

AGENDA
CITY COUNCIL OF THE CITY OF BATH, MAINE

Regular Meeting

Wednesday, March 1, 2017 6:00pm
City Council Chambers, Bath City Hall

We encourage your comments and views, and appreciate your participation in your local government.

A. Pledge of Allegiance

B. Roll Call

Presentation to Council from the family of Councilor Leverett "Tink" Mitchell.

State Representative Jennifer DeChant presenting on behalf of the Legislature a tribute to former Councilor Leverett R. "Tink" Mitchell.

Presentation of a Council Tribute Proclamation for former Councilor Leverett "Tink" Mitchell to his family.

C. Public Hearing:

1) Ordinance - Changing GA Maximums (2017) per State of Maine (second passage)

D. Consent Agenda

(Items as marked with an asterisk (*) on the agenda shall be considered routine matters not requiring debate. In the case of items marked with an asterisk, the motion as stated in parenthesis following the items on the agenda shall be considered to have been passed by the City Council as part of the Consent Agenda. Any Councilor wishing to have any item so marked with an asterisk removed from the Consent Agenda shall have the unlimited right to do so at any time prior to the vote by Council on the Consent Agenda. If such an item is removed from the Consent Agenda, it shall be dealt with in the normal course of the meeting.)

*2) Minutes of the previous Council Meeting of February 1 and 22, 2017 and Items F3 and F4. (Motion to Accept as Presented)

E. Time Devoted to Residents to Address The City Council

F. Ordinances, Resolutions and Orders

*3) Order: Exercising the River Herring fishing rights at Winnegance Lake to be administered by the Winnegance River Herring Commission as per Harvest Plan.

*4) Order: Exercising the River Herring fishing rights at Whiskeag Creek to "Rod and Line"

5) Order: Establishing Boundaries for the Old YMCA Property.

6) Ordinance: Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259. Parking Restrictions, Washington Street, East Side. (first passage)

G. Petitions & Communications

H. City Manager's Report

- Presentation by the City Arborist Kyle Rosenberg

I. Committee Reports, if any

J. Unfinished Business

K. New Business

7) Appointment 1 member to the Bath Forestry Committee with a 3 year commitment term.

L. Councilor Announcements

EXECUTIVE SESSION:

Real Estate Matter per 1 MRSA §405(6)(C)- Old YMCA Property

ADJOURN

PROCLAMATION

WHEREAS Leverett “Tink” Mitchell was born in Bath, Maine, the son of Sherman and Elaine Munsey Mitchell and attended schools in Bath, graduating from Morse High School in June of 1967, and

WHEREAS Tink served in the U.S. Navy from 1967 to 1971 as a Firefighter in shipboard damage control, serving two tours during the Viet Nam War, and

WHEREAS Tink first served as a Call Fireman in 1976 and was appointed as a full-time Fireman in 1979, getting promoted to Lieutenant in 1982 and named the Department’s Public Information Officer, progressing to Assistant Chief and Acting Fire Chief in January 1999, becoming Fire Chief in October of 1999, retiring from the Bath Fire Dept. after 27 years of service, and

WHEREAS Tink had served eight years on the City Council while also serving on the Council Appointment Screening Committee, the Bath Recognition Committee, the Budget/Finance Committee, Main Street Bath Board of Directors, the Parking & Transportation Committee, the Sidewalk Vending Committee, the Solid Waste & Recycling Committee, the Midcoast Council of Governments, the Sagadahoc County Communications Board of Directors, and the Student Community Liaison Council, and

WHEREAS Tink also served tirelessly as a volunteer, working with the Boy Scouts for many years, serving as Merit Badge Counselor and Chairman of the Executive Committee, worked as a Medic Alert fundraiser in Maine For the Muscular Dystrophy Association’s St. Jude Hospital, was a member of the National Registry of EMT’s and the Mid Coast EMS Board of Governors, the Bath Lodge of Elks, Sunrise Rotary and the American Legion, and

WHEREAS Tink was the embodiment of the best attributes of all volunteers, with a vision for the future but honoring the sanctity of the past and was a “hands-on go-to guy” for anything that needed to be done, whether it be making phone calls, shoveling dirt or visiting nursing home residents who had no family, and

WHEREAS Tink touched many individual lives with a special compassion for veterans and the elderly, was filled with pride for his beloved community and did everything within his power to make it a better place to live, was passionate about his beliefs, working with dogged determination and the tenacity of a bulldog, and was a friend and able advocate for the citizens of Bath;

NOW THEREFORE BE IT PROCLAIMED that the Bath City Council wishes to honor the memory of Leverett Tink Mitchell and to recognize this native son for his selfless and tireless commitment to the citizenry of Bath, to pay tribute to his life and to acknowledge that we are a community in mourning as we have lost part of the fire and soul of this community and a friend, and we know that Tink’s light will continue to shine here in our City through everyone and everything he has touched.

Dated this 1st day of March, 2017.

