interpreted at face value. Whenever the requirements of these Ordinances are at difference with the requirements of any other lawfully adopted rule, regulation, ordinance, or resolution, the most recently adopted provision shall be utilized. If the regulations were adopted at the same time, then the more restrictive or that imposing the higher standards shall govern. If a question should arise as to the interpretation of a regulation, such shall be referred to the Planning Board for consideration who will then make a determination of intent and applicability but shall not waive or modify the regulation without completing processing outlined for amendments in paragraph 9 below.
7. **Severability.** Should any Section (§), subsection (§§), or provision of these Ordinances be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of these Ordinances as a whole or any part thereof other than the part so declared to be unconstitutional or invalid. The municipal officers of the city hereby declare that it would have passed this ordinance on each part, section, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more portions thereof be declared invalid.
8. **Availability.** A certified copy of these Ordinances shall be filed with the City Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost at the expense of the Person making the request. Notice of availability of these Ordinances shall be posted.
9. **Amendments**
  - A. **Initiation.** An amendment to these Ordinances may be initiated by the Planning Board, by majority vote of the Board; City Council through a request to the Planning Board; or an individual, through a request to the Planning Board.
  - B. **Procedure.** Any proposal for an amendment shall be made to the Planning Board in writing stating the specific changes requested. When a change in zoning boundaries is proposed, the application shall state the nature, extent, and location of the boundary change proposal, and shall be accompanied by a scale drawing showing the areas to be changed, with dimensions. When an amendment is proposed by other than the City Council or the Planning Board, a fee, as set by the City Council in the city's fee schedule, shall accompany the proposal to cover the costs of hearings and advertisements and staff processing time.
  - C. **Process for Adoption of Amendments.**
    1. Within thirty (30) days of receiving an amendment request, the Planning Board shall hold at least one public hearing on the proposed amendment. The first public hearing shall be

preceded by notice in accordance with Section 13-110.5 and include sufficient detail about the proposed changes as to give adequate notice of their content. If the proposed changes are extensive, a brief summary of the changes and an indication that a full text is available at the City Clerk's office shall be included in the notice.

2. After receiving public comment, the Board shall, within 60 days make a written recommendation regarding passage of the amendment to the City Council. Such recommendation shall include the original request and any Board recommended changes prior to any action on the amendment by the City Council.
  3. The City Council shall hold a public meeting on the proposed amendment and may conduct a public hearing if desired. Public Hearing notices shall be in accordance with paragraph 1 above.
  4. An amendment must be adopted by the Council by ordinance and shall be effective upon posting of the ordinance in three public places or as otherwise provided in the adoption language.
- D. Repetitive Petitions. No proposed change in these Ordinances which has been unfavorably acted upon by the City Council shall be considered on its merits again by the City Council within one (1) year after the date of such unfavorable action, unless adoption of the proposed change is recommended by unanimous vote of the Planning Board.

## **II. Section 13-110 Planning Board is created and shall read as follows:**

### **Section 13-110 Planning Board**

#### **1. Appointment.**

- A. Planning Board members shall be appointed by the City Council and sworn in by the City Clerk or other person authorized to administer oaths.
- B. The Board shall consist of seven (7) members. Neither a municipal officer nor his/her spouse may be a member of the Board.
- C. The term of each member shall be three (3) years, except the initial appointments which shall be: 2 for one year, 2 for two (2) years, 3 for three (3) years.
- D. When there is a permanent vacancy declared, the City Council may within sixty (60) days of its occurrence be required to appoint a person to serve for the unexpired term. A vacancy may be declared by the voting members of the Board upon the resignation or death of any member, or when a member ceases to be a voting resident of the City, or when a member fails to attend three (3) consecutive meetings, or fails to attend at least 75 percent of all meetings during the preceding twelve (12) month period. When a vacancy is declared, the Chair of the Board shall immediately so advise the Council in writing. The Board may recommend to the Council that the attendance provision be waived for cause, in which case no vacancy will then exist until the Council disapproves the recommendation.

- E. Any member can be removed by the City Council in accordance with the Caribou City Charter.
- F. Planning Board members are expected to be knowledgeable of laws, ordinances, regulations, and Board policies and to abide by them.

2. **Organization and Rules.**

- A. The voting members of the Board shall elect a Chair, and Deputy Chair, or other officers as needed, from among its members by a majority vote and create and fill such other offices as it may determine at the annual organizational meeting which shall be held on the first regular Planning Board meeting in January, and the election shall follow immediately thereafter. The term of all offices shall be (1) year(s) with eligibility for reelection.

- 1. The Chair shall preside at all meetings and hearings of the Planning Board. The Chair has the authority to appoint all committees, to call all work sessions and special meetings and to preside over executive sessions.
- 2. The Board shall keep a record of all documents and proceedings in accordance with Maine Public Records statutes.
- 3. The CEO or other designated city staff shall be responsible for posting agendas, distributing notices of meetings and hearings, managing correspondence with the Board, managing records and other duties as may be necessary for the Board to accomplish its duties in accordance with the city charter and state statutes.

- B. Quorum. No meeting of the Board shall be held without a quorum which shall consist of at least four (4) members. A quorum shall not include anyone who cannot participate due to a conflict of interest. "Conflict of interest" means direct or indirect pecuniary interest, which shall include primary benefit to any member of the person's immediate family, his/her employer, or the employer of any member of the person's immediate family. It also shall include a situation where the Board member, by reason of his/her interest, is placed in a situation of temptation to serve his/her own personal interest, instead of the public's interest. In the event a quorum is not present at a meeting, the present Board members are authorized to request that the Chair reschedule the meeting to another date and adjourn the meeting.

- C. Votes. All decisions and recommendations of the Board must receive at least four consenting votes amongst the voting Board members. Board members must be physically present in the meetings to vote. Any question of whether a member shall be disqualified from voting on a particular matter due to a conflict of interest shall be decided by a majority vote of the members, except the member who is being challenged.

- 3. **Duties and Powers.** The Board shall perform such duties and exercise such powers as are provided by ordinance/regulations and charter and the laws of the State of Maine, to include:
  - The responsibility for the directing and overseeing the activity of the comprehensive planning program,
  - Reviewing subdivision proposals for consistency with the municipal plan,
  - Facilitating the interpretation of land use ordinances,

- Administering and issuing permits pursuant to land use ordinances,
- Projecting a course, through community planning, for the City's future,
- Undertaking duties to conduct community planning activity,
- Conducting a municipal planning program,
- Seeing that all Planning Board members have an obligation to act reasonably and promptly,
- Facilitating and obtaining public participation, awareness, and involvement in the community plan and development review processes.

#### 4. **Meeting Organization.**

##### A. Regular Meetings.

1. Regular meetings of the Planning Board will be scheduled during the Annual Meeting. The Board shall hold at least one regular meeting of the Board each month. The meeting shall be at the Caribou Municipal Building or other suitable meeting place. If there is no business scheduled at least seven (7) calendar days before the meeting the Chair, in consultation with the CEO, may cancel the meeting.
2. All meetings shall be open to the public except as provided for executive sessions under Maine Revised Statutes.
3. All comments addressed to the Board shall be made through the Chair.
4. All decisions must be based on whether the applicant has provided sufficient evidence to prove that the application complies with all applicable law and ordinance requirements or will comply with established development review procedures.
5. All meetings shall be conducted in accordance with Robert's Rules of Order or as provided in this ordinance or procedural bylaws as may be adopted by the Board.

B. Special Meetings. The Chair may schedule special meetings on 24-hour notice to the Planning Board members, City Manager, CEO, and the media. All regular meeting rules shall apply.

##### C. Agendas.

1. Meeting agendas shall follow the following format:
  - a. Call to order and determine the presence of a quorum.
  - b. Public Forum
  - c. Minutes of the previous meeting and correspondence.
  - d. Public Hearing (if any is scheduled)
  - e. Old business.
  - f. New business.
  - g. Other.
  - h. Adjournment.



2. Agendas shall be posted in the City Office and delivered to the Board members at least seven (7) days before the meeting.
3. Complete permit applications received at the City Office Planning and Code Enforcement department at least ten (10) days prior to the next scheduled Board meeting shall be placed on the agenda, and the applicant shall be notified of the date and time. The CEO shall determine whether the application is complete before placing the application on the agenda.

**D. Work Sessions.**

1. The Chair may, with the approval of the majority of the Board, call work sessions for the purpose of updating the Comprehensive Plan, Subdivision Ordinance, Zoning Ordinances, Planning Board by-laws, and other information work items relating to the Board's Activities, providing that the public is notified. A quorum shall be present to conduct any business.
2. Work sessions are open to the public. The general public shall be barred from addressing the Board, unless a majority of the Board permits the public to speak.
3. No final action on an application may be taken during a work session.

- E. Executive Sessions. Upon the vote of at least 3/5 of the Board members, present and voting, the Board may call for an Executive Session in accordance with Maine Revised Statutes.

**5. Hearings.**

- A. The Board, by majority vote at a regular or special meeting, may schedule a Public Hearing on an application within the time limits established by state law or local ordinance.
- B. City staff shall provide notice of any public hearing.
  1. Notices shall include the date, time, and place of such hearing, the location of the proposed building or lot, and the general nature of the development or use request.
  2. Notices shall be given to the Person submitting the application, the City Council, and the owners of lands abutting the subject property.
  3. Notices shall be posted in three (3) prominent locations throughout the City and on the city's website at least seven (7) days prior to the hearing.
- C. The Board may omit from consideration any irrelevant, immaterial, or unduly repetitious evidence presented during a hearing.
- D. Order of Business at a Public Hearing.

1. The Chair invites any interested parties to sign a potential speaker roster prior to starting the hearing.
2. The Chair calls the hearing to order and then describes or has the CEO describe the purpose of the hearing, the nature of the case, and the general procedures to be followed.
3. The Board decides whether the applicant has sufficient right, title, or interest to appear before the Board.
4. The Board determines whether it has jurisdiction over the application.
5. The Board determines which individuals attending the hearing are interested parties and who have signed in to speak. Parties may be required by the Board to consolidate or join their appearances in part or in whole if their interests or contentions are substantially similar and such consolidation would expedite the hearing. Interested parties are required to state for the record their name, residence, business or professional affiliation, the nature of their interest in the hearing, and whether or not they represent another individual, firm, association, organization, partnership, trust, company, corporation, state agency, or other legal entity for the purpose of the hearing.
6. The Chair gives a statement of the case and incorporates into the record correspondences and reports filed with the Board prior to the hearing. This material shall be available for public inspection at the beginning of the meeting.
7. The applicant is given the opportunity to present his/her case without interruption.
8. The Board may ask questions of the applicant through the Chair.
9. Interested parties are given the opportunity to present their testimony and pose additional questions for the Board to consider, starting with proponents and followed by opponents. The Board may call its own witnesses or consultants, including the CEO, industry or technical experts, or other individuals who may contribute additional insight into any aspect of the application.
10. The Chair may allow the applicant to ask questions of the interested parties and Board witnesses directly.
11. The Chair shall give all parties the opportunity to refute or rebut statements made throughout the hearing.
12. The Board shall receive comments and questions from all observers and interested citizens who wish to express their views.
13. The hearing is closed after all parties have been heard and provided the opportunity to refute or rebut statements of interest. If additional time is needed, the hearing may be continued to a later date. If continued, all interested parties shall be notified of the date, time, and place of the continued hearing, and the reasons for the continuance.
14. The Chair may permit persons participating in any hearing pursuant to these by-laws to file written statements with the Board for inclusion in the record after the conclusion of the hearing. Such written statements shall be submitted to the CEO within five business days of the close of the hearing.
15. The Board and its consultants have the right to prepare findings and conclusions at the conclusion of any public meeting, prior to the decision being finalized.

**6. Decisions.**

- A. Decisions by the Board shall be made within the time limits established by state law and local ordinances and regulations.

- B. The final decision on any matter before the Board shall be issued as a written order signed by the Chair. The transcript of testimony, if any, and exhibits, together with all papers and requests filed in the proceedings, and signed minutes of the meetings/hearing shall constitute the record. All decisions shall become a part of the record and shall include a specific statement of findings and conclusions as well as the reasons or basis therefore, upon all the material issues of fact, law, or discretion presented and the appropriate order, relief or denial therefore. At a minimum, the record should state specifically that the applicant has/has not met all applicable state statutory requirements, all applicable City ordinances and regulations, and those legal documents shall be referenced specifically.
  - C. The Board, in reaching a decision, shall be guided by standards specified in the applicable statute, ordinance, or regulation as well as by community goals and policies outlined in the City's Comprehensive Plan, and by the findings of the Board in each case.
  - D. Notice of any decision, including the findings and conclusions/minutes, shall be sent by mail or hand delivered to the applicant and/or the applicant's representative or agent within fourteen (14) days of being rendered.
  - E. Decisions of the Board shall be filed immediately in the office of the City Clerk and entered into the public record. The date of filing of each decision shall be entered in the official records and minutes of the Board.
7. **Appeals.** Appeal of a decision of the Planning Board shall be heard by the Board of Appeals as indicated in Section 13-140.

### **III. Section 13-120 Administration and Enforcement is created and shall read as follows:**

#### **Section 13-120 Administration and Enforcement**

- 1. **Enforcement Authority.** The Code Enforcement Department or its designees shall administer and enforce these Ordinances. References hereafter to CEO shall include the designated Code Enforcement Officer(s) and any other duly authorized persons acting in official capacity as an enforcer of these codes.
- 2. **Duties of Code Enforcement Department.** The Code Enforcement Department or its designees shall investigate or cause to be investigated any purported violation of these Ordinances; inspect or cause to be inspected all buildings and structures in the course of construction, modification or repair, and to inspect land uses to determine compliance with these Ordinances; and take any action necessary to enforce compliance with these Ordinances.
- 3. **Power of Code Enforcement Department.** To enforce these Ordinances, the Code Enforcement Department or its designees shall have the power to:
  - A. Enter upon any property or premises to ascertain whether this title is being obeyed, if exigent circumstances or probable cause exists including but not limited to conducting inspections, investigating complaints and make reasonably necessary examinations and surveys, including, but not limited to, taking photographs, samples, or other physical evidence,

- B. Obtain a search warrant if the owner, tenant, or occupant refuses to allow entry,
  - C. Refer a violation to the police department or other city agent or employee duly authorized by the city administrator to issue citations relative to other life, safety, or health codes,
  - D. Stop Work,
  - E. Withhold from or deny to the original applicant or current owner of a property any desired land use permits, certificates, or other forms of authorization if a violation of these Ordinances exists on the property. Such withholding is permissible regardless of who is responsible for the violation on the property,
  - F. Issue a permit, certificate, or other form of authorization to an original applicant or current owner, regardless of who is responsible for an existing violation of these ordinances, subject to correction of the violation,
  - G. Commence administrative enforcement, civil or criminal actions, including but not limited to issuing notices of violation or institute any and all actions and proceedings, either legal or equitable, that may be appropriate or necessary to enforce the provisions of these Ordinances in the name of the City of Caribou. The city has sole discretion to decide whether to commence an administrative enforcement, civil or criminal case,
  - H. Seek enforcement without prior notice if delay in enforcement would seriously threaten the effective enforcement of this title or pose imminent danger to the public health, safety, or welfare,
  - J. Maintain a current file of all pertinent local statutes, ordinances, regulations, codes, and plans relating to land-use regulation,
  - K. Keep a complete record of all essential transactions of the office, including applications submitted, permits granted or denied, variances granted or denied, revocation actions, revocation of permits, appeals, court actions, violations investigated, violations found, and fees collected,
  - L. Issue notices, conduct hearings and seek recovery of expenses on behalf of the city in the matter of Dangerous Buildings as provided in MRSA §2851-2859.
4. **Land Use and Building Permits.**
- A. No building or structure shall be erected, altered, enlarged, or moved until applicable permits have been issued by the CEO.
  - B. All applications for permits shall be in accordance with city provided application forms. Applications shall not be reviewed unless accompanied by payment of applicable processing fees as may be established from time to time by the City Council.

- C. The CEO shall issue the permit only if they find, after proper examination of the application, that the application is complete and the building or structure and its intended use will comply with the provisions of these Ordinances and with all other applicable federal, state, and local rules, laws, regulations, and ordinances.
- D. The CEO shall act upon all applications for a land use permit, building permit or certificate of occupancy within fifteen (15) days after receipt of an application. Notice of refusal to issue the land use permit or certificate of occupancy shall be given to the applicant or their authorized agent in writing within fifteen (15) days of such application stating the reason for refusal. Failure of the CEO to issue a permit or provide written notice of their decision regarding a permit application within thirty (30) days of the date of filing of the application shall constitute refusal of the permit.
- E. Permits shall expire twelve months after issuance if no progress is made on the permitted activity. Permits may be re-issued one time for no additional fee if the request remains the same and there have been no changes to applicable codes. All intended construction and land use as stated in the original permit shall begin within the term of the permit issuance date. Failure to make progress toward a permitted use or intended construction activity within any six-month period may be considered as abandonment of the project and result in revocation of the permit. A permit revocation may also require the permit holder to demolish any improvements if deemed by the CEO to pose a potential threat to public health or safety.
- F. The CEO may revoke a permit after proper notification if it was issued in error or if based on erroneous information.

**5. Certificate of Occupancy.**

- A. No land use shall be changed in use, nor building or structure hereafter completed until a Certificate of Occupancy has been issued by the CEO, stating that the proposed use complies with applicable provisions of these Ordinances and with all other applicable local rules, laws, regulations, and ordinances. Any Person who leases or occupies a building in the City without having a valid Certificate of Occupancy issued by the CEO shall be in violation of these Ordinances and is subject to its penalties.
- B. A Certificate of Occupancy shall be required for the following:
  - 1. The increase in the number of dwelling units in a building.
  - 2. The establishment of any home occupation.
  - 3. A change in a non-conforming use of land or building.
  - 4. The occupancy and use or change of use of vacant land except for agricultural operations.
  - 5. A change in use of an existing building, whether or not alteration is involved.
  - 6. Any construction activity required to have a building permit under MUBEC.
- C. Prior to the issuance of the Certificate of Occupancy, the CEO shall check and determine that all requirements under the applicable provisions of these Ordinances and with all other applicable federal, state, and local rules, laws, regulations, and ordinances have been met.

**6. Inspections.**

- A. The CEO shall conduct regular on-site inspections during construction of a permitted project to ensure compliance with all applicable laws and conditions attached to permit approvals.
- B. At least 24 hours prior to commencing construction of improvements, the applicant shall notify the CEO in writing of the time when the developer proposes to commence construction of such improvements requiring CEO inspection.
- C. If the CEO finds upon inspection of the improvements that any of the required improvements have not been constructed in accordance with the plans and specifications filed by the applicant, the CEO may impose a Stop Work Order for the project and shall provide written notice to the applicant and developer immediately. Work shall recommence only after any Stop Work Order has been lifted. The CEO shall take any steps necessary to preserve the City's rights.
- D. If at any time before or during the construction of the required improvements it appears to be necessary or desirable to the city to modify the improvements, the CEO is authorized to approve minor modifications due to unforeseen circumstances. The CEO shall issue any approval under these Ordinances in writing and shall transmit a copy of the approval amendments to the Planning Board if they were the final approving body for the development. Revised plans shall be filed with the CEO. Major modifications, such as affect property dimensions, density, or increased intensity of use on the site, etc., which would require Planning Board authorization can only be authorized by the Planning Board.

**7. Notice of Violations.**

- A. If the CEO shall find that any provision of these Ordinances is being violated, the CEO shall notify the property owner and the Person responsible for such violations in writing indicating the nature of the violations and ordering the action necessary to correct it and the reasonable timeframe in which the correction must take place. Corrections may include the removal of illegal buildings, structures, additions, materials, or work being done, or any other action authorized by these Ordinances to ensure compliance with, or to prevent violation of, their provisions.
- B. The CEO shall maintain any notices of violation as part of the permanent record for the property.
- C. The failure of the CEO to follow the notice procedure set forth within this subsection shall not prevent the City Council from taking any legal action to enforce these Ordinances and to pursue all available legal remedies, including without limitation, injunctive relief, fines, and attorney fees.

**8. Violations.**

- A. The following shall be considered violations of these Ordinances and shall apply to all developments and properties within the City.

1. Conveying, offering, or agreeing to convey any land in a development which has not been approved by the Planning Board or CEO, whichever is applicable.
  2. Grading or construction of roads, grading of lands or lots, construction of buildings, or any utility infrastructure without valid and current local permits as required under these Ordinances. This shall include work by any public utility, water district or sanitary district but not those activities conducted as general maintenance on existing roads, rights-of-way, or properties.
  3. Use or occupancy of land in a manner inconsistent or in violation of these Ordinances, excepting those uses or occupancy which are legal nonconforming.
- B. The City Council, or their authorized agent, may take any steps necessary to preserve the City's rights, such as, but not limited to, entering into an administrative consent agreement for the purpose of eliminating violations of these Ordinances and recovering fines without Court action. Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use shall result in a threat or hazard to public health and safety or shall result in substantial environmental damage.
8. **Penalties.** Any person, firm, or corporation being the owner, authorized agent, contractor, or having control or use of any structure or premises who violates any of the provisions of these Ordinances shall, after proper notice and reasonable cure period, be guilty of a Class E misdemeanor and upon conviction thereof shall be punished by a fine as stipulated in the Maine State Code, by imprisonment as stipulated in the Maine State Code, or by both such fine and imprisonment. Each day such a violation is permitted to exist after the reasonable cure period shall constitute a separate offense. Fines shall be payable to the "City of Caribou".

#### **IV. Section 13-130 Board of Appeals is created and shall read as follows:**

##### **Section 13-130 Board of Appeals**

1. **Establishment and Administration.** The Board of Appeals is hereby established in accordance with Title 30-A Section 2691. The word "Board," when used in this Section, shall be construed to mean the Board of Appeals. The Board use shall consist of five (5) members of qualified persons with legal, certifications in zoning, or other applicable qualifications to hear administrative appeals. Appointment to the Board shall be by the City Council for an indefinite period of time providing the qualification of appointment remains. Board members may be removed by the City Council in accordance with the Caribou City Charter. The members of the Board shall receive a fee of \$25 per meeting or appeals plus mileage as set annually by the City Council for their services while under appointment. Absence of a member from three (3) consecutive meetings without written explanation shall be construed to be a resignation from the Board and shall require filling of the vacancy by action by the City Council. A vacancy shall be filled for the

unexpired term only. Neither a municipal officer nor his/her spouse may be a member of the Board.

**2. Authorities and Power of the Board of Appeals.** The Board of Appeals shall have the following powers:

**A. Administrative Appeals:**

1. To hear and decide administrative appeals, on an appellate basis, where it is alleged by an aggrieved party that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Planning Board in the administration of this Ordinance; and
2. to hear and decide administrative appeals on a de novo basis where it is alleged by an aggrieved party that there is an error in any order, requirement, decision or determination made by, or failure to act by, the Code Enforcement Officer in his or her review of and action on a permit application under this Ordinance. Any order, requirement, decision, or determination made, or failure to act, in the enforcement of this ordinance is not appealable to the Board of Appeals.

