

**AGENDA**  
**CITY COUNCIL OF THE CITY OF BATH, MAINE**  
**Regular Meeting**  
**Wednesday, November 6, 2018 6:00pm**  
**City Council Chambers, Bath City Hall**

*We encourage your comments and views, and appreciate your participation in your local government. Note: Materials for agenda items are available through the City Clerk's Office.*

A. Pledge of Allegiance

B. Roll Call

C. Public Hearings:

- 1) Ordinance – Public Safety Special Events Ordinance (second passage) 6:01pm
- 2) Ordinance – General Assistance Maximums for 2020 (second passage) 6:02pm

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.)

- \*3) Minutes of the previous meeting of October 2, 2019 (motion to accept as presented)

E. Time Devoted to Residents to Address City Council

F. Resolutions, Orders and Ordinances

- 4) Acceptance of Election Tabulations for the State of Maine Referendum Election, City of Bath Candidate and Charter Amendment Election and RSU #1 Board of Directors Election held on November 5, 2019.
- 5) Order: Accepting Donation from Bath Rotary Club to purchase (5) AED's for Bath Parks and Recreation
- 6) Resolution: Council to set fees for Marijuana Licensing
- 7) Resolution: Regarding the Climate Action Plan
- 8) Order: Authority for Arrests Outside Jurisdiction Title 30-A, subsection 2671-2-A
- 9) Bond Ordinance: Authorizing up to \$130,000 of General Obligation Bonds to finance miscellaneous municipal improvements and equipment (first passage)
- 10) Ordinance: Amendment to Land Use Code Article 16 (16.29) regarding Contract Rezoning at 36 High Street

G. Petitions & Communications

H. City Manager's Report

I. Committee Reports

J. Unfinished Business

K. New Business

11) 1 - Re-appointment of David Hudson to the Old Bath Custom's House, Term Expires 08/2022

12) 1 - Appointment of Karl Albrecht to the Community Development Committee, Term Expires 07/2022

13) 1 - Appointment of George Sprague to the Community Forestry Committee, Term Expires 10/2021

L. Councilor Announcements

EXECUTIVE SESSION:

Discuss Personnel Matter per 1 MRS §405(6)(A)

ADJOURN



**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:** Special Event Ordinance  
**Date:** September 24<sup>th</sup>, 2019

We recognize that special events enhance the quality of life in Bath. The goal is to establish a process for special events when it effects the potential of creating a hazard to the public health, peace and safety.

As a result, and the awareness that we have numerous special events such as races and parades, City staff began meeting internally to draft a Special Event Ordinance. Staff reviewed similar ordinances from Brunswick, Falmouth, and Augusta. The final ordinance is what you now have for review.

If you have any questions, please contact me.



**Chapter 10**  
**Public Safety**

**Article 5. Special Events Ordinance**

**Sec. 10-501. Purpose**

It is recognized that many special events enhance the quality of City life. It is further recognized that many types of special events seek to exercise citizens' Constitutional rights to assembly and free speech. The City finds that special events have the potential to create a hazard to the public health, peace, and safety. The process shall provide the City with notice of the pendency of a special event of significant size in order to protect the safety of those involved with the event and the public in general. It is the City's purpose, by this Article, to promote and permit safe special events while regulating the conduct of such special events in order to protect the public health, peace, and safety. This Ordinance is intended to establish a process for the consideration of requests to conduct special events which require the use and cost of City services.

**Sec. 10-502. Definitions**

The following definitions shall apply to the terms used in this Article. Terms not defined herein shall have their customary and ordinary meanings.

- A. Special event shall mean any event for which the continued attendance is reasonably anticipated to be one hundred (100) or more persons which:
  - 1. Seeks to reserve any City owned or controlled property, including but not limited to streets, sidewalks, parks, parking areas or buildings, or,
  - 2. Is an event held on private property which will require an increased level of City services such as police service, fire service, trash removal, traffic, crowd control, or medical services, and has the potential to cause/create hazard to public safety if not regulated.
- B. Services shall mean any City provided service, including but not limited to traffic control, crowd control, trash removal, medical services, fire services, traffic control devices. (I.e. barricades and signage.)
- C. Standing. In order to submit an application for a special event, and to conduct that event, the applicant must demonstrate ownership, a leasehold interest, or written

permission from the owner to use a particular site. This shall include the location of the special event and any areas providing support for the event.

- D. Operator. Operator means the person or entity responsible for staging and managing the special event. In the event that no operator exists, the owner or in the event of non-availability of the owner, the lessee of the ground encompassing the special event area and any support areas, shall be deemed to be the operator.

#### Sec. 10-503. Permits

- A. Permit Required. No property owner shall permit on that owner's property, or otherwise conduct or permit on public property, a special event as defined in Section 10-502(A) unless a permit has been obtained in advance of the event from the City of Bath. Organizations may apply for a blanket permit for recurring events on locations that meet the criteria of this Section. (Permitting for Heritage Days activities shall continue to be provided by action of the Bath City Council.)
- B. Exemptions. Events which would be classified as special events, which constitute traditional types of special events that have occurred and been conducted in a manner so as not to endanger the health and wellbeing of the citizens, and which require minimal City services shall be exempt from this permitting requirement. By way of illustration only, they include such events as those organized or held by a Department or Agency of the United States, State of Maine, or City of Bath, or RSU1.

#### Sec. 10-504 Application Submission Requirements

- A. The application shall be in writing and on a form supplied by the City.
- B. Time Requirements. The application for a permit must be submitted no less than 30 days prior to the special event, unless the City Manager or his/her designee allows a shorter time frame for good cause shown.
- C. Applicants for a special event permit shall furnish to the City the following:
1. Application form, providing, at a minimum:
    - a. Name and contact information of the applicant or operator if different
    - b. Description of the event, including its expected impact on the City, City services, residents, and businesses
    - c. Number of anticipated participants
    - d. Name and emergency contact information for the manager or operator of the special event
  2. Evidence of right, title, or interest by the applicant in the location of the special event and any areas providing support for the event

3. Evidence in plan, text, or report form explaining and/or demonstrating how the event meets the applicable standards of Section 10-505
  4. Such plans, specifications, and reports as many be deemed necessary for a proper review of the proposed special event
- D. Additional Information. Staff processing the application may request such additional plans, specifications and reports as may be deemed necessary for a proper review of the application.

#### Sec. 10-505 Approval Criteria

- A. The burden of proof as to whether the standard is met is that of the applicant.
- B. The application must be approved and the permit issued if the City, using the review procedures in Section 10-507, determines that the applicant has demonstrated that the applicable standards of review have or will be met.
- C. Standards of Review
  1. Adequate and satisfactory water supply and facilities
  2. Adequate refuse storage and disposal facilities
  3. Adequate medical facilities, supplies, care, and staffing availability
  4. Adequate fire and police protection
  5. Adequate transportation, mobility, and access for special event participants, general public, transit, and emergency services.
  6. Adequate sewer facilities
  7. Sanitary food service
  8. Appropriate sleeping area and facilities if necessary
  9. Adequate traffic control
  10. Such other matters as may be appropriate to the type of event and to provide for health and safety
  11. The applicant shall carry public liability insurance in an amount not less than \$1,000,000.00 per person for bodily injury and for property damage with the City to be named as an additional insured. The proof of insurance will be reviewed for adequacy by the City.
  12. Adequate precautions to prevent public or private nuisances, as defined in State or local law, such as, but not limited to excessive noise.
  13. Adequate precautions will be taken to control the use and consumption of alcoholic beverage.

## **Sec. 10-506 Review Procedures**

- A. As soon as practical after determination of the application as being complete and that the applicant has standing, the City Clerk must forward the application and associated materials to the following for review:**
  - 1. Police Chief**
  - 2. Fire Chief**
  - 3. Codes Enforcement Officer**
  - 4. Public Works Director**
  - 5. Parks and Recreation Director**
- B. Upon receipt, reviewers shall review the application and make a determination on the application as to its compliance with the standards of review identified in Section 10-505(B). Determinations and any review comments shall be reported to the City Clerk.**
- C. Once all reviewers have reported their findings to the City Clerk, the City Clerk shall:**
  - 1. Approve the application**
  - 2. Approve the applications with reasonable conditions**
  - 3. Deny the application**
- D. If denied, the applicant shall be provided in writing with the cause for such denial.**
- E. Appeal process: The denial of a permit by the City of Bath may be appealed to the City Manager. The appeal must allow the City Manager a sufficient amount of time prior to the scheduled event so as to process an appeal. If time permits, the Manager may schedule a meeting with the applicant, the Chief of Police, and any other Department Managers or advisors deemed necessary. The City Manager may:**
  - 1. Affirm the denial**
  - 2. Direct the issuance of the permit**
  - 3. Deny the permit pending the applicant's completion of certain steps, which if followed, will result in the permit being issued.**

## **Sec. 10-507 Permit fee; Costs of Services**

- A. A non-refundable administrative fee for processing an application under this article shall be \$25 dollars and shall be submitted at the time of the submission of the application.**
- B. Costs. Any costs related to the staging and management of the special event, including, but not limited to costs for cleanup, crowd control, traffic control, medical personnel, public safety personnel, waste disposal, or cleanup and the like, will be assessed against the operator. This shall include costs for local law enforcement, and payment of all proper claims for damages to real or personal property. Where**



the costs are anticipated to be substantial, in excess of \$5,000.00, the permit may be conditioned upon the receipt of a deposit to be held by the City until all final costs are tabulated. If there is any balance in the deposit, that shall be refunded to the operator.

#### Sec. 10-508 Law enforcement

Nothing in this Section shall be deemed a waiver of the provisions of State Law or Local Ordinances which prohibit the sale, consumption, or vending of alcoholic beverages in certain locations. (Reference is made to City Ordinances Chapter 6, Cemeteries and Parks, Article 4, Park Areas—Prohibitions, Sect. 6-28, Park Areas—Prohibited Activities, Subsection J, Alcoholic Beverages, which allow alcoholic beverages in the Library and/or Waterfront Parks in connection with specific events.)

#### Sec. 10-509 Victualers/vendors; alcoholic beverages

A. No operator will permit, encourage or suffer any person, firm, business, family or corporation from selling or merchandising clothes, food, goods, second-hand merchandise, etc., at a special event unless that person, firm, business, family or corporation has secured a vendor or victualers license as required by the City.

B. Any vendor or victualer found at a special event without proper State and/or local licensing to so operate will be removed by the City from the special event, and the operator will be cited for violation of this chapter and for violation of any other applicable City Code and/or State laws . Local licenses may be waived in certain circumstances.

C. If the operator intends to sell or permit the sale of alcoholic beverages within the special event area during a special event, the operator shall restrict the time and location of such sale so that alcoholic beverages are sold only during the particular event and so that public safety and order will not be impaired. The operator shall comply fully with the laws of the State of Maine regulating the sale and consumption of alcoholic beverages, as well as with the City's Special Amusement Ordinance. No alcoholic beverages shall be sold at a special event after 10:00 p.m.

#### Sec. 10-510 Violations and penalties

Any person or operator who violates any provision of this ordinance or any term of a permit issued pursuant to this chapter shall be subject to a civil penalty. It is a violation of this ordinance and deemed a nuisance herein to hold a special event within the City of Bath without a permit. Operator(s) found in violation of this chapter shall be subject to a fine of not to exceed a maximum of \$1,000, plus any and all costs of the City of Bath, including the Police and Fire Departments, incurred by the City to terminate the special event, safely disperse those in

attendance and enforce this ordinance. Each violation shall be considered a separate offense, and each day a violation is allowed to exist shall be considered a separate offense. The provisions of this ordinance shall be enforced by the Chief of Police, the Codes Enforcement Officer, or such other municipal official or employee as the Chief of Police shall designate.

## PROPOSED AMENDMENTS TO SPECIAL EVENTS ORDINANCE:

### Sec. 10-502. Definitions

The following definitions shall apply to the terms used in this Article. Terms not defined herein shall have their customary and ordinary meanings.

- A. Special event shall mean any event for which the continued attendance is reasonably anticipated to be one hundred (100) or more persons which:
  - 1. ~~Utilizes or~~ seeks to reserve any City owned or controlled property, including but not limited to streets, sidewalks, parks, parking areas or buildings, or,
  - 2. Is an event held on private property which will require an increased level of City services such as emergency calls for service, trash removal, traffic, crowd control, or medical services, and has the potential to cause/create hazard to public safety if not regulated.
- B. Services shall mean any City provided service, including but not limited to traffic control, crowd control, trash removal, medical services, traffic control devices. (I.e. barricades and signage.)
- C. Standing. In order to submit an application for a special event, and to conduct that even, the applicant must demonstrate ownership, a leasehold interest, or written permission from the owner to use a particular site. This shall include the location of the special event and any areas providing support for the event.
- D. Operator. Operator means the person or entity responsible for staging and managing the special event. In the event that no operator exists, the owner or in the event of non-availability of the owner, the lessee of the ground encompassing the special event area and any support areas, shall be deemed to be the operator.

### Sec. 10-503. Permits

- A. Permit Required. No property owner shall permit on that owner's property, or otherwise conduct or permit on public property, a special event as defined in Section 10-502(A) unless a permit has been obtained in advance of the event from the City of Bath. Organizations may apply for a blanket ~~waiver~~ permit for recurring events on locations that meet the criteria of this Section. (Permitting for Heritage Day activities shall continue to be provided by action of the Bath City Council.)
- B. Exemptions. Events which would be classified as special events, which constitute traditional types of special events that have occurred and been conducted in a manner so as not to endanger the health and wellbeing of the citizens, and which require

minimal City services shall be exempt from this permitting requirement. By way of illustration only, they include such events as those organized or held by a Department or Agency of the United States, State of Maine, City of Bath, or RSU1. ~~Organizations may apply for a blanket waiver for recurring events on locations that meet the criteria of this Section. (Permitting for Heritage Day activities shall continue to be provided by action of the Bath City Council.)~~

C2



## 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](mailto:jmillett@cityofbath.com)

Linda McCourt, Staff Accountant  
[lmccourt@cityofbath.com](mailto:lmccourt@cityofbath.com)

Susan Hunt, Payroll Supervisor  
[shunt@cityofbath.com](mailto:shunt@cityofbath.com)

Date: 09/25/2019

To: Bath City Council

From: Juli Millett, Finance Director

CC: Peter Owen, 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 MRS §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.

### Summary of 2019 Amendments to Model GA Ordinance

The ordinance was amended to comply with legislation enacted in 2019. "Potable water" was added to the list of basic necessities. PL 2019, c. 126. In addition, a new definition of "homelessness" was added to the ordinance and a new section 5.1A was added to address presumptive eligibility up to 30 days now required for persons in an emergency homeless shelter. Also, a person experiencing homelessness as defined in the law is eligible for emergency GA benefits if meeting all other applicable criteria. PL 2019, c. 515. Finally, consistent with DHHS guidance issued May 2019, the ordinance was amended to allow the GA administrator to authorize reimbursement for cell phones if needed for work related purposes. A redlined version of the changes in the ordinance showing the 2019 changes is included.

Attached please find the state updates to the General Assistance program effect 10/01/2019 to 09/30/2020. The appendices are updated as attached. The new appendices once adopted will replace the existing appendices.



Date: September 24, 2019

To: Bath City Council

From: Juli Millett, Finance Director  
Judy Hardy-Goddard, GA Administrator

CC: Peter Owen, City Manager

Re: Adoption of GA Maximums

### The Adoption Process

The municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices after notice and hearing. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

### Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums. This signed form may be scanned and emailed to [generalassistance.DHHS@maine.gov](mailto:generalassistance.DHHS@maine.gov); faxed to Robin Reed at 287-3455; or sent by US mail to: DHHS/General Assistance, 19 Union Street, 11 State House Station, Augusta, ME 04333.

# GENERAL ASSISTANCE ORDINANCE

2019-2020

Ordinance: Chapter 8A. General Assistance Maximums for October 1, 2019 to September 30, 2020 (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 the City's General Assistance Ordinance in accordance with the amended portions attached hereto. Deletion's are shown in red (or crossed out). addition's are shown in blue (or underlined.)

Note: (22 M.R.S.A.M .R.S.) throughout the complete ordinance.

#### ARTICLE II Definitions

##### Section 2.2—Special Definitions

**Basic Necessities.** Food, clothing, shelter, fuel, electricity, potable water, non-elective essential medical services as prescribed by a physician, nonprescription drugs, basic telephone service where it is necessary for medical or work search related reasons, property taxes when a tax lien placed on the property threatens the loss of the applicant's place of residence, and any other commodity or service determined essential by the municipality.

**Homelessness.** "Homelessness" means a situation in which a person or household is: (a) living in a place that is not fit for human habitation; (b) living in an emergency shelter; (c) living in temporary housing, including but not limited to a hotel, motel, campground, unlicensed campsite or rehabilitation facility; (d) exiting a hospital or institution licensed under 22 M.R.S. ch. 405 or a correctional facility where the person or household resided for up to 90 days if the person or household was in an emergency shelter or a place not fit for human habitation before entering the hospital, institution or correctional facility; (e) losing the person's or household's primary nighttime residence and lacking the resources or support networks to remain in that residence; or (f) fleeing or attempting to flee violence and has no other residence.

#### ARTICLE IV

##### Application Procedure

**Section 4.9—Emergencies** An emergency is considered to be any life threatening situation or a situation beyond the control of the applicant which if not alleviated immediately could reasonably be expected to pose a threat to the health or safety



of the applicant or a member of the household (22 M.R.S.A.M .R.S. § 4301(4)). An emergency includes homelessness or imminent homelessness. Although they may be considered otherwise ineligible to receive general assistance, persons who apply for assistance to alleviate an emergency may be granted assistance, except as provided below, if they do not have sufficient income and resources to meet an actual emergency need and have not had sufficient income and resources to avert the emergency (22 M.R.S.A.M .R.S. § 4308). A municipality may provide emergency assistance when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs to either the client or the municipality.

## ARTICLE V

### Eligibility Factors

Section 5.1A – Presumptive Eligibility A person who is provided shelter in an emergency shelter for the homeless located in the municipality shall be presumed to be an eligible person for 30 days. Presumed eligibility may not exceed 30 days within a 12-month period. Full eligibility must be verified prior to assistance issued subsequent to the presumed period of eligibility. After 30 days, that person's eligibility must be redetermined. When presumptive eligibility is determined under this section, no other municipality may be determined to be the municipality of responsibility during that 30-day period.

### Section 6.6—Determination of Need

Items not considered to be basic necessities and thus will not be allowed in the budget computation include:

Internet services

Cable or satellite television

Cellular phones, except when deemed essential by the overseer for medical or work search related purposes

Cigarettes/alcohol

Gifts purchased

Pet care costs

Costs of trips or vacations

Paid court fines

Repayments of unsecured loans

Legal fees

Late fees

Credit card debt

Also delete appendices to the ordinance dealing with maximums allowances and adopt the MMA Model Ordinance GA Appendices (A-D) for the period of October 1, 2019 - September 30, 2020. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A.M .R.S. §4305(4).

(Signature)



## Appendix A- Overall Maximums

### Persons in Household

2018/2019	1	2	3	4	5
Sagadahoc County	786	875	1071	1345	1636

### New Maximums

### Persons in Household

2019/2020	1	2	3	4	5
Sagadahoc County	809	915	1076	1425	1677

## Appendix B-Food Maximums

### Persons in Household

2018/2019	1	2	3	4	5
Sagadahoc County	192	352	504	640	760

2019/2020	1	2	3	4	5
Sagadahoc County	194	355	509	646	768

## Appendix C - Housing

Appendix C is a listing of the maximum levels of assistance for housing (both heated and unheated). These maximum levels were developed by MMA using 2009-2010 HUD Fair Market Rent values that include utility costs. Because the FMR numbers include utility and heating costs, the applicable average utility and heating allowances, as developed by the Maine State Housing Authority (MSHA), are subtracted from the FMR to obtain a pure "housing" cost.

2018/2019			2019/2020		
# Bedrooms	unheated	heated	# Bedrooms	unheated	heated
1	679	803	1	723	851
2	795	932	2	832	998
3	1059	1246	3	1125	1334
4	1297	1524	4	1311	1568

**Appendix D – Utilities** There was NO CHANGE in the Utilities

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:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
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:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

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

**Appendix E – Fuel** There was NO CHANGE in fuel

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

**Appendix F – Personal and Household Supplies** There was NO CHANGE in Personal and Household Supplies

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
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.

## **Appendix G Mileage Rate (NO CHANGE)**

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 44 cents (44¢) per mile.

## **Appendix H Funeral Maximums**

### **Burial Maximums**

The maximum amount of general assistance granted for the purpose of a burial increased to **\$1,475**. The previous amount was **\$1,125**. Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

### **Cremation Maximums**

The maximum amount of assistance granted for a cremation increased to **\$1,025** from the prior maximum of **\$785**. Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$55
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.



**REGULAR MEETING MINUTES  
CITY COUNCIL OF THE CITY OF BATH, MAINE**

Wednesday, October 2, 2019 6:00 PM

City Council Chambers, Bath City Hall

Present: Councilor Bailey, Councilor Paulhus, Councilor Nordmann, Councilor Leonard, Councilor Comeau, Councilor Bauer, Councilor Park was excused, Councilor Ambrosino and Madame Chair Eosco.

Also in attendance, the City Manager – Peter Owen, City Solicitor - Roger Therriault, Deputy Clerk - Darci Wheeler, City Planner – Benjamin Averill, Marketing and Communication Specialist – Lindsey St. Peter, Chief of Police – Michael Field, Finance Director – Juli Millett

Madame Chair Eosco led the Pledge of Allegiance and Darci Wheeler called the Roll.