Mari H. Eosco, Madame Chair
Bath City Council



Tink Mitchell

By, Madison Willey





Tink Mitchell

By: Madison Willey

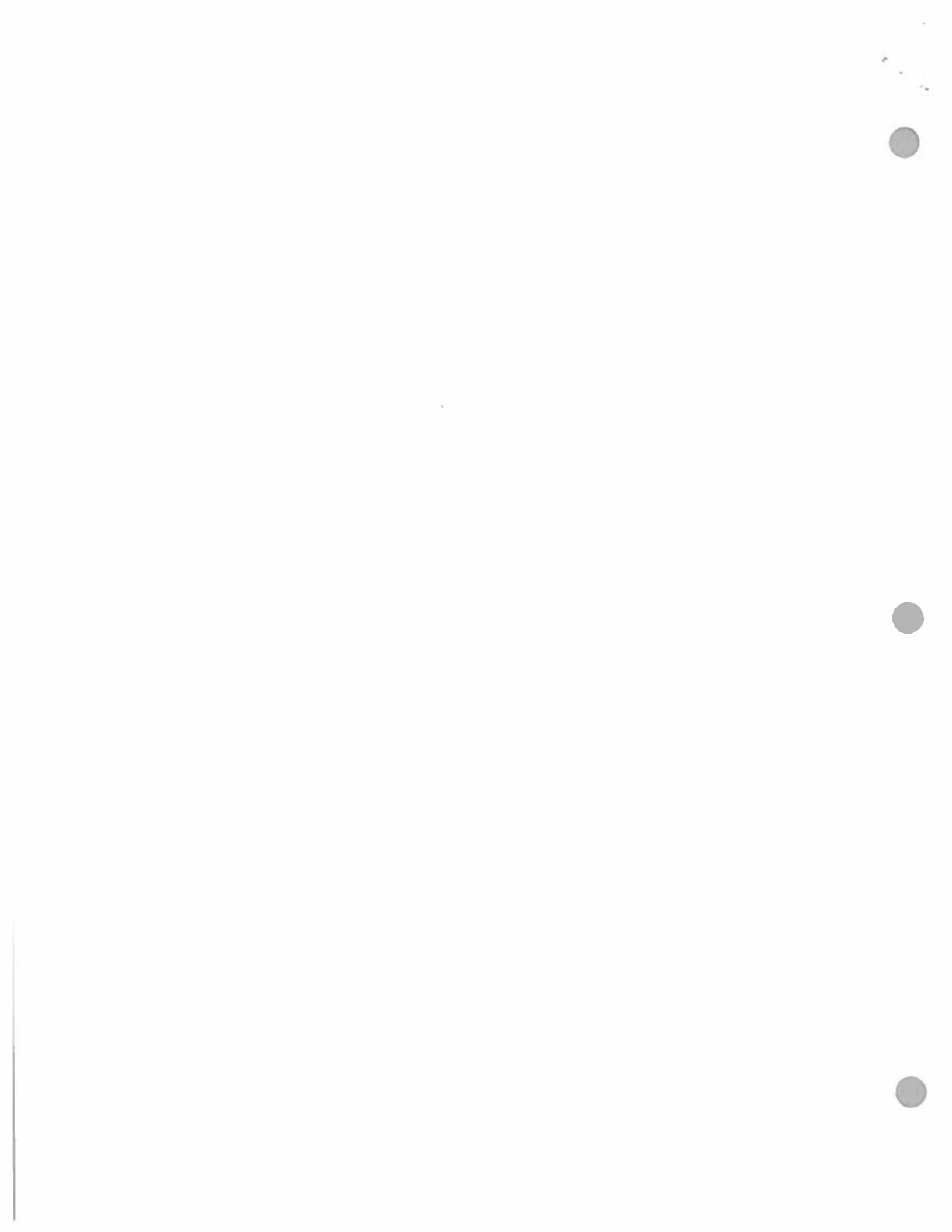
Tink was an average student worried about grades and girls. He had never even thought about joining the military until he was drafted. Tink had attended Morse High School for all four years. He was an average student, juggling good grades and a good time at Popham Beach.

During his youth he spent most of his free time doing outdoor activities. In the winter he loved ice fishing and snowmobiling. During the school year he was part of the Morse swim team.

Tink lived with both of his parents, two older sisters, one older brother, and one younger brother.

At the age of nineteen Tink was drafted. He had never thought about or planned on joining the Army but he knew he didn't want to join the Marines or the Army. He didn't want to be running the front lines. In order to avoid this he decided to enlist himself in the Navy.

Camp Nimitz, San Diego is where Tink proceeded to start his basic training. At this point they weren't yet trained for a specific job but rather prepared for whatever was thrown at them. Going into the camp you didn't



know what your job would be nor did you get a choice. After basic training they asked you what job you would like and then told you what it really was going to be. Tink was then trained in damage control and placed on a ship.

In June of 1968 Tink set sail. The food quality varied depending on your rank but none the less was pretty good. Their uniforms changed based on the season. In the summer they wore white and in the winter they wore dark wool. The ship was packed right full of people but it wasn't bad. The rules were strict as you would expect and the hours were twenty-four seven.

Tink and the rest of the crew got very little free time. They did get leave for only twelve hours but they made sure to make the most of it. Tink spent most of his leave at the beach with many others and trying local foods. This was about the only time they got to see the places they were stationed at, any other time there was too much happening to go sight seeing.

Being in damage control was much more than being a firefighter although it was a big part. The damage control crew stood watch and were the only ones with watches, which were critical. Tink was especially good at



what he was put in charge of. He wasn't really involved in any battles but rather provided support.

In the four years he was enlisted for the highest rank he received was E-5. He thought about re-enlisting but when they told him he would be doing the same job for six more years he decided against it. In October of 1971 Tink was sent home. He swore when he got back he wouldn't go back to BIW but that's just what he ended up doing. He then went to college because he was unable to before enlisting and as soon as a job at the Bath Fire Station opened up Tink took that opportunity. Tink made it to chief and ended up retiring. He now spends a lot of his free time playing golf.

I would like to personally thank Tink for coming in to talk to Diego and I. It was an amazing experience and I'm honored to have had the privilege to speak with you one on one.



C1

Ordinance: Chapter 8A. General Assistance Maximums for October 1, 2016 to September 30, 2017 (first passage)

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

Amend Article II, Section 2.2 to read as follows:

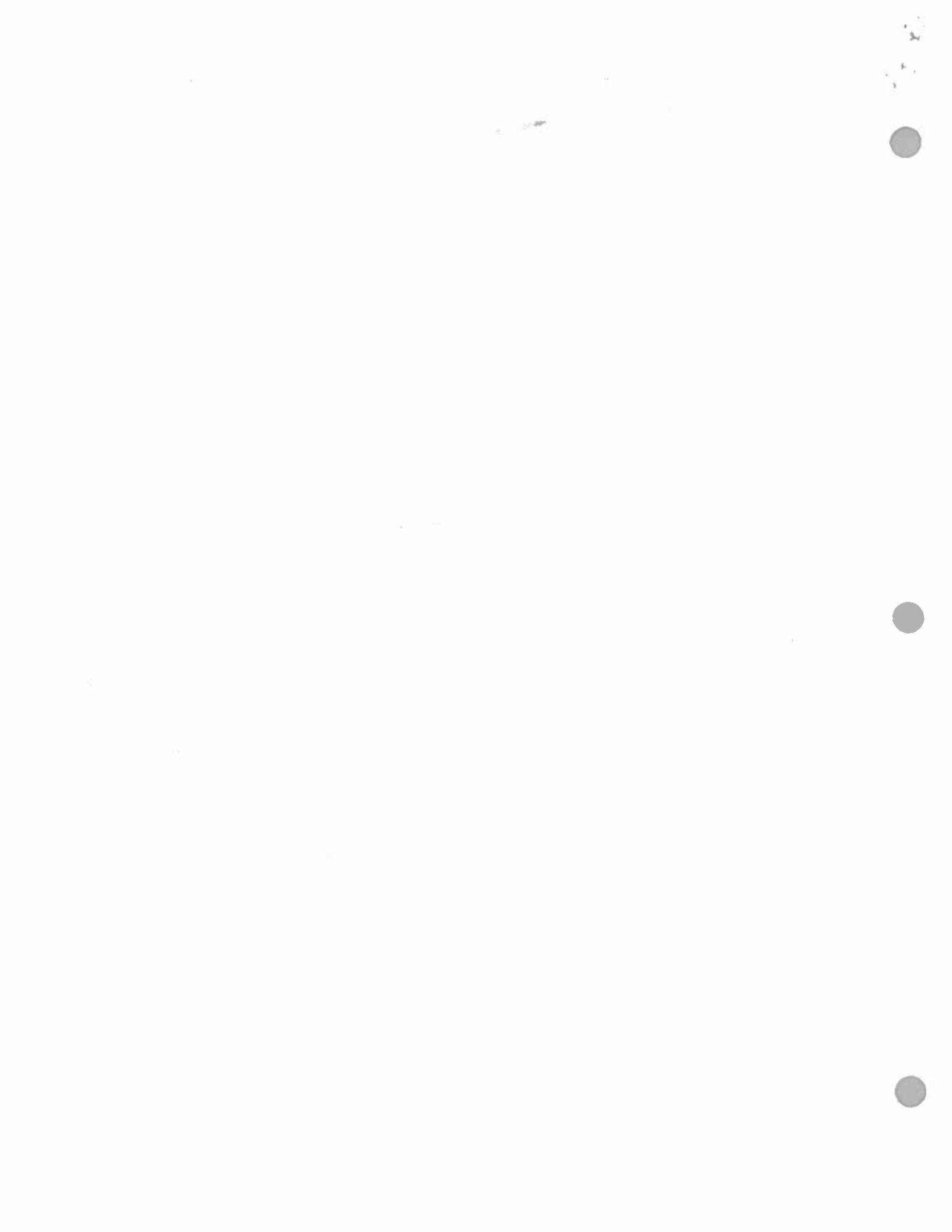
Eligible Person. A person who is qualified to receive general assistance benefits from the municipality according to the standards of eligibility set forth in this ordinance, Maine General Assistance law (22 M.R.S.A. ch. 1161), and Maine Department of Health & Human Services regulations (10-144 C.M.R. ch. 323). If otherwise qualified, "Eligible Person" shall include U.S. citizens; non-U.S. citizens who are lawfully present in the United States as described in 8 U.S.C. § 1621(a)(1)-(3); and non-U.S. citizens who are pursuing a lawful process to apply for immigration relief. Assistance for noncitizens pursuing a lawful process for immigration relief shall not exceed 24 months beginning with assistance provided after July 1, 2015. (22 M.R.S.A. § 4301(3)). "Eligible Person" does not include a fugitive from justice as defined in 15 M.R.S.A. § 201(4).

Also to 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
 - Appendix D – Utilities
 - Appendix E – Heating Oil
 - Appendix F – Personal Care & Household Items
- Maximums shall be effective as of October 1, 2016.

First Passage
 CITY OF BATH MAINE
 IN CITY COUNCIL
February 1, 2017
 RECEIVED READ AND ACCEPT
 TABLED GRANTED PASSED FAILED
 REFERRED TO:
 ATTEST *[Signature]*
 CITY CLERK

Second Passage
 CITY OF BATH MAINE
 IN CITY COUNCIL
March 1, 2017
 RECEIVED READ AND ACCEPT
 TABLED GRANTED PASSED FAILED
 REFERRED TO:
 ATTEST *[Signature]*
 CITY CLERK

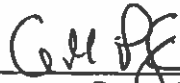


GENERAL ASSISTANCE ORDINANCE

The Municipality of Bath enacts the following General Assistance Ordinance. This Ordinance is filed with the Department of Health & Human Services (DHHS) in compliance the Title 22 M.R.S.A. §4305(4).

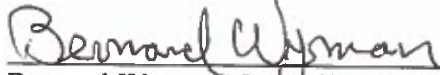
Signed this 1st day of March 2017 by the municipal officers:


Mari H. Eosco, Madame Chair Councilor At Large


Gregory Page, Councilor Ward One



Sean Paulhus, Councilor Ward Two


Terry Nordmann, Councilor Ward Three


Bernard Wyman, Councilor Ward Four


David Comeau, Councilor Ward Five


Susan Bauer, Councilor Ward Six


Aaron Park, Councilor Ward Seven


James Omo, Councilor At Large



GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2016 to September 30, 2017.**

APPENDIX A - OVERALL MAXIMUMS

County	Persons in Household				
	1	2	3	4	5
Sagadahoc	\$769	851	986	1302	1581

NOTE: For each additional person add \$75 per month.

APPENDIX B - FOOD MAXIMUMS

Number in Household	Weekly Maximum	Monthly Maximum
1	\$45.12	194.00
2	83.02	357.00
3	118.84	511.00
4	150.93	649.00
5	179.30	771.00
6	215.12	925.00
7	237.67	1022.00
8	271.86	1169.00

NOTE: For each additional person add \$146 per month.