**B. Variances:** To authorize variances upon appeal, within the limitations set forth in this Ordinance. This does not include any application fees set by the City Council or regulations imposed by other governmental agencies nor building codes.

**3. Meetings**

- A.** The regular meeting of the Board shall be held as necessary.
- B.** Special meetings of the Board may be called by the Caribou Code Enforcement Officer or City Manager. At least forty-eight (48) hours written notice of the time, place and business of the meeting shall be given each member of the Board, the Planning Board, City Manager, and the Code Enforcement Officer.
- C.** The order of business at regular meetings of the Board shall be as follows: (a) roll call; (b) reading and approval of the minutes of the preceding meeting; (c) action on held cases; (d) public hearing (when scheduled); (e) other business; (f) adjournment.
- D.** All meetings of the Board shall be open to the public, except executive sessions. No votes may be taken by the Board except in public meeting. The Board shall not hold executive sessions except as permitted by the Freedom of Information Act.
- E.** All meetings will be conducted in accordance with this ordinance and Robert's Rule of Order, or other bylaws as may be adopted by the Board of Appeals.
- F.** No hearing or meeting of the Board shall be held, nor any action taken, in the absence of a quorum; however, those members present shall be entitled to request the chairperson to call a



special meeting for a subsequent date. A quorum shall consist of three (3) members of the Board

**V. Section 13-140 Appeals and Variances is created and shall read as follows:**

**1. Making an Appeal**

- A. An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party from any decision of the Code Enforcement Officer or the Planning Board, except for enforcement-related matters. Such an appeal shall be taken within thirty (30) days of the date of the official, written decision appealed from, and not otherwise, except that the Board, upon a showing of good cause, may waive the thirty (30) day requirement.
- B. Applications for appeals shall be made by filing with the Board of Appeals a written notice of appeal which includes:
  - 1. A concise written statement indicating what relief is requested and why the appeal or variance should be granted.
  - 2. A sketch drawn to scale showing lot lines, location of existing buildings and structures and other physical features of the lot pertinent to the relief sought.
- C. Upon receiving an application for an administrative appeal or a variance, the Code Enforcement Officer or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the papers constituting the record of the decision appealed from. Each appeal shall be accompanied by a review fee as set in the city fee schedule adopted by the City Council. If the actual cost of advertising and notification exceeds the fee paid, the applicant shall pay the balance.
- D. The Board of Appeals shall hold a public hearing on an administrative appeal or a request for a variance within thirty-five (35) days of its receipt of a complete written application unless this time period is extended by the parties.

**2. Procedure on Appeal**

- A. At least fourteen (14) days prior to the date of the hearing on such appeal, the Board of Appeals shall cause to be posted in three (3) prominent locations in the City a notice which includes:
  - 1. The name of the Person appealing.
  - 2. A brief description of the property involved.
  - 3. A brief description of the decision appealed from, or the nature of the appeal.
  - 4. The time and place of the Board of Appeal's hearing.
- B. At least ten (10) days prior to the date set for hearing, the Board of Appeals shall also cause the CEO or designee to give similar written notice to:

1. All abutting property owners of record whose properties lie within 200 feet of the affected property.
  2. The Person making the appeal, and
  3. The Planning Board, the CEO, and any other parties of record.
- C. Upon notification of the granting of an appeal by the Board of Appeals, the Planning Board or CEO shall immediately issue a permit in accordance with the conditions of the approval, unless the applicant's proposal requires additional review.
- D. Appeals may be taken within forty-five (45) days from any decision of the Board of Appeals to the Superior Court.
- E. A second appeal of a similar nature shall not be heard by the Board of Appeals within one year from the date of denial of the first appeal. However, re-appeal may be made to the Board if substantial new evidence shall be found or an error or mistake in law or misunderstanding of fact shall have been found.
- 3. Stay of Proceedings.** An appeal stays all legal proceedings related to the action appealed from unless the CEO or Planning Board, from whom the appeal is taken, certifies to the Board of Appeals, after the notice of appeal has been filed with the CEO or Board of Appeals, that by reason of facts stated in the certificate a stay would, in the CEO's or Board of Appeal's opinion, cause irreparable harm to property or create a threat to the life or health of any Person including the appellant. In such case, the CEO or Board of Appeals, if legally authorized by State law or local ordinance, may seek injunctive relief or, in appropriate cases, refer the matter to the City Council for prosecution.
- 4. Hearing Proceedings**
- A. The Board of Appeals may receive any oral or documentary evidence but shall provide as a matter of policy for the exclusion of irrelevant, immaterial, or unduly repetitious evidence. Every party shall have the right to present their case or defense by oral or documentary evidence to submit rebuttal evidence and to conduct such cross-examinations as may be required for a full and true disclosure of the facts.
- B. The appellant's case shall be heard first. To maintain orderly procedure, each side shall proceed without interruption. Questions may be asked through the Chair. All persons at the hearing shall abide by the order of the Chair.
- C. At any hearing, a party may be represented by agent or attorney. Hearings shall not be continued to other times except for good cause. For example, if the Board of Appeals determines that the appeal before it was inappropriately classified the Board of Appeals shall give the applicant the opportunity to amend the application and continue the hearing until the public has been properly notified of the appeal's reclassification and of the time and place when the hearing shall continue.

- D. The CEO, or their designee, shall attend all hearings and may present to the Board of Appeals all plans, photographs, or other material deemed appropriate for an understanding of the appeal.
- E. The transcript of testimony, if any, and exhibits, together with all papers and requests filed in the proceedings, shall constitute the record.
- F. The record may be kept open after the hearing by order of the Chair until a date established by the order.

**5. Standard of Review.**

- A. Review of a decision of the CEO. The Board of Appeals shall hold a “de novo” hearing. At this time the Board may receive and consider new evidence and testimony, be it oral or written. When acting in a “de novo” capacity the Board of Appeals shall hear and decide the matter afresh, undertaking its own independent analysis of evidence and the law, and reaching its own decision. The Person filing the appeal shall have the burden of proof.
- B. Review of a decision of the Planning Board. The Board of Appeals shall hold an appellate hearing and may reverse the decision of the Planning Board only upon finding that the decision was contrary to specific provisions of the Ordinance or contrary to the facts presented to the Planning Board. The Board of Appeals may only review the record of the proceedings before the Planning Board. The Board Appeals shall not receive or consider any evidence which was not presented to the Planning Board, but the Board of Appeals may receive and consider written or oral arguments. If the Board of Appeals determines that the record of the Planning Board proceedings is inadequate, the Board of Appeals may remand the matter to the Planning Board for additional fact finding. The Person filing the appeal shall have the burden of proof.

**6. Decisions by Board of Appeals**

- A. Voting. All matters shall be decided by a show of hands vote. Decisions on any matter before the Board shall require the affirmative vote of a majority of those members present and voting, by in no case less than three (3) affirming votes. A vote or by a lesser number than the required majority shall be considered a rejection of the application under consideration. If a member has a conflict of interest, that member shall not be counted by the Board in establishing the quorum for the matter in which he or she has a conflict. Conflicts of interest shall be handled the same as with the Planning Board under Title 13-110.2.
- B. The concurring vote of a majority of the members of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Planning Board or CEO, or to decide in favor of the applicant on any matter on which it is required to pass under these Ordinances, or to affect any variation in the application of these Ordinances.
- C. The Board of Appeals shall decide all appeals in an open session within thirty (30) days after the hearing and shall issue a written decision on all appeals. The written decision shall become a part of the record and shall include a statement of findings and conclusions as well

- as the reasons or basis therefore, upon all the material issues of fact, law or discretion presented, and the appropriate order, relief, or denial thereof. Any decision shall be mailed, or hand delivered to the petitioner, their representative or agent, the Planning Board, the CEO, and City Council within seven (7) days of the decision date.
- D. The right to relief from the terms of these Ordinances granted by vote of the Board of Appeals in a specific case shall expire if the work or change is not commenced within six (6) months thereafter and if the work or change is not substantially completed within one year.
  - E. The Board of Appeals may impose such conditions and safeguards regarding location, character, fencing, screening, landscaping, or other features as it may deem advisable in furthering the intent and purpose of these Ordinances.
  - F. The Board of Appeals, with the advice and assistance of the Planning Board and CEO, shall maintain a current map indicating by means of appropriate symbols, colors, or other notations the locations in which it has taken approving actions.
- 7. Reconsideration.** In accordance with 30-A M.R.S.A. section 2691(3)(F), the Board of Appeals may reconsider any decision within thirty (30) days of its prior decision. A vote to reconsider and the action taken on that reconsideration must occur and be completed within forty-five (45) days of the date of the vote on the original decision. Reconsideration of a decision shall require a positive vote of the majority of the Board members originally voting on the decision, and proper notification to the landowner, petitioner, planning board, code enforcement officer, and other parties of interest, including abutters and those who testified at the original hearing(s).
- A. The Board may reconsider any decision. A request to the Board to reconsider a decision must be filed within ten (10) days of the decision that is being reconsidered. The Board must decide to reconsider any decision, notify all interested parties, and make any change in its original decision within 30 days of its prior decision. The Board may conduct additional hearings and receive and review additional evidence and testimony. Reconsideration should be for one of the following reasons:
    - 1. The record contains significant factual errors due to fraud or mistake regarding facts upon which the decision was based; or
    - 2. The Board misinterpreted the ordinance, followed improper procedures, or acted beyond its jurisdiction.
  - B. Appeal of a reconsidered decision to Superior Court must be made within fifteen (15) days after the decision on reconsideration.
- 8. Variances.** The Board of Appeals shall have the power to hear and decide upon appeal a variation from the requirements of the Zoning Ordinance not in contradiction to the public interest in respect to a parcel of land or to an existing building thereon, where a literal enforcement of the Ordinance would result in undue hardship.

Variances may be permitted only under the following conditions:

- A. Variances are obtainable for height, minimum lot size, frontage, structure size, setbacks, and open space requirements.
- B. Variances shall not be granted for uses otherwise forbidden ("NO") in a District indicated on the Caribou zoning Land Use Chart.
- C. The Board must find that all criteria for an undue hardship are met. Undue hardship shall have the same meaning as defined in M.R.S.A Title 30-A, Section 4353, Zoning adjustments.
- D. A disability variance may be granted by the Board of Appeals to a property owner for the purpose of making that property accessible to a person with a disability who is living on the property. The Board shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the property with the disability. The Board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives on the property. For the purposes of this subsection, a disability shall have the same meaning as a physical or mental handicap under Title 5 MRSA §4553.
- E. The Board of Appeals shall limit any variances granted as strictly as possible in order to preserve the terms, conditions and safeguards of the Ordinance as much as possible, and it may impose such conditions to a variance as it deems necessary, to this end.
- F. For variances within Shoreland Zoning areas
  - 1. A copy of each variance request, including the application and all supporting information supplied by the applicant, shall be forwarded by the municipal officials to the Commissioner of the Department of Environmental Protection at least twenty (20) days prior to action by the Board of Appeals. Any comments received from the Commissioner prior to the action by the Board of Appeals shall be made part of the record and shall be taken into consideration by the Board of Appeals.
  - 2. A copy of all variances granted in Shoreland Areas by the Board of Appeals shall be submitted to the Department of Environmental Protection within fourteen (14) days of the Board's decision.
- G. If the Board of Appeals grants a variance under this subsection, a certificate indicating the name of the current property owner, identifying the property by reference to the last recorded deed in its chain of title and indicating the fact that a variance, including any conditions on the variance, has been granted and the date of granting, shall be prepared in a recordable form by the Board of Appeals. This certificate must be recorded in the Aroostook County Registry of Deeds, Southern Office by the applicant within ninety (90) days of the date of the final written approval of the variance or the variance is void. The variance is not valid until recorded as provided in this subsection. For the purpose of this subsection, the date of the final written approval shall be the date stated on the written approval.

- H. The Board of Appeals shall notify the Chair of the City Council and the Planning Board in writing of any variance granted under the provisions of the Ordinance.

**VI. The following Sections are repealed in their entirety:**

- Section 13-800 Administration and Enforcement
- Section 13-810 Appeals
- Section 13-820 Planning Board
- Section 13-830 Board of Appeals
- Section 13-831 Board of Appeals Bylaws Provisions
- Section 13-840 Schedule of Fees, Charges, and Expenses
- Section 13-850 Amendments

**VII. Section 13-900 Definitions is amended to read as follows:**

**Section 13-900 Definitions**

1. **Construction of Language.** The following definitions shall apply to the Zoning Ordinance and the Subdivision Ordinance of the City of Caribou. In the interpretation and enforcement of these Ordinances, all words other than those specifically defined in the Ordinance shall have the meaning implied by their context in the Ordinance, their ordinarily accepted meaning, or as defined herein. In the case of any difference of meaning or implication between the text of the Ordinance, illustration, or table, the text shall control.
  - A. The word "person" includes firm, association, organization, partnership, trust, company, or corporation, as well as an individual or any other legal entity and their designated agents.
  - B. The present tense includes the future tense, the singular number includes the plural, and the plural numbers includes the singular.
  - C. The words "used" or "occupied", as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied."
  - D. The word "CEO" shall mean Code Enforcement Officer.
  - E. The term "Zoning Ordinance" shall mean the Zoning Ordinance of the City of Caribou.
  - F. The term "Subdivision Ordinance" shall mean the Subdivision Ordinance of the City of Caribou
2. **Terms.** The following terms, as defined, shall apply as such throughout the Zoning and Subdivision Ordinances of the City.

Abandoned: The stopping of an activity, use, or business, or actions taken by an owner or representative that removes the major portion of materials, goods, equipment, facilities, or parts thereof necessary for the operation of the activity, use, or business. Also includes the abandonment and/or change to a less intensive use of the property/structure.

Abattoir: A facility for slaughtering and processing animals and refining their byproducts.

Abutter: Any Person, such as a property owner, lessee, or tenant, whose property adjoins or is directly across the road, street, right-of-way, stream, or waterway from the lot under consideration. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" includes any Person who is able to demonstrate that his/her land will be directly affected by the

proposal under consideration, or a party who the Planning Board determines would be impacted by the proposal.

Accessory Structure: A structure that is customarily and in fact both incidental and subordinate to the Principal Structure. The term "incidental" in reference to the Principal Structure means subordinate and minor in significance to the Principal Structure. Accessory Structures do not include buildings used as part of an agricultural operation on a Farm. A deck or similar extension of the Principal Structure or a garage attached to the Principal Structure by a roof, or a common wall is considered part of the Principal Structure and not an Accessory Structure. Also, a Fence is not an Accessory Structure.

Accessory Use: See Use, Accessory

Affordable Housing: (1) Housing that is provided for a monthly rent of not more than 30 percent of the total monthly household income of a low-income household (defined to be a household earning less than 80 percent of the median annual income adjusted for household size, as determined by the United States Department of Housing and Urban Development); or (2) housing that is purchased with monthly payments (principal, interest, taxes, insurance, homeowners association fees, and assessments) that do not add up to more than 30 percent of the total monthly household income of a low-income household (defined to be a household earning less than 80 percent of the median annual income, adjusted for household size, as determined by the United States Department of Housing and Urban Development)

Agent: Any Person having written authorization to act on behalf of a Person.

Aggrieved Party: Any Person whose property is directly or indirectly affected by the granting or denial of a land use permit or variance under these Ordinances, or other Person or group of Persons who have suffered particularized injury as a result of the granting or denial of a land use permit or variance under these Ordinances.

Agriculture: The production, keeping, or maintenance for sale or lease, of plants and/or animals, including but not limited to forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green house products. Agriculture also includes animal husbandry, aquaculture, and the processing of goods carried out pursuant to a home food manufacturing license from the Maine Department of Agriculture, but does not include forest management, timber harvesting, or marijuana related activities. Accessory Uses to the Principal Agricultural Use of the lot or structures generally include the sale of produce and products actually grown, raised or processed on the premises; or fresh produce purchased off-site to supplement sales during the growing season, and agriculturally related products, provided that such produce and products do not occupy more than 25 percent of the space devoted to retail sales.

For the purpose of this definition, "agriculture-related products" means items produced under a home food manufacturing license from the Maine Department of Agriculture, including but not limited to jams and jellies, honey, cheese and dairy products, homemade baked goods, herbs and spices, ice cream, and maple syrup. The allowed retail sales may be in a farm stand or stands, in which a total of no more than five hundred (500) square feet are occupied by the sales activity.

For the purpose of this definition, the Boarding of Farm Animals and Gardening, are uses separate from Agriculture.

Agriculture – Commercial Use: Farm operations which will: (A) contribute in a substantial way to the area's existing agricultural economy; and (B) help maintain agricultural processors and established farm markets. When determining whether a farm is part of a commercial agricultural enterprise, not only what is produced, but how much and how it is marketed shall be considered.

Agriculture – Personal Use: The production, principally for use or consumption of the property owner, of plants, animals, or their products and for sale to others where such sales are incidental, including but not limited to gardening and fruit production. Poultry and livestock production may be included in this definition based on compliance with regulations in this ordinance.

Agricultural Processing: The manufacturing, processing, and/or packaging of foods, dairy products, commercial composting, fertilizer. Agricultural Processing does not include Abattoir operations.

Agricultural Products: Products intended for direct human or animal consumption such as vegetables, fruits, dairy products, eggs, grains, meat, poultry, fish, honey, hay, bedding plants, and wool.

Agricultural Sales and Service: Agriculturally related businesses that supply farm inputs and implements (such as equipment) or are involved in the marketing of farm products (such as wholesalers and retailers). Agricultural Sales and Service does not encompass or involve a Farm under this definition.

Agricultural Storage: The storage or warehousing of agricultural products including any related shipping and receiving operations.

Airport: Property that is maintained for the landing, refueling, and takeoff of aircraft and for the receiving and discharge of persons and cargo traveling by air. An Airport encompasses all aviation-related facilities, structures, and property as defined and recognized by the Federal Aviation Administration.

Alteration: Any change, addition, or modification in construction, other than cosmetic or decorative; or any change in the structural members of buildings such as load-bearing walls, columns, beams, or girders.

Amusement Facility: A building or portion of a building that contains a) three (3)-or-more coin-, card-, or token- operated amusement machines; or b) one (1) or more coin-, card-, or token-operated amusement machines with more than one screen or console, table, court, course, or activity area that can be played by three (3) or more individuals simultaneously.

Amusement Park: An outdoor recreation facility that accommodates seasonal or year-round recreational activities in association with high-value resources such as natural or man-made, themed attractions, amusement rides, activities, courses, or trails.

Animal Husbandry: The breeding, raising, or keeping of livestock, other than customary household pets, for Commercial Use purposes. Animal Husbandry does not include Kennels or Confined Animal Feeding Operations.

Animal Rescue Group: An organization or individual that receives domesticated animals that have been abandoned, surrendered, or removed from an animal facility or receives homeless dogs or cats and sells, gives or otherwise places the animals in private homes.



Animal Shelter: A facility that houses domesticated animals and operates for the purpose of providing stray, abandoned, abused or owner-surrendered animals with sanctuary or finding the animals temporary or permanent adoptive homes or placing with an Animal Rescue Group.

Antenna: Any system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of radio or other electromagnetic signals.

Antenna Height: The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure, even if said highest point is an antenna. Measurement of tower height shall include antenna, base pad, and other appurtenances and shall be measured from the finished grade of the facility site. If the support structure is on a sloped grade, then the average between the highest and lowest grades is used in calculating the Antenna Height.

Applicant: A Person applying for land use permit approval. An applicant may be the property owner, his/her agent, or the developer involved in the construction or activity.

Aquaculture: The growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species (see Agriculture).

Aquifer: A geological unit in which porous and permeable conditions exist and thus are capable of yielding usable amounts of water.

Aquifer Recharge Area: An area mapped by the Maine Geological Survey or by a licensed geologist that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

Area of Special Flood Hazard: The land in the floodplain having a one percent or greater chance of flooding in any given year.

Art Gallery or Crafts Studio: An Establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. Art Gallery or Crafts Studio does not include libraries, museums, or non-commercial art galleries.

Artificial Monument: A man-made object used to mark and identify the corner or line of property boundaries. Artificial monuments are devices that conform to recognized standards of the Maine Board of Licensure for Professional Land Surveyors.

Assisted Living Facility: A large or small Healthcare Housing Facility, which may include a mental disability facility, nursing care facility, home for the aging, or other facilities that are licensed by the State of Maine Department of Health and Human Services. Assisted living facilities usually are intended to service older adults or disabled individuals who cannot or choose not to live independently. Provided services typically include meal preparations, personal care, and health-related services available 24 hours a day. Such facilities encourage a degree of autonomy and independence in residents that is not generally seen in nursing homes, but still support the living of needy adults in a meaningful manner. Residents in an assisted living facility generally require custodial care.

Assisted Living Facility – Large: An Assisted Living Facility that provides care for six (6) or more residents at any time.

Assisted Living Facility – Small: An Assisted Living Facility that provides care for no more than five (5) residents at any time.

**Auction Barn:** A building, area, or areas within a building used for the public sale of agricultural oriented goods, wares, merchandise, or equipment to the highest bidder. This definition includes the sale of livestock or motor vehicles.

**Auction House:** A building, area, or areas within a building used for the public sale of goods, wares, merchandise, such as art and antiques to the highest bidder.

**Automobile (Vehicle) Graveyard:** Definition provided in Maine Revised Statutes, Title 30-A, as amended.

**Automobile (Vehicle) Recycling Business:** Definition provided in Maine Revised Statutes, Title 30-A, as amended.

**Automobile (Vehicle) Repair Garage:** A place where, with or without the attendant sale of engine fuels, the following services may be carried out: small or large engine repair and rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair; over-all painting and undercoating of automobiles.

**Automobile (Vehicle) Sales and Service:** The use of any building or land area for the display and sale of new or used automobiles, trucks, vans, trailers, recreational vehicles, motorcycles, or similar motorized vehicles, including repair facilities for such vehicles.

**Automobile (Vehicle) Service Station:** A facility primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, tire repair and change, lubrication, tune ups, safety inspections, detailing shops, overhaul, or transmission work, but does not qualify as an Automobile (Vehicle) Repair Garage.

**Babysitting:** Providing care, usually for compensation, for up to two children or adults for a short period of time, as a service for the child or adult's guardians, but which is not required to obtain a license as a day care facility through the State of Maine.

**Bank or Financial Services:** see Professional Business Offices

**Bar:** A commercial Establishment or part thereof that is open to the general public and primarily sells and serves intoxicating beverages by the drink for consumption on the premises. Bars include taverns, night clubs, private clubs, bottle clubs and similar facilities that serve alcoholic beverages.

**Base Flood:** A flood level that has a one percent chance of being equaled or exceeded in any given year, alternately referred to as the 100-year flood.

**Base Flood Elevation:** The maximum elevation (height) on a Property that will be inundated by a Base Flood.

**Basement:** The enclosed area beneath the main level of a structure, typically having at least one-half of its height, the distance between the ceiling and floor, below grade and may be improved as occupiable space. (Compare Crawl Space.)

**Bed and Breakfast:** Any single-family dwelling, that is occupied by a permanent resident, in which transient lodging and a breakfast (full or continental) are provided to the public for compensation, and no provisions are made for cooking in any of the individual guest rooms. Bed and Breakfast facilities provide no more than five (5) rooms or cottage spaces for lodging.