**ROLL CALL:**

Councilor Bailey, Councilor Paulhus, Councilor Nordmann, Councilor Leonard, Councilor Comeau, Councilor Bauer, Councilor Park was excused, Councilor Ambrosino and Madame Chair Eosco.

Madame Chair Eosco announced the agenda order as follows: Item 2, 3 and then 1. Madame Chair Eosco also noted that Items 6 and 7 will follow Item F.

**PROCLAMATION AND LEGISLATIVE SENTIMENT FOR ROBERT M. SAVARY, DEPUTY POLICE CHIEF (RETIRED):**

Madame Chair Eosco invited Deputy Police Chief, Robert M. Savary to recognize him for his 27 years of excellent public service and present him with a rocking chair on behalf of the City. Councilor Paulhus expressed his appreciation of Deputy Chief Savary, who was the councilor's very first DARE officer at Fisher Mitchell School in Bath.

**TSUGARU PRESENTATION BY PETER OWEN, CITY MANAGER AND LINDSEY ST. PETER, MARKETING AND COMMUNICATION SPECIALIST**

City Manager Peter Owen and Lindsey St. Peter presented a slide show as representatives of the City Bath on the exchange program. Together, they reviewed the history of the relationship between Bath and Tsugaru, the exchange of ideas in aquaculture and art, as well as the many relationships between Maine and Japan. Slides showed shrines and memorials, landscapes, and pictures from events attended while in Shariki Village. As Representatives, Peter Owen and Lindsey St. Peter participated in a ceremony for the 130<sup>th</sup> Anniversary Memorial Service. Peter Owen thanked both the City of Tsugaru and the City Council for their support of this program and relationship.

**C. Public Hearing    6:24 PM**

**2) ORDINANCE: Article 18 – Adult Use and Medical Marijuana (second passage)**

Madame Chair Eosco explained the switch in the order of the ordinance, noting that the Marijuana Ordinance must be passed before any of the other changes may be made.

City Planner Ben Averill reviewed the articles which may be discussed together. Article 18 being the new article establishing performance standards for marijuana establishments and Article 9 would be an amendment adding marijuana to the current land use table. Article 5 involves the licensing of marijuana establishments. Ben Averill reviewed previous discussion with amendments particularly to Article 18 which were tabled; he then reviewed material presented with original and revised maps for land use.

Madame Chair Eosco read the following ordinance:

**ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LAND USE CODE OF THE CITY OF BATH ADOPTED JULY 19, 2000 AND SUBSEQUENTLY AMENDED, BE HEREBY FURTHER AMENDED AS FOLLOWS:**

**ARTICLE 18 – ADULT USE AND MEDICAL MARIJUANA**

**SECTION 18.07 PERFORMANCE STANDARDS FOR MEDICAL MARIJUANA**

**A. Location Criteria**

Add the following:

...

**4. Waterfront Park and Library Park**

...

NOTE: This amendment was considered by the City Council at its meeting on September 4, 2019 and was tabled, to be considered at second passage at the entire Ordinance at its meeting on October 2, 2019.

Madame Chair Eosco asked for a motion to put the ordinance Article 18 on the table for discussion. Councilor Bauer made the first motion and it was seconded by Councilor Comeau

Madame Chair Eosco reviewed suggestion by Councilor Park to amend the article and the item was then tabled.



Ben Averill confirmed that by approving the article that this would, by ordinance, allow the sale of recreational marijuana within the City. Discussion followed regarding location, which would fall under a separate article.

Councilor Leonard clarified that the location criteria applies to only medical marijuana, to which Ben Averill confirmed the intent is for the performance standards for both adult use and medical marijuana, for which the ordinance will need to be amended. Articles 18.07 and 18.08 amend language in both to ensure the distance criteria for both adult use and medical marijuana.

Councilor Bauer expressed difficulty in discussing just Article 18 as she is rethinking zoning in the C1 District.

Councilor Bailey echoed concerns that buffering parks may not be enough and that the C1 District should also be excluded so that C4 District would be the sole district, further noting traffic concerns in the C1 District.

Councilor Comeau noted that he voted in favor of the C1 zoning at the last meeting, however now he agrees with the previous councilors that the C1 District should be excluded.

Madame Chair Eosco confirmed that Article 9 may be amended to exclude the C1 District. Discussion followed on how best to proceed, as voting on Article 9 would eliminate the need for an amendment to Article 18.

Councilor Paulhus confirmed that the C1 District currently allows for medical marijuana.

Ben Averill confirmed that this could be further clarified or remain as currently exists, noting that if the medical use was removed, the business currently in place would be considered non-conforming, to which there is procedure in place to address.

Councilor Bailey asked if there was any decision previously made to treat medical and recreational marijuana identically, which there was not.

Councilor Leonard moved to table Article 18, seconded by Councilor Bailey

**VOTE ON ORDER: 6:45 PM**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

**3) ORDINANCE:** Amend Article 9 – Uses, as follows: Add Section 2.3, Section 4.3, and Section 16.9 to the Land Use Table in Article 9, (second passage)

Madame Chair Eosco asked for a motion to put the ordinance for Article 9 on the table for discussion. Councilor Bauer made the first motion and it was seconded by Councilor Comeau

Ben Averill reviewed Article 9 as a “where” for retail establishments, which allows for manufacturing and cultivation facilities as well. He then reviewed the map as presented to council for both the C4 Zoning District and the C1 Zoning District, color coded in blue and green respectively. Ben Averill also noted the parks which would be ineligible, should the C1 Zoning District be included in the approved ordinance, further clarifying that there is residential property within both districts.

Councilor Bauer stated that eliminating the C1 District would clarify any issues.

Madame Chair Eosco spoke on behalf of Councilor Park, who apologetically could not attend. Councilor Park’s stance is that recreational marijuana should be isolated to the C4 District.

Madame Chair Eosco opened the floor to public comment.

Kristin Collins, representative of Preti Flaherty, attorney for Wellness Connections currently operating in the C1 District. She expressed concerns on limiting use and the impact it would have on Wellness Connections in its ability to expand, also noting the similarities between adult and medical use and her advice to treat both the same.

Councilor Comeau asked if there is currently a plan by Wellness Connections to expand.

Kristin Collins noted the additional hoops which the business would need to jump through if sales of marijuana were limited within the C1 District, and while there are no current plans to expand, no business would willingly give up the option to expand if possible.

Councilor Ambrosino asked how long the business had been in place and clarified that there would be the option to expand medically as it would be grandfathered.

Kristin Collins clarified that in eliminating the C1 Zoning District, her client would be unable to convert to a caregiver retail store and only to remain a state licensed dispensary.

Councilor Nordmann asked what would happen to the clientele of Wellness Connections once adult use were to become legal, would they still chose to acquire a prescription or would the business be significantly impacted.

Councilor Leonard asked if Wellness Connection would continue to operate should the amendment pass.

Kristin Collins responded that the business is strong and should they be disallowed from expansion they may choose to leave the C1 District.

Councilor Bailey asked if there is a difference in terms of product quality.

Kristin Collins noted that the quality control of her client is stringent and of high quality, noting that there is tracking within State regulations. However, she cannot speak to other business, as they have had very little experience.

Councilor Comeau asked what would prevent her clientele from utilizing facilities across the bridge in Woolwich.

Kristin Collins noted that Woolwich does not currently have adult use recreational facilities.

Irene Drago of Washington Street introduced herself as a parent, grandparent and high school teacher. She clarified that her concern is not with medical marijuana, but that a storefront downtown would be detrimental to the youth of Bath having retail stores placed alongside bakeries and candy stores. She spoke to the underdeveloped reasoning of adolescents and danger of adults under the influence operating vehicles in the downtown area. Irene Drago spoke to enforcement issues as well as merchants struggling to employ staff.

Madame Chair Eosco, seeing no further comment, closed the public comment session.

Madame Chair Eosco further noted that while more comments were not shared tonight, all councilors have received feedback from constituents which is taken into consideration as well.

Councilor Comeau expressed his surprise that the store in Woolwich is a medical facility, confirming that the State has not yet allowed retail facilities. He further confirmed that the citizens of Bath have voted for retail marijuana sales in Bath.

Councilor Bailey reiterated her position to continue to allow medical marijuana sales in the C1 Zoning District as currently allowed by ordinance.

Madame Chair Eosco clarified with the City Solicitor the difference between Wellness Connection and the caregiver scenario.

Ben Averill clarified that in 2016 the State established a dispensary in the City of Bath with State Licensing. Planning Board approval was given as a retail establishment with State restrictions on marijuana dispensaries. Ordinances before the Council at this time further specify and clarify uses to capture all establishments included caregiver, medical, and retail establishments.

Councilor Bauer acknowledged that this is new to everyone and that excluding the C1 District would allow the City to take things slow and later expand to include the downtown area.

Councilor Leonard expressed feedback received by citizens who do not want retail marijuana in the downtown area, then continued on to acknowledge Wellness Connection as a good neighbor. Councilor Leonard expressed concern that Wellness Connection would feel compelled to leave, therefor noting her support to allow them as a retail store in addition to medical facility. She also noted her comfort in excluding C1 from the ordinance as well.

Councilor Paulhus echoed the sentiment of other councilors and proposed leaving medical use in the C1 Zoning District as is currently allowed.

Councilor Comeau clarified that if C1 was eliminated from marijuana zoning, they would be grandfathered and the City would have the ability to assist in any hurdles.

Ben Averill spoke to the pros and cons of removing medical marijuana from the C1 Zoning District as well as limiting the licensing as well.

Councilor Nordmann stated his discomfort in showing preferential treatment to Wellness Connection, reminding the council that competition should not be discouraged as a business should be able to withstand the market.

Madame Chair Eosco acknowledged Councilor Nordman's stance, and also acknowledged the struggles that Wellness Connections will face as retail marijuana progresses statewide.

Councilor Paulhus expressed concern with stripping the medical marijuana designation from the C1 Zoning District.

City Councilor Roger Therriault expanded on the hurdles Wellness Connection would face as a non-conforming business in the C1 Zoning District. Continuing to allow medical facilities in the C1 Zoning District would allow them to expand under their current use.

Kristin Collins clarified the Wellness Connection's stance as a dispensary, also offering alternatives to allow the current business to expand and change uses rather than simply grandfathering the use as nonconforming.

Councilor Ambrosino expressed her concern in allowing exception for current businesses if the intention is to disallow retail marijuana in the C1 Zoning District.

Councilor Bauer suggested that Wellness Connection could certainly operate a satellite location.

Councilor Bauer moved to prohibit adult retail marijuana stores in the C1 Zoning District, but continue to allow medical sales in the C1 Zoning District, seconded by Councilor Ambrosino.

Councilor Comeau clarified that the current medical use facility would be the only facility allowed in the C1 Zoning District.

Ben Averill interjected that Article 9 Section 2 would allow the council to further clarify usage, should they choose to amend the motion. Discussion followed on how to amend Article 9.

#### **ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bauer, Comeau, Leonard, Nordmann, Paulhus, Bailey**

**NAYS: None**

**Passed unanimously, 7-0**

Madame Chair Eosco asked if there was any further discussion before voting on Article 9, to which none was expressed.

**ROLL CALL VOTE:**

**YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, Comeau, Bauer, Ambrosino**

**NAYS: None**

**Passed unanimously, 7-0**

This ordinance will go into effect in 21 days.

**2) ORDINANCE: Article 18 – Adult Use and Medical Marijuana (second passage)**

Councilor Bailey confirmed that because medical marijuana is still allowed in the C1 Zoning District, this article is still relevant.

Madame Chair Eosco referenced a map excluding the parks as buffer zones from medical marijuana.

**ROLL CALL VOTE:**

**YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, Comeau, Bauer, Ambrosino**

**NAYS: None**

**Passed unanimously, 7-0**

Kristin Collins clarified that the location criteria should be applied to medical marijuana stores in addition to retail marijuana stores.

Councilor Leonard moved to include the buffer zone around medical marijuana facilities, seconded by Councilor Nordmann

Ben Averill clarified the current buffer zone of 300 feet and suggested editing the ordinances for consistency in both 18.08 and 18.07.

**ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bauer, Comeau, Leonard, Nordmann, Paulhus, Bailey**

**NAYS: None**

**Passed unanimously, 7-0**

Madame Chair Eosco confirmed that the amendment passed and asked if there was any further discussion before voting on Article 18, to which none was expressed.

**ROLL CALL VOTE:**

**YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, Comeau, Bauer, Ambrosino**

**NAYS: None**

**Passed unanimously, 7-0**

This ordinance will go into effect in 21 days.

**1) ORDINANCE:** Amend Chapter 5, Business – Article 15 – Adult Use and Medical Marijuana Business Licensing (second passage)

Councilor Comeau complimented Ben Averill on his work for the City.

Madame Chair Eosco reviewed licensing as a second passage in need of a public hearing, reading into the record the amendments as previously discussed:

## **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 HEREBY FURTHER AMENDED AS FOLLOWS:

### **CHAPTER 5. BUSINESS**

#### **ARTICLE 15. ADULT USE AND MEDICAL MARIJUANA BUSINESS LICENSING**

Amend as follows:

Section 5-452. Licensing procedures

**A. Licensing procedures**

- a. The initial application for a marijuana establishment license shall be processed by the City Clerk ~~but reviewed and may be approved~~ and considered for approval by the City Council

...

NOTE: This amendment was considered by the City Council at its meeting on September 4, 2019 and was approved, to be considered at second passage of the entire Ordinance at its meeting on October 2, 2019.

Councilor Ambrosino moved to approve, seconded by Councilor Bailey.

Ben Averill confirmed that this will have minimal impact on the land use code, including the ability to establish licensing similar to uses already in place, including the ability to restrict the number of licenses as well as to set fees, to which staff recommendations have been provided.

Madame Chair Eosco asked if there was any further discussion before voting on Article 15, to which none was expressed by councilors or the public.

#### **ROLL CALL VOTE:**

**YEAS:** Councilors Bailey, Paulhus, Nordmann, Leonard, Comeau, Bauer, Ambrosino

**NAYS:** None

**Passed unanimously, 7-0**

This ordinance will go into effect in 21 days.

**4) ORDINANCE: Contract Approval for Police Department (second passage)**

Madame Chair Eosco read the following ordinance:

**ORDINANCE APPROVING POLICE CONTRACT**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT, PURSUANT TO THE REQUIREMENTS OF §1102 OF THE CHARTER OF THE CITY OF BATH, THE BARGAINING AGREEMENT BY AND BETWEEN THE CITY OF BATH AND THE MAINE ASSOCIATION OF POLICE, REPRESENTING THE UNIT MEMBERS OF THE BATH POLICE DEPARTMENT, FOR THE PERIOD BEGINNING JULY 1, 2019 AND RUNNING THROUGH JUNE 30, 2022, A COPY OF WHICH IS ATTACHED HERTO, BE AND HERBY IS APPROVED, AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY OF BATH.

Madame Chair Eosco asked for a motion. Councilor Bauer made the first motion, and it was seconded by Councilor Paulhus.

Madame Chair Eosco opened the floor to public comment, to which there was none.

**ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bauer, Comeau, Leonard, Nordmann, Paulhus, Bailey**

**NAYS: None**

**Passed unanimously, 7-0**

This ordinance will become law in 21 days.

**5) ORDINANCE: Chapter 13. Refuse Article 3. Mandatory Curbside Pickup (second passage)**

Madame Chair Eosco reviewed that this ordinance was read at the previous meeting, and therefore motioned to waive the reading, and it was seconded by Councilor Comeau.

**VOTE ON MOTION: 7:58 PM**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

Madame Chair Eosco asked for a motion. Councilor Bauer made the first motion, seconded by Councilor Paulhus.

Lee Leiner reviewed previous discussion with four separate changes included expansion of properties up to six units, a reduction in the number of bags from 6 to 4 per resident, price increase by \$0.10 per bag as well as a change to eliminate portions of Front Street and Center Street to eliminate large piles of trash for collection.

Councilor Bauer proposed adding an additional \$0.05 per bag per year in order to support the landfill operating budget. Councilor Bauer reviewed discussion at the committee level reasoning that this would put the burden on the consumers who are producing the most trash and encourage recycling as well as to educate the community.

Councilor Leonard acknowledged the need but asked if there would be a cap, to which Councilor Bauer suggested a ten year plan. Councilor Leonard continued on to recognize the necessity and recommended the cap be put into writing.

Lee Leiner informed the Council that the current lifespan of the landfill would be another fifteen years.

Councilor Bauer moved to further amend to increase the cost of bags by \$0.05 per year for ten years following the preliminary two year increase, seconded by Councilor Ambrosino.

Councilor Leonard asked if it would be better to stagger from \$0.15 to \$0.10 to \$0.05 to which the board agreed was not worth further amending.

George Sprague of Park Street identified himself as a member of the Solid Waste Committee and volunteered to discuss composting with interested parties, further expanding on multi-unit buildings which are taxed heavily but also disbursed among residents. He spoke in support of the increase to reduce the tax burden.

#### **ROLL CALL VOTE ON AMENDMENT:**

**YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, Comeau, Bauer, Ambrosino**

**NAYS: None**

**Passed unanimously, 7-0**

Madame Chair Eosco asked for final comments, to which there were none.

#### **ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bauer, Comeau, Leonard, Nordmann, Paulhus, Bailey**

**NAYS: None**

**Passed unanimously, 7-0**

This ordinance will become law in 21 days.

#### **D. Consent Agenda: 8:13 PM**

**\*8) Minutes of the previous Bath City Council Meeting of September 4, 2019 and the Bath City Council Workshop on September 18, 2019 (motion to accept as presented)**

Motion made by Councilor Bauer, seconded by Councilor Comeau.



**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

**E. Time Devoted to Residents to Address the City Council 8:18 PM**

Madame Chair Eosco noted that no public was present.

Madame Chair Eosco asked Councilor Paulhus to resume the meeting momentarily.

**F. Orders, Resolutions and Ordinances: 8:19 PM**

6) ORDINANCE Chapter 10, Public Safety, Add a new Article 5, Special Events Ordinance (first passage) **8:20 pm**

Motion made by Councilor Ambrosino to wave the reading of the ordinance, seconded by Councilor Bauer.

**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

Peter Owen reviewed the ordinance as covered in workshop by staff recommendation regarding concerns for public safety in addition to costs to the city and legal precedent creating City liability.

Madame Chair Eosco returned to the floor.

Chief of Police Michael Field spoke to the proposed ordinance which has been in the works for some time as a safety measure, noting that similar ordinances are currently in place in surrounding towns. This ordinance covers gatherings over 100 people on City property, noting that there are exceptions (such as the Trick-or-Trunk event), and blanket waivers for repeat events (such as BIW Christenings). This ordinance has been reviewed by all departments including the Fire Department, Public Works, etc.

Councilor Comeau noted this document has been in the works for a year and could be rewritten by each councilor differently, emphasizing the need to put something in place for the police to work with moving forward.

Councilor Bailey suggested that in addition to the application approvals, the District Councilor be notified as well.

Chief of Police agreed that if not in the ordinance this could certainly be entered into policy.

**ROLL CALL VOTE:**

**YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, Comeau, Bauer, Ambrosino**

**NAYS: None**

**Passed unanimously, 7-0**

Second passage will be held on November 6, 2019 6:01 PM.

7) ORDINANCE: Chapter 8A, General Assistance Maximums for October 1, 2019 to September 30, 2020 (first passage)

Madame Chair Eosco read the following ordinance:

## **ORDINANCE**

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

### **CHAPTER 8A. GENERAL ASSISTANCE**

Amend the City's General Assistance Ordinance in accordance with the amended portions attached hereto. Deletion's are shown in red (or crossed out), addition's are shown in blue (or underlined.)

Note: (22 ~~M.R.S.A~~ M.R.S.) throughout the complete ordinance.

### **ARTICLE II Definitions**

#### **Section 2.2 – Special Definitions**

Basic Necessities. Food, clothing, shelter, fuel, electricity, potable water, non-elective essential medical service where it is necessary for medical or worksearch related reasons, property taxes when a tax lien placed on the property threatens the loss of the applicant's place of residence, and any other commodity or service determined essential by the municipality.

**Homelessness.** "Homelessness" means a situation in which a person or household is: (a) living in a place that is not fit for human habitation; (b) living in an emergency shelter; (c) living in temporary housing, including but not limited to a hotel, motel, institution licensed under 22 M.R.S. ch. 405 or a correctional facility where the person or household resided for up to 90 days if the person or household was in an emergency shelter or a place not fit for human habilitation before entering the hospital, institution or correctional facility; € losing the person's or household's primary nighttime residence and lacking the resources or support networks to remain in that residence; or (f) fleeing or attempting to flee violence and has no other residence.

### **ARTICLE IV**

#### **Application Procedure**

Section 4.9 – Emergencies An emergency is considered to be any life threatening situation or a situation beyond the control of the applicant which if not alleviated immediately could reasonably be expected to pose a threat to the health or safety of the applicant or a member of the household (22 M.R.S.A.M .R.S. § 4301(4)). An emergency includes homelessness or imminent homelessness. Although they may be considered otherwise ineligible to receive general assistance, persons who apply for assistance to alleviate an emergency may be granted assistance except as provided below, if they do not have sufficient income and resources to meet an actual emergency need and have not had sufficient income and resources to avert the emergency (22 M.R.S.A.M .R.S. § 4308). A municipality may provide emergency assistance when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs to either the client or the municipality.