APPENDIX C - HOUSING MAXIMUMS

Number of Bedrooms Sagadahoc	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	\$141	605	164	706
1	153	657	182	781
2	174	749	210	903
3	237	1019	281	1207
4	289	1241	342	1470

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established applicants must demonstrate need.

- 1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

Number in Household	Weekly	Monthly
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.70	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

- 2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

Number in Household	Weekly	Monthly
1	\$20.08	\$86.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

Month	Gallons	Month	Gallons
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

Number in Household	Weekly Amount	Monthly Amount
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

Number of Children	Weekly Amount	Monthly Amount
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

100





City of Bath

Finance Department

Bath City Hall – 55 Front Street
Bath, Maine 04530

Telephone: (207) 443-8338 - Fax: (207) 443-8397

Juli Millett, C.P.A.
Finance Director

Juli Millett, Finance Director
jmillett@cityofbath.com

Linda McCourt, Staff Accountant
lmccourt@cityofbath.com

Susan Hunt, Payroll Supervisor
shunt@cityofbath.com

Date: 01/25/2017

To: Bath City Council

From: Juli Millett, Finance Director

CC: Bill Giroux, Bath City Manager

Annually each municipality is required to administer a general assistance, or GA program, that is consistent with State law. The council does this by approving the ordinance as attached (22 MRSA §4305 (1)). The ordinance must be adopted by the municipal officers (selectmen or councilors), after notice and hearing, and must be amended annually by the same process to include updated GA maximum levels of assistance, etc. Also, the ordinance, including maximums and all forms and notices, must be filed with the Maine Department of Health and Human Services.

Attached please find the state updates to the General Assistance program effect 10/01/2016 to 09/30/2017. There is one update within the ordinance under definitions. And all of the appendices are updated as attached. The new appendices once adopted will replace the existing appendices.

11



NOTICE

THE FOLLOWING ORDINANCE WAS GIVEN FIRST PASSAGE BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE AT A REGULAR MEETING HELD AT THE CITY HALL ON WEDNESDAY, FEBRUARY 1, 2017, AND PERSUANT TO THE CHARTER OF THE CITY OF BATH, AND THE PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE, AND AMENDMENT THERETO, PUBLIC HEARING WILL BE HELD TO CONSIDER THE FINAL PASSAGE OF SAID ORDINANCE IN THE CITY COUNCIL CHAMBERS, THIRD FLOOR OF CITY HALL, BATH, MAINE, ON WEDNESDAY, MARCH 1, AT 6:01 PM.

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:

Amend Article II, Section 2.2 to read as follows:

Eligible Person. A person who is qualified to receive general assistance benefits from the municipality according to the standards of eligibility set forth in this ordinance. Maine General Assistance law (22 M.R.S.A. ch. 1161), and Maine Department of Health & Human Services regulations (10-144 C.M.R. ch. 323). If otherwise qualified, "Eligible Person" shall include U.S. citizens; non-U.S. citizens who are lawfully present in the United States as described in 8 U.S.C. § 1621(a)(1)-(3); and non-U.S. citizens who are pursuing a lawful process to apply for immigration relief. Assistance for noncitizens pursuing a lawful process for immigration relief shall not exceed 24 months beginning with assistance provided after July 1, 2015.(22 M.R.S.A. § 4301(3)). "Eligible Person" does not include a fugitive from justice as defined in 15 M.R.S.A. § 201(4).

Also to 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

Appendix D – Utilities

Appendix E – Heating Oil

Appendix F – Personal Care & Household Items

Maximums shall be effective as of October 1, 2016.



A COPY OF THESE MAXIMUMS ARE ON FILE IN THE BATH CITY CLERK'S OFFICE AT 55 FRONT STREET, BATH, MAINE FOR PUBLIC VIEWING.

**BY ORDER OF THE CITY COUNCIL OF THE CITY OF BATH,
MAINE**

May J White

City Clerk

On this 17TH day of FEBRUARY, 2017, I certify that I have posted an attested copy of the attached Ordinance at the following public places which is at least 7 days prior to the public hearing:

POLICE DEPT., FIRE DEPT., CITY HALL, COURT HOUSE, LIBRARY

Michael Peabody
Michael Peabody, City Messenger



FX 3

ORDER

Be It Ordered by the City Council of the City of Bath, Maine, that the River Herring Fishing Rights at Winnegance Lake be operated by the Winnegance River Herring Commission as per Ordinance adopted August 28, 1985, and the municipal rights to take river herring will be sold by the Commission. The Harvest Plan (Condition and Regulations) will be submitted by the Commission setting forth in detail the exact conditions under which river herring may be taken, all in accordance with good conservation practices. This plan will be submitted to the Department of Marine Resources by the Commission with City of Bath approval.

CITY OF BATH MAINE
IN CITY COUNCIL
March 1, 2017
RECEIVED READ AND ACCEPT
 TABLED GRANTED PASSED FAILED
REFERRED
ATTEST *Parola J. Gray*
CITY CLERK



FX3

**CONDITIONS & REGULATIONS FOR THE
TAKING OF RIVER HERRING AT WINNEGANCE LAKE**

1. There shall be a 72-hour weekly closed season on alewives from sunset each Thursday evening until sunset the following Sunday evening. There shall be no netting of river herring during the periods of "runbacks." During the closed season, a minimum size unobstructed opening of 30 inches in width and minimum water depth of 6 inches shall be maintained in the upstream and downstream ends of the trap to allow free passage of spawning river herring and other migratory fish. However, if water levels are low at low tide, the opening size can be reduced to conserve the flow of water no less than 18" and only reduced to maintain 6" water level in fishway. The fish agent ("successful bidder") may have an additional 24-hour closed season, at his/her discretion.

2. Migratory fish such as salmon, shad, white perch or other species, except river herring and blueback herring, which enter the trap shall be removed and allowed to pass upstream.

3. Fishing operations shall cease and all fishing gear obstructing the passage of fish, as determined by the Commission, shall be removed from the fishing waters no later than June 5. If later run River Herring are entering the river, the Commission may grant an extension of fishing time only after approval by the DMR Commissioner. However, no River Herring fishing shall be authorized beyond June 15th of any calendar year.

