

**REGULAR MEETING MINUTES**  
**City Council of the City of Bath, Maine**  
**Wednesday, November 1, 2006 6:00pm**  
**City Council Chambers, Bath City Hall**

Present: Councilors Hinds, Omo, Quimby, Verville, Pagurko and Chairman Wyman.

Absent: Councilors Blake, Hart and Winglass

Also in attendance was the City Manager – William Giroux, City Solicitor - Roger Therriault and City Clerk - Mary White.

Chairman Wyman led the Pledge of Allegiance and City Clerk White called the Roll.

**C. Public Hearings: 6:01 PM**

**1) Public Facilities grant for \$300,000 that is assisting Elmhurst, Inc. in the construction of an ADA designed facility at 400 Centre Street**

Al Smith, CDBG Coordinator, introduced Darlene McKinnon, Executive Director of Elmhurst, Inc. Ms. McKinnon gave an overview, status update and timeline of the project and thanked Council for their support.

It was the consensus of Council that the building was a beautiful asset to the City.

**2) Community Enterprise Grant of \$125,000, which established the Bath Business Façade Improvement Program to assist downtown businesses with exterior improvements**

Al Smith gave an update on the status of the project stating that the Sandwich Shop, The Skate Park and DJ's Fun Center renovations have been completed and Gediman's and the Briggs Building renovations were still in the process of being completed. Mr. Smith explained that the City would like to reapply next year for another grant as some other sites have been recognized.

**3) Report on status of the 2006 Public Infrastructure Grant, which is assisting in the Street Improvements on Stacy, Hinckley, and Shaw Streets**

Al Smith gave an update on the status of the project stating that the project had been essentially completed. He stated the Bath Water District was very pleased with the project.

**D. Consent Agenda: 6:14 PM**

4) Motion by Councilor Quimby, second by Councilor Hinds to accept the Minutes as presented for the October 4 and 18, 2006 Council Meetings. All in favor.

**E. Time Devoted to Residents to Address the City Council: 6:15 PM**

No residents spoke at this time.

**F. Ordinances, Resolutions and Orders: 6:15 PM**

**Item 5) Ordinance: Chapter 8A. General Assistance Maximums for October 1, 2006 to September 30, 2007 (first passage)**

Chairman Wyman read the following Ordinance:

**ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 8A. GENERAL ASSISTANCE

Delete appendices to the Ordinance dealing with maximums allowances and replace with newly attached allowance summary sheets, schedules and appendices, Appendix A - Total Allowed GA Maximums, Appendix B - Food Maximums, Appendix C - Housing Maximums. Maximums shall be effective as of October 1, 2006.

Motion by Councilor Pagurko, second by Councilor Quimby to put this item on the floor for discussion.

William Giroux, City Manager, explained that this is an annual adoption of maximums. These figures recommended from the State go with the economy and are based on HUD figures.

**ROLL CALL VOTE:**

**YEAS: Hinds, Omo, Quimby, Verville, Pagurko**

**NAYS: None**

**Ordinance passed unanimously. 5-0**

Chairman Wyman set second passage for this Ordinance for December 6 at 7:34PM.

**Item 6) Order: Offset Project Qualifications Under Regional Greenhouse Gas Initiative**

Chairman Wyman read the following Order:

**ORDER  
OFFSET PROJECT QUALIFICATIONS UNDER RGGI**

WHEREAS, the Regional Greenhouse Gas Initiative (RGGI) among the seven Northeastern states provides that fossil-fuel electric power generators, unable to reduce their own greenhouse emissions to meet assigned limits, can purchase “offset allowances;” and

WHEREAS, such “offset allowances” are created by entities outside the RGGI System; and

WHEREAS, those entities voluntarily reduce their own greenhouse gas emissions; and

WHEREAS, one of the methods of reducing such emissions is by reducing methane emissions by gas capture and flaring; and

WHEREAS, the City of Bath may potentially qualify as an offset project under RGGI; and

WHEREAS, such qualifications would allow the City of Bath to sell to an RGGI source in the region its own emission reductions; and

WHEREAS, this would provide a revenue stream that would offset some of the expenses of installing the new gas collection system in the current active cells (Cells 2-1/2-2) and future cells at the Bath Landfill.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the City Manager consider and investigate the potential benefits of qualifying the Bath Landfill Methane Management Program as an offset project under the terms of the RGGI and further to determine if the City of Bath can meet the qualification requirements for status as an offset project.

Motion by Councilor Pagurko, second by Councilor Hinds to put this Order on the floor for discussion.

William Giroux, City Manager, explained the process by which the system would work in getting rid of the access gases. He stated the City was looking into the possibility of capturing these gases and selling/reusing the captured gases, which could bring in extra revenue. Through the adoption of this Order, the City would be eligible in 2009 for funding towards the capture and reuse of these gases.