## ARTICLE V

### Eligibility Factors

Section 5.1A – Presumptive Eligibility A person who is provided shelter in an emergency shelter for the homeless located in the municipality shall be presumed to be an eligible person for 30 days Presumed eligibility may not exceed 30 days within a 12-month period. Full eligibility must be verified prior to assistance issued subsequent to the presumed period of eligibility. After 30 days, that person’s eligibility must be redetermined. When presumptive eligibility is determined under this section, no other municipality may be determined to be the municipality of responsibility during that 30-day period.

### Section 6.6 – Determination of Need

Items not considered to be basic necessities and thus will not be allowed in the budget computation include:

Internet services

Cable satellite television

Cellular phones, except when deemed essential by the overseer for medical or work search related purposes

Cigarettes/alcohol

Gifts purchased

Pet care costs

Costs of trips or vacations

Paid court fines

Repayments of unsecured loans

Legal fees

Late fees

Credit card debt

Also delete appendices to the ordinance dealing with maximums allowances and adopt the MMA Model Ordinance GA Appendices (A-D) for the period of October 1, 2019 – September 30, 2021. The appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A.M .R.S. § 4305(4).

Motion made by Councilor Bauer, seconded by Councilor Bailey

Finance Director, Juli Millett greeted the council and reminded them that this ordinance is written annually by the State, also reminding them that in the City of Bath, General Assistance is shared with Brunswick (Tuesdays & Thursdays), which has been a great relationship. She also reviewed the appendices which must be approved annually as well.

Councilor Nordmann also confirmed that West Bath utilizes the City's clerical services for General Assistance as well, noting that the employee is actually a Brunswick employee which the City of Bath pays for (West Bath contributes to this cost when utilizing the City's services).

Madame Chair Eosco asked if there was any further comment, for which there was none.

**ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bauer, Comeau, Leonard, Nordmann, Paulhus, Bailey**

**NAYS: None**

**Passed unanimously, 7-0**

Second passage for this ordinance will be on November 6, 2019 6:02 PM

9) ORDER: Prepare Election Warrant to notify inhabitants of the City of Bath of the State Referendum Election to be held on Tuesday, November 5, 2019 for Question One: Bond Issue and Question Two: Constitutional Amendment

Madame Chair Eosco noted the routine election warrants, paraphrasing the warrant to read the questions for council:

**Question 1: Bond Issue**

**An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities**

Public Law Chapter 532

Do you favor a \$105,000,000 bond issue to build or improve roads, bridges, railroads, airports, transit and ports and make other transportation investments, to be used to match an estimated \$137,000,000 in federal and other funds?

**Question 2: Constitutional Amendment**

**RESOLUTION, Proposing An Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities**

Constitutional Resolution Chapter 1.

Do you favor amending the Constitution of Maine to allow persons with disabilities to sign petitions in an alternative manner as authorized by the Legislature?

Absentee ballots will be processed on Election Day from 8am to 8pm.

Motion made by Councilor Comeau, seconded by Councilor Bailey.

Madame Chair Eosco asked if there was any further comment, for which there was none. Madame Chair Eosco urged the citizens of Bath to research these questions prior to voting.

**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

10) ORDER: Prepare Election Warrant to notify inhabitants of the City of Bath of the Municipal Election to be held on Tuesday, November 5, 2019 for the City Councilors to be Elected, Ward 5, 7 and At Large, 3 Year Terms and Charter Amendment

Madame Chair Eosco reviewed the Municipal ballot, again paraphrasing, noting that running for Ward 5 is Jennifer Lynn DeChant, for Ward 7 is Aaron Park, At Large is Mari Huotari Eosco. The election also includes the following charter amendment:

**SUMMARY:** This proposed Charter amendment allows the City Council, upon affirmative vote of six (6) of its members to waive the five (5) year limitation on contracts involving payment of money out of appropriations of more than one (1) year.

**AMEND AS FOLLOWS:**

Chapter XI, General Provisions, Sec. 1102

Sec. 1102. Contracts Extending Beyond 1 Year

No contract involving the payment of money out of the appropriations of more than one (1) year, (other than contract in which rates are subject to approval of the Public Utilities Commission) shall be made for a period of more than five (5) years; nor shall any such contract be valid unless made or approved by ordinance. The five (5) year term limit on contracts involving payment of money out of appropriations of more than one (1) year may be waived by affirmative vote of the majority of the entire City Council (six (6) votes).

Motion made by Councilor Paulhus, seconded by Councilor Bauer.

Madame Chair Eosco encouraged any news outlets to reach out to the City for more information.

Councilor Bauer asked if councilors would be provided with talking points to discuss this, to which they will.

Madame Chair Eosco asked if there was any further comment, for which there was none.

**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

11) ORDER: Prepare Election Warrant to notify residents of the City of Bath of the RSU1, Board of Directors Election held on Tuesday, November 5, 2019 for Unrestricted-Residence Position, Three Year Term and for Arrowsic Municipal-Residence Position, Two Year Term  
Madame Chair Eosco reviewed the warrant with one unrestricted-residence position (three year term) as well as one Arrowsic Municipal Residence position for a two-year term. Polls will be open from 8 AM to 8 PM.

Motion made by councilor Paulhus, seconded by Councilor Ambrosino.

**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

12) ORDER: Registrar of Voters' hours for the November 5, 2019 State Referendum, Municipal and RSU 1, Board of Director's Election  
Madame Chair Eosco read aloud the following order:

BE IT ORDERED by the City Council of the City of Bath, that the hourly schedule for the office of the Registrar of Voters shall be from 8:30 a.m. to 4:30 p.m. Monday through Friday on Wednesday, October 23, 2019 from 5:00 p.m. to 7:00 p.m. for Absentee Voting and Voter Registration, prior to the State/Referendum/Municipal Election/RSU 1, Board of Directors' Election to be held Tuesday, November 5, 2019, at the City Clerk's Office, 55 Front Street.

Voters may register on the Day of the Election from 8:00 a.m. to 8:00 p.m. at the polls at the Bath Middle School Cafeteria, 6 Old Brunswick Road.

Motion made by councilor Paulhus, seconded by Councilor Bauer.

Madame Chair Eosco asked if there was any further comment, for which there was none.

**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

13) ORDER: Approving Authorization BIW Tax Increment Financing District Budget (FY 2019)

Madame Chair Eosco asked for a motion to put the ordinance for Article 9 on the table for discussion. Councilor Comeau made the first motion and it was seconded by Councilor Bauer.

Finance Director, Juli Millett presented three orders to approve the three TIFs with BIW, Wing Farm and the Downtown TIFs. The BIW includes debt service payment, contribution to Bath Local Development Organization and Main Street Bath, the Economic Development Project which includes downtown street lights and train station development and other construction and capital improvements.

Madame Chair Eosco asked if there was any further comment.

Councilor Paulhus asked if these need to be voted separately, to which the City Solicitor confirmed a motion could be made to combine.

Councilor Comeau moved to combine the order approval, seconded by Councilor Bailey.

**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

Councilor Leonard asked for clarification on the process.

Juli Millett summarized that the TIF budgets are separated from the rest of the budgeting because the assessment is required in order to appropriately budget. Because not all of the funds will be spent, the carry forward balance keeps from creating a budget deficit.

Councilor Nordmann asked for clarification on the charging stations for electric cars, confirming that the electricity would be complimentary to the public.

Peter Owen confirmed this is a complimentary service subsidized for by a Grant which will encourage tourism as not all cities provide this service.

Madame Chair Eosco asked if there was any further comment, for which there was none.

**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

14) RESOLUTION: Amending Committee Membership for the Community Development Committee

Madame Chair Eosco read the following resolution:

**RESOLUTION AMENDING COMMITTEE MEMBERSHIP**

**COMMUNITY DEVELOPMENT COMMITTEE**

WHEREAS, the Community Development Committee was established by Resolution of Council in 1992; and

WHEREAS, the Committee membership was established in the original Resolution; and

WHEREAS, it has been recommended that Committee membership be amended by adding two At-Large members.

NOW, THEREFORE, BE IS RESOLVED by the City Council of the City of Bath that the membership of the Community Development Committee be amended to add two additional At-Large members.

Motion made by council Comeau, seconded by councilor Ambrosino.

Councilor Bailey noted that because there have been a number of excellent applicants come forward, the committee has decided to follow the Forestry Committee in expanding its membership.

Madame Chair Eosco asked if there was any further comment, for which there was none.

**VOTE ON MOTION:**

**YEAS: 7**

**NAYS: 0**

**Passed unanimously, 7-0**

**G. Petitions & Communications: 8:48 PM**

**H. City Manager's Report: 8:49 PM**

**I. Committee Reports: 8:50 PM**

Councilor Bailey confirmed that there are open seats on the Forestry Committee, Community Development, Transportation and the Zoning Board of Appeals, encouraging residents to come forward to serve the community. Councilor Bailey also reminded the public to attend Citizen Involvement Day, Saturday October 12 where Citizen of the Year will be announced. Also the Age Friendly Communities of the Kennebec will be holding an open forum Thursday, October 24 at the Patten Free Library.



Councilor Comeau announced that the Investment Committee met to review items previously discussed including the public works sidewalk project.

**J. Unfinished Business: 8:52 PM**

**K. New Business: 8:53 PM**

**L. Councilor Announcements: 8:54 PM**

Council Comeau credited the council with their good work throughout the evening, to which the council also recognized Darci Wheeler.

Councilor Nordmann also noted the Bath Housing Authority is celebrating their 50<sup>th</sup> Anniversary on Wednesday, October 9.

Madame Chair Eosco encouraged residence to visit the improvements at Oak Grove Cemetery. She also warned fellow councilors she is looking to the future to be proactive regarding climate change.

Gretchen Jaeger, President of the Main Street Board thanked Council for their TIF allocation.

Madame Chair Eosco asked for a motion to adjourn the meeting.

Councilor Paulhus made the motion and it was seconded by Councilor Bauer

Attest:

*Karly A. Perry*

Karly A. Perry

Recording Secretary



TABULATION RESULTS  
FOR THE  
NOVEMBER 5<sup>TH</sup>  
ELECTION WILL BE  
ON YOUR DESKS  
AT THE MEETING



---

**MEMORANDUM**

---

**TO:** BATH CITY COUNCIL  
**FROM:** STEVE BALBONI, PARKS & RECREATION DIRECTOR  
**SUBJECT:** AED DONATION  
**DATE:** 10/31/2019

---

The Bath Parks and Recreation Department was chosen as the benefactor of the Bath Rotary Club Golf Tournament. We had determined the best use of the funds would be for additional automated external defibrillator (AED). We have been working with Betsy Harrington and are extremely grateful of their generosity.

The purchase of 5 additional AED would allow us to provide all the youth sport groups that we work with to have one on hand. Those groups would include Cal Ripken Baseball, Babe Ruth Baseball, ASA Softball, Bath Youth Football and Bath Recreation Soccer. The total cost will be \$4659.30.

Onsite AEDs save precious treatment time and can improve survival odds because they can be used before emergency medical service (EMS) personnel arrive.

WE respectfully ask the City Council to accept the gift.



ORDER OF ACCEPTANCE OF GIFT  
BATH ROTARY CLUB

WHEREAS, the City of Bath has been advised by the Bath Rotary Club that they have designated the City of Bath as the public safety beneficiary of proceeds of their annual Golf Tournament to be used for public safety purposes; and

WHEREAS, it has been determined that the funds donated by the Bath Rotary Club will be used to purchase five (5) automated external defibrillators (AEDs) at the total cost of \$4,659.30; and

WHEREAS, Title 30-A M.R.S. Section 5652 authorizes and requires the Municipal Officers of a City to accept a donation of money in order to supplement a specific appropriation already made, in this case, appropriations for municipal Recreation Department capital expenditures; and

WHEREAS, Title 30-A M.R.S. Section 5654 further authorizes municipalities to accept conditional gifts for any specific public purpose, the City having received notice from officials from the Bath Rotary Club of the donation of a conditional gift for the purpose of purchasing public safety equipment as outlined above.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the funds for the five (5) automated external defibrillators (AEDs) be and hereby are accepted and the City Manager is authorized to execute such documentation as may be necessary, appropriate and convenient to the acceptance of the conditional gift. The City Council thanks the Bath Rotary Club for their generosity in providing the funding for this equipment.





F6

# City of Bath

55 Front Street  
Bath, Maine 04530

Dept: 207/443-8363  
Fax: 207/443-8389



**Planning &  
Development**

## MEMORANDUM

**TO:** Mari Eosco, Chair  
City of Bath City Council

**FROM:** Ben Averill, City Planner

**DATE:** October 30, 2019

**RE:** Adult use and medical  
Marijuana licensing

---

### Background

During the October 2019 City Council meeting passage was granted on an amendment to Article 5 of the City Code ( licensing requirements of marijuana establishments). During that meeting, Council passed the license requirements but did not set fees in accordance with the licensing requirements. Section 5-503 of the newly passed marijuana licensing requirements allows Council to set fees for marijuana licensing. A staff recommended fee schedule as well as the fee schedule from surrounding communities is highlighted below.

### Select fee schedule for other communities:

#### Brunswick:

- Licensing fees
  - o Cultivation facility: \$600
  - o Product manufacturing facility: \$300
  - o Retail store: \$1400
  - o Testing facility: no license required
- Requires approval from Planner, Code Enforcement Officer, Police Chief, Health Inspector, and Fire Chief

#### Auburn:

- Licensing fees (in addition to \$500 application fee)
  - o Cultivation facility: \$1000-\$5000 depending on size
  - o Product manufacturing facility: \$2500
  - o Retail store: \$5000
  - o Testing facility: \$2500
  - o Nursery: \$1000

Waterville :

- Licensing fees
  - o Cultivation facility: \$1500-\$4500 depending on size
  - o Product manufacturing facility: \$100 (\$1500 if an extraction facility)
  - o Retail store: \$1500
  - o Testing facility: \$1500

**Staff recommended fee schedule:**

- o Cultivation facility: \$750
- o Product manufacturing facility: \$500
- o Retail store: \$1500
- o Testing facility: \$500

**Council Action**

If the Council determines that the resolution has merit then Council can vote to approve the resolution to set fees for marijuana licenses. If the Council determines that the resolution lacks merit, action will cease.

## **RESOLUTION- SETTING A FEE SCHEDULE FOR MARIJUANA LICENSES**

**WHEREAS**, pursuant to Section 5-503 of the code of the City of Bath provides that Council may by Resolution, from time to time, set fees for the licensing of marijuana establishments, and

**WHEREAS**, the City Council of the City of Bath has deemed it appropriate, upon recommendation of the staff of the City of Bath, that such fees be added, and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Bath, that the licensing fees for marijuana establishments are effective December 1, 2019 as follows:

1. Cultivation facility: \$750
2. Marijuana product manufacturing facility: \$500
3. Marijuana Store, Medical Marijuana Storefront, or Dispensary: \$1500
4. Testing facility: \$500



*City of Bath Resolution on Energy Conservation and Climate Protection*

WHEREAS, A scientific consensus has arisen that a continual release of greenhouse gases into the atmosphere will have a profound effect on the earth's climate, including rising sea levels, melting of Arctic ice sheets, extreme temperature changes, habitat disruption, human health concerns, and overall climate disruption; and

WHEREAS, Energy consumption, specifically the burning of fossil fuels, such as coal, oil, and gas, are one of the largest emitters of U.S. greenhouse gas emissions; and,

WHEREAS, State and local governments have an immense influence on their community's energy consumption by exercising key powers over land use, transportation, building construction, waste management, and protection of green space; and,

WHEREAS, State and local governments throughout the nation and the world are reducing climate change pollutants through national and local programs and resolutions that provide economic and quality of life benefits such as reduced traffic congestion, improved transportation choices, economic development and job creation through energy conservation strategies that provide economic and environmental incentives for the City government, its businesses, and its citizens;

NOW, THEREFORE, BE IT RESOLVED that the City of Bath pledges to take a leadership role to minimize the City's energy use and emissions and maximize efficiency and sustainability through the following measures:

1. Reduce overall City emissions by at least 40% from 2018 values by the year 2030.
2. Support public education on structural and lifestyle changes that must take place in order for the City to make meaningful strides in energy reduction.
3. Maintain and expand a healthy tree population within the City, as well as preservation and expansion of green space.
4. Increase composting and recycling rates within City buildings, businesses and private households, to decrease waste sent to the landfill.
5. All City funded new construction and renovations should meet the U.S. Green Building Council's LEED certification program.
6. Convert all City streetlights to LEDs.
7. Continue exploring alternative energy sources including the use of biofuels, hybrid vehicle fleets as technology advances, landfill gas recovery system, natural gas, and solar energy.
8. Incentivize the use of alternative transportation by continuing to make the City walkable and bikeable with the addition of sidewalks and bike lanes wherever needed.
9. Adjust City ordinances, codes, and policies to make sustainable, energy efficient lifestyles more attainable.
10. Explore the use of tax credits and financial incentives as they become more available at the state and federal level.



# **City of Bath: 2019 Climate Action Plan**



## **2018 Greenhouse Gas Emissions and Energy Use Inventory and Recommended Climate Action Plan**

Report Researched and Prepared by:

Emma Kyzivat, Bowdoin College student and City of Bath Climate Action Plan Intern

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## **ACKNOWLEDGMENTS**

This report would not have been possible without the help and support of a wide-variety of people. From providing data to answering endless questions, so many people played a role in both the inventory process and drafting of the updated plan.

All City of Bath employees, especially:

Erika Helgersen, *Executive Assistant/Human Resources*

Peter Owen, *City Manager*

Marc Meyers, *Assistant City Manager*

Lindsey Goudreau, *Marketing and Communications Specialist*

Lee Leiner, *Director of Public Works*

Bryan Levitt, *Superintendent at the Waste Water Treatment Plant*

Brenda Cummings, *Assessor*

Juli Millett, *Finance Director*

Linda McCourt, *Staff Accountant*

Mike Peabody, *Facilities Director*

Ben Averill, *City Planner*

Eli Yewdall, *Senior Program Officer, ICLEI: Local Governments for Sustainability USA*

Kale Roberts, *Senior Program Officer, ICLEI: Local Governments for Sustainability USA*

Trevor Hunt, *Superintendent, Bath Water District*

David Richards, *Director of Facilities, Regional School Unit 1*

Debra Clark, *Business Manager, Regional School Unit 1*

Suzanne Steen, *Bath Bus Service*

Ted Novicki, *Manager Key Accounts, Central Maine Power*

Denise Cormier, *Environmental Specialist, Maine Department of Environmental Protection*

Daniel Webster, *Environmental Specialist in the Bureau of Air Quality, Maine Department of Environmental Protection*

Allison Flynn, *Environmental Specialist in the Bureau of Air Quality, Maine Department of Environmental Protection*

Edward Beckwith, *Highway Performance Management System Coordinator, Maine Department of Transportation*

David Hench, *Communications Principal, General Dynamics Bath Iron Works*

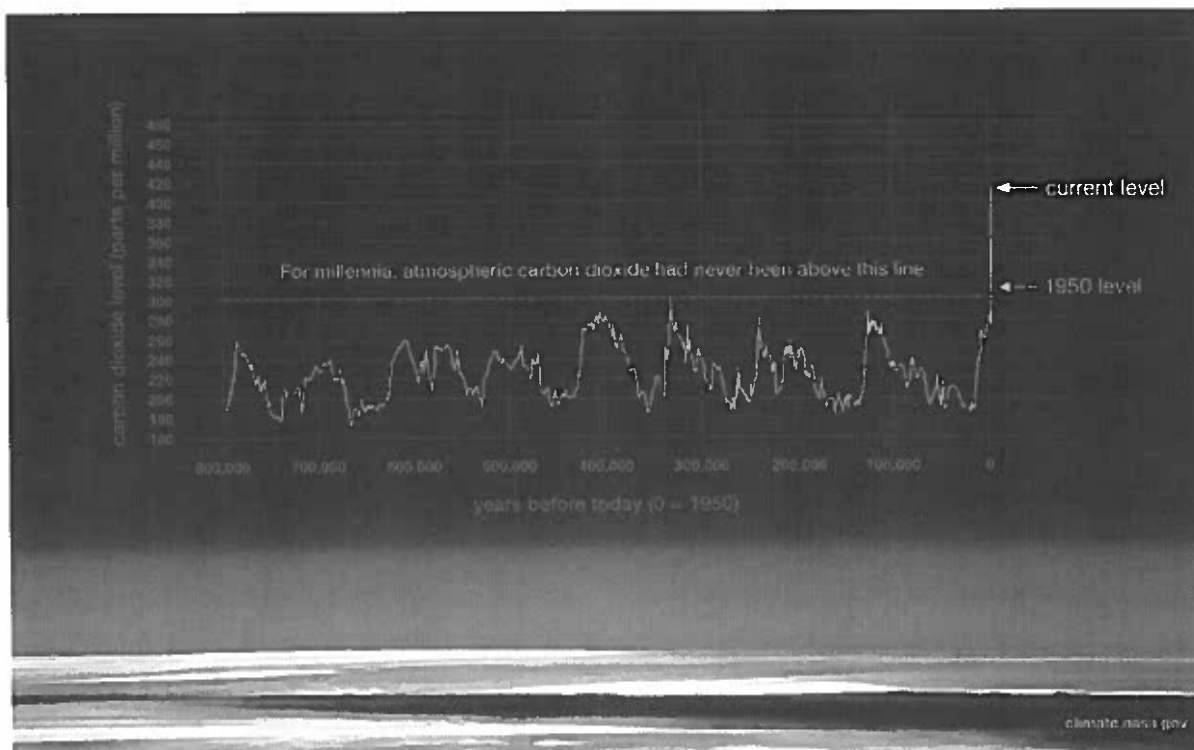
Phoebe Lyttle, *Garbage to Garden*

Brooks Winner, *2008 Climate Action Plan Intern, Bowdoin College Environmental Studies Fellowship*