4. The fish agent is responsible for actively participating in the return of the juvenile river herring to the river by periodically opening the dam gate as these fish gather to go seaward. This normally occurs in August and lasts for several weeks.

5. The fish agent shall be responsible for the proper operation and maintenance of the log boom or similar device to eliminate fishway blockage from floating cat o' nine tail islands or other obstructions.

6. A daily and year to date river herring harvest record shall be maintained on site by the fish agent on a form to be provided by the Commission. The total weekly landings in bushels and the unit of sale (example: crate, tray, etc.) value of the catch shall be made available to the Department of Marine Resources, National Marine Fisheries Service, and/or Winnegance River Herring Commission upon request by these agencies.

7. The successful bidder may reserve five (5) bushels for his/her self and will set a limit of two (2) bushels per truck to make fish available to as many buyers as possible, however upon receiving their two (2) bushel limit a buyer may go to the end of the line and wait for another two (2) bushel, as long as the quantity of fish lasts.

8. The successful bidder will be responsible for keeping the area clean and free of litter/debris during the river herring season. The Commission intends to erect a locked security fence around the facility with the fish agent responsible for securing the site during times of absence.

Adopted: August 12, 2013

WINNEGANCE RIVER HERRING COMMISSION

David P. Hennessey

David Hennessey, Chairman



F#3

MEMORANDUM

TO: Honorable City Councilors
FROM: Mary J. White, City Clerk *MJW*
SUBJ: River Herring Fishing Rights at Winnegance Lake & Whiskeag Creek
DATE: 3/1/2017

As you are aware, the City Council of Bath, and the Selectmen of West Bath and Phippsburg passed an Ordinance effective August 28, 1985 creating the "Winnegance Alewife Commission" now know as "Winnegance River Herring Commission". Therefore, the Commission will take care of the necessary action in regards to the taking of river herring from Winnegance Lake, however, it is still necessary that each town and city, at its own meeting, take action to lease the fishing rights and send copies of its action to the Commissioner of Marine Resources.

The City of Bath still has Whiskeag Creek to designate, and the past custom of the Council has been to retain the fishing rights, and restrict the fishing to "rod and line" only.



FRM

ORDER

Be It Ordered by the City Council of the City of Bath, as follows:

that, the taking of alewives at Whiskeag Creek will be restricted to "Rod and Line" only.

CITY OF BATH MAINE
IN CITY COUNCIL
March 1, 2017
RECEIVED READ AND ACCEPT
 TABLED GRANTED PASSED FAILED
REFERRED TO
ATTEST Patricia J. Gray
Dep. CITY CLERK



ORDER APPROVING BOUNDARY LINE

WHEREAS, the City of Bath currently owns the former YMCA property located on Summer Street; and

WHEREAS, the abutting properties to the West and running southerly from Summer Street are owned by Dr. Thomas G. Rice and Donald K. Wright; and

WHEREAS, a Survey of the former YMCA property done by Titcomb Associates for Dennis Ruppel has identified a discrepancy between two prior Surveys regarding the location of the common westerly boundary between the City property and the properties of Rice and Wright; and

WHEREAS, the Rice and Wright properties are elevated from the former YMCA site and are marked by a retaining wall; and

WHEREAS, the City has no beneficial interest in owning property above the retaining wall nor would this be of advantage to any potential developer; and

WHEREAS, the owners to the West are entitled to a resolution of discrepancy as to the location of their common boundary with the City.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that Deeds from the City to Dr. Thomas G. Rice and Donald K. Wright be executed and recorded in order to establish the common boundary, and that the City Manager be authorized to execute said Deeds, Tax Declaration Forms, and any other documents that are necessary or convenient to establish the common boundary.

CITY OF BATH MAINE
IN CITY COUNCIL

March 1, 2017

RECEIVED READ AND ACCEPT

TABLED GRANTED PASSED FAILED

REFERRED TO

ATTEST

Pamela J. Henry
Clerk



Memorandum

To: Honorable Chairman and All Members Bath City Council

CC: William D. Giroux, City Manager
Mary J. White, City Clerk
Scott LaFlamme, Community Development Director

From: Therriault & Therriault, City Solicitors

Date: February 22, 2017

Re: Deeds Establishing Boundary

Survey work done 2013 by Titcomb Associates on behalf of Dennis Ruppel, at the former YMCA site, indicated a discrepancy on the westerly boundary along properties of Thomas G. Rice and Donald K. Wright. There are two separate Surveys done of that line, one by Leon F. Rouillard in 1969 and revised later that year. That Plan is recorded in the Sagadahoc County Registry of Deeds in Plan Book 8, Page 46A. That Plan showed the common boundary line running essentially along the top of a retaining wall and near a chain link fence.

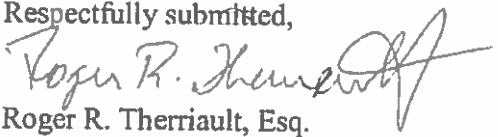
The second Plan was done by Sagadahoc Land Surveying Services as a boundary survey for the Rice property. This was done in 1996, and recorded in the Sagadahoc County Registry of Deeds in Plan Book 32, Page 13. This Plan shows the line beginning at the same point, a one inch iron pipe, on Summer Street, but then running slightly west and away from the top of the retaining wall and chain link fence. The area between the two survey lines is 369 square feet. I have attached a copy of the Ruppel Plan that shows the two lines and the discrepancy.

There would appear to be no beneficial interest to the City or to any potential developer of the former YMCA site, in owning a small strip of land on top of the retaining wall. It is appropriate that the property line run along the top of the retaining wall essentially where the chain link fence is located and that the property owners to the West own to the edge of the retaining wall.