**VOTE:**

**YEAS: 5**

**NAYS: 0**

**Order passed unanimously. 5-0**

**Item 7) Order: Approving Property Transfer to Habitat for Humanity**

Chairman Wyman read the following Order:

**ORDER APPROVING PROPERTY TRANSFER**

WHEREAS, the City of Bath owns property at 14 Noble Avenue; and

WHEREAS, the City of Bath acquired the property by Quit-Claim Deed from RECOLL Management Corporation, Attorney-in-Fact for CRE I Real Estate Corp., dated December 3, 1993, and recorded in the Sagadahoc County Registry of Deeds in Book 1258, Page 272; and

WHEREAS, the property is depicted on a portion of Tax Map 19, as Lot 88, and also on a portion of the Lambert Park original Survey identified as Lot 135, both of which are attached hereto; and

WHEREAS, the City of Bath has received a request from Habitat for Humanity for donation of the parcel to be used for the construction of a Habitat home.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the donation request be and hereby is granted and the City Manager is authorized to convey title to the property by Municipal Quit-Claim Deed and to execute such other documents as may be necessary to the transfer. The transfer shall be on the condition that the property will be used solely by Habitat for Humanity for its home construction program.

Motion by Councilor Pagurko, second by Councilor Hinds to put this Order on the floor for discussion.

William Giroux, City Manager, introduced Bret Farbstein, Executive Director for Habitat for Humanities - 7 Rivers Maine, which covers Brunswick, Harpswell, Sagadahoc and Lincoln Counties.

Mr. Farbstein gave an overview of the mission of Habitat for Humanities. He explained how families are chosen and how they pay compensation for the homes they receive. Mr. Farbstein reported on what the plan for construction of the proposed home on this lot would consist of.

**VOTE:**

**YEAS: 5**

**NAYS: 0**

**Order passed unanimously. 5-0**

**Item 8) Order: Interlocal Agreement with West Bath regarding Wing Farm Business Park**

Chairman Wyman read the following Order:

**ORDER**

WHEREAS, the City of Bath initially applied to the State of Maine Department of Economic and Community Development for a Community Planning Grant to conduct a feasibility study for expansion of the Wing Farm Business Park; and

WHEREAS, the State has awarded that Grant; and

WHEREAS, it became expedient to include in the feasibility study property also designated as part of the original Wing Farm concept located in West Bath; and

WHEREAS, the Town of West Bath supports the inclusion of the West Bath property in the feasibility study and has appropriated funds to support the expansion of the scope of the project into West Bath; and

WHEREAS, the State of Maine Department of Economic and Community Development has amended its Grant to include the West Bath property and has provided additional funding for that purpose; and

WHEREAS, it is appropriate to provide an Interlocal Agreement which sets forth the terms and conditions of administering the Grant and providing the feasibility study.

NOW, THEREFORE, BE HEREBY ORDERED by the City Council of the City of Bath that the Interlocal Agreement by and between the City of Bath and the Town of West Bath, to administer the DECD Grant and to provide an economic feasibility study for the expansion of the Wing Farm Business Park in both West Bath and Bath, be and hereby is approved, and the City Manager is authorized to execute the document on behalf of the City of Bath, and take whatever other action may be necessary to facilitate the feasibility study and to administer the Grant funds.

Motion by Councilor Pagurko, second by Councilor Verville to put this item on the floor for discussion.

William Giroux, City Manager, explained that West Bath had asked the City to participate with them in acquisition of a grant to do a Phase III preliminary feasibility study for the Wing Farm Project. He gave an overview of what the study would involve.

William Edgett of 2 Edgett Street asked about the possibility of the entrance to Wing Farm project being from West Bath.

**VOTE on Order:**

**YEAS: 5**

**NAYS: 0**

**Order passed unanimously. 5-0**

**G. Petitions & Communications: 6:49 PM**

There were no petitions or communications.

**H. City Manager's Report: 6:49 PM**

There was no City Manager Report.

**I. Committee Reports: 6:49 PM**

There were no Committee Reports.

**J. Old Business: 6:49 PM**

There was no old business.

**K. New Business: 6:50 PM**

**9) Appointment One Member to the Bath Water District Board of Directors term to expire November 2011 (motion to appoint)**

Councilor Pagurko nominated Dana McCurdy. Councilor Hinds seconded the nomination. All in favor.

**10) Appointment Two Members to the Bath Recreation Commission terms to expire November 2009(motion to appoint)**

Councilor Pagurko nominated Kelly McKellar and Susan Goodfellow to fill the positions. Councilor Quimby seconded the nominations. All in favor.

Chairman Wyman reminded everyone that the next regular meeting would be on December 6, 2006 and would start at 7:30 PM, as that would be the annual Organizational Meeting. He urged everyone to make sure that they take advantage of their privilege to vote in the upcoming election on November 7, 2006.

The meeting adjourned at 6:55 PM with a motion by Councilor Hinds, seconded by Councilor Quimby. All in favor.

Attest:

Mary J. White, City Clerk

*Please note: These minutes are not recorded verbatim. A DVD recording of the meeting is available for review in the City Clerk's office during regular business hours.*