## I. Climate Change Background

Climate change has become a global crisis affecting communities around the world. Individuals, businesses, and government agencies are becoming more aware of the consequences of our decisions and are setting stricter goals for our future. Throughout history, the Earth's climate has always been experiencing periods of high and low atmospheric carbon dioxide levels. However, prior to human civilization, most of the earth's climate variations have been due to slight orbital variations altering the amount of solar energy received by the Earth, or by natural disasters such as volcanic eruptions. The Intergovernmental Panel on Climate Change (IPCC), an intergovernmental body of the United Nations committed to providing an objective, scientific view on climate change stated in their most recent report:

“Anthropogenic greenhouse gas emissions have increased since the pre-industrial era, driven largely by economic and population growth, and are now higher than ever. This has led to atmospheric concentrations of carbon dioxide, methane and nitrous oxide that are unprecedented in at least the last 800,000 years. Their effects, together with those of other anthropogenic drivers, have been detected throughout the climate system and are extremely likely to have been the dominant cause of the observed warming since the mid-20th century.”<sup>1</sup>



**Figure 1.** Data from the past 800,000 years on atmospheric carbon dioxide concentrations in parts per million (ppm) based on ice core data. The high and low dips in CO<sub>2</sub> values show the cycle of ice ages (low CO<sub>2</sub> levels) and warmer interglacial periods (higher levels of CO<sub>2</sub>). The highest previous CO<sub>2</sub> concentration was around 300ppm, 350,000 years ago. In 2017, the average level was 405ppm. This graph shows that CO<sub>2</sub> levels have been on the rise ever since the industrial revolution. Climate.nasa.gov, (Credit: Luthi, D., et al., 2008; Etheridge, D.M., et al., 2010; Vostok ice core data/J.R. Petit et al.; NOAA Mauna Loa CO<sub>2</sub> record)<sup>2,3</sup>

Scientists are attributing the severe effects of global warming to human activities that increase the amount of greenhouse gases found in the atmosphere. The greenhouse gas effect is the process that occurs when the combustion of fossil fuels like coal, oil, and gas release high amounts of carbon dioxide and other greenhouse gases into the atmosphere, and these gases trap heat coming from the sun causing the earth to heat up. The main greenhouse gases are as follows: carbon dioxide, methane, nitrous oxide, water vapor, ozone, hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride. For the purposes of this report, only carbon dioxide, methane, and nitrous oxide were accounted for. The following definitions are based off information from NASA and the EPA.<sup>4,5</sup>

**Carbon Dioxide (CO<sub>2</sub>):** Carbon dioxide enters the atmosphere through the burning of fossil fuels such as coal, oil, and natural gas, and through other human activities such as deforestation and land use changes. Atmospheric carbon dioxide can be absorbed by plants and trees as part of the carbon cycle, therefore removing it from its hazardous role in the atmosphere. For reference, about 200 pounds of CO<sub>2</sub> are produced per 1 MMBtu of coal, 160 pounds of CO<sub>2</sub> are produced per 1 MMBtu of distillate fuel oil, and 117 pounds of CO<sub>2</sub> are produced per 1 MMBtu of natural gas.<sup>6</sup>

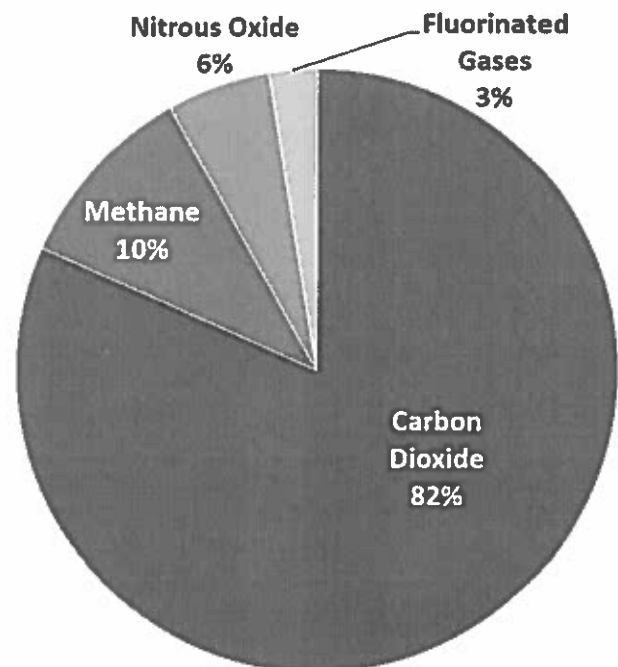
**Methane (CH<sub>4</sub>):** Methane is mostly emitted during the generation and transportation of coal, oil, and natural gas. Other causes of methane emissions include livestock and agricultural practices, as well as the breakdown of organic waste in landfills. Methane is a much more potent greenhouse gas than carbon dioxide, but it is much less abundant in the atmosphere. Releasing 1kg of CH<sub>4</sub> into the atmosphere is equivalent to 25kg of CO<sub>2</sub>.<sup>7</sup>

**Nitrous Oxide (N<sub>2</sub>O):** Nitrous Oxide is mostly released through agricultural practices, as well as through fuel combustion, industrial practices, and wastewater management. Releasing 1kg of N<sub>2</sub>O into the atmosphere is equivalent to 298kg of CO<sub>2</sub>.<sup>8</sup>

All greenhouse gas emissions in this report are compared in terms of carbon dioxide equivalents (CO<sub>2</sub>e). Since all fuels release different combinations of greenhouse gases, carbon dioxide equivalents are a way to standardize units when portraying the global warming affect of a specific activity. The burning of a certain fossil fuel may release carbon dioxide, methane, and nitrous oxide, and combining those into one standard unit makes it easier to understand and compare.

**Figure 2.** Chart comparing relative abundance of greenhouse gases in the atmosphere as a result of emissions in the U.S. Total emissions in 2017 were 6,457 Million Metric Tons of CO<sub>2</sub>e. Data from the EPA's "Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2017."<sup>9</sup>

#### U.S. Greenhouse Gas Emissions in 2017



## 1.) Climate Change - Affects on Maine

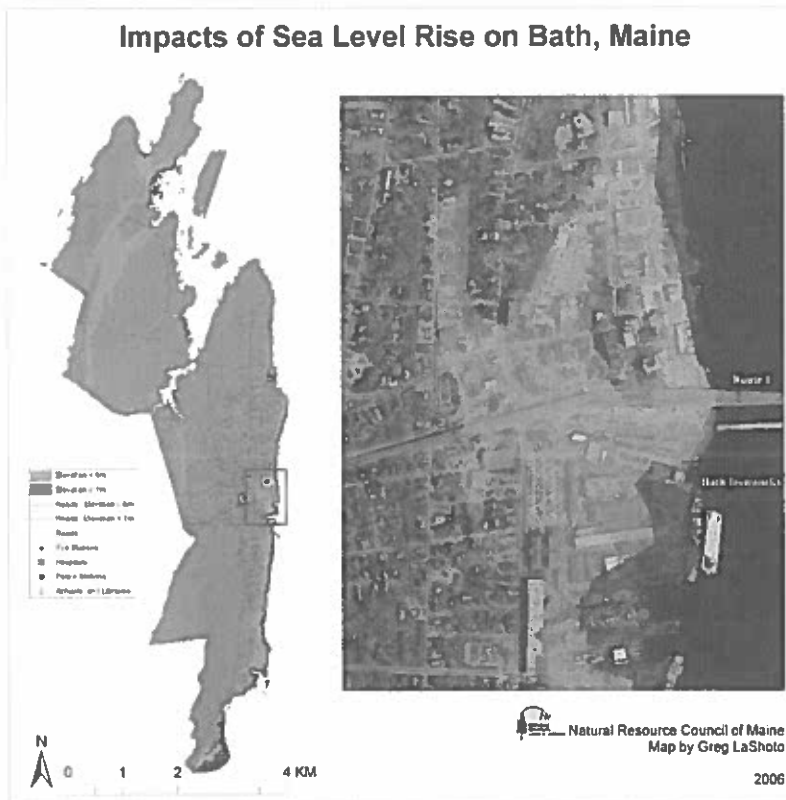
Climate change has been, and will continue to be, a severe threat to the coastal and mountainous regions of Maine. As a state that prides itself on its natural beauty and depends on its natural resources and wildlife to sustain its economy and provide jobs, Maine must continue implementing climate adaptation and mitigation strategies. The following list discusses a fraction of the changes Maine is experiencing as a result of climate change.<sup>10,11</sup>

- Rising sea level erodes beaches and wetlands, and increases the severity of coastal damage from storms. Tidal wetlands are extremely vulnerable to climate changes because of their low elevations, and shoreline development prevents them from migrating towards areas of higher elevation. These wetlands provide habitats for species such as the osprey, heron, and many fish. Losing these coastal wetlands means harming ecosystems and local food chains.
- Many Maine ecosystems are experiencing new disruptions because of climate threats. Rising temperatures are causing deer populations to increase, simultaneously causing a decline in forest underbrush which provides a place of safety for many animals. Warmer temperatures are also allowing invasive species to expand their range and destroy habitats.
- As ocean acidity rises, lobsters and shellfish lose their ability to properly build shells. Many fish species are also migrating northward to maintain a normal temperature range greatly affecting the seafood market in Maine.
- Warmer weather is increasing the occurrence of insect born disease and respiratory health problems. As the weather stays warmer for longer periods of time, tick season also becomes extended. Higher temperatures also amplify ground-level ozone contributing to respiratory

problems like asthma.

- Warmer weather affects the quintessential snowy Maine winter and the local economies that depend on it.

- 90% of Maine is covered in forests and forestry provides over 19,000 jobs for Mainers. Suitable climate conditions for these forests are expected to decline greatly impacting the industries that rely on these forests.



**Figure 3.** Bath is listed as one of the top 20 Maine towns affected by sea-level rise by the Natural Resources Council of Maine. The impact on Bath is shown on the map below. Red shows elevation < 1m, yellow shows elevation < 6m. Map found on [bangordailynews.com](http://bangordailynews.com) and was created by Greg LaShoto<sup>12</sup>.

## **II. Executive Summary**

This study was created for the City of Bath through collaboration with Bowdoin College's Environmental Studies Fellowship Program. The study used a software called ClearPath, which is provided by *ICLEI: Local Governments for Sustainability*, and is designed for greenhouse gas emissions inventory on the local level. The software used a baseline year of 2018 for calculating all emissions and energy use within the government and community as a whole. Energy use and emissions were determined by entering data such as annual fuel use and type, building square footage, annual vehicle miles traveled within Bath, etc. Data was obtained through talking to City departments and employees, state agencies such as the Maine Department of Transportation and Maine Department of Environmental Protection, local companies such as Central Maine Power, City of Bath budgets from the Finance Department, and average household energy use determined by U.S. Census data from the 2018 Population Estimate. The software computes this data into total energy use and emissions, and provides preliminary graphs and charts. With this data, the City can determine which areas create the most emissions and use the most energy, and where the City should focus its energy for the next ten years.

The original City of Bath Climate Action Plan was created as an alternative to the signing of the U.S. Mayor's Agreement for Climate Protection in hope that the goals and reduction strategies would be more feasible and achievable for the City of Bath. This updated report is based off the same theory.

All recommendations made in this report are general measures the government and community can take. With the data and methods outlined in this report, the City will be able to maximize energy efficiency while minimizing emissions.

### **III. Research Summary**

Data for the greenhouse gas emissions inventory were gathered from several different sources at community, municipal, and statewide levels for the baseline year 2018. The data collected were then entered into the ClearPath inventorying software provided by *ICLEI: Local Governments for Sustainability*. This software calculates the total energy consumption in MMBtu (Million British Thermal Units) and the greenhouse gas emissions in metric tonnes of carbon dioxide equivalents (CO<sub>2</sub>e). Energy use information is plugged into the software, which then uses the global warming potential of each greenhouse gas to calculate the average amount of CO<sub>2</sub>e produced by the mixture of greenhouse gases in each type of energy use. The software calculates emissions in tonnes of carbon dioxide equivalents since CO<sub>2</sub> is the most common greenhouse gas, although it is not the most potent.

The analysis portion of the inventory is divided into the Community Track and the Government Track. The Community section accounts for the total emissions from the entire city while the Government sections only accounts for emissions from municipally managed sources. It is important to note that government emissions are included in the community section, but analyzing government emissions separately gives the municipality more leadership and responsibility in reducing the City's emissions. The year 2018 was used since it was the most recent year from which the most complete and reliable data was available. In some cases Fiscal Year (FY) 17-18 was used, and in a few special instances earlier years were used because there was no complete data for 2018.

#### **1.) Community Analysis:**

The ClearPath software breaks the community track into six main sections: Residential Energy, Commercial Energy, Industrial Energy, Transportation and Mobile Sources, Solid Waste, and Waste and Wastewater. Other sections such as Agriculture, Process and Fugitive Emissions, Upstream Impacts of Activities, and Consumption Based were also available but not used for the purpose of this inventory.

Data collected for the *Residential* sector included Bath's total electricity usage in kilowatt hours (kWh), as provided by Central Maine Power (CMP); heating fuel use in gallons calculated by using data on the types of household heating fuel used in Bath, as provided by the U.S. Census; and statewide average consumption per household for Maine, as provided by the Energy Information Administration (EIA). Liquid Propane (LP) gas and fuel oil/kerosene were the two most popular residential house heating fuels in 2017 (2018 data was not yet available). "All other fuels" was the third highest, and was assumed to encompass wood, wood chips, and pellets. Since the EIA data was based on consumption estimates for the state of Maine, U.S. Census data on the entire state of Maine was used to calculate the average fuel consumption per household. This number was then multiplied by the number of households in Bath that used each type of heating fuel.

**Total Residential Sector Energy Consumption: 463,354 MMBtu**

**Total CO<sub>2</sub> Equivalents: 28,174 MT**

Data collected for the *Commercial* sector included the total electricity use provided by CMP and estimated heating fuel use calculated using state averages, also provided by the EIA. Information regarding all commercial buildings in Bath was obtained through the Assessor's Office. Commercial buildings were then split up by fuel type and building usage. Based on these two factors, the annual fuel usage for these buildings was calculated using the specific fuel's average energy intensity factor per square foot in the New England region (provided by the EIA).

**Total Commercial Sector Energy Consumption: 234,486 MMBtu**

**Total CO<sub>2</sub> Equivalents: 12,442 MT**

Data collected for the *Industrial* sector included total electricity provided by CMP and heating fuel use calculated using the average energy intensity per square foot provided by the EIA. Bath Iron Works (BIW) accounts for the majority of industrial emissions and their emissions were reported directly from the Maine Department of Environmental Protection (MDEP). Since emissions were reported directly, BIW's energy use from fuel consumption was not included. The total industrial sector energy consumption seen below is a result of overall industrial electricity usage and fuel consumption in industrial properties excluding BIW. The total industrial electricity usage provided by CMP included BIW and the other few industrial properties in Bath (Gagne Foods, Custom Composite Technologies, Kennebec Company). The exact electricity attributable to BIW was not available. However, BIW's fuel usage emissions accounted for 99% of the industrial fuel use emissions.

**Total Industrial Sector Energy Consumption: 338,581 MMBtu**

**Total CO<sub>2</sub> Equivalents: 30,965 MT**

Data collected for the *Transportation* sector included the total vehicle-miles traveled – or “VMT” - inside the city based on traffic survey estimates provided by the Maine Department of Transportation (MDOT). This includes travel by vehicles passing through the city, but does not include travel by Bath residents outside of the city. Denise Cormier at the MDEP was able to compile a list of registered vehicles in Bath for the year 2018, and Ed Beckwith at the MDOT was able to provide the annual vehicle miles traveled within Bath during 2018. Based on this data, total VMT for each vehicle type in Bath was able to be calculated.

**Total Transportation Sector Energy Consumption: 259,455 MMBtu**

**Total CO<sub>2</sub> Equivalents: 17,749 MT**

Data collected for the *Solid Waste* sector included the total amount of waste (in tons) coming from Bath and contained in the Bath Landfill, as well as the total amount of compost collected by Garbage to Garden. Emissions associated with the landfill were found by using a few different calculators provided by ICLEI. One calculator helped compute downstream landfill emissions from landfill destined waste generated by the community. This calculator estimates all future methane emissions from the tons of waste sent to the landfill in 2018. Another calculator estimated the emissions that resulted from the flaring of landfill gas. A final calculator computed emissions associated with the use of landfill equipment.

**Total Solid Waste Energy Consumption: 2,983 MMBtu**

**Total CO<sub>2</sub> Equivalents: 3,181 MT**

Data collected for the *Water and Wastewater* sector included the heating and electricity usage at the treatment plant and its pump stations. Energy use from the Bath Water District was included in the community track since its operations are not controlled by the City. Bath Water District provided an estimate of how much of their electricity and water was being used in only Bath since they serve a much larger community. The calculators provided by ICLEI calculated emissions associated with the supply of potable water, private septic systems, N<sub>2</sub>O emissions from the effluent, and overall emissions from the use of WWTP equipment.

**Total Water and Wastewater Energy Consumption: 7319 MMBtu**

**Total CO<sub>2</sub> Equivalents: 379 MT**

## **2.) Government Analysis:**

The ClearPath software breaks the government track into seven main sections: Buildings and Facilities, Street Lights and Traffic Signals, Vehicle Fleet, Transit Fleet, Employee Commute, Solid Waste Facilities, and Water and Wastewater Treatment Facilities. Other sections such as Electric Power Production and Process and Fugitive Emissions were also available but not used for the purpose of this inventory.

Data collected for the *Buildings and Facilities* sector included total electricity and fuel usage for buildings owned and operated by the City of Bath. Total municipal electricity usage was provided by CMP, and fuel types and usage were provided by the Office of Finance.

**Total Buildings and Facilities Energy Consumption: 14,691 MMBtu**

**Total CO<sub>2</sub> Equivalents: 814 MT**

Data collected for the *Vehicle Fleet* sector included the total gallons of gasoline and diesel fuel used by City-owned vehicles. This information was provided by the Public Works Department, who maintains the municipal fuel storage. Average VMT for each vehicle was calculated by multiplying each vehicle's annual fuel usage by the vehicle's average MPG.

**Total Vehicle Fleet Energy Consumption: 7,645 MMBtu**

**Total CO<sub>2</sub> Equivalents: 639 MT**

Data collected for the *Transit Fleet* sector included the total gallons of gasoline and diesel fuel used by the two City buses and trolley. This information was provided by the Public Works Department and Maintenance Department. Emissions from the *Transit Fleet* are included in the *Vehicle Fleet* category on all future graphs and charts.

**Total Transit Fleet Energy Consumption: 852 MMBtu**

**Total CO<sub>2</sub> Equivalents: 60 MT**

Data collected for the *Employee Commute* sector included the total annual vehicle-miles traveled to and from work by City employees in each department. Type of car was not accounted for.



**Total Employee Commute Energy Consumption: 2,043 MMBtu**

**Total CO<sub>2</sub> Equivalents: 145 MT**

Data collected for the *Streetlights* sector included the total energy use for the 645 CMP- owned City streetlights. Number of streetlights and total electricity usage was provided by CMP.

**Total Streetlight Energy Consumption: 1,252 MMBtu**

**Total CO<sub>2</sub> Equivalents: 145 MT**

Data for the *Solid Waste* sector included the total tons of waste produced in Bath and entering the Bath Landfill. Because the landfill is owned and operated by the City, methane emissions from decaying waste were calculated in the government track. Data regarding the Bath Landfill was provided by the Public Works Department. The calculators provided under the solid waste section in the government and community tracks are slightly different. As a result, there is a discrepancy between the way in which solid waste emissions are calculated and the final emissions.

**Total Waste Energy Consumption: 5,814 MMBtu**

**Total CO<sub>2</sub> Equivalents: 3,062 MT**

Data for the *Water and Wastewater* sector included the electricity and heating fuel used at the treatment facility and pump stations within Bath, as well as nitrogen emissions from naturally occurring nitrification/denitrification and effluent discharge to the river. Energy use from the Bath Water District is not included in the government inventory since their operations are not controlled by the City.