Our office has contacted both Mr. Wright and Dr. Rice and they are in agreement to resolve this situation as proposed, that is for the City to establish the top of the retaining wall as the common boundary line between the City and their properties in accordance with the Rouillard Survey. We have drafted appropriate Deeds that will accomplish this result. Before you, at your March meeting,

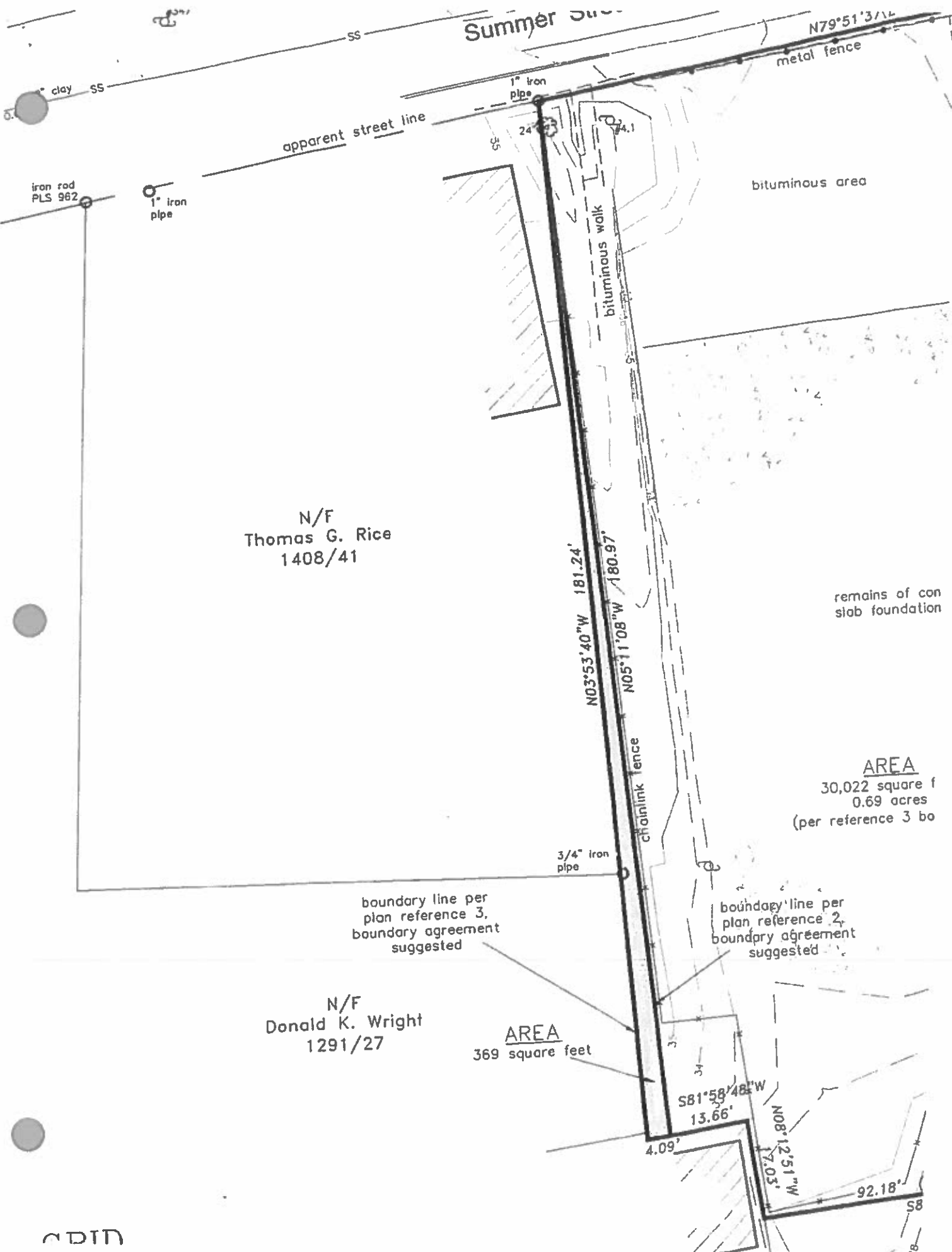
is an Order that will approve the execution of these Deeds so that this matter may be put to rest and will not be an issue going forward with regard to any development of the former YMCA property.

Respectfully submitted,



Roger R. Therriault, Esq.

RRT/amm
Attachment



N/F
Thomas G. Rice
1408/41

N/F
Donald K. Wright
1291/27

AREA
30,022 square f
0.69 acres
(per reference 3 bo

AREA
369 square feet

ORDER APPROVING BOUNDARY LINE

WHEREAS, the City of Bath currently owns the former YMCA property located on Summer Street; and

WHEREAS, the abutting properties to the West and running southerly from Summer Street are owned by Dr. Thomas G. Rice and Donald K. Wright; and

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NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that Deeds from the City to Dr. Thomas G. Rice and Donald K. Wright be executed and recorded in order to establish the common boundary, and that the City Manager be authorized to execute said Deeds, Tax Declaration Forms, and any other documents that are necessary or convenient to establish the common boundary.

MUNICIPAL QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, THAT the CITY OF BATH, a body corporate and politic, located at 55 Front Street, in Bath, in the County of Sagadahoc, and State of Maine, in consideration of One Dollar and other good and valuable consideration paid by THOMAS G. RICE, of Bath, in the County of Sagadahoc, and State of Maine, the receipt whereof is hereby acknowledged, does hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said THOMAS G. RICE, whose mailing address is 40 Summer Street, Bath, Maine, 04530, his heirs and assigns forever,

A certain lot or parcel of land situated on the southerly side of Summer Street, so-called, in Bath, in the County of Sagadahoc, and State of Maine, and being all of that land lying westerly of the following described line:

Beginning at a one inch (1") iron pipe located on the southerly side of Summer Street at the northeasterly corner of premises of the Grantee, being more particularly described in Deed from Jesse R. Prue and Mary Ann Prue, dated April 11, 1996, and recorded in the Sagadahoc County Registry of Deeds in Book 1408, Page 41; thence running S 05° 11' 08" E along the edge of a retaining wall a distance of 135.22' to a point which is easterly of a five-eighths inch (5/8") iron rod on the Grantee's south line.