**Boarding – Farm Animals:** (See Stables, Commercial)

Boarding Home for Sheltered Care: A non-profit or for-profit boarding home for the sheltered care of up to five (5) persons with a disability, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation. These facilities may be licensed by the state as rehabilitation facilities.

Boarding House: Any residential structure where lodging, with or without meals, is provided for compensation for a period of at least one week, and where a family residing in the building acts as proprietor or owner. There shall be no provision for cooking in any individual guest room.

Boat Launching Facility: A facility designed primarily for the launching and landing of watercraft, and which may include an access ramp, docking area, and parking spaces for vehicles and trailers.

Buffer: A part of a property or an entire property, which is not built upon and is specifically intended to separate and thus minimize the effects of a land use activity (e.g., noise, dust, visibility, glare, etc.) on adjacent properties or on sensitive natural resources.

Building: Any structure having a roof supported by columns or walls for the sheltering, housing or enclosure of persons, animals, or personal property.

Building Height: The vertical measurement from a point on the ground at the mean finish grade adjoining the foundation as calculated by averaging the highest and lowest finished grade around the building or structure, to the highest point of the building or structure. The highest point shall exclude farm building components, flagpoles, chimneys, ventilators, skylights, domes, water towers, bell towers, church spires, processing towers, tanks, bulkheads, or other building accessory features usually erected at a height greater than the main roofs of buildings.

Campground or RV Park: Any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles, or other shelters for which a fee is charged.

Campground -Youth Camp: A campground for the accommodation of children or other organized groups for educational or recreational purposes and as further defined in M.R.S.A Title 22, Section 2491. The term is distinct from campground and retreat centers generally and does not include parks for recreational vehicles.

Capital Improvements Program (CIP): A municipality's proposed schedule of future projects listed in order of construction priority, together with cost estimates and the anticipated means of financing each project.

Catering Establishment: Any kitchen, commissary, or similar place in which food or drink is prepared for sale or service elsewhere or for food service on the premise during special catered events.

Cemetery: Property used for the interring of the dead.

Certificate of Compliance: A document signed by the CEO stating that a structure is in compliance with all of the provisions of a Floodplain Management Ordinance. This shall include a certificate of occupancy for new construction.

Certificate of Occupancy: A document signed by the CEO stating that a structure is in compliance with all of the provisions of the Zoning Ordinance, Shoreland Zoning Ordinance, Floodplain Management Ordinances, Building Code, and the Subdivision Ordinances of the municipality.

Change of Use: A change from one primary use category in the Land Use Table to another.

Club - Private: Any building or rooms, which serves as a meeting place for an incorporated or unincorporated association for civic, social, cultural, religious, literary, political, recreational, or like activities, operated for the benefit of its members and not for the general public. These establishments may or may not be licensed to distribute alcoholic beverages in accordance with city and state regulations.

Cluster Development: A development designed to maintain or promote the creation of open space by a reduction in dimensional and lot area requirements consistent with city development standards

Code Enforcement Officer (CEO): A person employed by the City and appointed by the City Manager to administer and enforce an ordinance. Reference to the CEO may be construed to include Building Inspector, Plumbing Inspector, Electrical Inspector, and the like, where applicable.

Colocation: The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

Commercial Greenhouse or Garden Center: (see Horticulture)

Commercial Use: Commercial Use includes the use of lands, buildings, or structures, where the intent and result of such activity is the production of income from the buying and selling of goods and services. Commercial Use does not include permitted Home Occupations nor the rental of residential buildings and dwelling units.

Commercial Rubbish Hauler: Any Person engaged in the collection and transportation of solid waste for a fee or other compensation.

Common Open Space: Land within or related to a development, not individually owned, which is designed and intended for the common use or enjoyment of the residents or the general public. It may include complementary structures and improvements, typically used for maintenance and operation of the usable open space, such as for outdoor recreation.

Community Center: A building that provides a meeting place for local, non-profit community organizations, groups or individuals on a regular basis

Community Residential Home: (see: Group Home)

Community Shelters: A residence providing food, shelter, medical care, legal assistance, personal guidance, and other services to persons who have been victims of domestic violence, including any children of such victims, who temporarily require shelter and assistance in order to protect their physical or psychological welfare.

Comprehensive Plan: A document or interrelated documents adopted by the municipality's legislative body, containing an inventory and analysis of existing conditions, a compilation of goals for the development of the community, an expression of policies for achieving these goals, and a strategy for implementation of the policies.

Composting – Commercial Use: The processing and sale of more than 1000 cubic yards of compost per year.

Composting – Personal Use: The processing of less than 1000 cubic yards of compost for personal/household use only, and not for commercial sale.

Concept Plan: A plan which illustrates intended development on a property including but not limited to public utility connections, roads, access points, signage, lighting, buildings, storm drain areas, grading and parking. Specific plan requirements are available on the city's application forms.

Condominiums: Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions under a declaration, or an amendment to a declaration, duly recorded pursuant to MRSA Title 33 Chapter 31. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. Any real estate development consisting exclusively of clustered, detached, single family residences is not a condominium, unless so designated in the declaration.

Confined Animal Feeding Operations: Specialized agriculture production enterprises with confined beef cattle, hogs, poultry and egg farms and their related structures. Typically, these operations have large animal populations restricted to small areas.

Conforming: A building, structure, use of land, or portion thereof, which complies with all the provisions of an ordinance.

Congregate Housing: Facility with more than five apartments or dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate for functionally impaired or disabled persons. Congregate Housing includes facilities that are licensed by the State of Maine as rehabilitation facilities.

Congregate Housing, Elderly: A category of Congregate Housing that serves elderly persons, provides shared community space and dining facilities, and normally provides its residents with housekeeping services, personal care and assistance, transportation assistance, recreational activities, and/or specialized shared services such as medical support services. For purposes of this definition, "Elderly" persons includes individuals who are at least 60 years old, or a couple that constitutes a household and at least one of whom is at least 60 years old at the time of entry into the facility. "Shared community space" includes space that is designed to be used for the common enjoyment and leisure of residents of the facility, such as, reading rooms, sitting rooms, recreational rooms, rooms for entertaining guests and exercise rooms. "Shared dining facilities" includes a room or rooms designed for serving meals to residents who are sitting together, plus the kitchen and ancillary facilities required to prepare the meals. A Congregate Housing - Elderly development includes either or both of the following types of residential units:

1. Dwelling units, as defined by this Section; and
2. Residential care units, which do not meet the definition of dwelling unit because they have no cooking facilities within the units, but which normally consist of rooms with sleeping and sanitary facilities.

Additionally, the term "Congregate Housing - Elderly" includes specialized facilities that provide long-term residential care, such as those designed specifically for persons with Alzheimer's Disease or other afflictions of the elderly for which specialized care outside of

a nursing home may be appropriate. Congregate Housing - Elderly is distinct from "Convalescent Home Rest Home or Nursing Home," which is defined separately.

Conservation Easement: A non-possessory interest in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; or maintaining air and water quality.

Construction: The act of building, erecting, altering, reconstructing, moving upon, or any other physical operations on a premise that pertains to structures or site improvements.

Construction Trailer: A temporary structure such as a mobile home, tractor trailer, or any other similar structure, that is used in conjunction with permitted construction activities, and which is used or constructed in such a manner as to permit daily occupancy and/or the storage of equipment and materials.

Convalescent Home, Rest Home, or Nursing Home: (See: Health Care Facility - Residential)

Crawl Space: A space, usually about two (2) feet high, provided under a building in order to enable access to plumbing, wiring, and/or equipment.

Curb Cut: The opening along the curb line or right-of-way line at which point vehicles may enter or leave the road.

Day Care Facility: Any dwelling, building, or portion thereof that day care services are provided to either children or adults and which may include on-site outdoor play areas. Day care facilities are further differentiated by the following classifications:

Day Care Home: A Day Care Facility that is located within any premises or dwelling unit, other than the home of the individual receiving care, where the care areas also are used as a family residence and day care services are provided on a regular basis to more than two but less than seven children or adults at any one time, and the children or adults receiving care are not relatives of the caregiver.

Group Day Care Home: A Day Care Facility that cares for more than six (6), but less than twelve (12) children or adults, at any one time, and where the care areas also are used as a family residence.

Day Care Centers: A Day Care Facility that is licensed to provide care for seven (7) or more children or adults at any one time and where the care areas are not used as a family residence.

Deck: An uncovered structure with a floor, elevated above ground level.

Decorative Changes: Repainting or re-siding; removing or replacing trim, railings, or other non-structural architectural details

Deer Wintering Areas: Areas used by deer during the winter for protection from deep snows, cold winds, and low temperatures, as identified by the Maine Department of Inland Fisheries and Wildlife.

Demolition/Waste Disposal Facility: A facility, including a landfill, that accepts, processes and/or stores useless, unwanted, or discarded solid items or material with insufficient liquid content to be free flowing. Items include but are not limited to, rubbish, garbage, scrap metals, junk, refuse, inert

material, landscape refuse, and demolition debris. Demolition/Waste Disposal Facility does not include commercial hazardous waste disposal facilities or recycling centers which are regulated by the State of Maine.

Density: The number of dwelling units per acre of land.

Developed Area: Any area on which a site improvement or change is made, including buildings, landscaping, parking areas, and streets and those lands which may be reserved from future development as part of a development approval.

Developer: A Person who is engaging in development or construction on the land. The developer, owner, and the applicant may be one in the same.

Development: Any man-made changes to improved or unimproved real estate, including but not limited to, subdivisions, constructing buildings or other structures, mining, dredging, filling, grading, paving, excavation, changing drainage patterns, or drilling operations.

Dimensional Requirements: Numerical standards relating to spatial relationships, including but not limited to, setback, lot area, shore or road frontage, and height.

Direct Watershed: That portion of the watershed which does not first drain through an upstream lake.

Disability, Physical or Mental: Any disability infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, addiction, disease, birth defect, environmental conditions or illness, and includes the physical or mental condition of a person that constitutes a substantial disability as determined by a physician or, in the case of mental disability, by a psychiatrist or psychologist, as well as any other health or sensory impairment that requires special education, vocational rehabilitation, or related services. The City will rely upon the definition of Disability as provided in the Americans with Disabilities Act, as amended, when considering requests for special accommodations under such act.

Drive-Up Facility: An Establishment that, by design of physical facilities or by service, encourages customers to receive a service or obtain a product that may be used or consumed in a motor vehicle on the premises while remaining in the vehicle. Drive-Up Facilities may include, but are not limited to, Automated Teller Machines (ATMs), automated car washes, or eating Establishments with curb side pickup or delivery.

Driveway: A vehicular access-way serving a single property from a public or commonly held right-of-way.

Driveway, Common: A vehicle access-way serving more than one property from a public or commonly held right-of-way. These generally require shared use agreements or easements.

Drug Free Safe Zones: “Drug Free Safe Zones” in Caribou Code Section 8-105 are all public athletic fields, parks, playgrounds, and recreation facilities under the jurisdiction of the City of Caribou shall be designated as Drug-Free Safe Zones in accordance with the State of Maine Title 17-A §1101(23). Any subject apprehended dealing drugs within 1,000 feet of any designated Drug Free Safe Zone shall be subject to enhanced penalties (17-A MRSA Chapter 45).

**Dwelling:** A building designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters. The term shall include mobile homes and manufactured housing, but not recreational vehicles.

**Dwelling - Accessory:** An independent Dwelling Unit that is smaller than the associated Primary Structure, is located on the same lot as another Dwelling or commercial Establishment and may be incorporated within, attached to, or separate from the Primary Structure in accordance with the City's standards.

**Dwelling – Apartment:** A Dwelling Unit that is designed and equipped for rental use by one (1) Family as a habitation and shares common site features (e.g., parking, landscaping, etc.) with inhabitants of other Apartments on the same property.

**Dwelling – Condominium:** A Dwelling Unit that is categorized under a certain class of real estate, portions of which are designated for separate ownership, and the remainder of which is designated for common ownership solely by the owners of those portions under a declaration, or an amendment to a declaration, duly recorded pursuant to MRSA Title 33 Chapter 31. Real estate is not a Condominium unless the undivided interests in the common elements are vested in the unit owners. Any real estate development consisting exclusively of clustered, detached, single family residences is not a condominium, unless so designated in the declaration.

**Dwelling - Farm Labor:** A Dwelling located on land owned by the laborers' employer, inhabited solely by persons or Families, while employed in agricultural activities on land owned by the laborers' employer.

**Dwelling - Multi-Family:** A building owned by one Person or entity, containing three (3) or more Dwelling Units, is designed for residential use and occupancy by three (3) or more families living independently of one another, and with the number of Families not exceeding the number of dwelling units.

**Dwelling - Single-Family:** A building containing only one (1) dwelling unit for occupation by not more than one (1) family.

**Dwelling - Townhome:** A building designed for residential use and occupancy and containing three (3) or more Dwelling Units, each of which occupy a separately identified and owned footprint, but which share a common wall with one or more of the adjacent Dwelling Units.



*Figure 1: Example Duplex or Twin-home design*



Dwelling - Twin-home: A building that contains two (2) Dwelling Units that are constructed with a common wall over the lot boundary line between the two separate lots, and that are occupied by one (1) Family per Dwelling Unit.

Dwelling - Two-Family Duplex: A building that contains two (2) Dwelling Units of similar size that are constructed on a single lot with each unit occupied by a separate Family. A Two-Family Duplex does not include a Dwelling - Single Family with an accompanying Dwelling - Accessory.



*Figure 2: Example 5-unit Townhome*

Dwelling Unit: A room or suite of rooms designed and equipped exclusively for use by one (1) Family as a habitation and which contains independent living, cooking, sleeping, eating, and sanitary facilities. Dwelling Unit includes Apartments, Mobile Homes and Modular Homes, but does not include Recreational Vehicles, Hotels, Motels, or Inns.

Emergency Operations: Operations conducted for the public health, safety, or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings, property, and livestock from the threat of destruction or injury.

Engine Repair – Large: General repair, rebuilding, or reconditioning of engines that exceed 30 horsepower and are water cooled. Large engines include those for motorcycles, snowmobiles, outboard motors, may include lawnmowers, and engines larger than needed for the Vehicles noted.

Engine Repair – Small: Repair, rebuilding, or reconditioning of engines that generally do not exceed 30 horsepower and are air-cooled. Small engines generally include those used with powered tools, e.g., snowblowers, chainsaws, lawnmowers, etc.

Establishment: A location where an economic unit conducts business, provides services, or performs industrial operations, including all its physical elements, components, and employees.

Excursion or Guide Service: A service established to ferry or guide tourists and other persons to their destination or experiential venues. This term shall also include services like sight-seeing and other recreational river trips or tours where there may not be a specific point of destination.

Expansion: An increase in the floor area or volume of a structure, including all extensions such as, but not limited to, attached decks, garages, porches, and greenhouses.

Expansion of Use: The addition of weeks or months to a business operating season; the addition of hours to a business day; the use of more floor area or ground area to a particular use; and intensifying of a use with a space (e.g., the provision of additional seats or seating capacity, adding Dwelling Units, etc.).

Exterior Walls: A wall, bearing or non-bearing, that is used as an enclosing wall for a building, other than a fire wall, and that has a slope of 60 degrees or greater with the horizontal plane.

Facility - A structure or place which is built, installed, or established to serve a particular purpose.

Family: One or more persons occupying a premise and living as a single housekeeping unit.

Farm: Any place that has, or has the potential to produce, one thousand dollars (\$1,000.00) or more in annual gross sales of farm products via cultivating of soil, managing croplands, producing and harvesting crops, and/or raising or breeding of livestock.

Farm Animal: Animals other than household pets that may, where permitted, be kept and maintained for commercial production and sale or family food production, education, or recreation, including, but not limited to chickens, pigs, sheep, goats, horses, cattle, donkey and mules.

Farm Animals – Boarding: (See Stables, Commercial)

Farmers Market: A temporary or year-round event or series of events conducted within a structure or open space by three (3) or more individual produce growers and/or manufacturers of Agricultural Products who assemble to sell Agricultural Products.

Farm Stand: A detached structure that is designed, arranged, or used for the display and sale of Agricultural Products primarily grown or produced on the premises upon which the stand is located. Farm Stand wares also may include products grown on other premises that the products are not grown upon, provided such premises are owned by the operator (e.g., a farmer's separate field).

Fence: Any artificially constructed barrier of any material, or combination of materials, erected to enclose or screen areas of land. To further distinguish types of fences: (a) a boundary fence encloses a parcel of property; and (b) a privacy fence blocks part or all the property from the view of the neighbors. Privacy fences may be solid and taller than other types of fences. For the purposes of these Ordinances, a fence is not an Accessory Structure.

Filling: Depositing or dumping any matter on or into the ground or water.

Final Plan: The final drawings on which the applicant's plan of development, consistent with city standards and application submittal requirements, is presented for approval. (See: Recording Plan)

Firewood Processing – Commercial Use: Any commercial operation involving the cutting, sawing, or chopping of wood in any form for use as firewood on property other than that on which the operation is located, irrespective of where such wood is grown.

Firewood Processing – Personal Use: the cutting, sawing, or chopping of wood in any form for use as a heat source for a residence located on the same property as the operation, irrespective of where such wood is grown.

Flag: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Flea Market: A temporary or year-round event or series of events conducted within a structure or open space by three (3) or more Persons, who assemble at a common location, to sell a variety of used or crafted merchandise staged on tables or in space(s) leased or rented to vendors.

Floating Slab: A reinforced concrete slab which is designed to withstand pressures both from below and above.

Flood Insurance Rate Map: The official map on which the Dept. of Housing and Urban Development or the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones.

Floodplain: The lands adjacent to a body of water or water course which have been or may be covered by the base flood.

Floodplain Soils: The following soil series as described and identified in the Soil Survey for Aroostook County, Maine: Alluvial, Hadley, Medomak, Winooski

Floodproofing: A combination of structural and non-structural provisions, changes, or adjustments to properties, water and sanitary facilities, structures, and contents of buildings that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor Area, Gross: The areas of all roofed portions of a building, as measured from the exterior faces of the exterior walls. In Shoreland Areas, this shall also include the horizontal area of any attached, unenclosed portions of a structure such as porches and decks.

Floor Area Ratio: A ratio derived by dividing the gross floor area of a building by the area of the lot.

Forest Management Activities: Timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, management planning activities, timber stand improvement, pruning, regeneration of forest stands, and other similar or associated activities. Forest Management Activities does not include timber harvesting or road construction and maintenance.

Forested Wetland: A freshwater wetland dominated by woody vegetation that is six (6) meters or taller. (6 meters = 19.865 feet).

Forestry: The operation of timber tracks, tree farms, forest nurseries, the gathering of forest products, or the performance of forest services.

Foundation: The supporting substructure of a building or other structure, including, but not limited to, basements, slabs, sills, posts, or frost walls (See: Permanent Foundation).

Freshwater Wetland: Freshwater swamps, marshes, bogs, and similar areas, other than forested wetlands, which are:

1. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils; and
2. Not considered part of a great pond, river, stream, or brook.

Frontage: The uninterrupted linear or curvilinear extent of a lot measured along the public or private street right-of-way from the intersection of one side lot line to the intersection of the other side lot line.

Frontage, Shore: The horizontal distance, measured in a straight line, between the intersections of the lot lines with the shoreline at the normal high-water line.

Frost Wall: A masonry foundation wall extending below the ground surface, supported by footings located below the frost line to protect structures from frost heaves.

Functionally Water-Dependent Uses: Those uses that require, for their Primary Use, location on submerged lands or direct access to, or location in, inland waters and which cannot be located away from these waters. Acceptable Primary Uses include, but are not limited to, commercial and recreational fishing and boating facilities, retail and wholesale fish marketing facilities, waterfront dock and facilities, marinas, navigation aids, basins and channels, and other industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water that cannot reasonably be located or operated at an inland site.

Funeral Home: A building or part thereof used for human funeral services. Such building may contain space and facilities for (a) embalming, and the performance of other services used in the preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral supplies; (d) the storage of funeral vehicles; and (e) facilities for cremation.

Garage: An accessory building, or part of a principal building, including a car port, used primarily for the storage of motor vehicles.

Garage Sale: See Yard Sale.

Gardening: Activities under Agriculture – Personal Use, specifically limited to growing fruits and vegetables on a limited scale for household consumption. Gardening does not include raising or keeping of Farm Animals.

Gasoline Service Station: (See: Automobile Service Station)

General Store or Grocery Store: A Retail Business wherein most of the floor area is devoted to the sale of food products for home preparation and consumption, and that typically offers other home care and personal care products. General Stores or Grocery Stores are substantially larger and carry a broader range of merchandise than Neighborhood Convenience Stores.

Golf Course: An outdoor facility for playing golf, at which there may be a clubhouse. A golf course may provide additional facilities and services, such as related retail sales, restaurant, lounge, and event space, if approved as a part of the use permit.

Golf Course, Miniature: A small-scale novelty version of golf played with only a putter and a golf ball on a miniature course, typically constructed with artificial playing surfaces, and including obstacles, such as bridges and tunnels.

Governmental Facility: A Building, Structure, or other related facility or site where functions or services normally provided by governmental entities take place. Government Facilities does not include those Primary Uses which are residential Dwelling Units but may include accommodations for employees such as bunk rooms at a fire station.

Gravel Pit: (See: Mineral Extraction)

Great Pond: Any inland body of water which in a natural state has a surface area more than ten (10) acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres.

Group Home: A facility licensed to serve clients of the State of Maine Health and Human Services Agency and that provides a living environment for up to five (5) unrelated residents, who operate as the functional equivalent of a family. A Group Home provides supervision and care by a supportive staff.

Guest House: (See: Inn)

Hazardous Waste: A waste substance or material, in any physical state, designated as hazardous by the MDEP Board under MRSA 38, §1303-A. The fact that a hazardous waste or part or a constituent may have value or other use or may be sold or exchanged does not exclude it from this definition.

Health Care Facility: A hospital, psychiatric hospital, nursing facility, kidney disease treatment center including a freestanding hemodialysis facility, rehabilitation facility, clinics, ambulatory surgical facility, independent radiological service center, independent cardiac catheterization center or cancer treatment center.

Health Care Facility - Large: A Health Care Facility that provides inpatient care and outpatient care, with capacity of more than five (5) patients per hour.

Health Care Facility - Residential: An inpatient Health Care Facility - Large that provides rooms, meals, personal care, and health monitoring services, under the supervision of a professional nurse, to the elderly or disabled individuals. Health Care Facility – Residential also may provide other services, such recreational, social, and cultural activities, financial services, and transportation. Health Care Facility – Residential includes licensed nursing homes, assisted living facilities, hospice, or other supported living arrangements, each of which are certified and regulated by the State of Maine.

Health Care Facility - Small: A Health Care Facility that does not provide inpatient care but provides outpatient care with capacity of no more than five (5) patients per hour. Health Care Facility – Small does not include private health care practitioner offices, which are regulated separately by the State of Maine.