**Total Water and Wastewater Energy Consumption: 4,936 MMBtu**

**Total CO<sub>2</sub> Equivalents: 376 MT**

#### **IV. Data Results and Analysis**

This section outlines the results of the inventory in more specific detail. It is important to note that the data presented in this report are estimates and that the precision of these estimates is limited by the following:

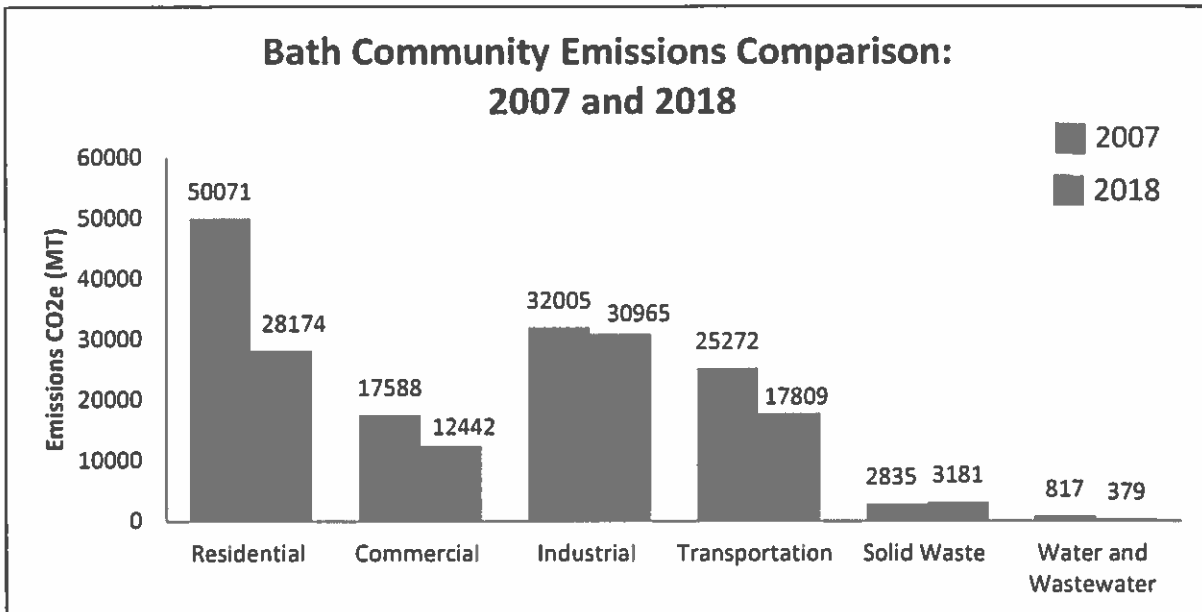
1. In some cases, important data were not attainable for a variety of reasons. Some organizations were not able to disclose energy use information because of strict protocol or the limited time available to obtain necessary data.
2. Not all greenhouse gases were accounted for in this inventory. Carbon dioxide, methane, and nitrous oxide are the most abundant and easiest to collect data on because of their direct relationship with human activities. Emissions from perfluorocarbons (PFCs) and hydrofluorocarbons (HFCs) are difficult to calculate because the use of chemicals that release them are not well recorded.
3. The data collected varies between being regional/state averages and specific to Bath. Data specific to Bath were used whenever possible and state averages and estimations were used to fill in the blanks. For example, the electricity usage was obtained through information from Central Maine Power and invoices from the Finance Department that were all specific to Bath. On the other hand, heating fuel consumption for the community track was estimated using the average fuel use per square foot of buildings in the Northeast.
4. The time periods for which the data were collected varied based on the availability of information. Most data were compiled from the 2018 calendar year or 2017-18 fiscal year. Data from the census were based on their 2018 population estimate as of July 1, 2018. Occasional data were used from earlier years only if that was the most recent option.
5. Human error must always be taken into account. Gathering data on the collection end is extremely difficult, and transferring that information to another party to analyze and report may very well include some sort of human error or miscalculation.
6. This inventory and report is an update to the *City of Bath Energy Inventory and Climate Action Plan* created in 2008. Although the main reason for conducting this inventory ten years later was for the purpose of comparing 2007 to 2018 emissions levels, it is important to note the factors that complicate the comparison:
  - a. *ICLEI – Local Governments for Sustainability* provided the software for both inventories, but over the ten years there have been many updates as to how information is recorded and presented.
  - b. Precise steps and methods were not always included in the 2008 report making it difficult to standardize collection techniques over the ten years.
  - c. Graphs and charts created by the software are not the same and do not present information in the same way between the two years.

Despite the many deficiencies and difficulties, the data presented in this report represents the most recent, available, and complete data to the best knowledge of all parties involved.

#### **1.) Community Emissions and Energy Use**

The Community Track accounts for the emissions and energy use for the entire City of Bath. This includes all emissions from the government, heating and electricity use in residential, commercial, and industrial buildings, fuel use from transportation within the community, and emissions associated with the landfill and water and wastewater treatment facilities.

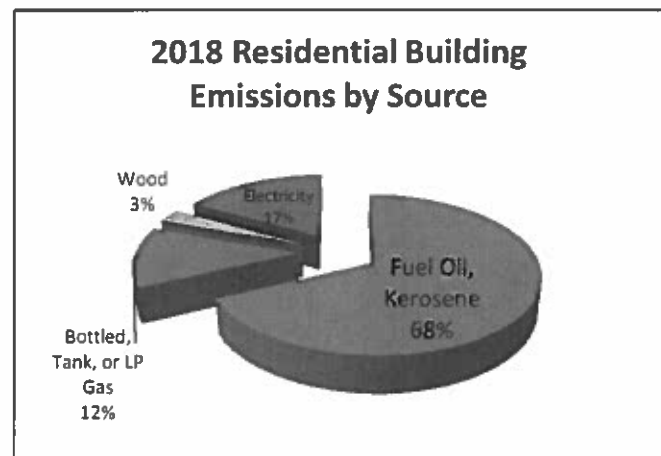
In 2018, Bath emitted **92,950 MT of CO<sub>2</sub>e**, and consumed **1,306,178 MMBtu** of energy. The Community Track analysis provides a good estimate of the total emissions released by the City of Bath, however it is less precise than the analysis of the government track because the community inventory relies more on regional and state averages, and therefore may be less accurate. Overall, the entire Bath community saw a 27% reduction from 2007 emission values. (In 2007, Bath emitted 127,772 metric tonnes of CO<sub>2</sub>e and consumed 1,284,423 MMBtu of energy.)



### Residential

In 2018, Bath residents emitted approximately 28,174 MT of CO<sub>2</sub>e, accounting for 31% of the total emissions from the City. The residential sector also consumed 463,354 MMBtu of energy, accounting for 36% of overall City consumption. The residential sector was the second largest contributor to Bath's overall community emissions falling right behind the industrial sector.

The U.S. Census estimates Bath's 2018 population to be 8,329 (as of July 1, 2018), which is a 185-person decrease from the 8,514 estimate in the 2010 census. The 2013-2017 American Community Survey 5-Year Estimates provided data on the number of Bath residential buildings using which type of heating fuel in 2017. The residential heating fuels were: utility gas; bottled, tank or LP gas; electricity; fuel oil, kerosene, etc; all other fuels; and no fuels used. The top three heating fuels were fuel oil/kerosene (68% of residential building emissions), LP gas (12%), and all other fuels which were assumed to be wood, wood chips, and pellets (3%). Electricity use emitted 4,771 MT of CO<sub>2</sub>e and consumed 106,515 MMBtu of energy. There are some residential homes in Bath that have their own solar panels and are contributing to the offset of carbon emissions, however that information was not able to be obtained and recorded in this report.

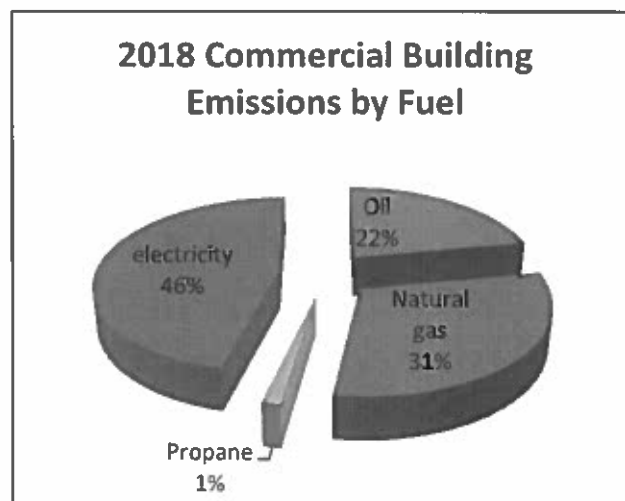


## Commercial

According to the U.S. Census' 2012 Survey of Business Owners, there are 1,147 companies within the City of Bath. Commercial businesses accounted for 12,442 MT of CO<sub>2</sub>e, 13% of the City's total. The commercial sector consumed 234,486 MMBtu of energy, 18% of total City consumption. The municipal government's building emissions are contained in the commercial sector and account for 8% of the total commercial building emissions.

## Industrial

The emissions from the industrial sector amounted to 30,695 MT of CO<sub>2</sub>e, accounting for 34% of all community emissions. Industries (excluding BIW) consumed 338,581 MMBtu of energy, 27% of City energy use. Bath Iron Works is the largest industrial emitter in the Bath, accounting for 99% of emissions from fuel use within the industrial sector. Because BIW's emissions were received directly from the MDEP in terms of MT of CO<sub>2</sub>, methane, and nitrous oxide, BIW's energy usage was not able to be calculated since there was no data on fuel type and fuel usage. The industrial electricity usage provided by CMP includes BIW and all other industrial properties (Gagne Foods, Custom Composite Technologies, Kennebec Company) making it difficult to separate just BIW's electricity usage.



## Transportation

Transportation within the City produced 17,749 MT of CO<sub>2</sub>e, accounting for 19% of the total community emissions. The transportation sector also consumed 259,455 MMBtu of energy, 20% of total City energy consumption. Gasoline fueled cars accounted for 96% of these emissions, diesel 3%, and hybrid 1%. These calculations account for transportation within the City boundaries and do not include travel outside of the City of Bath.

## Water and Wastewater Treatment

Operating the Water Pollution Control Facility and pumping stations resulted in 379 MT of CO<sub>2</sub>e, accounting for less than 1% of the overall City emissions. The plant consumed 7,319 MMBtu of energy, accounting for 1% of government energy use. Emissions associated with the Bath Water District were included in the community sector. Because the Bath Water District serves surrounding towns in addition to Bath, and the water treatment plant is not in Bath itself, emissions were difficult to calculate. However, it is important to still include these emissions since Bath is using a portion of the water that is treated at the facility. The Bath Water District was able to provide an estimate of the amount of electricity used for the City of Bath, as well as the volume of water that is sent to Bath. Emissions from supplying potable water accounted for 109 MT of CO<sub>2</sub>e. Emissions from private septic systems were also included in this section, but were very minimal in comparison to all other emissions.

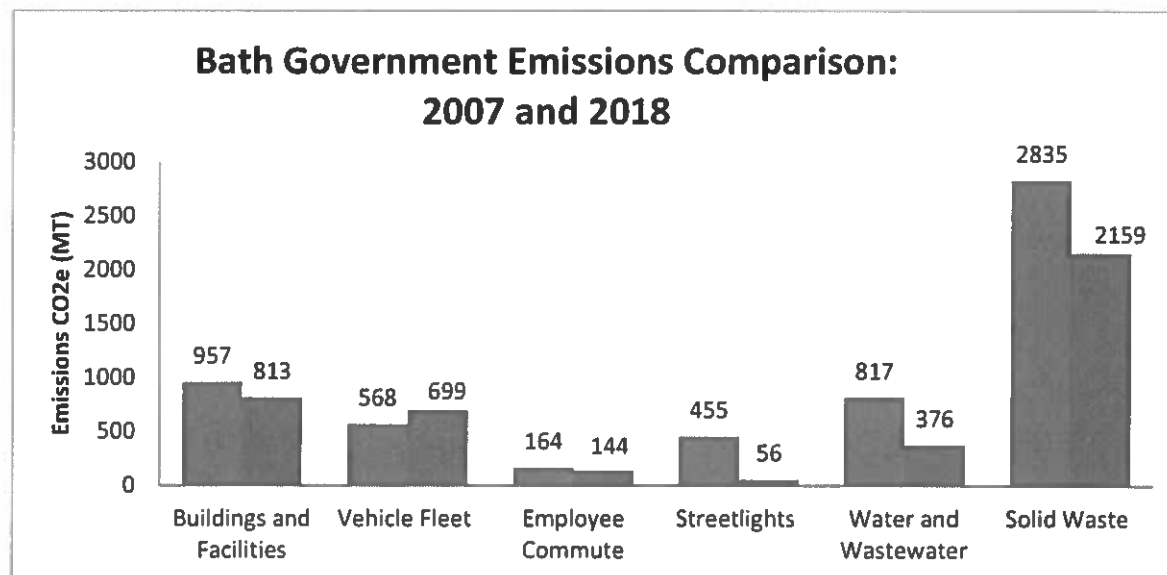
## Solid Waste

Emissions from solid waste within the community sector accounted for 3,181 MT of CO<sub>2</sub>e, 3% of the total community emissions. The calculators provided under the solid waste section in the government and community tracks are slightly different. As a result, there is a bit of discrepancy between the way in which solid waste emissions are calculated and the final emissions. Methane from decaying solid waste is the biggest emitter of greenhouse gases at the landfill. The landfill currently flares its gas, reducing emissions significantly. The City has looked into harnessing the landfill's gas to create renewable energy, but this project was not economically feasible for the city at the time.

## 2.) Government Emissions and Energy Use

The Governmental Analysis accounts for the emissions and energy use from all operations of the municipal government. This includes electricity and heating fuel use in all municipal buildings, gasoline and diesel fuel use by the City's vehicle fleet, fuel use from City employee commuting, electricity for streetlights, electricity for water and waste management, and process emissions and methane emissions from the Bath Landfill. The municipal buildings included in this inventory are: City Hall, Public Works Department, Fire Department, Cemetery (office and garage), Police Department, Landfill, Water Pollution Control Facility, Recreation Department, Train Station, 2 Town Landing, Armory, and Lambert Park Community Center.

In 2018, the City of Bath government was responsible for emitting **4,251 MT of CO<sub>2</sub>e**, 4.6% of the total Bath community emissions. The City government also consumed **38,470 MMBtu of energy**, 3% of the total Bath Community energy consumption. Overall, the City of Bath government saw a 27% reduction from 2007 emissions values (excluding Bath School data in 2007). With the Bath School emissions included in the 2007 data, the City of Bath government saw a 49% reduction from 2007 emissions values. In 2007, the Bath government emitted 5,796 metric tonnes of CO<sub>2</sub>e excluding Bath Schools, and 8,408 metric tonnes of CO<sub>2</sub>e including Bath Schools. The City also consumed 63,573 MMBtu of energy.



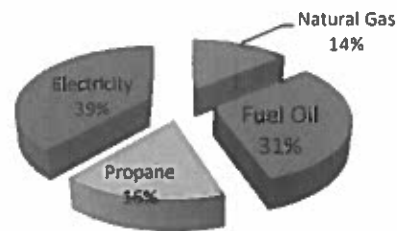
Note: Bath School emissions were subtracted from 2007 values for comparison purposes because the Bath Schools are now a part of RSU1 and included in the community track only.

## Buildings and Facilities

Emissions from the government buildings amounted to 814 MT of CO<sub>2</sub>e and accounted for approximately 19% of the total municipal emissions. Buildings were the second highest emitter in the government track, falling behind the landfill. Buildings used 14,691 MMBtu of energy, approximately 39% of the total community consumption. Within the buildings, electricity was the most significant source, accounting for 39% of emissions. Fuel oil was second highest, accounting for 31% of emissions. Natural gas and propane together accounted for the remaining 30% of government building emissions.

The Bath Schools were included in the *Buildings and Facilities* section of the government track in the 2008 report, but are included in the community section of the 2018 report since they are now a part of RSU1. As a result of this, the emissions associated with the *Buildings and Facilities* section of the 2008 report are much higher. In some cases, Bath school emissions were subtracted from 2007 values in the government track to perform more accurate comparisons.

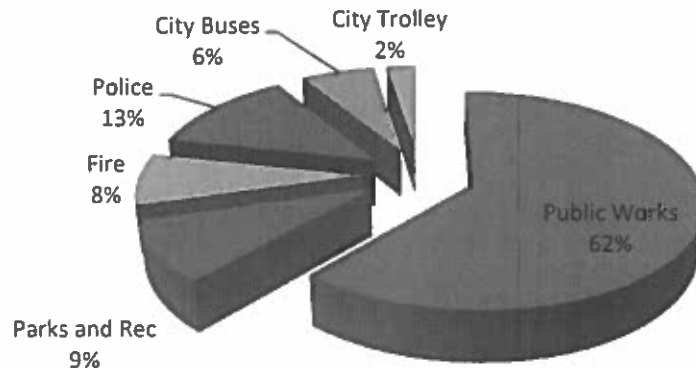
2018 Government Building Emissions by Source



## Vehicle Fleet (Including Transit Fleet)

Bath's municipal vehicle fleet is comprised of vehicles from the following departments: Public Works, Parks and Recreation, Police, and Fire. Although the ClearPath software inventories the City's vehicle and transit fleet in two separate sections, they are combined into one section in all graphs found in this report. The City's vehicle and transit fleet together produced 699 MT of CO<sub>2</sub>e emissions, accounting for 17% of the total government emissions. The fleet consumed 8,497 MMBtu of energy, 23% of the total government consumption. The biggest emitter within the City's vehicle fleet was the Public Works Department, emitting 431 MT of CO<sub>2</sub>e, accounting for 62% of total government vehicle emissions. Gasoline fuel contributed to 65% of emissions with diesel contributing to the other 37%. School buses were included in the *Vehicle Fleet* section of the government track in the 2008 report, but are included in the community section of the 2018 report since they are now a part of RSU1.

2018 Vehicle Fleet Emissions by Department



## Employee Commute

Employee commuting by municipal workers produced 144 MT of CO<sub>2</sub>e, accounting for 3% of total government emissions. Commuting consumed 2,043 MMBtu of energy, accounting for 6% of the total government energy consumption. Calculations were based off average City of Bath employee commute mileage data.

### **Streetlights**

Streetlights in the city produced 56 MT of CO<sub>2</sub>e, accounting for 1% of the total emissions. Powering the lights consumed 1,252 MMBtu of energy and accounted for 3% of government energy consumption. Streetlight emissions were substantially lower in 2018 than in 2007. The reasoning for this is still unknown, but there have been some changes that are responsible for a portion of the drastic decrease. All of the City's downtown streetlights are now LEDs. In 2007, the streetlights provided by CMP were mercury vapor bulbs which lose about 50% of their light upward. Over the past ten years there has been a transition to the use of high pressure systems and cut-off fixtures which retain more light and are therefore more efficient.

### **Water and Wastewater Treatment**

Operating the Water Treatment Control Facility and pumping stations resulted in 376 MT of CO<sub>2</sub>e, accounting for 9% of the total government emissions. The plant consumed 4,936 MMBtu of energy, accounting for 13% of government energy use.

### **Solid Waste**

The Bath Landfill was the largest emitter within the government, releasing 2,159 MT of CO<sub>2</sub>e, accounting for 51% of the government emissions. The landfill consumed 5,815 MMBtu of energy which accounted for 16% of total government energy use. Emissions and energy from transporting the waste was not accounted for.

## **V. Achievements**

The Bath Government, Bath Schools, businesses, and residents in the community have all taken steps to address energy use and lower emissions values since 2007 levels. The City of Bath has implemented a number of conservation measures over the years and some departments have done significant building renovations with energy efficiency in mind. As energy costs rise and concerns about climate change drastically increase, many individuals are making personal changes in their daily lives to address energy issues. The following list gives an overview of the many actions that have been taken since the 2007-2008 Climate Action Report.

### **1.) Community Achievements**

#### **Residential**

Although it is difficult to attain data on steps residents have taken to reduce their emissions, the residential sector saw a large decrease in emissions from 2007 values. Data from the U.S. Census showed that more residents are using alternative heating sources, and some residents have installed personal solar panels on their homes. Over the past ten years, residents have been making more conscious decisions about saving energy through the better insulation in their homes, more energy efficient appliances, conscientious water usage, etc.

#### **Commercial**

Currently, 13 businesses within the City of Bath use Garbage to Garden for composting, and many have switched to natural gas or electricity for heating. As a part of the community track, the Bath Schools have also made many changes to reduce their emissions.

- Morse High School replaced all windows with double panes to reduce the amount of heat being lost, all lighting was switched from T-12 to T-8 fixtures, heating controls were automated for better control and efficiency, and single stream recycling was implemented in 2009.
- Bath Middle School replaced all lighting from T-12 to T-8 fixtures and T-5 fixtures in the gym, in 2017 all lighting was upgraded to LEDs, heating controls were update to natural gas in 2019, and single stream recycling started in 2009.
- Dike Newell School replaced all T-12 fixtures with T-8 fixtures, heating controls were replaced in 2010, heat is currently being upgraded from steam to a hot water system, and single stream recycling was implemented in 2009.
- Fisher Mitchell School got a new boiler in 2017, heating controls were updated in 2010, lighting switched from T-12 to T-8 in 2009 and then to LEDs in 2016, a new hot water boiler was installed in 2016, and single stream recycling began in 2009. Parking lots at all schools have installed LED lights.
- RSUI has reported that fuel usage, as well as electrical costs, have dropped significantly over the past ten years.

#### **Industrial**

BIW accounts for close to 99% percent of industrial emissions, and they have been taking many steps to reduce their emissions despite increasing in size since 2007. Through their partnership with Efficiency Maine, Bath Iron Works is in the midst of a multi-year program to replace metal halide and high pressure sodium lighting with more efficient LEDs for use in temporary fixtures on ships under construction, and for fixed lighting at its several production buildings leading to a significant reduction in electricity use.



## **Transportation**

The transportation sector saw a large reduction in emissions largely due to the growing popularity of hybrid and electric vehicles. Over the past ten years, many cars have also seen increasingly better mileage per gallon of fuel. The City still continues to provide a bus service throughout the city as a way to decrease individual car emissions. Sidewalks were added to North Street and Congress Street, Whiskeag Trail was built for biking and hiking, and bike lanes have been added to many streets.

## **Solid Waste**

Currently, 160 households within the City of Bath use Garbage to Garden for composting. With single stream recycling and curbside pickup, it is extremely easy for residents to recycle at their homes. Both composting and recycling substantially reduce the amount of solid waste that would otherwise go to the landfill.

## **Water**

Bath Water District has done a lot to decrease their emissions. Electric motors that are variable frequency driven are used at the plant, lighting upgrades are constantly happening to keep up with the most efficient lighting, a project to increase insulation is currently taking place, solar panels are used at a couple remote sites on tanks as backup options, and the office building in Bath is fueled by natural gas.