The purpose of this Deed is to establish the above-described line as the boundary between the property of the Grantor and the Grantee, being the westerly boundary of the Grantor, and the easterly boundary of the Grantee.

For source of title, reference may be had to Deed from the Bath Development Corporation to the City of Bath, dated June 21, 2012, and recorded in the Sagadahoc County Registry of Deeds in Book 3398, Page 145.

TO HAVE AND TO HOLD, the same, together with all the privileges and appurtenances thereunto belonging to the said THOMAS G. RICE, his heirs and assigns forever.

IN WITNESS WHEREOF, the CITY OF BATH has caused this instrument to be signed in its corporate name and sealed with its corporate seal by William D. Giroux, its City Manager, duly authorized by Order approved by City Council on March 1, 2017, thereunto duly authorized this ___ day of _____, 2017.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF

CITY OF BATH

William D. Giroux
City Manager

STATE OF MAINE
SAGADAHOC, SS.

_____, 2017

Personally appeared the above named William D. Giroux, City Manager, and acknowledged the above instrument to be his free act and deed in his said capacity and the free act and deed of the said municipality.

Before me,

Notary Public/Attorney At Law

Typed or Printed Name of
Notary Public/Attorney At Law

My Commission Expires: _____

MUNICIPAL QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, THAT the CITY OF BATH, a body corporate and politic, located at 55 Front Street, in Bath, in the County of Sagadahoc, and State of Maine, in consideration of One Dollar and other good and valuable consideration paid by DONALD K. WRIGHT, of Bath, in the County of Sagadahoc, and State of Maine, the receipt whereof is hereby acknowledged, does hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said DONALD K. WRIGHT, whose mailing address is 42 Summer Street, Bath, Maine, 04530, his heirs and assigns forever,

A certain lot or parcel of land situated southerly of the southerly side of Summer Street, so-called, in Bath, in the County of Sagadahoc, and State of Maine, and being all of that land lying westerly of the following described line:

Beginning at a point which is three feet (3'), more or less, from a five-eighths inch (5/8") iron rod on the northerly line of premises of the Grantee, said premises being more particularly described in Deed of Distribution from Donald K. Wright, Personal Representative of the Estate of Robert H. Wright to Donald K. Wright, dated June 2, 1994, and recorded in the Sagadahoc County Registry of Deeds in Book 1291, Page 27, and on the southerly line of property of Thomas G. Rice, being more particularly described in Deed from Jesse R. Prue and Mary Ann Prue, dated April 11, 1996, and recorded in the Sagadahoc County Registry of Deeds in Book 1408, Page 41, at the edge of a retaining wall; thence running S 05° 11' 08" E along the edge of a retaining wall a distance of 44.75' to a point.

The purpose of this Deed is to establish the above-described line as the boundary between the property of the Grantor and the Grantee, being the westerly boundary of the Grantor, and the easterly boundary of the Grantee.

For source of title, reference may be had to Deed from the Bath Development Corporation to the City of Bath, dated June 21, 2012, and recorded in the Sagadahoc County Registry of Deeds in Book 3398, Page 145.

TO HAVE AND TO HOLD, the same, together with all the privileges and appurtenances thereunto belonging to the said DONALD K. WRIGHT, his heirs and assigns forever.

IN WITNESS WHEREOF, the CITY OF BATH has caused this instrument to be signed in its corporate name and sealed with its corporate seal by William D. Giroux, its City Manager, duly authorized by Order approved by City Council on March 1, 2017, thereunto duly authorized this ___ day of _____, 2017.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF

CITY OF BATH

William D. Giroux
City Manager

STATE OF MAINE
SAGADAHOC, SS.

_____, 2017

Personally appeared the above named William D. Giroux, City Manager, and acknowledged the above instrument to be his free act and deed in his said capacity and the free act and deed of the said municipality.

Before me,

Notary Public/Attorney At Law

Typed or Printed Name of
Notary Public/Attorney At Law

My Commission Expires: _____

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 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions

Washington Street East Side

Delete the following:

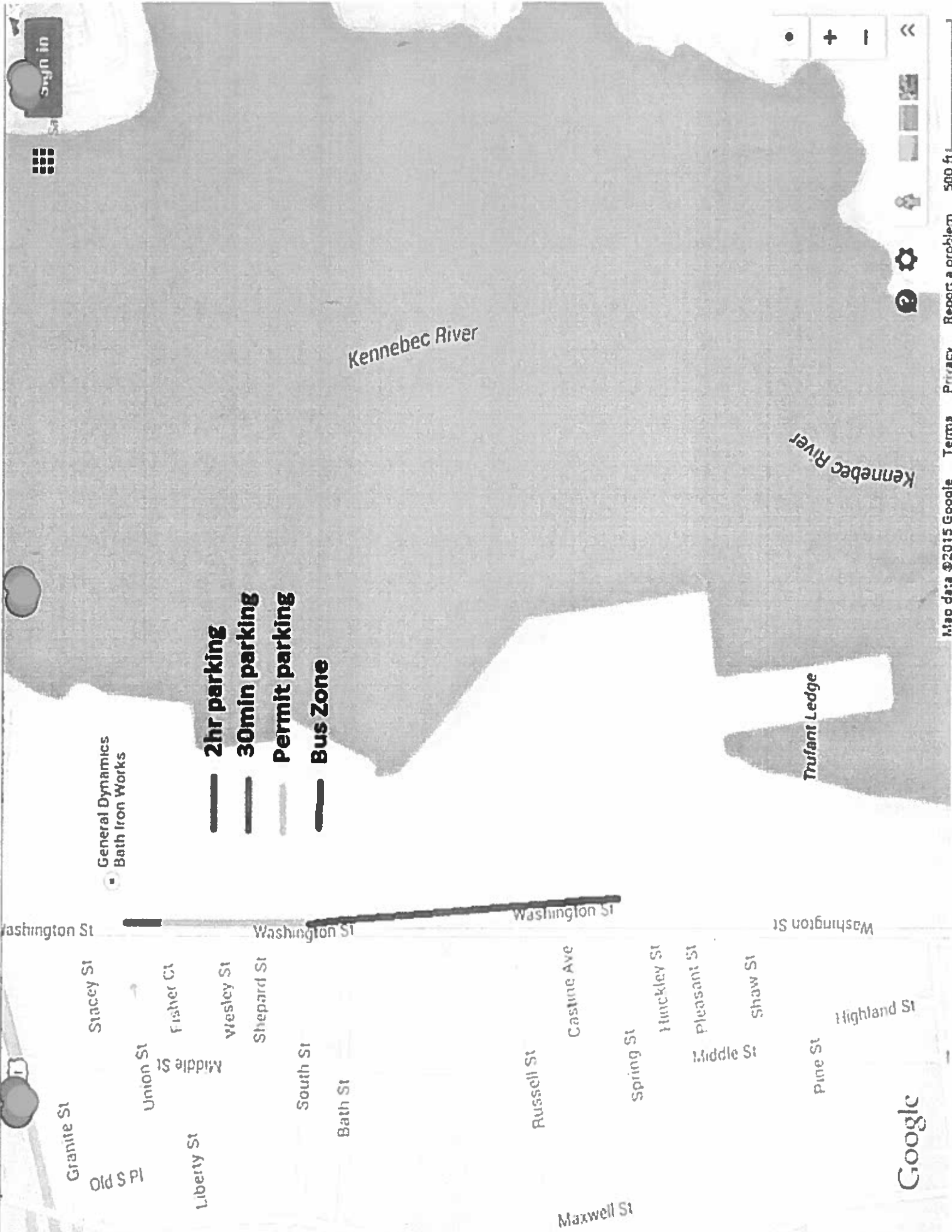
From a point across from the north side of Bath Street and running 60 feet northerly, 6:00 a.m. to 1:00 a.m., fifteen-minute parking. From a point across from the north side of Bath Street and running 60 feet northerly, 6:00 a.m. to 1:00 a.m., fifteen-minute parking. From a point 60 feet north of Bath Street to South Street, 2 hour parking. From South Street running northerly to a point 100 feet north of the southerly entrance to the BIW Panel Shop, 2 hour parking. From a point 100 feet north of the southerly entrance to the BIW Panel Shop to a point 195 feet south of the northerly entrance to the BIW Panel Shop, No Restrictions. From South Street to a point 195 feet south of the south side of the northerly entrance to the BIW panel shop, No Restrictions. From a point 195 feet south of the southerly side of the northerly entrance of the BIW panel shop for a distance of 185 feet, 6:00 a.m. to 5:00 p.m., Bus Parking; From 5:00 p.m. to 2:00 a.m. no restrictions; from 2:00 a.m. to 6:00 a.m., No Parking. From a point which is the northerly terminus of the bus parking area to Union Street, 2 hour parking.

Replace with the following:

From the southerly end of the BIW Panel Shop across from South Street and running the length of the BIW Panel Shop to its northerly end, permit Parking. From the northerly end of the BIW Panel Shop to a point across from the southerly side of Union Street, 2 hour parking.

CITY OF BATH MAINE
 IN CITY COUNCIL
March 1, 2017
 RECEIVED READ AND ACCEPT
 TABLED GRANTED PASSED FAILED
 REFERRED TO: *N/A*
 ATTEST: *[Signature]*
 CITY CLERK





General Dynamics
Bath Iron Works

- 2hr parking**
- 30min parking**
- Permit parking**
- Bus Zone**

Google



F6



**CITY OF BATH
POLICE DEPARTMENT**

MICHAEL W. FIELD
CHIEF of POLICE

250 Water Street

Bath, Maine 04530

(207) 443-5563

Memorandum

To: Members of the City Council
From: Michael Field, Chief of Police
Ref: Parking Ordinances Changes to Washington Street
Date: February 21, 2017

The former Parking Committee had studied the east side of Washington St. parking along Bath Iron Works since 2015. The area, which is from Spring St. north to Union St. needs to be re-ordinance for changes such as a bus zone no longer needed and a "phantom" area where there is no parking restrictions.

This matter was brought to the Transportation Committee on February 9th, 2017. After discussions, option three was the approved choice. It should be noted that we discussed this with BIW, SUPSHIP, and other businesses in the immediate area.

Option three allows approximately 20 permit spaces. It keeps the two hour and 15/30 minute spaces in front of BIW main offices, One Stop Food and Ice, and the Cabin Restaurant. This should not have any effect on their respective businesses.

Option Two simply made this area all 2 hour parking, except in the bus zone and in front of One Stop Food and Ice. Option one added permit parking on Washington St. south to Russell St. except in front of BIW main office building and One Stop Food and Ice. The remaining area remained two hour and bus parking.

If you have any questions, please contact me.



K7

02-14-17P02:13 RCVD

City of Bath

Application for Appointment to City Board/Commission/Committee

Full Name: Timothy Pratt

Street Address: 10 Garden St Bath, ME 04530

Home Tel #: 350-0777 e-mail address timpratt16@gmail.com
I live in Council Ward # 4

I wish to be considered for appointment to the:

Community Forestry Committee
(Name of Board/Commission/Committee)

Check one or both:

Full Membership Status

Term Begins: 3/2017

and/or Associate Membership Status

Term Expires: _____

Occupation: Facilities Service Manager

Employed by: University of Southern Maine Work Tel #: 207-228-8412

Why do you want to be a member of this Board/Commission/Committee?

To serve the community and become involved in sustainability and stewardship of the natural resources in our community.

Please note any prior experience, knowledge, or abilities that you have which would contribute to the activities of the Board/Commission/Committee:

5 years experience in facilities management including grounds operations at the University of Southern Maine.

Have you ever served on a City Board/Commission/Committee? No
If so, please list the Board/Commission/Committee and years of service:

2/14/17
Date


Signature

Recv'd 2-14-17 Mtw

To Council 3-1-17

Appt. 3-1-17

Letter to App. 3-2-17

Oath 3/16/2017

Term Indefinite.