Height of a Structure: (See: Building Height)

Helipad or Heliport: Any landing area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

High Intensity Soil Survey: A soil survey conducted by a Certified Soil Scientist, meeting the standards of the national Cooperative Soil Survey, which identifies soil types down to 1/10 acre or less at a scale equivalent to the subdivision plan submitted. The mapping units shall be the soil series. Single soil test pits and their evaluation shall not be considered to constitute high intensity soil surveys.

High Water Elevation: (See: Normal High-Water Line of Waters)

Historic District: A geographically definable area possessing a significant concentration, linkage or continuity of sites, buildings, structures, objects or features united by past events or aesthetically by plan or physical development and identified in the municipality's Comprehensive Plan, or which is listed or is eligible to be listed on the National or State Register of Historic Places. Such historic districts may also comprise individual elements separated geographically but linked by association or history.

**Historic Site/Structure:** Means any land, site, or structure that is: (1.) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (2.) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district; (3.) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (4.) Individually listed on a city inventory of historic places or otherwise noted in the City's Comprehensive Plan.

**Home Occupation:** An activity, occupation or profession that is conducted on a Dwelling site or within an associated Dwelling Unit by a member of the family permanently residing in the Dwelling Unit. Home Occupations are conducted for financial gain and must be a compatible Accessory Use to the Primary Use of the property (i.e., habitation) and surrounding residential uses.

**Homeowners Association:** A community association which is organized in a residential development in which individual owners share common interests in open space and/or facilities.

**Horticulture:** The cultivation of fruits, vegetables, flowers, and plants, including orchards, commercial greenhouses and nurseries, and landscaping services.

**Hospital:** (See: Health Care Facility)

**Hotel:** A Building or group of Buildings, within which lodging, or meals and lodging are offered to the general public for compensation, and in which ingress and egress to and from the rooms are made primarily through an inside lobby or office and interior hallways. Hotels may include services and amenities such as pools, spas, exercise facilities, conference space, and bars.

**Household Pet:** Animals that are customarily kept for personal use or enjoyment within the home. Household pets shall include, but not be limited to, domestic dogs, domestic cats, domestic tropical birds, domestic rabbits, domestic tropical fish, and rodents.

**Housing Facility:** A development having Dwelling Units that are affordable, according to the U.S. Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income equal to 50 percent or less of the median gross household income for households of the same size within the housing region in which the Housing Facility is located.

**Impervious Surface:** For the purpose of these Ordinances, impervious surfaces include buildings, structures, paved, and compacted gravel surfaces.

**Industrial Park or Development:** A Subdivision that is developed exclusively for industrial uses, or a Subdivision planned for industrial uses and developed and managed as a unit, usually with provisions for common services for the benefit of property owners and tenants.

**Inn:** A Building or group of Buildings, within which lodging, or meals and lodging is provided to the general public for compensation. An Inn contains a Dwelling Unit that is occupied by an owner or resident manager, along with six (6) to ten (10) lodging rooms, in which ingress and egress to and from the rooms are made primarily through an inside lobby, office, or other common room and interior or exterior hallways. Inns also are referred to as Guest Houses, Lodging Houses, and Tourist Houses or Hostels.

Junkyard: A yard, field, or other area used as place of storage for:

1. Discarded or worn-out, plumbing, heating supplies, household appliances, and furniture,
2. Discarded or scrap lumber and masonry materials,
3. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, plastic debris, waste, and all scrap iron, steel, and other scrap ferrous or non-ferrous material, and
4. Garbage dumps, waste dumps, and sanitary landfills.

Kennel - Boarding: Any place, Building, tract of land or abode in or on which three (3) or more privately-owned companion animals are kept at any one time for their owners, in return for a fee or compensation. Kennel - Boarding includes facilities where three (3) or more companion animals are kept for training purposes.

Kennel – Breeding: Any place, Building, tract of land or abode in or on which 1) five (5) or more adult female dogs, wolf hybrids or cats capable of breeding are kept and some or all of the offspring are offered for sale, sold or exchanged for compensation; or 2) more than sixteen (16) dogs or cats raised on the premises are sold to the public in a 12-month period. Kennel-Breeding does not include kennels licensed by a municipality under Section 3923-C when the dogs are kept primarily for hunting, show, training, sledding, competition, field trails or exhibition purposes, and not more than 16 dogs are offered for sale, sold, or exchanged for value within a 12-month period.

Land Use Permit: Any permit or authorization documentation issued by the Community Development Department. This shall include but not be limited to Building Permits, Subdivision or Site Design Approvals, Sign Permits, etc.

Laundry of Dry Cleaning: A Retail Business that provides washing, drying, and/or ironing services or machines for hire, to be used by customers on the premises. Machines are typically coin-operated, and customers generally are responsible for loading and unloading their laundry independently, without the assistance of a staff member.

Line of Sight: The unobstructed view of an object, feature, or landscape from a designated vantage point or perspective.

Litter: Any garbage, solid waste, junk, rubbish, refuse, construction debris, demolition debris, and any other waste or materials.

Livestock: Domestic hooved animals kept or raised for use or profit, such as, but not limited to, cattle, horses, sheep, elk, deer, buffalo, goats, or pigs, that are typically kept outside of the home.

Lodging House: (See: Inn)

**Lot:** A parcel of land created by subdivision processes with close access to public utilities and which meets the minimum standards of the city's ordinances to be occupied or capable of being occupied by one building and the accessory buildings or uses customarily incidental to it, including such open spaces as are required by an ordinance, and having frontage upon a public street, right-of-way, or approved private way. Such includes corner lots, interior lots, irregular lots, cul-de-sac lots and flag lots (see Figure 1).

**Lot Area:** The land area enclosed within the legally described boundary lines of the lot or parcel

**Lot, Buildable Area:** The largest, contiguous land area on a lot or parcel that is within required setbacks, not encumbered by construction limiting easements, subject to environmental or aquatic regulatory constraints, nor exceeding 30% slopes.

**Lot, Corner:** A lot with at least two (2) contiguous sides abutting upon a street or right of way.

**Lot, Interior:** Any lot abutted on each side by another lot.

**Lot Lines:** The lines bounding a lot as defined below:

**Front Lot Line:** On an interior lot, the lot line abutting the street or right-of-way; or, on a corner lot each lot line abutting the street or right-of-way; or, on a through lot, the lot line abutting the street providing primary access to the lot; or, on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

**Rear Lot Line:** The lot line opposite the front lot line. On a corner lot, the rear lot line shall be opposite the front lot line of least dimension. See Figure 2.

**Side Lot Line:** Any lot line other than the front lot line or rear lot line.

**Lot of Record:** A legally created parcel of land, a legal description of which or the dimensions of which are recorded on a document or map on file in the Aroostook County Registry of Deeds.

**Lot, Shorefront:** Any lot or parcel abutting a body of water or watercourse which is protected under state shoreland regulations.

**Lot, Through:** Any interior lot having frontages on two (2) or more parallel roads or rights of way, or lying between a road and a body of water, or a right of way and a body of water, or between two (2) bodies of water, as distinguished from a corner lot. All sides of through lots adjacent to roads,

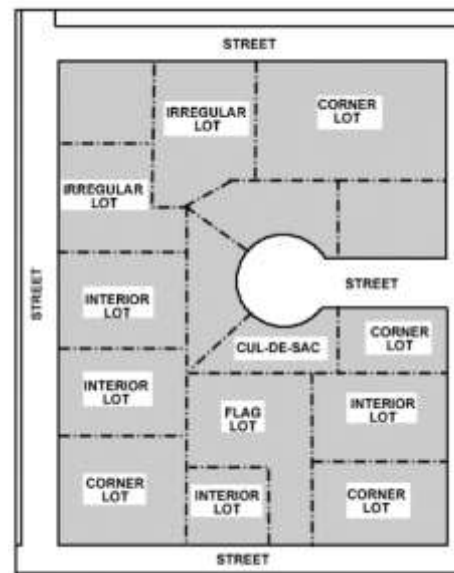


Figure 3: Illustration of various lot types

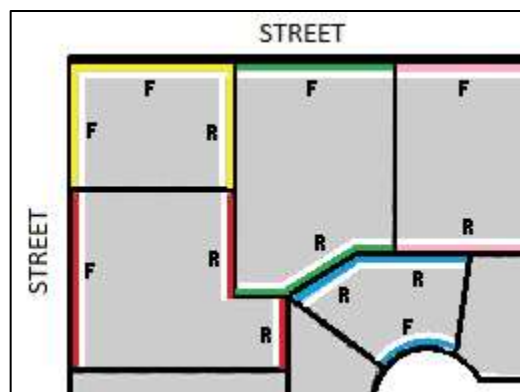


Figure 4: Illustration of relative front and rear lot lines for different lot types.



rights-of-way, and bodies of water shall be considered frontage, and front yards shall be provided as required.

**Manufacturing:** The mechanical or chemical transformation of material or substance into new products, either finished or semi-finished for use as raw material in another process, and including the assembling of component parts, the manufacturing of products, and the blending of materials. The term also includes repair services, exclusive of motor vehicles, where such services are performed in a facility larger than a Tradesman's Shop, as defined within this Section.

**Manufacturing – Heavy:** A Manufacturing facility that has the potential to produce noise, dust, glare, odors, or vibration beyond its property line. Manufacturing-Heavy includes but is not limited to: (a) processing and packaging facilities; (b) chemical manufacturing; (c) stonework or concrete product manufacturing; (d) fabrication of metal products; (e) manufacturing of agricultural, construction, or mining machinery; (f) motor vehicle manufacturing; (g) lumber milling; (h) ship or boat construction (i) permanent concrete/batch plant. Manufacturing - Heavy does not include Agricultural Processing and Agricultural Storage operations.

**Manufacturing – Light:** A Manufacturing facility engaged in the Manufacturing of finished products or parts, predominately from previously prepared materials. Manufacturing - Light includes processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided all manufacturing activities are contained entirely within a building and the noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing activity are confined entirely within the associated Building.

**Marijuana:** The dried leaves and flowering tops of the pistillate hemp plant that yield THC (tetrahydrocannabinol) and as defined within Title 17-A M.R. S. A. Section 1101 (1).

**Marijuana - Cardholder:** An individual who has been issued and possesses a valid registry identification card.

**Marijuana – Caregiver:** Marijuana – Caregiver shall have the same meaning as provided for Caregivers, Primary Caregiver or Registered Caregivers as defined by the State of Maine under Title 22 MRSA.

**Marijuana - Caregiver Retail Store:** A store that has attributes generally associated with Retail Business, including, but not limited to, a fixed location, a sign, regular business hours, accessibility to the public and sales of goods or services directly to a consumer, but is used specifically and distinctly by a State of Maine registered caregiver to offer marijuana plants or harvested marijuana for sale to qualifying patients. See Marijuana – Dispensary.

**Marijuana - Enclosed, Locked Facility:** A closet, room, greenhouse, or other enclosed area equipped with locks and other security devices required by the State and this Ordinance, and that permits access only by a cardholder or qualified person employed by the related Marijuana - Registered Nonprofit Dispensary.

**Marijuana – Manufacturing Facility:** A facility or a Person authorized to engage in marijuana extraction as provided in State of Maine regulations.

**Marijuana - Medical use:** The acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of marijuana or paraphernalia relating to the administration of marijuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms

associated with the patient's debilitating medical condition as provided in State of Maine regulations.

**Marijuana - Dispensary:** An entity registered under Title 22 MRSA §2428 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, or dispenses marijuana plants or harvested marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients. For City site development purposes, Marijuana – Registered Nonprofit Dispensary includes Marijuana – Caregiver Retail Stores, however, the city does not presume a State of Maine issued license as a medical marijuana dispensary is the same as a caregiver license under Title 22 MRSA.

**Marijuana - Registered Cultivation Facility:** A Building, Structure, or parcel of land that is used for the cultivation of Marijuana, whether part of a Marijuana - Dispensary or at an associated offsite location. Marijuana – Registered Cultivation Facilities must meet all State of Maine requirements pursuant to the licensing of a Dispensary.

**Marijuana - Usable:** The dried leaves and flowers of the marijuana plant, and any mixture or preparation of those dried leaves and flowers. Marijuana - Usable does not include the seeds, stalks, and roots of the plant nor any other ingredients that are added to Marijuana for the purpose of making a Marijuana related edible product.

**Masonry-Type Skirting:** Concrete, concrete blocks, brick, stone, or similar materials which are arranged to resemble a foundation but provide minimal structural support.

**Mineral Exploration:** The hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land, and which include reasonable measures to restore the land to its original condition. Mineral exploration shall not include testing for a quarry.

**Mineral Extraction and Storage:** Any operation which removes soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and to store or transport the product removed, away from the extraction site. Mineral extraction shall not include the term quarry.

**Mitigation Area:** Property, to include wetlands and uplands, used or reserved for the purpose of avoiding, minimizing, rectifying, reducing over time, or compensating for unavoidable environmental impacts or offsetting environmental losses arising from development of the same or another parcel of property.

**Mobile Food Vendor:** A mobile vehicle, (e.g., pushcart, van, truck, car, trailer, or other mobile device, structure, or apparatus) that is designed and constructed to transport, prepare, sell, and/or serve food, and capable of being moved from a given site at any time.

**Mobile Home:** A factory-built single-family structure, which is manufactured or constructed after June 15, 1976 under authority of 42 U.S.C. Sec. 5403, Federal Manufactured Home Construction and Safety Standards. A Mobile Home is transportable in one or more sections; is built on a permanent chassis or other device allowing it to be moved other than for the purpose of moving to a permanent site and which does not have permanently attached to its body or frame any wheels or axles; is designed to be used as a Dwelling when connected to the required utilities, with or without a permanent foundation; includes plumbing, heating, air-conditioning and electrical systems.

Mobile Home - Compliant: A Mobile Home certified by the manufacturer to be constructed in compliance with 42 U.S.C. Sec. 5403, Federal Manufactured Home Construction and Safety Standards or otherwise passing professional inspections for compliance with associated plumbing, heating, air-conditioning and electrical codes.

Mobile Home – Non-compliant: A mobile home unit designed for occupancy and constructed before June 15, 1976, or which is not in compliance with 42 U.S.C. Sec. 5403, Federal Manufactured Home Construction and Safety Standards nor applicable plumbing, heating, air-conditioning and electrical codes.

Mobile Home Park: A plot of land that is designed and/or used to accommodate two (2) or more Mobile Homes.

Mobile Home Park Lot: The area of land on which an individual Mobile Home is situated within a Mobile Home Park and that is reserved for use of the occupants of that Mobile Home.

Modular Homes: A Dwelling that the manufacturer certifies is constructed in compliance with Title 10, chapter 951, §9001 et seq., and rules adopted under that chapter. Modular Homes are Structures that are not constructed on a permanent chassis but are designed to be placed on permanent foundations. Modular Homes are transportable in one or more sections and are designed to be used as Dwellings when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained in the unit.

Motel: A building or group of Buildings, within which a business provides lodging to the general public for compensation, and in which ingress and egress to and from the rooms are made directly from the outside of the building. Motels also are referred to as tourist cabins or a tourist court. Any transient accommodation that does not meet the definition of Bed and Breakfast, Hotel, Inn, or Vacation Rental is considered a Motel for the purposes of this Ordinance.

Motorized Vehicle: Any mechanically or electrically powered device, not operated on rails, upon which or by which a person or property may be transported on the land or water. Motorized Vehicle includes but is not limited to automobile, bus, semi-trailer, tractor, truck, van, motorcycle, snowmobile, boat or other engine powered water craft, and moped.

Museum: A Building having public significance by reason of its architecture or former use or occupancy, or a Building serving as a repository for a collection of natural, scientific, or literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

Neighborhood Convenience Store: A Retail Business that is less than 1,500 square feet of floor space and is intended to service the convenience of a residential neighborhood, with a limited line of groceries, sundries, and household items. Neighborhood Convenience Store may include automotive fueling islands but does not provide services of an Automobile (Vehicle) Repair Garage or Automobile (Vehicle) Service Station.

Net Acreage: The total acreage of a tract or lot available for development as shown on a proposed plan, minus the area for roads or access and the areas which are unsuitable or unusable for development due to restrictions or topography and environmental constraints.

Net Density: The number of dwelling units per net acreage.

New Construction: Structures for which the "start of construction" commenced on or after the effective date of an ordinance.

Nightclub: An Establishment primarily for the sale or dispensing of liquor by the drink that also offers entertainment (see Bar).

Non-Conforming Lot of Record: A legal lot or parcel shown on a plan or deed recorded prior to the effective date of an ordinance or amendment which does not meet the area, frontage, width, or depth requirements of the District in which it is located.

Non-Conforming Structure: A legal structure which does not meet any one or more of the following requirements: setback, height, materials, design, or lot coverage, but which is allowed solely because it was in lawful existence at the time an ordinance or subsequent amendments took effect.

Non-Conforming Use: (see Use, Legal Nonconforming)

Normal High-Water Line of Waters: That line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land (by way of illustration, aquatic vegetation includes but is not limited to the following plants and plant groups: Upland grasses, aster, lady slipper, wintergreen, partridge berry, sarsaparilla, pines, cedars, oaks, ashes, alders, elms and maples). In the case of wetlands adjacent to rivers and Great Ponds, the normal high-water line is the upland edge of the wetland, and not the edge of the open water. In places where the shore or bank is of such character that the high-water line cannot be easily determined (rockslides, ledges, rapidly eroding, or slumping banks) the normal high-water line shall be estimated from places where it can be determined by the above method.

Nursing Home: (See: Health Care Facility - Residential)

100 Year Flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Open Space: Land and water areas retained for use as active or passive recreation areas or for resource protection in an essentially undeveloped state or remediated condition.

Ordinance: Any legislative action of the municipality's legislative body that is duly adopted in accordance with the City Charter and has the force of law.

Parabolic Antenna: (also known as a satellite dish antenna) An antenna which is bowl-shaped, designed for the reception and/or transmission of radio signals.

Parcel: (See Tract (Parcel) of Land)

Parking Space: An area on a lot intended for the use of temporary parking of a motorized vehicle.

Parks and Recreation: Non-commercially operated recreation facilities open to the general public including, but not limited to playgrounds, parks, monuments, green strips, open space, mini-parks, athletic fields, boat launching ramps, piers and docks, picnic grounds, swimming pools, and wildlife and nature preserves, along with any necessary accessory facilities, rest rooms, bath houses, and the maintenance of such land and facilities, but not including Campgrounds, commercial recreation facilities, Amusement Facilities or Amusement Parks.

Patio: An uncovered floor, usually made of concrete, brick, or other masonry material, which is not elevated above the surface of the ground in any manner.

Permanent Foundation: A permanent foundation means all of the following:

1. A full, poured concrete or masonry foundation,
2. A poured concrete frost wall or a mortared masonry frost wall, with or without a concrete floor,
3. A reinforced, floating concrete pad for which the municipality may require an engineer's certification if it is to be placed on soil with high frost susceptibility,
4. At least 12 inches of compacted gravel,
5. At least 12 inches of crushed stones no larger than one inch in diameter,
6. Any foundation which, pursuant to the building code of the municipality, is permitted for other types of single-family dwellings, and
7. Any foundation, reviewed and approved in writing by the CEO, using advanced technologies.

Permitted (Allowed) Use: A use which is listed as permitted in the various Districts set forth in this ordinance.

Person: An individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two (2) or more individuals having a joint or common interest, or other legal entity.

Personal Property: Property that is owned, tangible and movable, unlike land and buildings or ownership interests. Personal Property does not include merchandise that was purchased for resale or obtained on consignment.

Personal Service Business: Establishments primarily engaged in providing services (but not goods) other than those provided by Professional (Business) Offices, such as beauty shops, barber shops, shoe repair, photographic studios, fitness studios, advertising, and similar Establishments.

Personal Use: Personal Use is defined by the use of lands, buildings, or structures solely for benefit and enjoyment of an individual or household, the intent and result of which does not include the production of income from the buying and selling of goods and services.

Pet Grooming: Any Establishment where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health and for which a fee is charged.

Pharmacy or Retail Medical Supply Store: A Retail Business substantially devoted only to the sale of pharmaceutical items, supplies, and equipment such as prescription drugs.

Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Beyond the Normal High-Water Line or Within a Wetland:

Temporary: Structures which remain in or over the water for less than seven (7) months in any period of twelve (12) consecutive months.

Permanent: Structures which remain in or over the water for seven (7) months or more in any period of twelve (12) consecutive months.

Planning Board: The Planning Board for the Municipality.

Pond: (See: Water Body)

Poultry: Domestic fowl kept or raised for use or profit, such as but not limited to, ostrich, emu, chickens, ducks, turkeys, geese, pigeons, or pheasant that are typically kept outside of the home.

Porch: A one-story roofed structure attached to a residential building with no floor space above and no more than two sides of the porch enclosed by a vertical wall, window, or screened surface.

Preliminary Subdivision Plan: Drawings and supporting information indicating the proposed layout of a subdivision consistent with the city's preliminary application requirements.

Prime Farmland: Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oil-seed crops, and meets all of the criteria established by the US Department of Agriculture.

Principal Structure: The building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises.

Principal Use: The main or primary use on any lot or parcel that establishes the basic land use characteristics of the property, as opposed to an accessory use which is wholly incidental or being a minor activity relative to the same premises.

Private Road: A privately owned right-of-way providing access to one or more lots or parcels meeting the municipality's road design and construction standards for a "Private" road.

Professional (Business) Offices: A Business engaged in providing professional services (but not retail sales, Personal Services, or the use of trucks as part of the business operations), such as limited outpatient health care providers (i.e., Health Care Facility – Small), lawyers, accountants, financial advisors, architects, surveyors, psychiatrists, psychologists, counselors, real estate brokers, and insurance brokers.

Public Facility: Any facility, including, but not limited to, buildings, property, recreation areas, and roads, that are owned, leased, or otherwise operated, or funded by a governmental body or public entity.

Public Improvements: The designing, furnishing, installing, connecting, and full construction of right-of-way improvements, storm drainage, public utility facilities or other improvements to be dedicated to or accepted as a public facility or on behalf of a public utility provider as required for a development.

Public Utility: Any person, firm, corporation, municipal department, board, or commission authorized to furnish gas, steam, electricity, waste disposal, communication facilities, transportation, sanitary sewage disposal, cable, or water to the public.

Public Utility Facility: A communications, electric, gas, cable, water, sewer, or other utility pipe, conduit, transmission line, transformer, reducer, distribution apparatus, or other unoccupied structure necessary for the furnishing of a Public Utility's services.

Quarry: A place where stone is excavated from rock for additional processing or direct sale.

Racetrack: A property consisting of a paved roadway used primarily for the sport of automobile racing. A racetrack may include seating, concession areas, suites, and parking facilities.

Recent Floodplain Soils: (See: Floodplain Soils)

Reconstructed: The rebuilding of a road or structure in such a manner and to such an extent as to substantially replace it or improve its serviceability.

Recording Plan: The final, city approved site plan or subdivision plans to be recorded at the Aroostook County Registry of Deeds.

Recreation: An activity pursued for leisure to refresh the mind or body through forms of play, amusement, or relaxation. Experiences may be active such as boating, fishing, and athletic sporting, or may be passive, such as enjoying scenery or observing wildlife.

Recreational Facility: A place designed, constructed, and maintained or equipped for the conduct of recreational activities.