## **2.) Government Achievements**

### **Buildings**

As suggested in the 2008 plan, many municipal buildings had energy audits completed in 2011 to address the ways in which buildings could be reducing their emissions. As a result of these audits, City Hall, the Police Department, and the Train Station all switched to natural gas, and insulation/window updates took place in many municipal buildings. Lighting in all municipal buildings has progressively become more and more LEDs, and controls and thermostats have been installed in buildings for better heating control.

### **Streetlights**

As mentioned before, the streetlight sector saw a substantial reduction from 2007 levels, but the exact reasoning for this drastic reduction is still unclear. All downtown streetlights within the City have been upgraded to LEDs. In 2007, CMP still used mercury vapor bulbs which lost 50% of the light upwards. The transition to high pressure systems and cut off fixtures have allowed for more efficient electricity generation.

### **Vehicle Fleet**

The municipal vehicle fleet saw the lowest improvement out of all the government sectors. The 2008 report suggested the use of hybrid vehicles for the police fleet. The City looked into this option, but hybrid cars are not able to perform the tasks police vehicles must be able to do. As technology continues to improve, hybrid municipal fleet vehicles may become a feasible option again.

### **Solid Waste**

The City has continued to put an emphasis on recycling with single stream recycling bins in all City offices. Compost has also become more popular within the City. City Hall has its own compost bin, and the City partners with Garbage to Garden during Bath Heritage Days where 90% of the generated waste

during the festival was put toward compost or recycling this past year. The landfill has also upgraded to a more energy efficient compactor.

### **Water and Wastewater Treatment**

The Water Pollution Control Facility has seen many upgrades over the past 10 years at the plant and its pumping stations. One of the larger pump stations which used high energy motors has been upgraded to more energy efficient motors. Many lights have been changed to fluorescents and all parking lots lights are LEDs. There is a new high efficiency boiler that has the ability to take natural gas if needed, new efficient aeration blowers were installed and the office uses seven heat pumps. On “high demand” days when CMP increases their electricity cost and generation, the WPCF shuts down all electricity usage and only uses a generator. Although the generator still has its own emissions, this method decreases the overall amount of electricity CMP has to generate. A new storm water separation project was implemented to decrease the amount of treatment rainwater must go through after every storm. Storm water is now separated from sewage water so that during big rain events, the abundance of storm water does not have to go through the same extensive treatment process as the sewage water.

## **VI. Action Plan – Next Steps**

Through the greenhouse gas emissions inventory, it is clear which areas produce the most emissions and consume the most energy, and which areas should be top priorities for the next ten years. This section concentrates on possible reduction strategies for the future, and is divided into government and community sections. It is important to note that some of these strategies are the same as the ones mentioned in the 2007-2008 Climate Action Plan. There were many recommended measures that the government looked into, but was not able to follow through with for a variety of reasons. These recommendations have been included in this plan in the hope that they will become possible in the next ten years as technologies become more advanced and available.

### **1.) Recommended Measures for the Community**

Recommendations for the community sector are harder to enforce because it is up to individual citizens to take action. The City and other organizations should work together to share information with the public and to create educational campaigns so that Bath residents are aware of their impact on the environment, the choices they have, and alternative options. As more energy-related funding becomes available from state and federal sources, the City might serve as a conduit for loans, grants, services, and information.

#### **Residential**

The residential sector accounts for 30% of the City's emissions, the second largest emitter behind the industrial sector, and 36% of overall energy consumption. Within the residential sector, it is up to individual citizens to take initiative and reduce their own carbon footprint. Some residents have already become leaders in terms of using alternative energy and have purchased solar panels for their home. The largest emitter within the residential sector is the use of heating fuel oil. Residential emissions could be lowered by turning toward natural gas, electric heating pumps, better insulation, and of course alternative sources such as solar. Emissions associated with electricity use can be reduced by purchasing all LED lights, energy efficient appliances, and by shutting off appliances when not in use.

#### **Commercial**

It is advised that businesses follow the same guidelines as outlined in the residential section above. Electricity is the biggest emitter within the commercial sector, and switching to LEDs and the use of natural light whenever possible can have large impacts on the emissions related to electricity use. It is also advised that more commercial buildings switch to natural gas as it becomes more available. The commercial sector also includes emissions from the Bath Schools. 77% of the Bath School emissions come from the use of heating fuel oil. As a large emitter within the City, it is advised that the schools switch to natural gas when available, as well as begin to look into alternative energy sources for the future. The schools are a great place to promote sustainable practices and educate residents about our impact on the environment. The younger generation is the hope for the future, and providing resources and education at this age is extremely important.

#### **Transportation**

Transportation accounted for 19% of overall Bath emissions. 96% of those emissions came from the use of gasoline. Increasing the number of residents driving hybrid and electric vehicles would decrease emissions substantially. Incentivizing the use of these vehicles with more charging stations around town, as well as special parking could increase the number of residents that invest in these structural changes. Public transportation is also available and should be utilized more frequently. There are two city-run

buses that have regular routes and schedules within the City. Finally, through increased sidewalk and bike lane construction, walking and biking should become more utilized forms of transportation for shorter distances. Economic incentives for walking/biking to work or to shop could be a possible option for private businesses or the city as a whole.

### **Solid Waste**

Residents have done a great job incorporating the use of compost in their everyday lives over the past ten years. Currently, 160 residents within the City use Garbage to Garden for composting. Increasing that number would have immense impacts on the amount of waste being transported to the landfill. If Bath were to double the number of residents that use compost from 160 to 320, the City of Bath could divert 3,600 tons of organic waste from entering the landfill over the next ten years.

### **Water and Wastewater**

Pledging to never use plastic water bottles and installing more water stations around the downtown would limit the amount of waste associated with buying these bottles. The Bath Water District is providing clean, local water that has very minimal transportation costs. Increasing the use of water provided by the BWD instead of buying plastic water bottles and jugs would have huge benefits in terms of emission reductions. Not only are plastic water bottles increasing the amount of plastic in the City, but they are also adding to the emissions associated with producing and transporting these bottles. Water from the BWD is just as clean with a substantially smaller carbon footprint.

## **2.) Recommended Measures for Bath Government**

### **Buildings and Facilities**

Municipal buildings accounted for 19% of government emissions and 39% of government energy use. In the building analysis, electricity accounted for 39% and fuel oil accounted for 31% of those emissions. There are several ways to address electricity and fuel use within the city.

- Continue to update all municipal lights to LEDs
- As the natural gas lines expand within Bath, continue to increase the number of municipal buildings using natural gas. This means that any municipal building heating upgrades should be selected with the ability to take in natural gas.
- Perform a cost-benefit analysis of using solar energy in municipal buildings. Options for this could include investing in solar panels directly on municipal buildings, or investing in a solar farm that would allow the City to receive offset credits.
- Transition the Public Works equipment fleet to natural gas, hybrid, or electric as technology allows.
- Use of alternative materials to pave streets to turn away from fossil-fuel based asphalt as technology allows.

### **Streetlights**

The reasoning for why streetlight emissions decreased at such an alarming rate is still unclear. However, based on this data, streetlights accounted for only 1% government emissions. Despite being the smallest

emitter within the government track, switching all streetlights to LEDs would allow for large energy savings.

### **Municipal Vehicle Fleet**

Bath's municipal vehicle and transit fleet produced 17% of the total government emissions and was the only section that saw a slight increase from 2007 values. All city vehicles today are powered by gasoline or diesel. Looking into hybrid or electric vehicles for the municipal fleet should be considered as technologies become more advanced.

### **Employee Commute**

The employee commute accounted for 6% of total government emissions. Although it is hard to reduce these emissions since employees are able to use whatever mode of transportation they chose, the City could consider implementing an incentive program to encourage government employees to walk, bike, carpool, or use more forms of public transportation for their daily commute.

### **Waste**

Operating the Bath Landfill accounted for 51% of all government emissions, and 16% of government energy use. In 2008, the City began burning landfill gases to minimize the amount being released into the atmosphere, and this process is still being continued today. The City discussed the option of harnessing landfill gas to use as energy, but the costs associated with this project were not feasible at the time. This suggestion should still remain an option in case it becomes more attainable in the next ten years. Other options for reducing emissions associated with solid waste within the City include:

- A broader acceptance and use of composting city-wide to reduce the tons of organic waste being transported to the landfill
- Opening of a solar farm on the south facing slopes once the landfill has closed
- Continue using the flare to reduce methane and other greenhouse gases that escape into the atmosphere

### **Water and Wastewater Treatment**

Water and wastewater treatment accounted for 9% of government emissions and 13% of government energy use. This includes all emissions associated with operations at the Bath Water Pollution Control Facility. Steps to reduce emissions at the WPCF include:

- Continue the transition to all LEDs at the plant
- Invest in new dewatering equipment that is able to draw more water out of the biosolids, subsequently reducing the amount of biosolids going to the landfill
- Consider the use of an anaerobic digester that will reduce sludge production by 40-60%, subsequently reducing the amount going to the landfill. This method produces a biogas consisting of methane, carbon dioxide, and other gases which can then be used as fuel.
- Continue updating all pump stations to increase efficiency and effectiveness of cleaning the water.

## **VII. Final Conclusions**

Change starts at the local level, and the City of Bath has the opportunity to become a leader in climate action. This report gives the City of Bath Government and citizens the information needed to take action and commit to reduce energy consumption and overall emissions. All recommendations in this report are suggestions based off the 2007-2008 Bath Climate Action Plan, as well as results from the greenhouse gas inventory process.

Large, structural changes may be associated with some upfront costs, but most of these measures will see a timely return and will save money in the long-term. As technologies advance, the possibility of investing in large-scale changes will hopefully become more available and feasible for the City and community.

The 2007-2008 Climate Action Plan set a 2% reduction goal per year for an overall 20% reduction in emissions by the year 2018. Based on the data in this year's inventory, the City and community of Bath saw a 27-28% reduction in emissions from 2007 values. Based on this data, and the expectation that the City of Bath and its residents will continue to reduce energy use and make climate change a prominent issue, this plan recommends that the City attempt to reduce emissions by 40% from 2018 levels by the year 2030.

### *City of Bath Resolution on Energy Conservation and Climate Protection*

WHEREAS, A scientific consensus has arisen that a continual release of greenhouse gases into the atmosphere will have a profound effect on the earth's climate, including rising sea levels, melting of Arctic ice sheets, extreme temperature changes, habitat disruption, human health concerns, and overall climate disruption; and

WHEREAS, Energy consumption, specifically the burning of fossil fuels, such as coal, oil, and gas, are one of the largest emitters of U.S. greenhouse gas emissions; and,

WHEREAS, State and local governments have an immense influence on their community's energy consumption by exercising key powers over land use, transportation, building construction, waste management, and protection of green space; and,

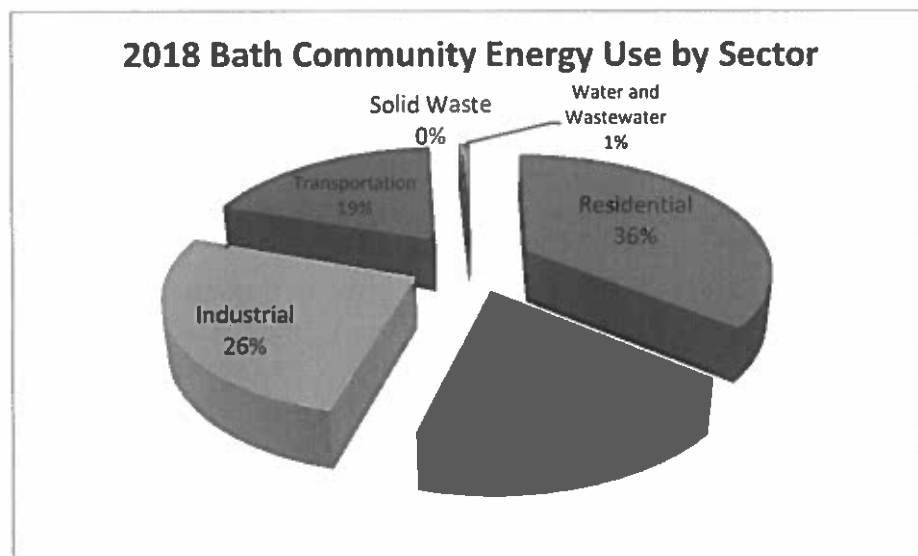
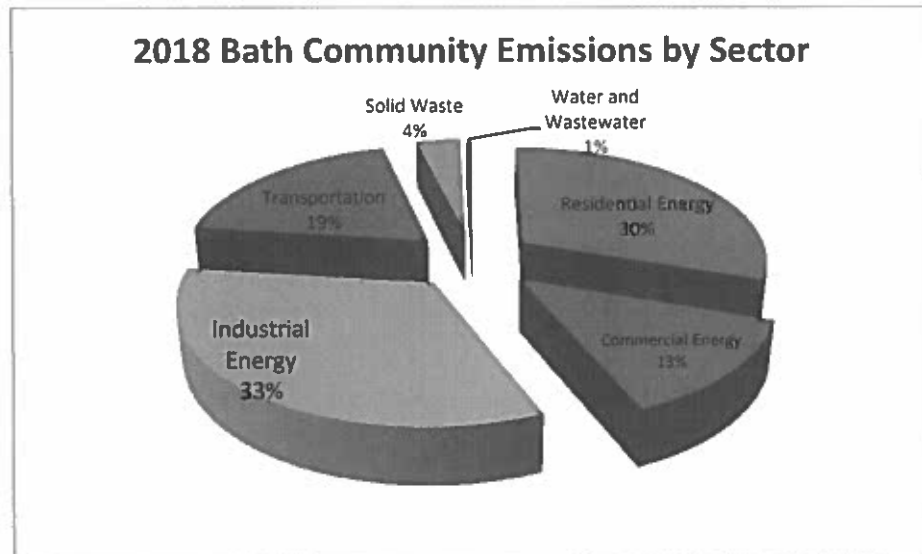
WHEREAS, State and local governments throughout the nation and the world are reducing climate change pollutants through national and local programs and resolutions that provide economic and quality of life benefits such as reduced traffic congestion, improved transportation choices, economic development and job creation through energy conservation strategies that provide economic and environmental incentives for the City government, its businesses, and its citizens;

NOW, THEREFORE, BE IT RESOLVED that the City of Bath pledges to take a leadership role to minimize the City's energy use and emissions and maximize efficiency and sustainability through the following measures:

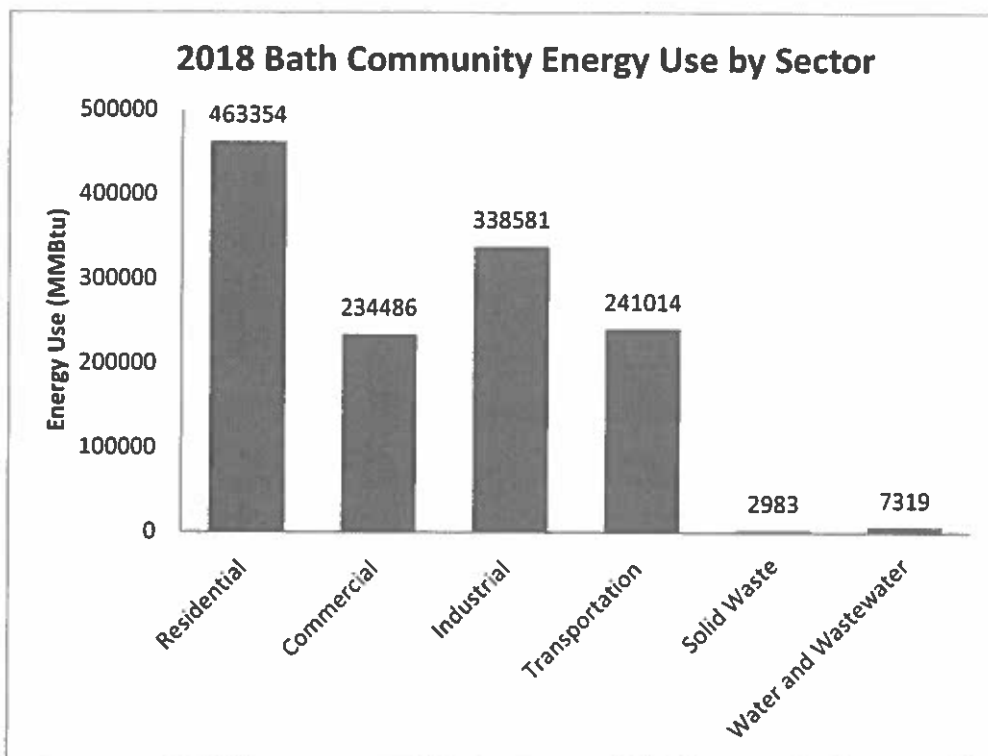
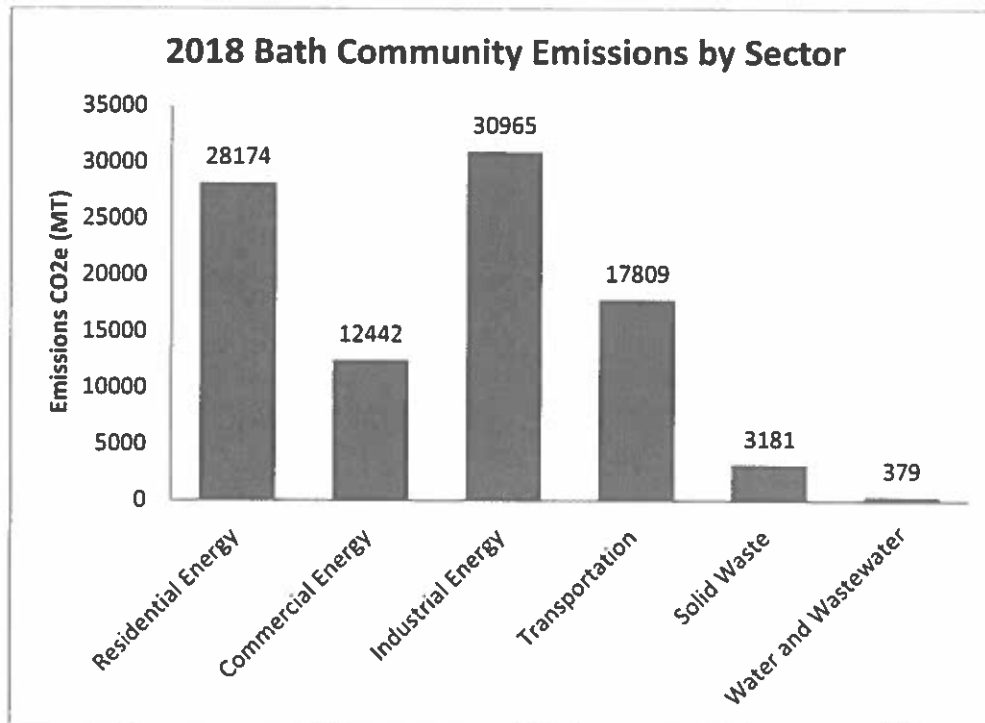
1. Reduce overall City emissions by at least 40% from 2018 values by the year 2030.
2. Support public education on structural and lifestyle changes that must take place in order for the City to make meaningful strides in energy reduction.
3. Maintain and expand a healthy tree population within the City, as well as preservation and expansion of green space.
4. Increase composting and recycling rates within City buildings, businesses and private households, to decrease waste sent to the landfill.
5. All City funded new construction and renovations should meet the U.S. Green Building Council's LEED certification program.
6. Convert all City streetlights to LEDs.
7. Continue exploring alternative energy sources including the use of biofuels, hybrid vehicle fleets as technology advances, landfill gas recovery system, natural gas, and solar energy.
8. Incentivize the use of alternative transportation by continuing to make the City walkable and bikeable with the addition of sidewalks and bike lanes wherever needed.
9. Adjust City ordinances, codes, and policies to make sustainable, energy efficient lifestyles more attainable.
10. Explore the use of tax credits and financial incentives as they become more available at the state and federal level.