Recreation – Active: Those recreational pursuits that require physical alteration to the area in which they are performed. Such areas are intensively used and include but are not limited to playgrounds, ball courts, golf courses, and swimming pools.

Recreation – Commercial Use: An indoor or outdoor Recreational Facility that is operated as a business and open to the general public for a fee. This may include golf courses, corn mazes, climbing gyms, laser-tag arenas, roller-rinks, racquet clubs, fitness facilities, etc.

Recreation - Mechanized: Recreation activities that require the use of motors or engines for the operation of equipment or participation in the activity.

Recreation – Open space: Lands that may be improved or set aside, dedicated, designated, or reserved for recreational facilities such as swimming pools, play equipment for children, ball fields, court games, picnic tables, etc. or passive space such as fields, paved trails, plazas, interpretative areas, etc.

Recreation - Passive: Outdoor recreational activities that involve no structural or mechanical components or facilities, or earth moving, such as hiking, fishing, hunting, etc.

Recreational Vehicle (RV): A self-propelled vehicle, or trailer designed to be towed, that is designed for temporary sleeping or living quarters for one or more individuals. RV may include a pick-up coach, travel trailer, camping trailer, dependent RV, self-contained RV, and motor home. To be considered a vehicle and not a structure, the unit must maintain contact with the ground (via tires or jacks) and must be registered with the State of Maine Division of Motor Vehicles.

Recycling Center - Large: A business and related site that operates as a licensed recycling center under the State of Maine, and that gathers, and processes used materials, such as, newspaper, cardboard, magazines, glass, and metal cans. Materials are separated and processed with the aid of motorized equipment such as forklifts, balers, loaders, etc. prior to shipment to others, who will use these materials to manufacture new products. Recycling Center-Large generally operate in commercial buildings with a total floor area greater than three thousand (3,000) square feet.

Recycling Center - Small: A business and related site that operates as a licensed recycling center under the State of Maine, and that gathers, and processes used materials, such as newspaper, cardboard, magazines, glass, and metal cans. Materials are separated and processed by hand or with limited motorized equipment contact prior to shipment to others who will use these materials to manufacture new products. Recycling Center-Small operate in commercial buildings with a total floor area less than three thousand (3,000) square feet.

Recycling Collection Point: An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed at the collection point.

Repair: To take necessary action to fix normal damage or storm damage.

Religious Center: A building or buildings owned or maintained by a religious organization(s) for social, civic, or philanthropic purposes, and in which individuals regularly assemble or frequent for worship or religious instruction with associated clergy. Religious Centers may include seminaries, monasteries, and convents. Temporary tents or temporary structures do not qualify as Religious Centers under this Ordinance.

Renewable Energy Facility: Any facility or installation such as a windmill, hydroelectric unit or solar collecting or concentrating array, that is designed and intended to produce energy from natural forces such as wind, water, sunlight, or geothermal heat, or from the burning of biomass. A Renewable Energy Facility may be a Public Utility Facility, or privately owned and operated.

Research, Testing and Development Facility: A laboratory or other facility for carrying on investigation on the natural, physical, or social sciences, or engineering and development of end products as an extension of such investigation. Research, Testing and Development Facilities do not engage in the manufacture or sale of products, except as incidental to the main purpose of research and investigation.

Residential Use: Any land use that includes a Dwelling Unit as a principal use.

Restaurant: An Establishment where meals are prepared and served to the public for compensation.

Standard Restaurant: A business engaged in the preparation and serving of meals for consumption on the premises, and generally requiring a moderate amount of time (i.e., 10-15 minutes) between the period of ordering and serving of the meal.

Fast-Food Restaurant: A business engaged in the preparation and serving of meals for consumption on or off the premises, normally requiring a short amount of time (i.e., less than 10 minutes) between the placement of an order and the serving of the meal. Fast-Food Restaurants typically serve food in edible or disposable containers.

Drive-In Restaurant: A business engaged in the preparation and serving of meals for consumption on the premises in a Vehicle or off the premises, normally requiring a short amount of time (i.e., less than 10 minutes) between the placement of an order and the serving of the meal. Drive-In Restaurants typically serve food in edible or disposable containers.

Rest Home: (See: Health Care Facility - Residential)



Re-subdivision: The division of an existing subdivision or any change in the Subdivision Plan for an approved subdivision that affects the lot lines, including land transactions by the subdivider not indicated on the approved Subdivision Plan.

Retail Business: An Establishment engaged in the sale, rental, or lease of goods, commodities, or services to the end consumers for direct use or consumption and not for resale. Retail Businesses can be operated for profit or not-for-profit. Retail Business specifically excludes Marijuana-Caregiver Retail Store and Warehouse – Retail, which are defined and regulated separately.

Retreat Center: A Facility that is used for professional, educational, or religious conclaves, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. Retreat Centers are not utilized by the general public for meals or overnight accommodations. Housing for participants may be in lodges, dormitories, sleeping cabins (with or without baths), or in such other temporary quarters as may be approved. Kitchen and dining facilities typically are in a single, centrally located building or buildings.

Right-of-Way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electrical transmission line, oil or gas pipeline, water main, sanitary sewer main, stormwater main, shade trees, or other auxiliary uses, either public or private, on which an irrevocable right-of-passage has been recorded for the use.

River: A free-flowing body of water including its associated floodplain wetlands from that point at which it provides drainage for a watershed of twenty-five (25) square miles to its mouth.

Riverine: Means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Road: A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles, consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles. This includes the full width of associated right-of-way not just the paved area intended for vehicular travel.

Rubbish Hauler - Commercial. Any Person engaged in the collection and transportation of solid waste for a fee or other compensation

Runway Protection Zone: A trapezoidal-shaped area centered about the extended runway center line at either end of the runway and beginning beyond the end of the area usable for the takeoff and landing of aircraft where, due to the higher potential for the occurrence of aircraft accidents, land use is necessarily restricted.

Safe Children Zone: Those areas within 1,000 feet of real property comprising a public or private elementary or secondary school or on or within 1,000 feet of the real property comprising a day care center licensed pursuant to Title 22, section 8301-A.

Satellite Receiving Dishes: A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include, but not be limited to, what are commonly referred to as satellite earth stations, TVROs (television reception only satellite dish antennas), and satellite microwave antennas.

Sawmill: A Facility where logs or partially processed cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products. Sawmills do not include the processing of timber for use on the same lot by the owner or resident of that lot (see Firewood Processing – Personal Use).

Schools:

School - Commercial: An institution that is commercial or profit-oriented. Examples thereof are dancing, music, riding, correspondence, aquatic schools, driving or business. Authorized Home Occupations are not included with this use.

School - Preschool: A facility for the organized instruction of children who have not reached the age for enrollment in public schools. May be operated as part of a Day Care Facility in a home or commercial location.

School - Public and Private (including Parochial School): An institution for education or instruction where any branch or branches of knowledge is imparted, and which satisfies either of the following requirements:

- a. The school is not operated for a profit or a gainful business; or
- b. The school teaches courses of study which are sufficient to qualify attendance there as in compliance with State compulsory education requirements.

Seasonal Dwelling: A dwelling unit lived in for periods aggregating less than seven (7) months of the year and is not the principal residence of the owner.

Self-Service Storage Facility: A Building or group of Buildings that consists of individual, small, self-contained units that are leased or owned for the storage of customers' goods or wares. Self Service Storage Facilities typically have controlled access to the Building(s) and/or a fence surrounding the Building(s).

Septic Spreading and/or Storage: A Business that accepts septic materials from residential and non-residential Facilities in order to conduct dewatering and/or drying processes for the purpose of converting the septic materials into a product suitable for composting, land application or other biodegradable product for sale.

Service Business: (See: Personal Service Business)

Service Drop: Any Public utility line extension which does not cross or run beneath any portion of a water body provided that:

1. In the case of electric service:
  - a. the placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way; and
  - b. the total length of the extension is less than one thousand (1,000) feet.
2. In the case of telephone service:
  - a. the extension, regardless of length, will be made by the installation of telephone wires to existing utility poles; or

- b. the extension requiring the installation of new utility poles or placement underground is less than one thousand (1,000) feet in length.

Setback: The horizontal distance from a lot line to the nearest part of a structure, road, parking space, normal high-water line or other regulated object or area.

Setback from Water: The horizontal distance from the normal high-water line to the nearest part of a structure.

Shopping Center: A grouping of two or more Retail Businesses, whose associated buildings and structure are owned or managed by a single Person. Shopping Centers are built in a manner to facilitate common parking areas, storm drain facilities or shared ingress/egress points.

Shoreland Zone: The land area within two hundred and fifty (250) feet, horizontal distance, of the normal high-water line of any great pond or river; 250 feet of the upland edge of a freshwater wetland except as otherwise provided in M.R.S. Section 438-A, subsection 2; or seventy-five (75) feet of the normal high-water line of a stream; or as may be indicated on the official Shoreland Zoning Map adopted by the city.

Sidewalk Vendor: A Person engaged in selling, or offering for sale, food, beverages, merchandise, or services for immediate delivery from a vendor stand or from his/her person. Sidewalk Vendors are not located in, or in association with any building.

Sign: A display surface, fabric or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public and containing related elements (e.g., letters, pictures, products, mechanisms or sculptures) constructed, placed or organized to announce, direct attention to or advertise. In cases where matter is displayed in a random or unconnected manner without an organized relationship, each such component shall constitute a sign. Signs shall include:

Abandoned: Any sign that advertises a business, lessor, owner, product, service, or activity that is no longer located on the premises where the sign is displayed.

Animated: Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Banner: Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Billboard: A sign, structure, or surface which is available for advertising purposes for goods or services rendered at a location other than the premises on which the sign is located.

Canopy: Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.

Changeable Copy: A sign or portion thereof on which the message changes more than eight (8) times per day with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. For the purposes of this Ordinance, a sign on which the copy that changes is an electronic or mechanical indication of time or temperature shall be considered a changeable copy sign.



Figure 5: Example of Canopy Sign

Commemorative: A sign, tablet or plaque commemorating or memorializing a person, event, structure, or site.

Construction: A temporary sign providing information about future development or current construction on a site and the parties involved in the project.

Flashing: A sign, which, by method or manner of illumination, flashes on or off, winks, or blinks with varying degrees of light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off. Signs which indicate the time temperature shall not be considered flashing signs.

Freestanding: Any sign supported by structures or supports that are placed on, or anchored in, the ground and are independent from any building or other structure. These generally exceed 8 feet in height.



Figure 6: Example Freestanding Sign

Government: A sign erected and maintained by or on behalf of the United States, the state, the county, or the city for the purpose of regulating traffic or for civic purposes.

Holiday Decorations: Temporary signage, in the nature of decoration, clearly customary and commonly associated with federal, state, local, or religious holidays and contains no commercial message.

Incidental: A sign pertaining to the safe and efficient movement of pedestrians and vehicular traffic into and out of a building, parking area, and premises.

Illegal: Any sign which does not conform to the regulations of this code as currently adopted or as adopted at the time of construction.

**Illuminated:** A sign which has characters, letters, figures, designs, or outlines illuminated by electric lighting or luminous tubes as part of the sign construction or display. Illumination may be by direct or indirect lighting.

**Marquee:** Any sign attached to a permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

**Monument:** A sign which does not generally exceed eight feet (8') in height which is vertically self-supported by a fixed permanent form or support(s) in the ground.

**Non-Conforming Sign:** Any sign that does not conform to the requirements of an ordinance.

**Official Business Directional Sign (OBDS):** A sign erected and maintained in accordance with the Maine Traveler Information Services Act, 23 MRSA §1901, et. seq. which points the way to public accommodations and facilities or other commercial facilities.

**Pennant:** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string usually in series, designed to move in the wind.

**Permanent:** Any sign which is not temporary by definition. And intended to be displayed for more than sixty (60) consecutive days.

**Portable/Temporary Movable:** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to "A" or "T" frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from a public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

**Projecting:** Any sign affixed or attached to a building or a wall in such a manner that its leading edge extends more than eighteen (18) inches beyond the surface of the building or wall.

**Residential:** Any sign located in a residential zoning district for residential uses that contains no commercial message except advertising goods or services legally offered on the premises



Figure 8: Example of a Monument Sign



Figure 9: Example Temporary Signs



where the sign is located, if offering such service at such location conforms with all requirements.

Roof: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the roof plane.

Suspended: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Wall: Any sign attached parallel to, but within six (6) inches of, a wall, or erected and confined within limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.



Figure 11: Example Wall Sign

Window: Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed within 12-inches of the inside of a window or upon the windowpanes, or glass and is visible from the exterior of the window.

Sign Area: The area of a sign that is used for display purposes, excluding the minimum frame and supports and as further detailed in the city sign regulations.

Sign Height: The measurement from the top of the copy area to ground directly under or at the base of the sign unless otherwise defined for freestanding signs along highways in the city sign regulations.

Site Plan: A map or graphics prepared to scale depicting the development of a tract of land for commercial, industrial, multi-family or other mix of uses, including but not limited to the location and relationship of the structures, streets, driveways, recreation areas, parking areas, utilities, landscaping, existing and proposed grading, walkways, and other site development information as related to a proposed development and the city's development requirements. This does not include a subdivision plat or subdivision plans although some of the same information may be required.

Site Plan Review: The process whereby the Planning Board or city staff review the site plans and maps of the developer to assure that they meet the stated purposes and standards of the zoning district, provide for the necessary public facilities, and protect and preserve topographical features and adjacent properties through appropriate siting of structures and landscaping.

Sketch Plan: (See Concept Plan.)

Slope, Steep: Slopes exceeding 30 percent for a distance of 50 feet or more and having a vertical rise of more than four feet.

Slope, Unstable: An area susceptible to a landslide, a mudflow, a rockfall or accelerated creep of slope-forming materials due to soil conditions, slope, vegetative cover, hydrology, or development impacts.

Solar Power Generation Facility: A power generation facility utilizing photovoltaic cells and semiconductor devices that convert sunlight into direct current electricity for storage, distribution and/or the beneficial use of more than one end user. (see Renewable Energy Generation)

Solid Waste. Useless, unwanted solid materials with insufficient liquid content to be free flowing. Other common words used for solid waste include trash, rubbish, garbage, junk, and refuse. Solid waste includes refuse-derived fuel, but does not include source separated recyclables / compostables, septic tank sludge, or wastewater treatment sludge.

Soup Kitchen: A Business provides free prepared meals for consumption on site.

Spot Zoning: A change in district boundaries, variances, and other amendments to the zoning code and permitted use and area maps that violate sound planning principles, disregarding the general plan, impacts to the general city and surrounding properties, and would give privileges not generally extended to property similarly located in the area. Usually, the amount of land involved is small, limited to one or two ownerships, and nestled in areas already developed.

Stable - Commercial Use: A series of stables, barns, paddocks, and/or other shelters and exercising facilities in which large or medium farm animals are fed, exercised and/or cared for on a short- or long-term basis for compensation. A Stable – Commercial Use may provide venues for remuneration, hire, sale, boarding, riding, or showing of animals. Stable – Commercial Use does not include Kennels.

Stable – Personal Use: An Accessory Structure that is used to shelter and keep animals by the occupants of the premises, and specifically not for remuneration, hire, or sale.

Stream: A free-flowing body of water from the outlet of a great pond or the confluence of two (2) perennial streams or a perennial stream flowing from a freshwater wetland as described by Maine Revised Statutes, Title 38 Chapter 3.

Structure: Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences. The term includes structures temporarily or permanently located, such as decks and satellite receiving dishes, but in land areas outside of shoreland areas, signs, sidewalks, patios, driveways, and parking lots are not defined as structures.

Subdivision: Definition provided in M.R.S. Title 30-A, Chapter 187 Section 4401, as amended.

Subdivision Plan: A site development plan of a subdivision or of a land development, including all required supplementary data, showing the proposed public or private streets, open spaces, utilities, and the lot or site layout as a basis for consideration by the city prior to the preparation of a Subdivision plat.

Subdivision Plat: The final map and other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision or lot division.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Expansion: Floorspace increase of 25 percent or new materials or processes not normally associated with the existing use. In shoreland areas, if any portion of a structure is less



than the required setback from the normal high-water line of a water body or upland edge of a wetland, that portion of the structure shall not be expanded in floor area or volume, by 30 percent or more, during the lifetime of the structure.

Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored before the damage occurred. For purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not however, include any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or for any alteration of a structure listed on the National Register of Historic Places of a State Inventory of Historical Places.

Substantial Start/Construction: Completion of 30 percent of a permitted structure or use measured as a percentage of estimated total cost.

Subsurface Wastewater Disposal System: Any system for the disposal of waste or wastewater on or beneath the surface of the earth including, but not limited to treatment tank(s), disposal area(s), holding tank(s) and pond(s), surface spray system(s), cesspool(s), well(s), surface ditch(es), alternative toilet(s), or other devices and associated piping designed to function as a unit for the purpose of disposing of wastes or wastewater on or beneath the surface of the earth. The term shall not include any wastewater discharge system licensed under Title 38 MRSA §414, any surface wastewater disposal system licensed under Title 38 MRSA §413 Subsection 1-A, or any municipal or quasi-municipal sewer or wastewater treatment system. The term shall not include a wastewater disposal system designed to treat wastewater which is in whole or in part hazardous waste as defined in Title 38 MRSA Chapter 13, subchapter 1.

Sustained Slope: A change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area.

Swimming Pool: An outdoor man-made receptacle or excavation designed to hold water to a depth of at least 24 inches, primarily for swimming or bathing, whether in the ground or above the ground.

Tattoo Parlor/Body-piercing Studio: Any Establishment where tattooing is performed for compensation. Tattooing means a placement in human tissue of any indelible design, letter, scroll, figure, symbol, or other mark placed with the aid of needles or other instruments; or any design, letter, scroll, figure, or symbol done by scarring upon or under the skin. Tattoo Parlor/Body-piercing Studio does not include hair or beauty salons, where permanent makeup may be provided, in accordance with State of Maine regulations.

Telecommunications Facility: Any facility, and its Accessory Uses, related equipment, and Structures, utilized for the broadcast or reception of electro-magnetically transmitted information. A Telecommunications Facility includes, but not limited to, Telecommunications Towers, Co-located systems, enclosures, cabinets, and related storage elements.

Telecommunications, Co-location: The addition of antennae and equipment of a service provider to a separate provider's permitted telecommunications site with limited expansion of the footprint



of the permitted site. Co-location facilities are generally encouraged to limit the proliferation of towers and antennae locations around the community.

Telecommunications, Alternative Design: Artificial trees, clock towers, and similar nontraditional structures that are compatible with the existing setting or structures and camouflage or partially conceal the presence of antennas or towers. This includes any antenna or antenna array attached to the alternative design structure.

Telecommunications Tower: Any Structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio, and similar communication purposes. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, antenna tower alternative structures, and the like.

Theater: An Establishment for the showing of motion pictures or dramatic or musical performances.

Thrift Store: A Retail Business that engages in or specializes in the sale or resale of previously owned goods and merchandise and where at least 25 percent of the total sales floor area is devoted to sale of merchandise donated or principally donated to the Business.

Timber Harvesting: The cutting and removal of trees from their growing site, and the attendant operation of cutting and skidding machinery, but not the construction or creation of roads. Timber harvesting does not include the clearing of land for approved construction. Timber Harvesting in the shoreland zone is subject to regulation under M.R.S.A. Title 38 as amended.

Tourist Cabin: (See: Motel)

Tourist Court: (See: Motel)

Tourist House: (See: Inn)

Tract (Parcel) of Land: All contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road shall be considered each a separate tract (parcel) of land unless such road was established by the owner of land on both sides thereof.

Tradesman Shop: An Establishment, whose associated Building area is less than 1200 square feet and that is engaged in providing crafts or skilled trades, such as plumbing, carpentry, or electrical work. Tradesman Shop also includes Establishments engaged in the repair of electrical appliances, watches, jewelry, equipment, furniture, or other goods, where such services are the primary use of the building. The shop may include workspace, storage space, and office space. Tradesman Shops do not engage in the repair or servicing of small engines or motor vehicles, which are regulated separately as Automobile Repair Garages.

Trail: A route or path, other than a roadway, and related facilities, developed and used primarily for recreational or transportation activities, including but not limited to, hiking, walking, cross-country skiing, snowmobiling, ATVing, horseback riding, bicycling, and dogsledding.

Travel Trailer: (See: Recreational Vehicle)

Tributary Stream: A channel between defined banks created by the action of surface water, whether intermittent or perennial, and which is characterized by the lack of upland vegetation or presence of aquatic vegetation and by the presence of a bed devoid of topsoil containing waterborne deposits

on exposed soil, parent material or bedrock, and which flows to a water body or wetland as defined. This definition does not include the term "stream" as defined elsewhere, nor a lake or great pond and only applies to that portion of the tributary stream located within the shoreland zone of the receiving water body or wetland. The tributary to a great pond is not considered a tributary to the outlet of that great pond.

Trucking/Distribution Terminal: An Establishment primarily engaged in furnishing trucking or transfer services with or without storage.

Unbuildable Area: Land which is determined to be unusable or not adaptable to the uses prescribed of the land due to the nature and/or characteristic of the land such as slopes over thirty percent (30%), water coverage or shoreland protections, containment within certain types of easements or otherwise unsuitable for development as determined by the community development department. For the purpose of this code, undevelopable land may be included within a development plan but may not be included in the calculation of the buildable area of any primary or accessory structure and must remain in its native state.

Upland Edge: The boundary between upland and wetland.

Usable Open Space: That portion of the common open space which due to its slope, drainage characteristics, and soil conditions can be used for active recreation, horticulture, or agriculture. To be considered usable open space, the land must not be poorly drained or very poorly drained, have ledge outcroppings, or areas with slopes exceeding 10 percent.

Use: The way land or a structure is arranged, designed, or intended, or is occupied.

Use, Accessory: A use that is customarily and in fact both incidental and subordinate to the Principal Use area, extent, purpose, and impacts.

Use, Change of: The replacement of an existing use by a new use, or a change in the nature of an existing use which necessitates additional parking, storm drain systems, etc. but not including a change of ownership, tenancy, or management where the previous nature of the use, line of business, or other function is substantially unchanged.

Use, Conditional: A use that, because of special requirements or characteristics, may be allowed in a particular zoning district only after review by the commission and granting of conditional use approval imposing such conditions as necessary to make the use compatible with other uses permitted in the same zone or vicinity. Conditional uses are issued for uses of land and are transferable from one owner of the land to another.

Use, Legal Nonconforming (Grandfathered): Use of buildings, structures, premises, land or parts thereof which is not permitted in the District in which it is situated, or which does not meet the performance standards prescribed for it by an ordinance, but which is allowed to remain solely because it was in lawful existence at the time an ordinance or subsequent amendments took effect.

Use, Mixed: The development of a tract of land or building or structure with two or more different uses such as but not limited to residential, office, retail, public, or entertainment, in a compact urban form.

Use, Permitted: A use permitted in a district without the need for special administrative review and approval, upon satisfaction of the standards and requirements of this ordinance. The term further includes a conditional use, as listed for the district, provided a conditional use permit is obtained.