## Appendix 2: Charts and Graphs

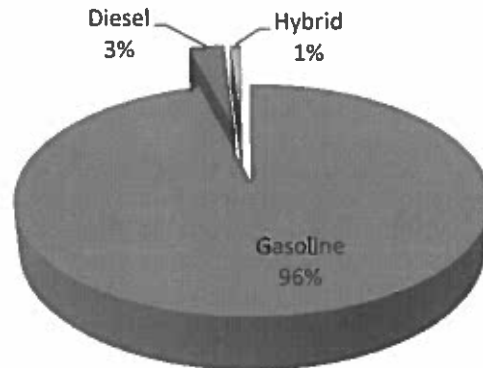
### 1.) Community Sector



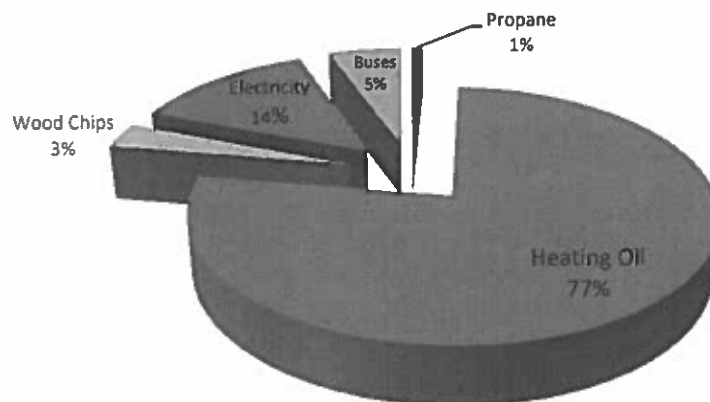




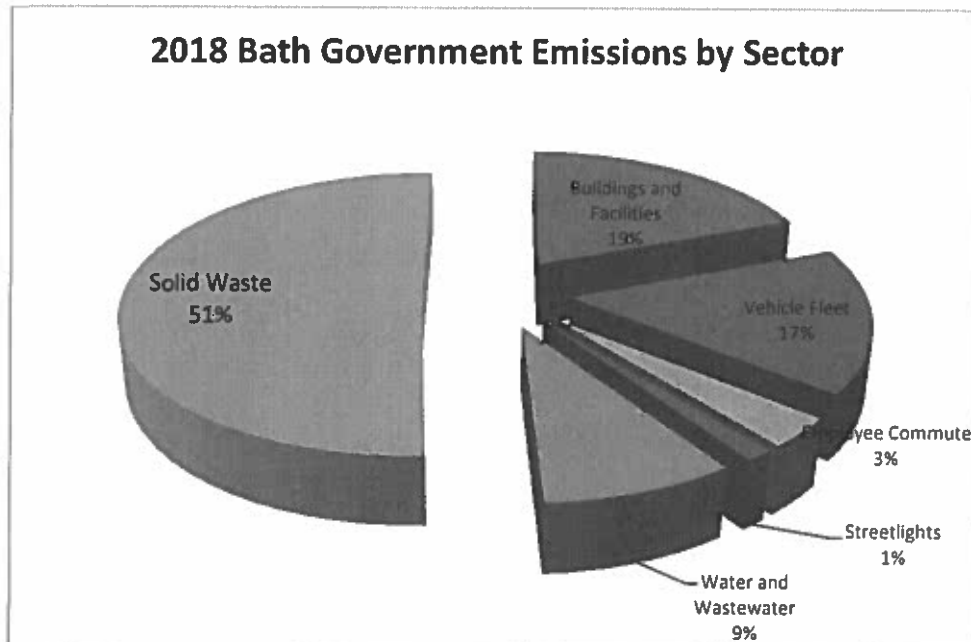
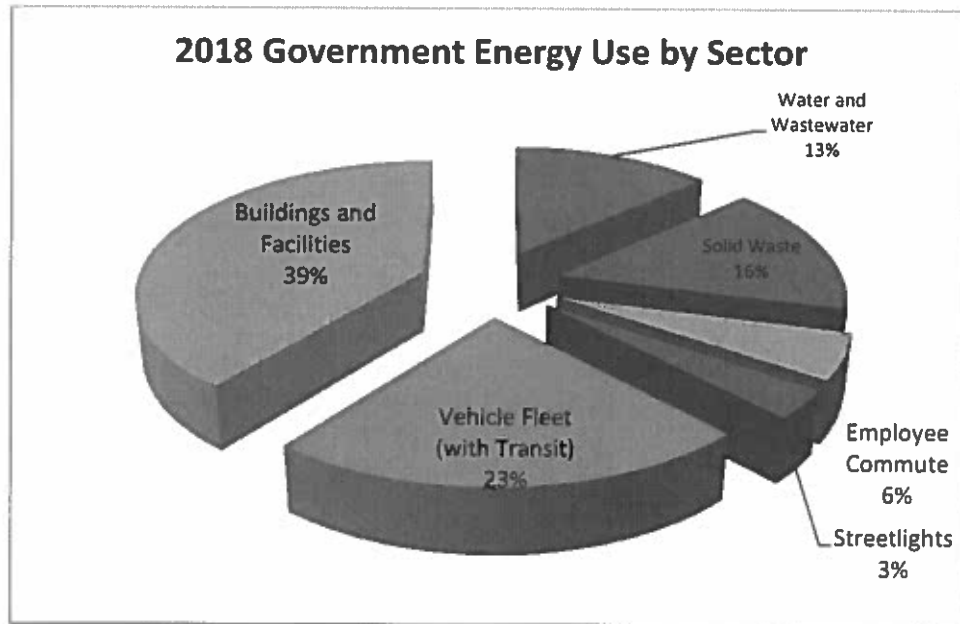
### 2018 Community Vehicle Emissions by Fuel

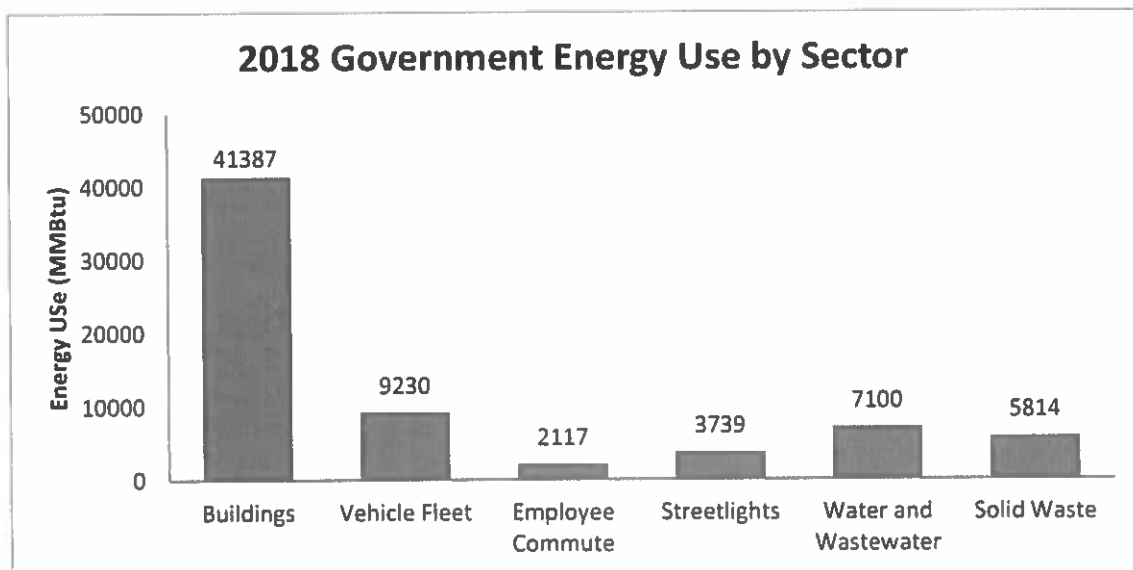
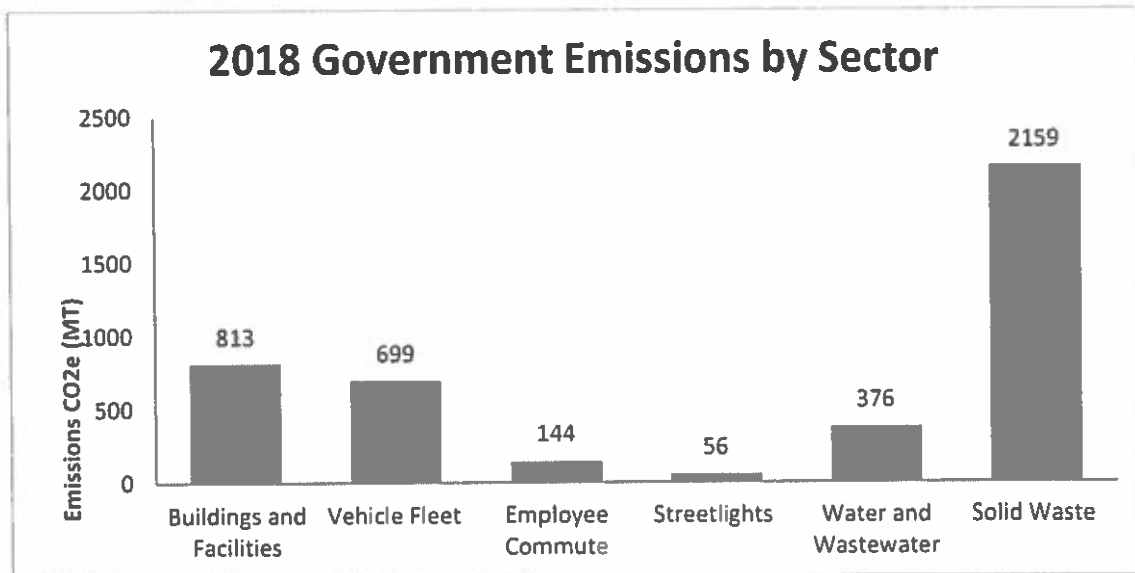


### 2018 Bath School Emissions

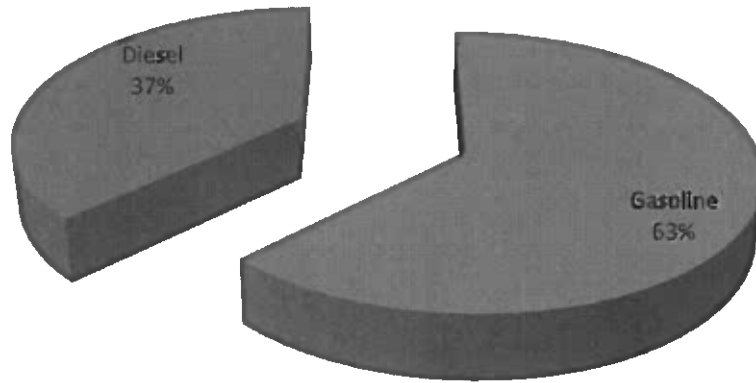


## 2.) Government Sector

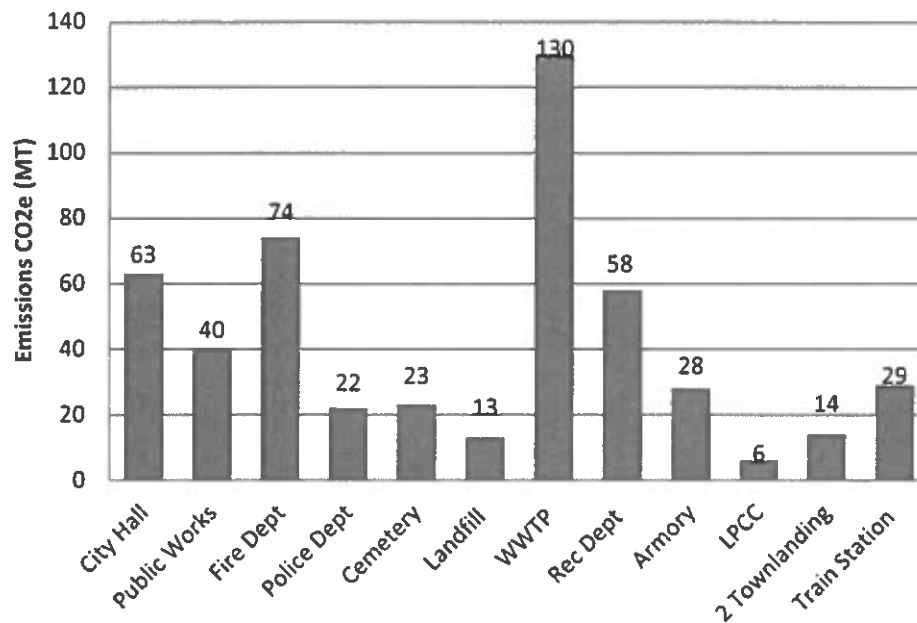




**2018 Government Vehicle Fleet Emissions by Fuel**



**2018 Government Building Emissions by Department**



### **Appendix 3: Summary Reports**

#### **1.) Bath Community Detailed Summary Report**

<b>Sector</b>	<b>Emissions (CO<sub>2</sub>e)</b>	<b>Energy (MMBtu)</b>
<b>Residential Sector</b>		
<i>Electricity</i>	4771	106515
<i>Fuel Oil, Kerosene</i>	19393	260455
<i>Bottled, Tank, or LP Gas</i>	3618	56904
<i>Wood</i>	787	39480
<b>Commercial Sector</b>		
<i>Electricity</i>	4967	129400
<i>Fuel Oil</i>	2356	50463
<i>Natural Gas</i>	3265	58280
<i>Propane</i>	150	236
<b>Industrial Sector</b>		
<i>Electricity</i>	15130	337804
<i>BIW</i>	15778	n/a
<i>Fuel Oil</i>	58	777
<b>Transportation</b>		
<i>Diesel</i>	514	6769
<i>Gasoline</i>	17008	241872
<i>Hybrid</i>	164	2291
<i>Electric</i>	0.024	0.5
<b>Solid Waste</b>		
<i>Compost</i>	13	n/a
<i>Landfill Process Emissions</i>	165	n/a
<i>Flaring Emissions</i>	15	2983
<i>Waste Emissions</i>	2988	n/a
<b>Water and Wastewater</b>		
<i>Emissions from Potable Water</i>	109	2440
<i>Private Septic Systems</i>	4	n/a
<i>Nitrification/Denitrification</i>	19	n/a
<i>Nitrogen from Effluent Discharge</i>	28	n/a
<i>Electricity</i>	219	4879
<i>Fuel Oil</i>	24	321
<i>Propane</i>	106	1709

## 2.) Bath Government Detailed Summary Report

Sector	Emissions (CO2e)	Energy (MMBtu)
<b>Buildings and Facilities</b>		
Electricity	314	7011
Fuel Oil	252	3379
Natural Gas	113	2131
Propane	135	2170
<b>Streetlights</b>		
Electricity	56	1252
<b>Vehicle Fleet</b>		
Diesel	261	2368
Gasoline	439	4602
<b>Employee Commute</b>		
Gasoline	145	2043
<b>Solid Waste</b>		
Electricity	21	475
Propane	146	2356
Total Waste	1976	n/a
Flaring Emissions	15	2983
Methane Emissions	903	n/a
<b>Water and Wastewater</b>		
Electricity	219	4879
Nitrification/Denitrification	19	n/a
Fuel Oil	4	57
Propane	106	1709
Nitrogen Effluent	28	n/a

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- <sup>3</sup> Lindsey, Rebecca. "Climate Change: Atmospheric Carbon Dioxide." *NOAA Climate.gov*, NOAA, 1 Aug. 2018, [www.climate.gov/news-features/understanding-climate/climate-change-atmospheric-carbon-dioxide](https://www.climate.gov/news-features/understanding-climate/climate-change-atmospheric-carbon-dioxide).
- <sup>4</sup> "The Causes of Climate Change." *NASA*, NASA, 9 July 2019, [climate.nasa.gov/causes/](https://climate.nasa.gov/causes/).
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- <sup>7</sup> "CO2 Equivalents ." *Climate Change Connection*, Manitoba Eco-Network , 27 Apr. 2016, [climatechangeconnection.org/emissions/co2-equivalents/](https://climatechangeconnection.org/emissions/co2-equivalents/).
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- <sup>10</sup> United States, Congress, "What Climate Change Means for Maine." *What Climate Change Means for Maine*, U.S. Department of Energy, 19 Jan. 2017. [19january2017snapshot.epa.gov/sites/production/files/2016-09/documents/climate-change-me.pdf](https://19january2017snapshot.epa.gov/sites/production/files/2016-09/documents/climate-change-me.pdf).
- <sup>11</sup> *Confronting Climate Change in the U.S. Northeast*. Union of Concerned Scientists , *Confronting Climate Change in the U.S. Northeast*, [www.maine.gov/dacf/municipalplanning/docs/NortheastClimateImpactsAssessment\(MaineSummary\).pdf](https://www.maine.gov/dacf/municipalplanning/docs/NortheastClimateImpactsAssessment(MaineSummary).pdf).
- <sup>12</sup> Koenig, Seth. "New Sea-Level Rise Forecast Is Alarming: Here Are 10 Maps Showing How Maine's Coastline Could Change." *ThinkMaine*, 25 July 2015, [thinkmaine.bangordailynews.com/2015/07/25/buildings-and-places/new-sea-level-rise-forecast-is-alarming-here-are-10-maps-showing-how-maines-coastline-could-change/](https://thinkmaine.bangordailynews.com/2015/07/25/buildings-and-places/new-sea-level-rise-forecast-is-alarming-here-are-10-maps-showing-how-maines-coastline-could-change/).





**CITY OF BATH  
POLICE DEPARTMENT**

**MICHAEL W. FIELD**  
CHIEF of POLICE

**ANDREW M. BOOTH**  
DEPUTY CHIEF

78

250 Water Street

Bath, Maine 04530

(207) 443-5563

**Memorandum**

**To:** Members of the City Council  
**From:** Michael Field, Chief of Police *[Signature]*  
**Ref:** Authority for Arrests Outside Jurisdiction  
**Date:** October 29<sup>th</sup>, 2019

The Bath Police Department is in the process of becoming a Maine Accredited Department. As part of the process, it requires authority to make a warrantless arrest outside our jurisdiction in very specific circumstances.

The law that allows our agency to do this is Title 30-A, subsection 2671-2-A: Optional Powers. This subsection also refers to Title 25, section 2804-C, which is the training requirements to be a certified law enforcement officer. The law only allows arrests that are defined in Title 17-A, Section 15. These are known as warrantless arrests. I have attached these laws for you.

This request must be approved by the City Council. If approved, I have a draft policy that will specifically guide the officers when they can use this option. It will be restrictive to only certain emergency circumstances.

Several other departments have this permission. For example, Brunswick, Kennebunkport, Cumberland, South Portland, and Biddeford.

I respectfully ask that you approve this option.

Thank you.



# BATH POLICE DEPARTMENT

## GENERAL ORDER 20-01

TO: All Personnel  
FR: Chief Michael W. Field  
  
RE: Outside Jurisdiction Arrest Power

EFFECTIVE: Immediately

- I. This General Order establishes the legal, uniform procedures by which a Bath police officer is given statewide warrantless arrest powers as authorized by 30-A M.R.S.A. subsection 2671(2-A), and by the Chief of Police and by the Bath City Council.
- II. Bath police officers, when specifically, authorized, may make warrantless arrests anywhere in the State of Maine, when arrest would be in the furtherance of their duties or assignments.
- III. Procedures:
  - a. The action must be authorized by 17-A, M.R.S.A., subsection 15: Warrantless arrests.
  - b. The office will notify both the on-duty supervisor, and the outside law enforcement agency with jurisdiction, of their intent prior to the arrest, if at all possible, or else immediately after the arrest.
  - c. In all instances in which the authority is invoked, the involved officers must complete an incident report and forward it to the Chief of Police through the chain of command without necessary delay.
  - d. If officers who have additional law enforcement powers or other law enforcement credentials, for example sworn Deputy Sheriff, arrests shall be consistent with their authority and jurisdiction.

This additional authority is intended to protect the officer against jurisdiction issues arising from the performance of their official duties and assignments while on duty working at the direction of the Chief of Police or their designee.

Officers who are off duty are **discouraged** from exercising this authority. Officers who are off duty should exercise this authority only under an **extreme emergency** where the officer's immediate action is necessary to protect the officer or a third party from imminent assault, injury or death or when the officer's action is necessary to prevent the commission of another crime and when the officer is confident, based on the totality of the circumstances, that their intervention will have a positive effect on the situation. In many cases, it will be the best for the officer to call on-duty law enforcement and remain on scene to be a witness.



## Title 30-A: MUNICIPALITIES AND COUNTIES

## Part 2: MUNICIPALITIES

## Subpart 3: MUNICIPAL AFFAIRS

## Chapter 123: MUNICIPAL OFFICIALS

## Subchapter 4: LAW ENFORCEMENT OFFICERS

**§2671. Police officers**

1. Appointment. Except as provided by charter, ordinance or section 2636, subsection 6, the municipal officers may appoint police officers for a definite term, and control and fix their compensation. Police officers, including chiefs of police, may be removed for cause after notice and hearing.

A. Before appointing any law enforcement officer, the municipal officers shall investigate the qualifications and background of any person being considered for appointment. This includes investigating the applicant's abilities, reputation for truthfulness and respect for the law. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. An appointed law enforcement officer is subject to the training requirements of Title 25, chapter 341. [1993, c. 349, §64 (AMD).]

C. Notwithstanding section 2526, residency in the State is not a condition of initial or continued appointment as a municipal police officer. [1989, c. 279, §1 (NEW).]

[ 1993, c. 349, §64 (AMD) .]

2. Powers. Police officers may serve criminal and traffic infraction processes and arrest and prosecute offenders of the law. A police officer has all the statutory powers of a constable, unless limited by charter or ordinance. No police officer has any authority in criminal or traffic infraction matters beyond the limits of the municipality in which the officer is appointed, except to:

A. Recapture a prisoner whom the officer has arrested and who has escaped; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Take a person before the District Court; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. Execute a mittimus given to the officer by the District Court; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. Pursue a person who has gone into another municipality and for whose arrest the officer has a warrant; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD);



1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

E. Arrest a person who travels beyond the limits of the municipality in which the officer is appointed when in fresh pursuit of that person. This paragraph applies to all crimes and traffic infractions. As used in this paragraph:

(1) With respect to Class A, Class B and Class C crimes, the term "fresh pursuit" is defined in Title 15, section 152; and

(2) With respect to Class D and Class E crimes and traffic infractions, "fresh pursuit" means instant pursuit of a person with intent to apprehend; or [1989, c. 104, Pt. C, §§8, 10 (AMD); 1989, c. 104, Pt. D, §6 (AMD).]

F. As provided for in section 2674. [1989, c. 104, Pt. A, §23 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[ 1989, c. 104, Pt. C, §23, Pt (AMD); 1989, c. 104, Pt. D, §6 (AMD) .]



2-A. Optional powers. Notwithstanding subsection 2, municipal officers may authorize a municipality's police officers who have met the requirements of Title 25, section 2804-C to perform any of the acts described in Title 17-A, section 15 while the police officers are outside the jurisdiction in which they are appointed if, when possible, the law enforcement agency of a foreign municipality in which the arrest is to be made is notified in advance or, when not possible, the law enforcement agency of the foreign municipality in which the arrest has been made is notified immediately after the arrest.