Use, Principal: The main or primary purpose for which a structure or lot is designed, arranged, or intended or for which it may be used, occupied, or maintained under this zoning bylaw.

Use, Temporary: A use for a maximum of 180 days that does not involve the construction or alteration of any permanent structure and will terminate automatically upon expiration of a fixed time.

Used Merchandise Sale: The outdoor sale of used articles, conducted for more than five (5) consecutive days or for more than two (2) weekends per year, and shall require a Temporary Use permit from the CEO. Used Merchandise Sales includes flea markets and may include Garage or Yard Sales if length of operations meets the specified term lengths.

Vacation Rental: A Dwelling or Dwelling Unit that is available to the general public for compensation and used for transient accommodations for a period of less than 30 consecutive days.

Variance: A relaxation of the development terms of a zoning ordinance as allowed under state and local statute.

Vegetation: All live trees, shrubs, ground cover, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 1/2 above ground level.

Vegetative Buffer: A screen of live plant material that is opaque from the ground to a height of at least six feet, intended to exclude visual contact between uses and to create a strong impression of spatial separation during all seasons of the year. At maturity, the screen shall be considered view-obscuring if there are no openings greater than one square foot.

Vested Property Right: The right to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan or an approved phased development plan for a specified time, regardless of changes in this ordinance.

Veterinary Hospital or Clinic: An Establishment engaged in the diagnosis, care and treatment of ailing or injured animals, which also may include overnight accommodations. The overnight boarding of healthy animals is considered a Stable - Commercial Use, as defined elsewhere in this Ordinance.

Volume of a Structure: The volume of all portions of a structure enclosed by roof and fixed exterior walls as measured from the exterior faces of these walls and roof.

Waiver: (Not to be confused with "variance" which applies only to the Zoning Ordinance.) A relaxation of the terms of the Subdivision Ordinance or Site Design Review Ordinance; to waive submission of information otherwise required by the Ordinance when that information is not necessary to make a determination that the standards of the Ordinance and the criteria of the Statute are met. The applicant retains the burden of proof that the standards and criteria are met. The CEO and Planning Board have no power to waive any statutory criteria.

Warehousing/Storage: An Establishment engaged in the storage of goods, wares, and merchandise in a warehouse for compensation. Warehousing/Storage is characterized by extensive warehouse floor area, frequent heavy trucking activity, open storage of material, and/or the potential of nuisances, such as dust, noise, and odors. Warehousing/Storage specifically does not engage in manufacturing or production. Also, Warehousing/Storage does not include Self-Service Storage Facilities, which is defined and regulated separately.

Warehouse - Retail: A Retail Business engaged in selling merchandise to both wholesale and retail customers. Warehouse – Retail Buildings have a gross floor area typically exceeding 30,000 square feet.

Wastewater Replacement System: A system intended to replace: (1.) an existing system which is either malfunctioning or being upgraded with no significant change of design flow or use of the structure, or (2.) any existing overboard wastewater discharge.

Wastewater Treatment Plant: A Facility or group of Facilities used for the treatment of wastewater from sewer systems and for the reduction and handling of solids and gases from such wastewaters, whether or not such facility or group of Facilities is licensed by the State of Maine and authorized for discharging into state waters. Wastewater treatment plant specifically excludes any facility or equipment used for pretreatment, treatment, or handling of industrial water, wastewaters, reuse waters, and wastes which are conveyed to a State of Maine licensed Wastewater Treatment Plant.

Water Body: Shall include the following:

Pond or Lake: Any inland impoundment, natural or man-made, which collects and stores surface water.

Stream or River: A free flowing drainage outlet, with a defined channel lacking terrestrial vegetation, and flowing water for more than three (3) months during the year.

Water Crossing: Any project extending from one bank to the opposite bank of a river or stream, whether under, through, or over the water course. Such projects include, but may not be limited to, roads, fords, bridges, culverts, water lines, sewer lines, and cables as well as maintenance work on these crossings.

Water Treatment Plant: A facility or facilities within a water supply system which can alter the physical, chemical, or bacteriological quality of the water in the system in accordance with State of Maine regulations.

Weeds: All grasses, annual plants, and vegetation. Weeds shall not include cultivated flowers, gardens, trees, or shrubs.

Wetlands Associated with Great Ponds and Rivers: Wetlands contiguous with or adjacent to a great pond or river, and which during normal high water, are connected by surface water to the great pond or river. Also included are wetlands which are separated from the great pond or river by a berm, causeway, or similar feature less than 100 feet in width, and which have a surface elevation at or below the normal high-water line of the great pond or river. Wetlands associated with great ponds or rivers are considered part of that great pond or river.

Wetland: (See: Freshwater Wetland and Forested Wetland)

Wholesale Business/Sales: A Retail Business engaged in selling merchandise at wholesale prices to industry, commercial, institutional, farm, and professional business customer, as well as to other wholesalers. Wholesale Business/Sales does not involve sales to the general public.

Wind Energy Conversion System: A machine that converts the kinetic energy in the wind into a usable form (commonly known as a wind turbine or windmill) for the beneficial use of more than one end user (see Renewable Energy Generation).

**Yard:** The area between a structure and the property boundary which has a minimum width or depth established by setback requirements and intended to be an unbuildable area on a lot except for accessory structures, fencing, patios, etc. as allowed under this ordinance.

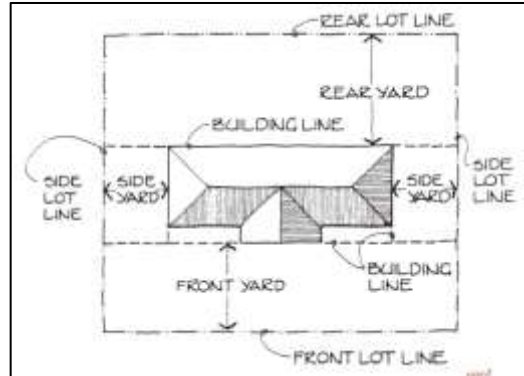


Figure 12: Depiction of typical lot yard areas.

**Yard Sale:** All general sales, open to the public, conducted from or on a premise for the purpose of disposing of personal property. Yard sale includes garage sales, porch sales, tag sales, and the like. They shall occur for not more than five (5) consecutive days or for not more than two (2) weekends a year or they shall be considered a "Used Merchandise Sale" as defined in this Section.

**Zone or District:** A specified portion of the municipality, delineated on the Official Zoning Map, within which certain regulations and requirements or various combinations thereof apply under the provisions of the Zoning Ordinance.

## **VIII. Section 13-500 paragraph 17. Definitions is amended to read as follows:**

### **17. Shoreland Definitions**

In addition to those definitions found in Title 13-900, the following terms shall specifically apply to the regulations of the Shoreland Zoning areas. Any other terms not included herein shall be as found in the state statutes pertinent to shoreland zoning regulations.

**Basal Area** - the area of cross-section of a tree stem at 4 1/2 feet above ground level and inclusive of bark.

**Basement** - any portion of a structure with a floor-to-ceiling height of 6 feet or more and having more than 50% of its volume below the existing ground level.

**Canopy** – the more or less continuous cover formed by tree crowns in a wooded area.

**Commercial use** - the use of lands, buildings, or structures, other than a "home occupation," defined below, the intent and result of which activity is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units.

**DBH** – the diameter of a standing tree measured 4.5 feet from ground level.

**Expansion of a structure** - an increase in the floor area or volume of a structure, including all extensions such as, but not limited to attached decks, garages, porches and greenhouses.

**Significant River Segments** - See Appendix B or 38 M.R.S.A. section 437.

**IX. Section 13-200 Zoning Ordinance is amended as follows (underlined text is added, stricken text is deleted)**

**Section 13-200 Zoning Ordinance and Land Use Regulations**

1. **Title.** This Section shall be known and may be cited as the “Zoning Ordinance of the City of Caribou”.
2. **Administration.** The Planning Board of the City of Caribou shall administer this Section.
3. **Applicability.** This section shall apply to all land, buildings, or structures within the boundaries of the City of Caribou.
4. **Intent.** In order to carry the purposes of this title, the City of Caribou is hereby divided into zones with specific development and land use regulations pertinent to such zones as established below.

**X. Section 13-201 Applicability of Zoning Review is repealed**

**XI. Section 13-202 Official Zoning Map is rewritten as follows:**

**Section 13-202 Official Zoning Map**

1. **Official Zoning Map.** Zones are located and bounded as shown on the Official Zoning Map of the City which is hereby declared to be an official record and made a part of this Section. The Official Zoning Map shall be created and maintained electronically by the Caribou Community Development Department with a hard copy being placed in the City Clerk’s office, which shall be attested by the City Clerk, and bear the seal of the City under the following words:

*"This is to certify that this is the Official Zoning Map of the Zoning Ordinance of the City of Caribou, Maine"*     Date: \_\_\_\_\_

The Official Zoning Map in the City Clerk’s office shall have a minimum scale no less than 1 inch = 2000 feet. There may for purpose of clarity, necessitated by reasons of scale on the map, be more than one Zoning Map produced, including electronically, for public viewing. Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning map located in the office of the City Clerk shall be the final authority in determining current zoning status.

The Official Zoning Map shall be reproduced with each official amendment or as needed in the event it becomes damaged, destroyed, lost, or difficult to interpret.

**2. Amendments to the Official Zoning Map.**

- A. If, in accordance with the provisions of Section 13-100 and Title 30 A MRSA §4503, changes are made in Zone boundaries or other matter portrayed on the Official Zoning Map, changes to the map shall be made upon the effective date of the Council ordinance approving the map amendment. The following wording shall be reflected on the Official Zoning Map with each amendment adopted in a calendar year:

" By official action of the City Council, the following change(s) was (were) made: (insert brief description of the general location, acreage affected, nature of change, the ordinance

number and effective date)." Immediately beneath the entry the City Clerk shall place their signature.

- B. No changes to Zone boundaries shall be made in the Official Zoning Map except in conformity with the procedures set forth in Section 13-100 and consideration of the information required below. Any unauthorized zone boundary change shall be considered a violation of this Section and punishable as provided for within the Sec. 13-120, "Administration and Enforcement".
- C. Application to Rezone. Property owners desiring to change the zoning classification for property which they own, whether individually or as a part of a larger development project, may make application to the community development department for a hearing to rezone their property. Applications to rezone property shall consist of, but not be limited to, the following:
  - 1. A complete rezoning application with fees paid,
  - 2. A concept plan depicting the layout, including, but not limited to, roads, parks, trails, and type of development anticipated within each zoning classification being requested. This plan shall also include a density table which reflects the anticipated development with potential number of development units, residential and commercial, and the number of potential units under the current zone standards,
  - 3. Legal description of the property(ies) proposed to be rezoned along with a map and area calculation for each area to be affected.
  - 4. Materials for notification to property owners within 300 feet of the area to be affected.
- D. Criteria for Rezoning Consideration. To grant an approval for rezoning of property, the Planning Board and City Council must find that:
  - 1. The rezoning conforms to the intent of the City general plan,
  - 2. The rezoning will provide greater benefit to the community than adverse effects to surrounding properties, and
  - 3. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to this title.

### **3. Rules Governing Interpretation of Zone Boundaries**

Where uncertainty exists as to the boundaries of Districts as shown on the Official Zoning Map the following rules shall apply.

- A. Boundaries indicated as approximately following the center lines of roads, highways, alleys, railroad rights-of-way, rivers, or streams shall be construed to follow such center lines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following City limits shall be construed as following such limits.

- D. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline.
- E. Sources for the delineation of the Special Flood Hazard areas shall be the Caribou Flood Insurance Map.
- F. Sources for the delineation of the Aquifer Protection District shall be the latest edition of the Maine Geological Survey "Hydrogeologic Data for Significant Sand and Gravel Aquifers".
- G. Boundaries indicated as parallel to or extensions of features indicated in subsections A through D above shall be construed as being parallel to or extensions of such features. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- H. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or other circumstances not covered by subsections A through G above, the Board of Appeals shall interpret the District boundaries.
- I. Where a tract has a split zoning boundary, other than the boundary to an overlay zone, the following rules shall apply.
  - 1. On lots of two (2) acres or less in area, the lot shall be used as if the entire lot were in the District which comprises the larger portion.
  - 2. On lots larger than two (2) acres, the District regulations shall be followed in each portion.
- J. Where other uncertainty exists, the zoning administrator, or other authorized officer, shall make recommendation to the Planning Board which shall interpret the map. Interpretations shall be made to favor the highest and best use of the property and in accordance with the city's adopted general plan. Interpretations shall be noted on the official zoning map along with the date of interpretation for future reference.



## CREDIT ENHANCEMENT AGREEMENT

THIS CREDIT ENHANCEMENT AGREEMENT (hereinafter “Credit Enhancement Agreement” or “Agreement”) dated as of \_\_\_\_\_, 2021, is hereby made between the **City of Caribou**, a municipal body corporate and politic and a political subdivision of the State of Maine (hereinafter the “City”), and **Gagnon’s Rental Properties, LLC**, with a place of business in Caribou, Maine (hereinafter the “Company”).

### WITNESSETH THAT:

WHEREAS, the City has designated an Omnibus Downtown Tax Increment Financing District as amended (hereinafter the “District”) pursuant to Title 30-A M.R.S.A. Chapter 206 by vote at a City Council Meeting duly noticed and held on September 9, 2013, (the “Vote”); and

WHEREAS, pursuant to the Vote the City adopted a Omnibus Development Program and Financial Plan for the District (herein the “Development Program”); and

WHEREAS, the District and the Development Program has been reviewed and approved by Maine Department of Economic and Community Development on March 7, 2014; and

WHEREAS, the Development Program authorizes the execution and delivery of a credit enhancement agreement between the City and the Company; and

WHEREAS, the City and Company desire to execute and deliver a credit enhancement agreement contemplated by and described in the Development Program, with such terms and provisions not inconsistent with the Development Program; and

WHEREAS, the City designated the District, adopted the Development Program, and now desires to enter into this Agreement in order to induce the Company to complete the Project by enabling the City to contribute toward the capital cost of the Project the amounts contemplated by the Development Program and this Agreement.

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

### ARTICLE I DEFINITIONS

#### **Section 1.1. Definitions.**

As used in this Agreement, unless the context otherwise indicates, the following terms shall have the following meanings:

“Act” means chapter 206 of Title 30-A of the Maine Revised Statutes and regulations adopted thereunder, as amended from time to time.

“Captured Assessed Value” shall mean the amount, stated in a percentage, of Increased Assessed Value that is retained in the District with respect to each Tax Year as specified in this Agreement during the term of the District.

“Captured Assessed Value – Gagnon Tract” shall mean the amount, stated in a percentage, of Increased Assessed Value that is retained in the District with respect to each Tax Year and which is attributable to the Gagnon Tract as specified in this Agreement during the term of the District.

“City Cost Subaccount” means that portion of the Project Cost Account of the Development Program Fund for the District as defined in the Financial Plan Section of the Development Program and established and maintained according to Article II hereof.

“City Improvements” means the improvements described in the Development Program, as such may be approved by the City from time to time.

“Current Assessed Value” means the assessed value of the District certified by the municipal assessor as of April 1st of each year that the Development District remains in effect.

“Current Assessed Value – Gagnon Tract” means the assessed value of the Gagnon Tract certified by the municipal assessor as of April 1st of each year that the Development District remains in effect.

“DECD” means the Maine Department of Economic & Community Development.

“Development Program Fund” means the Downtown Municipal Development and Tax Increment Financing District Program Fund described in the Financial Plan section of the Development Program and established and maintained pursuant to Article II hereof and 30-A M.R.S. § 5227(3)(A). The Development Program Fund shall consist of a Sinking Fund (as necessary) and a Project Cost Account with at least two subaccounts.

“District” means the Downtown Tax Increment Financing District.

“Financial Plan” means the financial plan described in the “Financial Plan” section of the Development Program.

“Fiscal Year” means January 1 to December 31 or such other fiscal year as the City may from time to time establish.

“Gagnon Tract” means that tract of property identified as Map 11 Lot 004-B

“Increased Assessed Value” means, for each Tax Year during the term of this Agreement, the amount by which the Current Assessed Value – Gagnon Tract for such year exceeds the Original Assessed Value – Gagnon Tract. If the Current Assessed Value – Gagnon Tract is equal to or less than the Original Assessed Value – Gagnon Tract in any given Tax Year, there is no Increased Assessed Value in that year.

“Gagnon Cost Subaccount” means the portion of the Project Cost Account of the Development Program Fund set aside for the Developer contemplated in this Agreement and as described in the Financial Plan section of the Development Program and established and maintained pursuant to Article II hereof.

“Original Assessed Value – Gagnon Tract” means \$690,200 the taxable assessed value of the Gagnon Tract as of March 31, 2020 [April 1, 2020]. This amount is used for purposes of this Agreement and does not alter the original assessed value indicated in the 2005 Development Program Fund adopted by the City.

“Project” means the conversion of a general office building space to a medical office to be used for oral health care purposes on the Gagnon Tract.

“Project Costs” means any costs incurred or expected to be incurred that are authorized by Title 30-A M.R.S.A. Section 5225, as may be amended.

“Property Tax” means any and all ad valorem property taxes levied, charged, or assessed against real and personal property located in the District by the City, or on its behalf.

“Sinking Fund Account” means the development sinking fund account described in the Financial Plan Section of the Development Program and established and maintained pursuant to 30-A M.R.S.A. § 5227(3)(A)(2) and Article II hereof.

“Tax Increment” means all property taxes assessed and paid to the City in any given Tax Year, in excess of any state, county or special district tax, upon the Captured Assessed Value of the property in the District.

“Tax Increment – Gagnon Tract” means all property taxes assessed and paid to the City in any given Tax Year, in excess of any state, county or special district tax, upon the Captured Assessed Value – Gagnon Tract.

“Tax Payment Date” means the date as determined by the City from time to time on which property taxes assessed by the City are due and payable without interest from owners of property located within the City.

“Tax Year” shall have the meaning given such term in 30-A M.R.S.A. § 5222(18), as amended, to wit: April 1 to March 31.

## **Section 1.2. Interpretation and Construction.**

In this Agreement, unless the context otherwise requires:

(a) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms, as used in this Agreement, refer to this Agreement, and the term “hereafter” means after, and the term “heretofore” means before, the date of delivery of this Agreement.

(b) Words importing a particular gender mean and include correlative words of every other gender and words importing the singular number mean and include the plural number and vice versa.

(c) Words importing persons mean and include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public or governmental bodies, as well as any natural persons.

(d) Any headings preceding the texts of the several Articles and Sections of this Agreement, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Agreement, nor shall they affect its meaning, construction or effect.

(e) All approvals, consents and acceptances required to be given or made by any signatory hereto shall not be withheld unreasonably.

(f) All notices to be given hereunder shall be given in writing and, unless a certain number of days is specified, within a reasonable time.

(g) If any clause, provision or Section of this Agreement shall be ruled invalid by any court of competent jurisdiction, the invalidity of such clause, provision or Section shall not affect any of the remaining provisions hereof.

## **ARTICLE II**

### **DEVELOPMENT PROGRAM FUND AND FUNDING REQUIREMENTS**

#### **Section 2.1. Creation of Development Program Fund.**

The City has created and established a segregated fund in the name of the City designated as the “Downtown Tax Increment Financing District Program Fund” (hereinafter the “Development Program Fund”) pursuant to, and in accordance with the terms and conditions of, the Development Program and 30-A M.R.S.A. § 5227(3), as amended from time to time. The Development Program Fund consists of: (i) a Project Cost Account that is pledged to and charged with the payment of Project Costs as outlined in the Financial Plan of the Development Program and as provided in 30-A M.R.S.A. § 5227(3)(A)(1); and (ii) the Sinking Fund Account (as necessary) that is pledged to and charged with the payment of municipal indebtedness as outlined in the Financial Plan of the Development Program and as provided in 30-A M.R.S.A. § 5227(3)(A)(2). The Project Cost Account shall also contain two subaccounts designated as the “City Cost Subaccount” (the City’s Project Cost subaccount) and the “Gagnon Cost Subaccount” (the Company’s Project Cost subaccount).

The Gagnon Cost Subaccount referred to in this Agreement shall be specific to the Gagnon project. Other developer project cost subaccounts may be established for other projects within the District that have qualified for tax increment financing assistance.

#### **Section 2.2. Timing for Deposits into Gagnon Cost Subaccount.**

The City shall deposit the Company Tax Increment Revenues in the Gagnon Cost Subaccount within fifteen (15) days of each Tax Payment Date, or, if not a business day, on the next succeeding business day consistent with the terms of this Agreement.

#### **Section 2.3. Captured Assessed Value; Deposits into Development Program Fund.**

(a) Each year during the term of this Agreement, commencing with the City’s 2021 Tax Year and continuing thereafter for up to a maximum of fourteen (14) Tax Years to and including the City’s 2035 Tax Year, the City shall retain in the District one hundred percent (100%) of the Increased Assessed Value – Gagnon Tract as Captured Assessed Value – Gagnon Tract.

(b) Each year during this Agreement, the City shall deposit into the Development Program Fund contemporaneously with each payment of Property Taxes during the term of this Agreement an amount equal to one hundred percent (100%) of that portion of the property tax payment constituting Gagnon’s Tax Increment Revenues. The Development Program Fund is pledged to and charged with the payment of costs in the manner and priority provided in 30-A M.R.S.A. § 5227(3)(B).

(c) The City shall allocate Company Tax Increment Revenues so deposited in the Development Program Fund between the Gagnon Cost Subaccount of the Project Cost Account, and the City as set forth below:

***Allocation of Eligible Tax Increment Reimbursement***

<b>Tax Year</b>	<b>Company Allocation</b>	<b>City Allocation</b>
<b>2021-2035</b>	80% of Tax Increment – Gagnon Tract	20% of Tax Increment – Gagnon Tract

*It is understood and agreed that the credit to the Company Reimbursement Account as specified above shall be due and payable solely from such Property Tax payments by Company.*

The City shall retain one hundred percent of any City Tax Increment Revenues after Tax Year 2035 associated with the Increased Assessed Value – Gagnon Tract; the Company is not entitled to reimbursement of any portion of these City Tax Increment Revenues.

**Section 2.3. Use of Monies in the Development Program Fund.**

Monies credited in the Development Program Fund contemplated in this Agreement that are allocable to and/or deposited in the Gagnon Cost Subaccount shall be in all cases used and applied to fund fully the City’s payment obligations to Company in accordance with the terms of this Agreement.

**Section 2.4. Monies Held By City**

All monies actually paid by the Company to the City pursuant to this Agreement and credited to the City Cost Subaccount under the provisions hereof and the provisions of the Development Program shall be held by the City in accordance with the terms and conditions of this Agreement.

**Section 2.5. Allocation of Partial Tax Payments**

If in any year during the term of this Agreement, the Company fails to pay any portion of the Property Taxes assessed by the City, the Property Taxes actually paid by the Company shall be applied: (a) first to the payment of Property Taxes due on the Original Assessed Value of Company property in the District for any and all outstanding Tax Years; (b) second to payment of Property Taxes with respect to Increased Assessed Value – Gagnon Tract for the year or years concerned (including any delinquent taxes from prior Tax Years), and (c) third, to the extent of funds remaining, to payment of the Company’s share of Tax Increment Revenues contemplated in this Agreement to the Gagnon Cost Subaccount.

**ARTICLE III  
PAYMENT OBLIGATIONS**

**Section 3.1. Company Payments**

Within fifteen (15) days following the payment of Property Taxes by Company on the Gagnon Tract, or, if not a business day, on the next succeeding the Company all amounts then on deposit in the Gagnon Cost Subaccount, exclusive of any deduction or withholding required by Federal or State law.

All payments made to Company contemplated in this Agreement shall be utilized consistent with this Agreement and the Act.

### **Section 3.2. Manner of Payments.**

The payments provided for in this Article III shall be paid in immediately available funds directly to the Company in the manner provided hereinabove for its own use and benefit.

### **Section 3.3. Obligations Unconditional.**

Subject to compliance with the terms and conditions of this Agreement, the Obligations of the City to make the payments described in this Agreement in accordance with the terms hereof shall be absolute and unconditional, and the City shall not suspend or discontinue any payment hereunder or terminate this Agreement for any cause, other than by court order or by reason of a final judgment by a court of competent jurisdiction that the District is invalid or otherwise illegal.

### **Section 3.4. Limited Obligation.**

The City's obligations of payment hereunder shall be limited obligations of the City payable solely from Tax Increment Revenues attributable to the Gagnon Tract and any earnings thereon, pledged under this Agreement. The City's obligations hereunder shall not constitute a general debt or a general obligation on the part of the City or a general obligation or charge against or pledge of the faith and credit or taxing power of the City, the State of Maine, or of any municipality or political subdivision thereof, but shall be payable solely from the Tax Increment Revenues received by the City, and any earnings thereon.

This Agreement shall not directly or indirectly or contingently obligate the City, the State of Maine, or any other municipality or political subdivision to levy or to pledge any form of taxation whatever therefore or to make any appropriation for payment due under this Agreement, excepting the City's obligation to assess property taxes upon the Project and to appropriate the Tax Increment Revenues, and earnings thereon, pledged under this Agreement.

## **ARTICLE IV FURTHER INSTRUMENTS**

The City shall, upon the reasonable request of the Company, from time to time execute and deliver such further instruments and take such further action as may be reasonable and as may be required to carry out the provisions of this Agreement; provided, however, that no such instruments or actions shall pledge the credit of the City, materially disadvantage the City, or materially change this Agreement.

## **ARTICLE V LIENS**

The City shall not create any liens, encumbrances or other interests of any nature whatsoever, nor shall it hypothecate the Gagnon Cost Subaccount or any funds therein or revenues resulting from investment of funds therein, other than those interests created in favor of the Company hereunder; provided, however, nothing herein shall prohibit creation of real and personal property tax liens on the Company's property in accordance with, and entitled to the priority provided under, Maine law.

## **ARTICLE VI ACCESS TO BOOKS AND RECORDS.**

All books, records and documents in the possession of the City relating to the District, the Development Program, the Agreement and the monies, revenues and receipts on deposit or required to be deposited into the Development Program Fund contemplated by this Agreement shall be open to inspection by the Company, its agents and employees during normal business hours upon 48 hours written notice.

## **ARTICLE VII DEFAULTS AND REMEDIES**

### **Section 7.1. Events of Default.**

Each of the following events shall constitute and be referred to in this Agreement as an “Event of Default”:

- (a) Any failure by the City to pay any amounts due to the Company when the same shall become due and payable;
- (b) Any failure by the City to credit to the Gagnon Cost Subaccount as and when due;
- (c) Any failure by the City or the Company to observe and perform in all material respects any respective covenant, condition, agreement or provision contained herein on the part of the City or the Company respectively to be observed or performed which failure is not cured within thirty (30) days following written notice thereof;
- (d) If a receiver, conservator or liquidator is appointed for the Company by any court of competent jurisdiction; or if the Company should file a voluntary petition in bankruptcy or fail to have a petition in bankruptcy dismissed within a period of 90 consecutive days following its filing; or if a court of competent jurisdiction orders the winding up or liquidation of the Company.

### **Section 7.2. Remedies on Default.**

Whenever any Event of Default referred to in Section 7.1 hereof shall have occurred and be continuing for a period of thirty (30) days after a party's receipt from the other party of written notice of an Event of Default by the party, the other party may (a) specifically enforce the performance or observance of any obligations, agreements or covenants of the defaulting party under this Agreement and any documents, instruments and agreements contemplated hereby or to enforce any rights or remedies available hereunder or (b) suspend its performance under this Agreement for so long as the Event of Default continues or remains uncured.

### **Section 7.3. Remedies Cumulative.**

No remedy herein conferred upon or reserved to the Company or City is intended to be exclusive of any other available remedy or remedies but each and every such remedy shall be cumulative and shall be in addition to the remedy given under this Agreement or now or hereafter existing at law, in equity or by statute. Delay or omission to exercise any right or power accruing upon

any default or to insist upon the strict performance of any of the covenants and agreements herein set forth or to exercise any rights or remedies upon the occurrence of a default shall not impair any such right or power or be considered or taken as a waiver or relinquishment for the future of the rights to insist upon and to enforce, from time to time and as often as may be deemed expedient, by injunction or other appropriate legal or equitable remedy, strict compliance by either party with all of the covenants and conditions hereof, or of the rights to exercise any such rights or remedies, if such default be continued or repeated.

#### **Section 7.4. Agreement to Pay Attorney's Fees and Expenses.**

Notwithstanding the application of any other provision hereof, in the event a party should default under any of the provisions of this Agreement and the other party shall require and employ attorneys or incur other expenses or costs for the collection of payments due or to become due or for the enforcement of performance or observance of any obligation or agreement on the part of the party herein contained, the prevailing party in any litigation to enforce the provisions of this Agreement shall be entitled to be reimbursed for reasonable attorneys fees from the party in default.

#### **Section 7.5. Tax Laws.**

The parties acknowledge that all laws of the State now in effect or hereafter enacted with respect to taxation of property shall be applicable and that the City, by entering into this Agreement, is not excusing any non-payment of taxes by Company. Without limiting the foregoing, the City and the Company shall always be entitled to exercise all rights and remedies regarding assessment, collection and payment of taxes assessed on Company's property.

#### **Section 7.6. Failure of Company to timely pay property taxes.**

Should the Company fail to pay its assessed Property Taxes for the Gagnon Tract for two consecutive years the City is under no further obligation for payments to the Company, except in the case of a pending property tax valuation appeal. In the case of a pending property tax valuation appeal, the Company shall pay any uncontested amount by the Property Tax due date and the remainder immediately upon resolution of the appeal.

### **ARTICLE VIII TERM**

#### **Section 8.1. Effective Date**

Except as otherwise provided in this Agreement, this Agreement shall remain in full force and effect and shall expire upon the end of Tax Year 2035 or upon the payment of all amounts due to the Company hereunder and the performance of all obligations on the part of the City and Company hereunder (the "Term").

#### **Section 8.2. Expiration of Term.**

Upon the expiration of the Term, or the earlier termination of this Agreement, and following full payment of all amounts due and owing to the Company hereunder or provision for payment



thereof, the City and the Company shall each execute and deliver such documents and take or cause to be taken such actions as may be necessary to evidence the termination of this Agreement. No such expiration or termination shall affect any rights or obligations then outstanding.

## **ARTICLE IX ASSIGNMENT AND PLEDGE OF COMPANY'S INTEREST**

### **Section 9.1. Consent to Pledge and/or Assignment.**

The City hereby acknowledges that the Company may pledge and assign its right, title and interest in, to and under this Agreement as collateral for financing for the Project, although no obligation is hereby imposed on the Company to make such assignment or pledge. Recognizing this possibility, the City does hereby consent and agree to the pledge and assignment of all the Company's right, title and interest in, to and under this Agreement and in, and to the payments to be made to Company hereunder, to third parties as collateral or security for indebtedness or otherwise, on one or more occasions during the term hereof.

### **Section 9.2. Pledge, Assignment or Security Interest.**

The City hereby consents to the pledge, assignment or granting of a security interest by the Company of its right, title and interest in, to and under this Agreement to any lender which is financing the Project in whole or part.

### **Section 9.3. Assignment**

The Company shall have the unrestricted right to transfer and assign all or any portion of its rights in, to and under this Agreement, at any time, and from time to time, as Company may, in its sole discretion, deem appropriate.

## **ARTICLE X NO ADDITIONAL DEVELOPMENT**

It is understood and agreed that any additional development within the District by Company not within the scope of the original Project or any additional development within the District by any person other than the Company shall be outside the scope of this Agreement. The City shall have no obligations to make any payments into the Development Program Fund from any increased revenues received by the City from assessments made against such additional development.

## **ARTICLE XI MISCELLANEOUS**

### **Section 11.1 Successors.**

In the event of the dissolution of the Company or any sale or other transfer of all or substantially all of the Project, the covenants, stipulations, promises and agreements set forth herein, by or on behalf

of or for the benefit of such party shall bind or inure to the benefit of the successors and assigns thereof from time to time and any entity, officer, board, commission, agency or instrumentality to whom or to which any power or duty of such party shall be transferred.

#### **Section 11.2 Parties in Interest.**

Except as herein otherwise specifically provided, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person, firm or corporation other than the City and the Company or its assigns any right, remedy or claim under or by reason of this Agreement, it being intended that this Agreement shall be for the sole and exclusive benefit of the City and the Company; provided, however, that if the payment obligations of the City to the Company hereunder are held by a final and binding proceeding to be illegal or invalid, this Agreement shall terminate. In such event all obligations of the parties shall terminate, and no party shall have any further liability to the other hereunder.

#### **Section 11.3 Severability.**

In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Agreement and this Agreement shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

#### **Section 11.4 No Personal Liability of Officials of the City.**

No covenant, stipulation, obligation or agreement of the City contained herein shall be deemed to be a covenant, stipulation or obligation of any present or future elected or appointed official, officer, agent, servant or employee of the City in his or her individual capacity and neither the members of the City Council, City Council members nor any official, officer, employee or agent of the City shall be liable personally with respect to this Agreement or be subject to any personal liability or accountability by reason hereof.

#### **Section 11.5 Counterparts.**

This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same Agreement.

#### **Section 11.6 Governing Law.**

The laws of the State of Maine shall govern the construction and enforcement of this Agreement in all respects.

#### **Section 11.7 Notices.**

All notices, certificates, requests, requisitions or other communications by the City or the Company pursuant to this Agreement shall be in writing and shall be sufficiently given and shall be deemed given when mailed by first class mail, postage prepaid, addressed as follows: If to the City:

City of Caribou  
Attn: City Manager  
25 High Street  
Caribou, Maine 04736

With copies, which shall not constitute notice, to:

Solman & Hunter, P.A.  
P.O. Box 665  
Caribou, Maine 04736

If to the Company:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

With a copy, which shall not constitute notice, to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Either of the parties may, by notice given to the other, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent hereunder.

#### **Section 11.8 Amendments.**

This Agreement may only be amended with the concurring written consent of both of the parties hereto.

#### **Section 11.9 Benefit of Assignees or Pledgees.**

The City agrees that this Agreement is executed in part to induce assignees or pledgees to provide financing for the Project and accordingly all covenants and agreements on the part of the City as to the amounts payable hereunder are hereby declared to be for the benefit of any such assignee or pledgee from time to time of the Company's right, title and interest herein.

#### **Section 11.10 Integration.**

This Agreement completely and fully supersedes all other prior or contemporaneous understandings or agreements, both written and oral, between the City and the Company relating to the specific subject matter of this Agreement and the transactions contemplated hereby.

### **Section 11.11 No Obligation to Build Project**

The Company and the City agree, and the City hereby acknowledges that the Company shall have no obligation to go forward with the capital projects referred to herein or in the Development Program. All such projects are subject to final approval by the Company. Failure of Company to go forward with the capital projects referred to herein shall result in termination of this Agreement.

### **Section 11.12 Authority of City**

The Company and the City waive any right which either may have to contest, and shall not take any action to challenge, the other's authority to enter into, perform or enforce the Agreement or to carry out the Development Program or the validity or enforceability of this Agreement, the District or the Development Program. The City and the Company shall each utilize their respective best efforts to uphold the District, the Development Program, this Agreement and the City's authority to enter into this Agreement and the validity and enforceability of the District, the Development Program and this Agreement, including without limitation opposing, to the extent permitted by law, any litigation or proceeding challenging such authority, validity or enforceability.

### **Section 11.13 Indemnification.**

The Company shall at its own expense defend, indemnify, and hold harmless the City, its officers, agents, and employees from and against any and all liability, claims, damages, penalties, losses, expenses, or judgments relating in any manner to, or arising out of the Development Program or this Agreement, except to the extent that such liability, claims, damages, penalties, losses, or expenses, result in whole or in part from any negligent act or intentional omission of the City, its officers, agents, employees or servants. Company shall, at its own cost and expense, defend any and all suits or actions, just or unjust which may be brought against City upon any such above-mentioned matter, claim or claims, including claims of contractors, employees, laborers, materialmen, and suppliers. In cases in which the City is a party, the City shall have the right to participate at its own discretion and at its own expense and no such suit or action shall be settled without prior written consent of the City. Notwithstanding any other provision of this Agreement, this section shall survive any termination of this Agreement.

In the event of any litigation or proceeding challenging this Agreement or the authority of the parties to enter into or perform hereunder, the Company shall indemnify and hold harmless the City against all costs, including the cost of defense and legal fees resulting from such challenges. Provided, however, that if the Company assumes the defense of all challenges, the City agrees to let the Company's attorney represent both parties at Company's expense.

## **SECTION XII CITY COSTS.**

The Company shall pay or reimburse the City for all reasonable fees, expenses and other charges of the City and its consultants, including the City's attorneys and the City's Consultant, in connection with the negotiation, execution and approval of this Agreement and the negotiation, approval and approval of the Development Program. The amount of these fees shall not exceed \$500. If this is not done, the City shall deduct such payment due from credit enhancement payments due the

Company. Notwithstanding any other provision of this Agreement, this section shall survive any termination of this Agreement.

IN WITNESS WHEREOF, the City and the Company have caused this Agreement to be executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by the duly authorized officers, all as of the date first above written.

**CITY OF CARIBOU**

By \_\_\_\_\_  
Dennis Marker, City Manager  
Duly Authorized

\_\_\_\_\_  
Witness

**Gagnon Rental Properties, LLC**

By \_\_\_\_\_  
Name:  
Its:  
Duly Authorized

\_\_\_\_\_  
Witness

Exhibit A: Gagnon Office Site



# Monthly Permit Report

April 2021

	CURRENT MONTH	YEAR TO DATE	PRIOR YEAR MONTH	PRIOR YEAR TO DATE
BUILDING PERMITS	9	17	6	11
HOMES	1	1	1	1
MOBILE HOMES	0	1	0	0
MULTI-FAMILY	0	0	0	0
COMMERCIAL	2	7	5	9
EXEMPT	0	1	0	0
PLUMBING PERMITS				
INTERNAL	0	5	1	3
EXTERNAL	2	2	0	0
DEMO PERMITS	3	5	3	3
SIGN PERMITS	1	3	1	2

Year-to-Date is      January 2021                      to                      April 2021

**Housing Choice Voucher Program  
Mainstream Voucher Program**

**WAITING LIST STATISTICS**

	Jan-21	Feb-21	Mar-21	Apr-21	YTD
<b>Applicants in Jurisdiction</b>	<b>25</b>	<b>31</b>	<b>9</b>	<b>26</b>	<b>91</b>
VAWA Preference	0	0	2	4	6
Veteran's Preference	0	0	0	0	0
Natural Disaster	0	0	0	0	0
Living in Caribou	14	18	4	19	55
Mainstream	4	5	1	2	12

**HOUSING CHOICE VOUCHER PROGRAM**

	Jan-21	Feb-21	Mar-21	Apr-21	YTD
<b>HUD Allocated Vouchers</b>	<b>193</b>	<b>193</b>	<b>193</b>	<b>193</b>	<b>1930</b>
<b>Total Vouchers Leased</b>	<b>184</b>	<b>186</b>	<b>185</b>	<b>184</b>	<b>370</b>
Port Out Vouchers	3	3	3	3	12
Homeownership Vouchers	1	1	1	1	4
All Other Housing Choice Vouchers	180	182	181	180	723

YTD Openings	9	7	8	9	33
Vouchers on Street	5	5	9	10	29

<b>Total HAP Expense</b>	<b>\$ 78,487</b>	<b>\$ 79,960</b>	<b>\$ 80,040</b>	<b>\$ 80,201</b>	<b>\$ 318,688</b>
All Other Voucher	\$ 72,107	\$ 72,576	\$ 72,553	\$ 72,824	\$ 290,060
Port Out Payments	\$ 1,144	\$ 1,161	\$ 1,199	\$ 1,199	\$ 4,703
Homeownership HAP	\$ 300	\$ 300	\$ 300	\$ 300	\$ 1,200
FSS Escrow, Participants Account	\$ 4,936	\$ 5,923	\$ 5,988	\$ 5,878	\$ 22,725

<b>Ave. Per Unit Cost</b>	<b>\$ 427</b>	<b>\$ 430</b>	<b>\$ 433</b>	<b>\$ 436</b>	<b>\$ 861</b>
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<b>Lease Up Rates</b>	<b>Jan-21</b>	<b>Feb-21</b>	<b>Mar-21</b>	<b>Apr-21</b>	<b>YTD</b>
HUD Allocated -vs- Leased	95%	96%	96%	96%	96%
HUD Funded -vs- HAP Expense	101%	105%	102%	103%	103%

**MAINSTREAM VOUCHERS**

	Jan-21	Feb-21	Mar-21	Apr-21	YTD
<b>Number of Participants</b>	<b>2</b>	<b>4</b>	<b>4</b>	<b>5</b>	<b>10</b>
Mainstream HAP	\$ 818	\$ 1,925	\$ 2,222	\$ 2,540	\$ 7,505

**PORT IN / FOSTER YOUTH TO INDEPENDENCE**

	Jan-21	Feb-21	Mar-21	Apr-21	YTD
<b>Number of Participants</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>4</b>
FYI HAP	\$ 1,180	\$ 583	\$ 583	\$ 583	\$ 2,346

**HOUSING QUALITY STANDARDS INSPECTIONS**

	Jan-21	Feb-21	Mar-21	Apr-21	YTD
<b>Initial</b>	<b>6</b>	<b>0</b>	<b>4</b>	<b>7</b>	<b>17</b>
<b>Annual Inspection</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Tenant/Landlord Requested</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
					<b>0</b>
<b>Other, Public Housing Authority Inspections</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



**SPECIALITY PROGRAM - FAMILY SELF-SUFFICIENCY**

	Jan-21	Feb-21	Mar-21	Apr-21	YTD
<b>Number of Participants</b>	<b>42</b>	<b>44</b>	<b>43.00</b>	<b>43.00</b>	<b>129</b>
Number Earning Escrow	15	17	19.00	19.00	<b>51</b>
FSS Escrow, Participants Account	\$ 4,936	\$ 5,923	\$ 5,988	\$ 5,878	<b>\$ 16,847</b>
<b>FSS Families, Disbursement</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
FSS Disbursement Amount	\$ 215.00	\$ -			<b>\$ 215</b>
<b>FSS Graduate, Families</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>3</b>
FSS Graduate, Escrow	\$ 6,430.00	\$ -			<b>\$ 6,430</b>
<b>FSS Forfeiture, Families</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
FSS Forfeiture, Escrow	\$ 1,688.00	\$ -			<b>\$ 1,688</b>

The Monthly Meeting of Caribou Utilities District (CUD) was held Wednesday, April 15, 2021 on Zoom, Caribou, Maine

Trustees Present;  
Janine Murchison, President (home)  
David Belyea, (home)  
Nancy Solman, Treasurer (home)  
Jay Kamm, (cell phone)

Others Present;  
Hugh Kirkpatrick, General Manager (main office)  
Drew Freme, Tilson (home)

Sue T Sands, Philip McDonough, Trustee – Absent

President Janine Murchison called the meeting to order at 7:32 A.M.

David Belyea moved and Jay Kamm seconded the motion to accept the minutes of the March 2021 meeting. UNANIMOUSLY VOTED (4-0)

Nancy Solman moved and David Belyea seconded the motion to accept the Budget and Financial Reports as presented. UNANIMOUSLY VOTED (3-0, Jay Kamm temporarily off the call)

The Board of Trustees voted to renew a line of credit in the amount of \$200,000.00 with Machias Savings Bank for another year. UNANIMOUSLY VOTED (3-0, Jay Kamm temporarily off the call)

The Board of Trustees voted to authorize the CUD to proceed with an SRF loan application with the Maine Bond Bank in the amount of \$1,170,105.00 to install 4,400 feet of 8" water main on Sincok Street, Fort Street Extension, Armco Extension, Bird's Eye Avenue, and Fort Street. UNANIMOUSLY VOTED (3-0, Jay Kamm temporarily off the call)

General Manager's report:

A schedule of milestones for the water and wastewater rate increases which will go into effect later this calendar year was reviewed.

The project at Grimes will re-start around May 24<sup>th</sup>. The general contractor and their de-watering subcontractor were not anticipating an early spring but are working to get started earlier in May or late April if possible. Four weeks of de-watering sludge is remaining. After sludge removal, pond #1 will be re-lined and new aeration installed. Electrical, blowers and SCADA will continue through summer.

Monthly meetings will be held in the wastewater garage for the remainder of COVID-19.

Drew Freme from Tilson, an infrastructure consulting firm, presented a power point on broadband and how the CUD and the community can take advantage of impending funds which have been targeted for rural areas through current federal Covid legislation and the federal infrastructure bill being currently discussed in Washington. Before amending the CUD charter to lead a broadband project for the community a workshop will be scheduled for further discussion.

President Janine Murchison was excused from the meeting at approximately 9:00 A.M.

David Belyea moved and Jay Kamm seconded the motion to adjourn the meeting at 9:13 A.M. UNANIMOUSLY VOTED (3-0)

The next scheduled meetings will be a workshop to discuss broadband, date and time TBD, in the Wastewater Garage at 176 Limestone Street.

Next monthly meeting is Wednesday, May 12, 2021 in the Wastewater Garage.

*Hugh A. Kirkpatrick*

Hugh A. Kirkpatrick, General Manager



**Board of Directors**  
**April 12, 2021**  
**5:30 p.m.**

**Present:**

Doug Plourde, Chairman, Sue White, Chris Bell, Neal Griffith, Kevin Barnes, Dennis Marker, Mike Gahagan, Dr. Irene Djuanda, Dr. Shawn Laferriere, Kris Doody, RN, CEO; Dr. Regen Gallagher, CMO; Chelsea Desrosiers, CFO; Dr. Carl Flynn, COS; Leslie Anderson, COO, Jenn Plant, RN, CNO; Paula Parent, RN, HR; Penny Wickstrom, HR; Mike Whitten and Sarah Belliveau, Berry Dunn; Jon Holabird, PHS, Sam Brown, QHR and Peg McAfee

**Welcome:**

Doug Plourde, Chairman, Board of Directors welcomed Jon Holabird, PHS and Sam Brown, QHR.

AGENDA TOPIC	ISSUE DISCUSSED & CONCLUSION	PLAN OF ACTION	PERSON RESPONSIBLE
<b>REGULAR MEETING</b>			
<b>EDUCATION</b>	<b>Cary Medical Center Audited Financials</b> – Cary Medical Center’s 2020 audited financials were presented by Sarah Belliveau, CPA, Principal and Michael Whitten, CPA, Senior Manager of Berry, Dunn via ZOOM. Information including the presentation to the Board of Directors, management letter, description letter, ratio analysis, combined financial statements and additional information was uploaded to BoardEffect. Chelsea Desrosiers, CFO; her staff and members of the Administrative Team were congratulated on another successful audit.	Upon motion duly made and seconded, it was so VOTED to approve the 2020 Audited Financials as presented.	
<b>1. Call to Order</b>	<b>2020 Year in Review</b> – Kris Doody presented the 2020 Year In Review.	Informational.	
<b>2. Review and Approval of Minutes</b>	Doug Plourde, Chairman, called the Regular Meeting of the Board of Directors to order at approximately 5:22 p.m.	Informational.	
<b>3. Report of Chief of Staff</b>	Upon motion duly made and seconded, it was so VOTED to approve the March 1, 2021 meeting minutes as presented.	Informational.	
	Dr. Flynn provided the following updates from the March 24 <sup>th</sup> Medical Staff Executive Committee Meeting and General Medical Staff Meeting:  <b>Appointment Consulting Staff – Michael Epstein, MD (Pediatric Cardiology):</b> The complete appointment application and provider profile of Michael Epstein, MD was reviewed with no discrepancies. The report from the National Practitioner’s Data Bank contained no reports. Upon motion duly made and seconded it was so VOTED to recommend approving provisional appointment of Michael Epstein, MD to the Consulting Medical Staff with privileges as requested through December 31, 2022. Dr. Dumont was appointed as proctor for Dr. Michael Epstein during his provisional appointment. This recommendation was forwarded to the Board of Directors for action.	Upon motion duly made and seconded, it was so VOTED to approve the Report of Chief of Staff as presented.  Upon motion duly made and seconded, it was so VOTED to approve the provisional appointment of Michael Epstein, MD to the Consulting Staff as requested.	

**Board of Directors**  
**April 12, 2021**  
**5:30 p.m.**

AGENDA TOPIC	ISSUE DISCUSSED & CONCLUSION	PLAN OF ACTION	PERSON RESPONSIBLE
	<p><b>Appointment Consulting Staff – Mira Olson, MD (Gastroenterology):</b> The complete appointment application and provider profile of Mira Olson, MD was reviewed with no discrepancies. The report from the National Practitioner’s Data Bank contained no reports. It was noted the Department of Surgery has approved her privileges for endoscopies and her file will be going to the Department of Medicine for Internal Medicine privileges. Upon motion duly made and seconded it was so VOTED to recommend approving provisional appointment of Mira Olson, MD to the Consulting Medical Staff with endoscopy privileges as requested through December 31, 2022. Dr. Bawa was appointed as proctor for Dr. Mira Olson during her provisional appointment. This recommendation was forwarded to the Board of Directors for action. The Internal Medicine privileges will be presented once reviewed and approved by the Department of Medicine.</p> <p><b>Revised Department of Emergency Medicine Core Privileges</b> - The revised Department of Emergency Medicine Core Privilege form was included in the packet for review. Upon motion duly made and seconded it was so VOTED to recommend approval of the revised Department of Emergency Medicine Core Privileges as presented. This was forwarded to the Board of Directors for action.</p> <p><b>Resignation – Kristzina Morin, DO</b> - Kristzina Morin, DO submitted her formal resignation to the Medical Staff Office on February 5, 2021. Upon motion duly made and seconded it was so VOTED to recommend accepting the resignation of Kristzina Morin, DO as presented. This recommendation was forwarded to the Board of Directors for action.</p> <p><b>Resignation – Leonidas Tzogias, MD</b> - Leonidas Tzogias, MD submitted his resignation from the Medical Staff at Cary Medical Center effective May 22, 2021. Upon motion duly made and seconded it was so VOTED to recommend accepting the resignation of Leonidas Tzogias, MD as presented effective May 22, 2021. This recommendation was forwarded to the Board of Directors for action.</p> <p><b>2021 Physician Recruitment Plan</b> – The 2021 Physician Recruitment Plan was included in the packet for review. The Plan was approved by the General Medical Staff and forwarded to the Board of Directors for action.</p>	<p>Upon motion duly made and seconded, it was so VOTED to approve the provisional appointment of Mira Olson, MD to the Consulting Staff as requested.</p> <p>Upon motion duly made and seconded, it was so VOTED to approve the revised Department of Emergency Medicine Core Privileges as presented.</p> <p>Upon motion duly made and seconded, it was so VOTED to approve the resignation of Kristzina Morin, D.O. as presented.</p> <p>Upon motion duly made and seconded, it was so VOTED to approve the resignation of Leonidas Tzogias, M.D. as presented.</p> <p>Upon motion duly made and seconded, it was so VOTED to approve the 2021 Physician Recruitment Plan as presented.</p>	



**Board of Directors**  
**April 12, 2021**  
**5:30 p.m.**

AGENDA TOPIC	ISSUE DISCUSSED & CONCLUSION	PLAN OF ACTION	PERSON RESPONSIBLE
	<p><b>2021 UR/CM Plan</b> – The 2021 UR/CM Plan was in the packet for review. The Plan was approved by the General Medical Staff and forwarded to the Board of Directors for approval.</p> <p><b>The Joint Commission Contact</b> – Dr. Flynn provided the contact phone number for the Joint Commission to the General Medical Staff.</p> <p><b>AHA Courses</b> – Due to COVID, PALS, ACLS, BLS courses were put on hold. The AHA courses are now being offered.</p> <p><b>Peer Review</b> – Dr. Flynn noted that 2020 peer reviews have been assigned and need to be completed. Most of the peer reviews prior to 2020 have been completed. Once completed, the 2021 peer reviews will be assigned on an ongoing basis.</p> <p><b>Tufts Students</b> – The Tufts students departed in March. The two new students will be arriving June 1<sup>st</sup>.</p> <p><b>COVID-19</b> – COVID testing and vaccinations are ongoing. A reminder was provided noting sick, notification and travel policies are still in effect. PPE is still required for all patient care.</p> <p>Dr. Regen Gallagher provided the following updates from the March 17<sup>th</sup> meeting:</p> <p><b>Utilization and Case Management</b> – The following reports were reviewed at the QM Meeting: Delays in Stay (Internal and External), Case Management Dashboard, Cary's Quality Star Rating – Cary's rating is 4 Stars, an increase from the previous rating.</p> <p><b>Quality Management Compliance Indicators</b> – Indicators were reviewed from: Jefferson Cary Cancer Center, Rehab, Radiology, OR and Pharmacy.</p> <p><b>Hand Hygiene</b> – Observations of hand hygiene has restarted. There were 180 before patient contact observations, 179 after patient contact observations with 91% compliance on each. Managers continue to work with staff where observation numbers were low. The subcommittee continues to review options for electronic devices to monitor hand hygiene versus manual observations.</p> <p><b>Patient Safety Committee</b> – The minutes were included in the packet for information.</p>	<p>Upon motion duly made and seconded, it was so VOTED to approve the 2021 UR/CM Plan as presented.</p> <p>Informational.</p> <p>Upon motion duly made and seconded, it was so VOTED to approve the Quality Management Committee report as presented.</p>	
4. Quality Management Committee			
Patient Safety Committee			

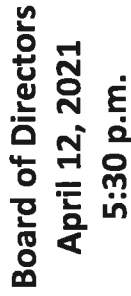
**Board of Directors**  
**April 12, 2021**  
**5:30 p.m.**

AGENDA TOPIC	ISSUE DISCUSSED & CONCLUSION	PLAN OF ACTION	PERSON RESPONSIBLE
<b>Dashboard</b>	<b>2021 Dashboard</b> – Leslie Anderson reported that the customer satisfaction information has a new look for 2021. Information this year includes ratings on One Day Surgery.		
<b>5. Report of Chairman, Board of Directors – Doug Plourde – Chairman</b>	Doug Plourde provided the following updates:  <b>Pines Health Services Board of Directors</b> – Chris Bell attended the Pines Board of Directors Meeting. Items discussed included: 340b, COVID cases, Greenway, Intergy, new EMR vendor options: Cerner, Epic.  <b>MSEC &amp; GMS Meetings</b> – No report was provided.	Informational.	
<b>a. Report from Board Members – PHS</b>	<b>Departmental Leadership Meeting</b> – Dr. Irene Djuanda attended the meeting and found it very interesting. Nursing students from Boston College will be in Aroostook County during April vacation providing health screenings. The screenings have been coordinated with Catholic Charities and will be located at area churches. The Human Resources Team was recognized on the national level. They were nominated by Penny Wickstrom, HR Manager.		
<b>MSEC &amp; GMS Meetings</b>	<b>Other</b> – Dennis Marker announced that he will be returning to Utah to be closer to family. His last day as Caribou City Manager is June 30 <sup>th</sup> . He voiced his appreciation of the staff at Cary Medical Center. The Board of Directors thanked Dennis for all he has accomplished during his tenure as City Manager.		
<b>6. Report of CEO – Kris Doody</b>	Kris Doody reported the following, noting more information is available in the CEO and Provider Activity Reports:  <b>Physician Recruitment</b> – <ul style="list-style-type: none"> <li><b>Pathology</b> – Dr. Bhunesh Maheshwari is processing through an O-1 Visa application. He and his family will be in the County in the next few weeks to look for housing. Dr. Porter is planning to retire at the end of 2021.</li> <li><b>Pediatrics</b> – Contact has been made with seven pediatricians. Zoom interviews are being scheduled with several of the candidates. Offers have been made to a couple of the pediatricians.</li> <li><b>Anesthesia (CRNA)</b> – Zoom interviews are being scheduled with two CRNA's this week.</li> </ul>	Informational.	
<b>a. Physician Recruitment</b>			



**Board of Directors**  
**April 12, 2021**  
**5:30 p.m.**

AGENDA TOPIC	ISSUE DISCUSSED & CONCLUSION	PLAN OF ACTION	PERSON RESPONSIBLE
b. COVID – 19	<ul style="list-style-type: none"> <li><b>Hematology/Oncology</b> – A Zoom interview is scheduled for April 15<sup>th</sup> with a candidate for a permanent position.</li> <li><b>Ongoing Recruitment</b> – Recruitment is ongoing for pediatrics, internal medicine, orthopedics, anesthesia (CRNA) and hematology/oncology.</li> </ul> <p><b>COVID – 19</b> – Kris Doody reported 23 new cases of COVID in the County today. Cary has not received any new 1<sup>st</sup> dose of the vaccine this week. There are 100 Jansen vaccine doses left from last week. Plans are to administer those doses as well as 2<sup>nd</sup> doses. Appointments are available for this week.</p> <p>Zoom meetings continue with the consortia of Houlton Regional Hospital, Northern Maine Medical Center, Cary Medical Center and Hebert's Pharmacy.</p> <p>Updates from Kris, Dr. Gallagher and Dr. Dumont continue to be provided to staff and board members of Cary and Pines. Dr. Gallagher has coordinated all Cary and Pines vaccine clinics.</p>		
c. ER/Front Entrance Renovation	<p><b>ER/Front Entrance Renovation</b> – Leslie Anderson provided a powerpoint presentation on the recent renovations to the ER/Front Entrance. Within 2-3 weeks the project should be completed, on target. The project is progressing well and contractor, Rick Nadeau is doing a great job. This project is being covered with COVID-19 funds.</p>		
d. Maternal/Child Renovation	<p><b>Maternal/Child Renovations</b> – Leslie Anderson reported that final plans are with Rick Nadeau, General Contractor and the Fire Marshall for review and approval. The infection control plans are complete. The delivery rooms will be changed to the opposite hallway. A steel beam needs to be added for support of the new air handling system that will be placed on the roof. All windows will be replaced.</p>		
e. Air Handling Review	<p><b>Air Handling Review</b> – Leslie Anderson reports the project has been reviewed with the engineers. Air handler #8 (ACU), Pines Surgical and Maternal Child Floor has issues with cooling the area due to the summer heat. Priorities for the air handlers upgrade for the corridors, ICU and OR have been reviewed. A computerized system upgrade is needed to handle the air handling system. The upgrades to the system will also be covered with COVID-19 funds.</p>		

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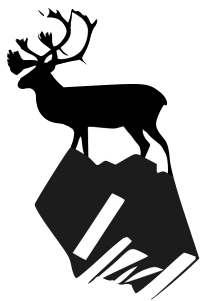
**Board of Directors**  
**April 12, 2021**  
**5:30 p.m.**

AGENDA TOPIC	ISSUE DISCUSSED & CONCLUSION	PLAN OF ACTION	PERSON RESPONSIBLE
	<ul style="list-style-type: none"> <li>Trustee Education and Networking is scheduled for February 2022. There will also be three regional conferences, two-day events scheduled in July and August 2021. There is a good possibility one of the conferences will be scheduled in Boston.</li> </ul>		
<b>9. Adjournment, Other &amp; Next Meeting</b>	<p><b>Adjournment</b> - Upon motion duly made and seconded, it was so VOTED to adjourn the meeting at approximately 6:27 p.m.</p> <p><b>Next Meeting</b> - The next meeting of the Board of Directors is scheduled for Monday, May 3, 2021, 5:30 p.m.</p>	Informational.	

Prepared by: Marguerite E. McAfee (Peg), Executive Assistant to the CEO & COO

Respectfully submitted,

Kris Doody, RN, MSB  
 Chief Executive Officer



# Caribou Public Library

## DIRECTOR'S REPORT

**To: Mayor and City Councilors**  
**Dennis Marker, City Manager**  
**From: Hope Shafer, Library Director**  
**April 2021 Report**

April is such a beautiful month. It is so filled with promise! You know that spring is just around the corner and everyone becomes extra cheerful. It also means more sunshine and boy can we use that after the darker winter months. 😊

April at the library means National Poetry Month, Earth Day, and displays with books about growing things. Everyone is eager to plant something, grow something, or just look at books with happy, colorful garden pictures. Who can blame them? Our displays reflected this and we stocked our garden display with everything useful and pretty, from how-to books to beautiful coffee table garden books. Our poetry display contained Native, US, and foreign poets, including the first National Youth Poet Laureate Amanda Gorman's book, *The Hill We Climb*! 🙌 Just for fun we also made a "creepy and atmospheric" book display. Total polar opposite of spring, but fun none-the-less! 😊

So far we have had 27 children participate in our Children's Nutrition Program and we still have a week to go! The children are having so much fun learning all about fruits, veggies, beans and grains. They have also learned how to measure things and all about correct portions. So much fun! 😊

During the month of April we hosted a Superhero Creation Contest for children, teens and adults. So far we have 17 forms turned in! These are some SUPER COOL superheroes! We have Connecto – a metal and magnet superhero! Meowsick – he's a prehistoric time-traveling superhero! Wonder Burger – he is a burger who can talk! Galexara – she can breathe in space and can move extremely

fast through space! Those are just to name a few! We sure have some creative kids/teens/adults! 😊

In April the library collaborated with Age Friendly Caribou and Cary Medical Center to host Tech Talks. This was one-on-one mentoring between a volunteer and a senior. The senior could bring technology that they are struggling with – laptop, Kindle, cell phone, tablet, etc. – and a volunteer would spend time walking them through set-up and usage. It was a wonderful way to give back to the community! I sincerely hope we can continue this program!

We have finished our spring raffles – all of our winners were incredibly happy with their baskets. We are also gearing up for our Used Book Sale on May 15<sup>th</sup>, from 10am-2pm. We have around 8,000 books, CDs, and DVDs that will be available. People have been so generous during their “cleaning out of the house due to COVID” phase. We are so thankful that people thought of us, but now their generosity is taking over every available space, even the area under the stairs! 😊

For the month of May we are hosting a 30-day Lego Challenge in our Children’s Room. Children can pick up their calendar of Lego-related activities. As they complete the different challenges they mark them off their calendar. Once finished they return the completed calendar to the library to receive a prize! This is just AWESOME! It combines tons of off-screen creative play with a prize at the end! Creativity for the WIN! 🥳

We are already gearing up for our Summer Reading Program which begins June 14<sup>th</sup>! Children will be participating in the state-wide “Tales & Tails” program featuring books covering all things animals! The Teen and Adult theme is “Color Your World – Read the Rainbow!” Teens and Adults will be choosing their books based on the color of the book jacket! They will be reading the rainbow, with a few additional colors thrown in. 😊

So much to look forward to! We come to work EXCITED every day! 😊

Happy Reading!  
~Hope

CIRCULATION STATISTICAL COMPARISON													
MATERIAL TYPE	APR 2020	MAY 2020	JUN 2020	JUL 2020	AUG 2020	SEPT 2020	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021
Adult books	75	53	329	659	918	916	867	917	1,020	1,203	935	1,123	432
Juvenile books	73	56	470	632	818	690	895	681	992	1,007	846	1,208	458
Teen/YA books	5	10	72	154	132	97	142	137	86	159	150	154	62
DVDs	6	15	85	255	463	310	488	389	310	355	466	507	186
eBooks/Audiobooks	130	136	122	169	129	138	196	273	261	270	406	404	355
Magazines	0	8	12	147	149	122	101	70	160	139	175	168	36
Interlibrary loans	0	3	22	18	79	83	70	69	97	79	90	101	51
Puzzles							15	10	41	34	22	12	14
Renewals	0	0	1	6	639	634	504	517	558	604	620	757	676
TOTAL NUMBERS	289	281	1,113	2,040	3,327	2,990	3,278	3,063	3,525	3,850	3,710	4,434	2,270

\*\*As of 2020 the Maine State Library is now requiring that public libraries track renewals as part of their statistics. \*\*

YEAR-TO-DATE OVERALL MONTHLY STATISTICAL COMPARISON													
MATERIAL TYPE	APR 2020	MAY 2020	JUN 2020	JUL 2020	AUG 2020	SEPT 2020	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021
Circulation	289	281	1,113	2,040	3,327	2,990	3,278	3,063	3,525	3,850	3,710	4,434	2,270
Library Visitors	267	220	395	3,197	3,234	3,675	3,570	2,573	2,819	2,641	2,534	3,023	2,851
Wi-Fi access	2,729	7,247	12,902	14,600	58,117	20,960	16,833	10,256	6,235	8,673	8,810	7,252	7,454
Books added	37	91	95	104	139	107	210	144	154	163	141	184	190
Books withdrawn	28	21	24	3	62	33	9	6	282	15	16	48	49
Program Participation	2,101	1,321	997	898	533	569	6,289	1,615	8,443	1,926	1,571	2,517	
New patrons	1	1	3	9	11	17	15	8	1	14	18	8	6
Archives (# of users)	0	0	11	26	37	31	29	39	23	31	37	44	43

Year	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTAL
2017	1,429	1,647	2,165	1,671	1,782	2,053	2,086	2,225	1,995	2,335	2,284	2,094	23,766
2018	1,789	1,755	2,396	2,758	2,192	2,501	2,629	3,166	2,727	2,894	2,587	2,104	29,498
2019	2,924	2,026	2,728	2,663	2,116	1,979	2,519	2,297	2,129	2,099	1,603	1,770	26,853
2020	2,404	2,415	1,710	289	281	1,113	2,040	3,327	2,990	3,278	3,063	3,525	26,435
2021	3,850	3,710	4,434	2,270									14,264

## CFAD Monthly Report

April 2021

Fire Calls 8\_\_Ambulance Calls 187 \_\_Canceled Calls 1\_ = Total Calls \_196

### See Attached Breakdowns:

- Alarms for Fires (33)- 1
- Alarms for Rescues (66)
- Silent Alarms - 7
- Total Hours Pumped - .5
- Gallons of Water Used 52.5
- Amt. of Hose used 150'
- Ladders Used (in Feet): '
- (75'Aerial)\_\_\_\_\_
- Thermal Imaging Camera Used - 5
- Gas Meter Used-
- Rescue Sled & Snowmobile-
- Rescue Boat-
- Jaws Used -
- ALS Calls - 100
- BLS Calls - 87
- Amb. Calls Canceled- 1
- Target Calls- 10 (Drug Behavioral)
- PIFT Transfers- 8
- Long Distance Transfers - 16
- Calls Turned Over - 11
- Total Out of Town Calls- 46
- No Transports- 37
- Est. Fire Loss, Caribou -
- Est. Fire Loss, out of City
- Total Est. Fire Loss -

Miles Traveled by All Units – 7,400  
Color Guard trng/Ceremonies -

- Total Maintenance Hours - 8
- Total Training Hours - 180.59

### MUTUAL AID TO:

Presque Isle Fire Dept. - F 1 A-  
Fort Fairfield Fire Dept -.F A -  
Limestone Fire Dept..  
Washburn Fire Dept.  
Stockholm Fire Dept. .  
North Lakes Fire Dept.  
Crown Ambulance  
Van Buren Ambulance -  
Life Flight - 5

### MUTUAL AID FROM:

Presque Isle Fire Dept.-  
Fort Fairfield Fire Dept. -  
Limestone Fire Dept.-  
Washburn Fire Dept.  
Stockholm Fire Dept.  
North Lakes Fire Dept.  
Crown Ambulance

### Out of City Fire and/or Ambulance Responses/and No Transports (N/T)

Location	# of Amb. Resp./N/T's	# Of Fire Resp.	Man Hrs.
Woodland	10/1		
Connor	2/1		
New Sweden	5	1	
Stockholm	3		
Limestone	20/7		
Madawaska Lake			
Caswell	4		
Fort Fairfield			
Presque Isle		1	
Van Buren			
Westmanland			

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Scott Susi, CFAD Chief

## Fire Breakdowns

April 2021

Situation Found		# Of Incidents	Fire Casualties	Est. Property Damage
1. Private Dwellings (111) Mobile Homes (121)				
2. Apartments (3 or more) (111)				
3. Hotels & Motels (111)				
4. Dormitories & Boarding Homes (111)				
5. Public Assembly (Church, Restaurant) (111)				
6. Schools (111)				
7. Institutions (Hospitals, Jails, Nursing Homes) (111)				
8. Stores, Offices (111)				
9. Industry, Utility, Defense (111)				
10. Storage (111)				
11. Vacant Buildings or being Built (111)				
12. Fires outside structure w/value (crops, timber, etc.) (171)				
13. Fires Highway Vehicles (131)				
14. Other Vehicles (planes, trains, etc.) (132) Lawnmower	1			
15. Fires in brush, grass w/no value (140)	1			

### Other Incidents

16. Haz-Mat (400)	
17. False Calls (740)	
18. Mutual Aid Calls (571)	1
19. Aid to Ambulance (10-55's) (322)	
20. Aid to Police (551)	

21. Investigation (Smoke, CO <sub>2</sub> , or Alarm	5	(smoke ) 1 ( CO <sub>2</sub> ) (Alarm ) 4
22. Service Calls (500)		
23. Ambulance Calls (300)	187	

Canceled Calls- 1

Fire/Rescue- 8

**Total Calls for the Month\_196**