A. [2003, c. 233, §4 (RP).]

B. [2003, c. 233, §4 (RP).]

[ 2003, c. 233, §4 (AMD) .]

2-B. Liability. When a municipal police officer makes an arrest, as authorized in subsection 2-A or subsection 4, outside of jurisdictional limits of the municipality in which the police officer is appointed, that police officer has the same immunity from tort liability and all of the pension, relief, disability, workers' compensation, insurance and any other benefits the police officer enjoys while performing duties within the police officer's appointing municipality.

[ 2005, c. 320, §1 (AMD) .]

3. Representation of the municipality in District Court. The municipal officers may authorize a law enforcement officer certified by the Maine Criminal Justice Academy, under Title 25, section 2803-A, subsection 1, to represent the municipality in District Court in the prosecution of alleged violations of ordinances which the officer may enforce. Under this subsection, the municipal officers may delegate their power to authorize law enforcement officers to represent the municipality to the municipality's full-time chief of police.

[ RR 2007, c. 1, §16 (COR) .]

4. Multijurisdictional crimes. If there is probable cause to believe that more than one theft, forgery or negotiation of a worthless instrument committed pursuant to one scheme or course of conduct by the same or several persons has occurred in more than one municipal jurisdiction, a police officer in a municipality in which at least one of the thefts, forgeries or negotiations of worthless instruments was committed may investigate and assist in the prosecution of all the related thefts, forgeries or negotiations of worthless instruments, with the express authorization of the police officer's municipal officers.





**Title 25: INTERNAL SECURITY AND PUBLIC SAFETY****Part 8: MAINE CRIMINAL JUSTICE ACADEMY****Chapter 341: THE MAINE CRIMINAL JUSTICE ACADEMY****§2804-C. Basic law enforcement training; core curriculum requirements**

**1. Required.** As a condition to the continued employment of any person as a full-time law enforcement officer by a municipality, a county, the State or any other nonfederal employer, that person must successfully complete, within the first 12 months of initial full-time employment, the basic training course at the Maine Criminal Justice Academy approved by the board. If a person's failure to comply with this requirement was a result of that person's failure to satisfy any of the admission standards applicable to the basic training course and that person is subsequently employed as a full-time law enforcement officer within 12 months of termination of the initial employment by a municipality, a county, the State or any other nonfederal employer, the person must have satisfied all the admission standards established by the board prior to the time of hire. As a condition of continued employment as a full-time law enforcement officer, the officer must satisfactorily maintain the basic certification by completing the recertification requirements prescribed by the board. The board, under extenuating and emergency circumstances in individual cases, may extend the 12-month period for not more than 180 days. The board also, in individual cases, may waive the basic training requirement when the facts indicate that an equivalent course has been successfully completed.

[ 2013, c. 147, §29 (AMD) .]

**2. Core curriculum requirements.**

[ 1993, c. 744, §6 (RP) .]

**2-A. Probationary employment period.** Upon being hired, a law enforcement officer shall complete an employment probationary period that lasts for at least one year after graduation from the academy or the date the board waives the basic training requirement.

[ 1993, c. 744, §6 (NEW) .]

**2-B. Training regarding people who are homeless.** The board shall include in the basic law enforcement training program a block of instruction aimed specifically at reducing barriers to reporting crimes against people who are homeless and dealing with the unique challenges posed by cases that involve victims or witnesses who are homeless.

[ 2005, c. 393, §1 (NEW) .]



**2-C. Receipt of firearms; training; procedure; liability.** The Maine Criminal Justice Academy shall provide training for municipal, county and state law enforcement officers regarding the proper handling, storage, safekeeping and return of firearms and firearm accessories received pursuant to a court order under Title 19-A, section 4006, subsection 2-A or Title 19-A, section 4007, subsection 1, paragraph A-1. Such training must include education concerning the prohibitions on the purchase or possession of a firearm when a protection order has been obtained and communication with parties to protection orders concerning such prohibitions.

In developing materials for training in domestic violence issues, the Maine Criminal Justice Academy may consult with a statewide organization involved in advocacy for victims of domestic violence and with an organization having statewide membership representing the interests of firearms owners.

A law enforcement officer who receives custody of a firearm pursuant to Title 19-A, section 4006, subsection 2-A or Title 19-A, section 4007, subsection 1, paragraph A-1 shall exercise reasonable care to avoid loss, damage or reduction in value of the firearm and may not permanently mark the firearm or fire the firearm unless there is reasonable suspicion that the firearm has been used in the commission of a crime. Any liability for damage or reduction in value to such a firearm is governed by Title 14, chapter 741.

[ 2013, c. 147, §30 (AMD) .]

**2-D. Training regarding people who have mental illness and the involuntary commitment process.** The board shall include in the basic law enforcement training program a block of instruction aimed specifically at the clinical, safety and procedural components of the involuntary commitment process, including the provision of a uniform checklist that includes reference to Title 34-B, section 1207, subsection 7 for law enforcement officers to use in order to effectively describe the seriousness of a case to a mental health professional.

[ 2009, c. 451, §6 (NEW) .]

**3. Certification.** The board shall certify each person who meets the core curriculum training requirements.

[ 2013, c. 147, §31 (AMD) .]

**4. Courses.** The board shall:

A. Provide a training course, the successful completion of which meets the basic training requirements; [1993, c. 744, §6 (NEW).]

B. Provide a structured residential program that balances the goals of professional policing with public services emphasis; and [2005, c. 331, §22 (AMD).]

C. Incorporate a community policing philosophy in its training program. [2005, c. 331, §22 (AMD) .]

D. [2005, c. 331, §23 (RP).]

[ 2005, c. 331, §§22, 23 (AMD) .]



**Title 17-A: MAINE CRIMINAL CODE**

**Part 1: GENERAL PRINCIPLES**

**Chapter 1: PRELIMINARY**

**§15. Warrantless arrests by a law enforcement officer**

1. Except as otherwise specifically provided, a law enforcement officer may arrest without a warrant:

A. Any person who the officer has probable cause to believe has committed or is committing:

(1) Murder;

(2) Any Class A, Class B or Class C crime;

(3) Assault while hunting;

(4) Any offense defined in chapter 45;

(5) Assault, criminal threatening, terrorizing or stalking, if the officer reasonably believes that the person may cause injury to others unless immediately arrested;

(5-A) Assault, criminal threatening, terrorizing, stalking, criminal mischief, obstructing the report of a crime or injury or reckless conduct if the officer reasonably believes that the person and the victim are family or household members, as defined in Title 19-A, section 4002, subsection 4;

(5-B) Domestic violence assault, domestic violence criminal threatening, domestic violence terrorizing, domestic violence stalking or domestic violence reckless conduct;

(6) Theft as defined in section 357, when the value of the services is \$1,000 or less if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(7) Forgery, if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(8) Negotiating a worthless instrument if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(9) A violation of a condition of probation when requested by a probation officer or juvenile community corrections officer;



- (10) Violation of a condition of release in violation of Title 15, section 1026, subsection 3; Title 15, section 1027, subsection 3; Title 15, section 1051, subsection 2; and Title 15, section 1092;
- (11) Theft involving a detention under Title 17, section 3521;
- (12) Harassment, as set forth in section 506-A;
- (13) Violation of a protection order, as specified in Title 5, section 4659, subsection 2; Title 15, section 321, subsection 6; former Title 19, section 769, subsection 2; former Title 19, section 770, subsection 5; Title 19-A, section 4011, subsection 3; and Title 19-A, section 4012, subsection 5;
- (14) A violation of a sex offender registration provision under Title 34-A, chapter 15;
- (15) A violation of a requirement of administrative release when requested by the attorney for the State;
- (16) A violation of a condition of supervised release for sex offenders when requested by a probation officer;
- (17) A violation of a court-imposed deferment requirement of a deferred disposition when requested by the attorney for the State;
- (18) A violation of a condition of release as provided in Title 15, section 3203-A, subsection 9;
- (19) A violation of a condition of supervised community confinement granted pursuant to Title 34-A, section 3036-A when requested by a probation officer;
- (20) A violation of a condition of placement on community reintegration status granted pursuant to Title 34-A, section 3810 and former section 4112 when requested by a juvenile community corrections officer;
- (21) A violation of a condition of furlough or other rehabilitative program authorized under Title 34-A, section 3035 when requested by a probation officer or juvenile community corrections officer;
- (22) A violation of preconviction or post-conviction bail pursuant to Title 15, section 1095, subsection 2 or section 1098, subsection 2 upon request of the attorney for the State;
- (23) Failure to appear in violation of Title 15, section 1091, subsection 1, paragraph A;
- (24) A Class D or Class E crime committed while released on preconviction or post-conviction bail; or
- (25) A violation of a condition of release from a community confinement monitoring program pursuant to Title 30-A, section 1659-A; and [2017, c. 148, §3 (AMD).]

B. Any person who has committed or is committing in the officer's presence any Class D or Class E crime. [1995, c. 680, §3 (RPR).]







## 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**

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October 30, 2019

To: City Council Members

From: Juli Millett, Finance Director

CC: Peter H. Owen, City Manager

Re: Additional Capital Budget

Three capital items that were not funding during the capital budget process have now been deemed a necessity to purchase.

First is the generator at the police station. Although this was a concern during the budget process it was thought that the generator was working properly and would keep the City up and running on communications, phones, and net work for the current year. The latest storm and power outage proved it is time to replace the current generator at PD.

The next two are the handicap lifts at City Hall and Parks and Recreation. Both lifts have been functioning erratically, and it has been determined that both are below weight limits of current electric wheelchairs. It is very important that all City building be handicap accessible, and have the lifts functioning properly in both buildings. The current lift at City Hall's capacity is 400lbs and an electronic wheelchair can weight up to 700lbs.

We do have some carryforward balances in several capital accounts, so I am recommending that \$35,000 be used as down payments on these projects and the remainder of the cost be financed. We are currently seeking bids on all items and will have the final project costs for December.

The cost estimates per item is as follows:

Generator at the police station – est cost \$40K/ down payment - \$10K/ finance \$30K 3 years

City Hall chair lift – est cost \$50K/ down payment - \$10K/ finance \$40K 7 years

Recreation chair lift – est cost \$75K/ down payment - \$15K/ finance 60K 7 years



## BOND ORDINANCE

### AUTHORIZING UP TO \$130,000 OF THE CITY'S GENERAL OBLIGATION BONDS TO FINANCE MISCELLANEOUS MUNICIPAL IMPROVEMENTS AND EQUIPMENT

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH, AS  
FOLLOWS:

- Section 1. That a sum of up to, but not to exceed, \$130,000, plus the sale premium of and investment earnings on the bonds authorized in Section 2 below, is hereby appropriated for the purpose of funding the following municipal improvements and equipment, including issuance costs therefor:
- Police - Generator
  - City Hall - Chair Lift
  - Recreation - Chair Lift
- Section 2. That, for the purpose of funding the aforesaid appropriation, the City Treasurer, with the approval of the Chair of the City Council and the City Manager, is hereby authorized, in the name of and on behalf of the City, to issue the City's bonds or notes in anticipation thereof, in the stated principal amount of up to, but not to exceed, \$130,000 under and pursuant the City Charter and Title 30-A, Section §5772 of the Maine Revised Statutes.
- Section 3. That any and all bonds or notes in anticipation thereof issued pursuant to this Ordinance are issued pursuant to Chapter 8 of the City Charter and shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager.
- Section 4. That any and all bonds issued pursuant to this Ordinance shall be payable in annual installments, which need not be equal, the total amount of which shall extinguish the entire debt at maturity pursuant to the requirements of 30-A M.R.S.A. Section 5772(3), pursuant to Section 807 of the City Charter.
- Section 5. That the term of any bonds issued pursuant to this Ordinance shall not exceed eight (8) years.
- Section 6. That the City Treasurer, with the approval of the Chair of the City Council and the City Manager, shall determine the date or dates, maturities (not to exceed the maximum term specified above), denominations, interest rate or rates and any other details of any bonds or any notes in anticipation thereof to be issued pursuant to this Ordinance, such approval to be conclusively evidenced by the execution thereof.
- Section 7. That the City Treasurer, with the approval of the Chair of the City Council and the City Manager, is hereby authorized to make any bonds or notes in anticipation thereof issued pursuant to this Ordinance subject to prepayment and call for redemption with or without premium prior to the stated maturity date at the election of the City.

- Section 8. That the City Treasurer is hereby authorized to take all such action as may be necessary to designate any bonds or notes in anticipation thereof issued pursuant to this Ordinance (to the extent such designation is available) as qualified tax-exempt obligations for purposes of Section 265(b) of the Code.
- Section 9. That the bonds or notes in anticipation thereof issued pursuant to this Ordinance shall be general obligations of the City, backed by the full faith and credit and taxing power of the City.
- Section 10. That in the event the City Treasurer elects to issue such bonds or notes in anticipation thereof through the Maine Municipal Bond Bank (the "Bond Bank"), that the City Treasurer and the Chair of the City Council and the City Manager be and hereby are authorized, on behalf of the City, to enter into a loan agreement with the Bond Bank in conjunction with the issuance of the bonds or notes, in the aggregate principal amount not to exceed \$130,000 with a term not to exceed the term of the bonds or notes, said loan agreement to be in the usual and ordinary form utilized by the Bond Bank in connection with its General Resolution Program, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer, the Chair of the City Council and the City Manager may approve, their approval to be conclusively evidenced by the execution thereof.
- Section 11. That the City Treasurer is authorized to do or cause to be done all such acts and things, and to execute and deliver any and all contracts, agreements, certificates, and other documents as may be necessary or advisable, including but not limited to an Arbitrage and Use of Proceeds Certificate and a Continuing Disclosure Certificate, to carry out the provisions of this Ordinance in connection with the issuance and delivery by the City of the bonds or notes in anticipation thereof.
- Section 12. That if the City Treasurer, Chair of the City Council, City Manager, or Clerk are for any reason unavailable to approve and execute the bonds or notes in anticipation thereof issued pursuant to this Ordinance, any loan agreement or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.
- Section 13. That during the term any of the bonds authorized hereby are outstanding, the City Treasurer is hereby authorized, in the name and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 8 years from the date of issuance of the original bonds) and all other details of such refunding bonds, including the form and manner of their sale and award. The City Treasurer is hereby further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager, sealed with the seal of the City, and attested by its Clerk.

Section 14. That any suit questioning the validity of this Ordinance shall be barred unless commenced within forty-five (45) days following publication of the Ordinance in accordance with Section 805 of the City Charter.



# City of Bath

55 Front Street  
Bath, Maine 04530

Dept: 207/443-8363  
Fax: 207/443-8389



**Planning &  
Development**

## MEMORANDUM

**TO:** Mari Eosco, Chair  
City Councilors

**FROM:** Ben Averill, City Planner

**DATE:** October 30, 2019

**RE:** Request for Contract Rezoning at 36 High Street

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### Background

The applicant, Jennifer Greene, has applied for contract rezoning and site plan amendment to the approved plan at Map 45, Lot 20. The applicant is requesting an amendment to the site plan and special purpose commercial contract overlay zone approved in 2013. The applicant is requesting to amend the approved site plan to allow for addition of a walk-in cooler along the exterior of the building. The applicant is requesting to place the walk-in cooler below the existing stairs. According to Section 8.13.D.1 of the Land Use Code no additional buildings may be constructed or located on the lot unless they are allowed through Contract Zoning. The parcel is in the Special Purpose Commercial Contract Overlay zoning district and is eligible for contract zoning.

The project received site plan approval at the Planning Board meeting held on October 1, 2019 with no conditions.

Additionally, the Planning Board recommended review and approval of the Contract Zoning application for 36 High Street by the City Council at the Planning Board meeting held on October 1, 2019. The condition of approval for Contract Zoning recommended by the Planning Board requires that:

- The applicant will provide enhanced landscaping along the front and rear of the property

### Council Action

If the Council determines that the Contract Rezoning request has merit the council can vote to approve the request and the subsequent amendment to Article 16 (16.29) of the Land Use Code. If the Council determines that the application lacks merit, action on the application will cease.





Jennifer Greene  
PO Box 4192  
Santa Cruz, CA 95063  
(831) 332-1181  
GreeneADR@aol.com

August 19, 2019

RECEIVED

City Council, Planning Department, Code Enforcement  
City of Bath  
55 Front Street  
Bath, ME 04530

AUG 19 2019

CODES & PLANNING  
BATH, MAINE

RE: Application to move walk-in cooler  
Winnegance Store; Lot 45-020/ Contract Zone LUC Sec 16.20

Dear Councilmembers and City Staff:

In fall of 2013, the Council unanimously approved contract rezoning for the Winnegance Store, allowing it to be zoned commercial and the building underwent a complete restoration.

Shawn Schutt and Holly Snowdon have been operating Winnegance Bakery & Café on the site since Fall of 2014 under a long term lease with me. The restored building is a favorite with locals and visitors and enjoys top ranking on Trip Advisor. The food is delicious. By all accounts it has been an unqualified success.

Despite its small size, the building has functioned very well with the exception that the walk in cooler needs to be replaced and moved outside the kitchen. Currently it backs into the kitchen from the main room of the store

Tenants would like to tear out the existing walk in cooler preserving the original door in the store, and install a brand new Kolpak 6x8x6 aluminum outdoor walk in cooler with side mounted refrigeration in the space outside the kitchen door next to the ramp where it would fit perfectly. Benefits would include less power consumption and more space in the kitchen.

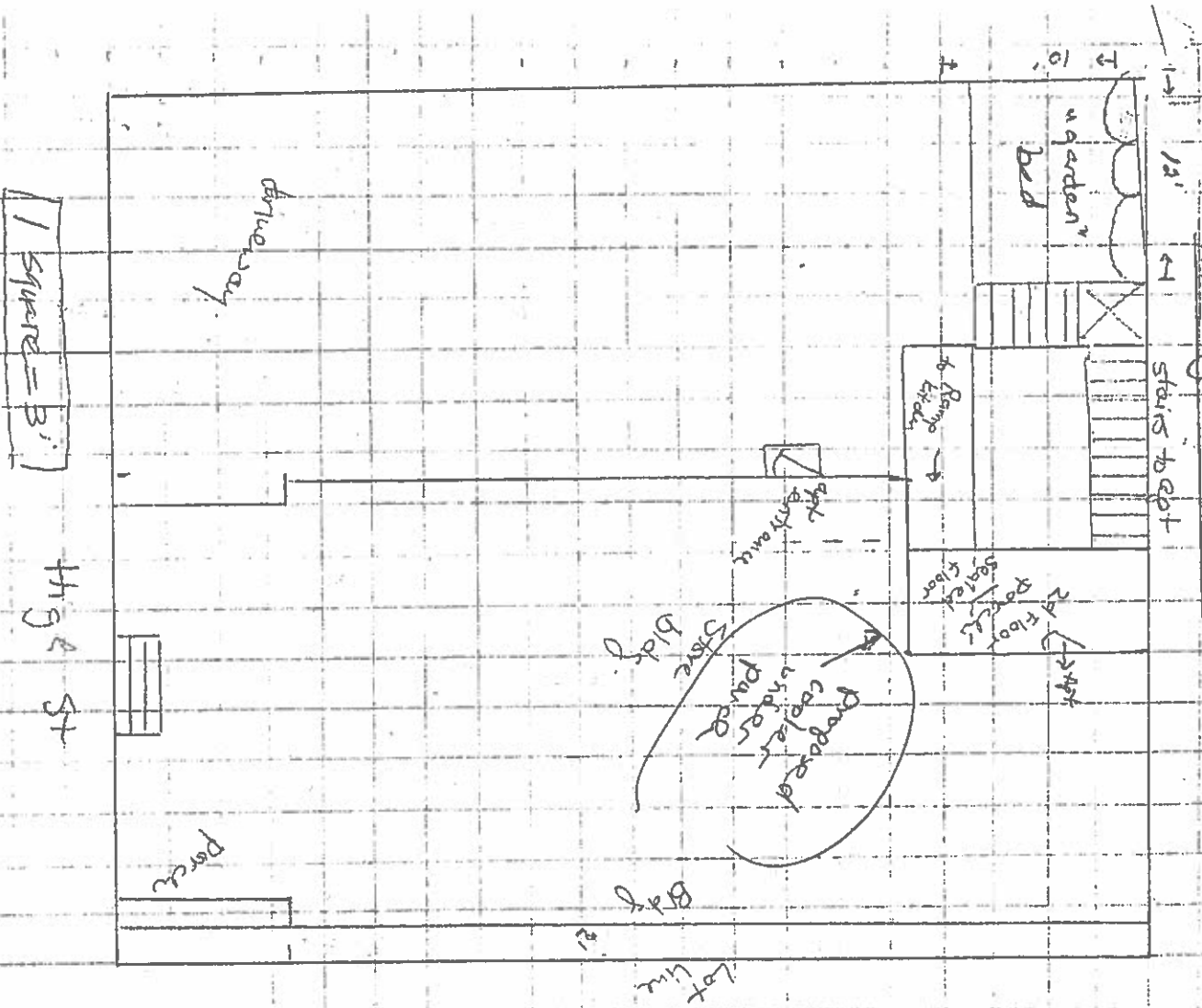
This project would have no impact on access, parking, snow or trash removal, or visual impact. No outside lighting is needed. Electricity is in place already. All that is needed is permission from the City. I support the tenants request and ask that the Council approve this application. Thank you.

Sincerely,



Jennifer Greene

# Winegarne Store - Site Plan 1 of 3 -



Lot width = 51'

- Site Plan 2 of 3 -

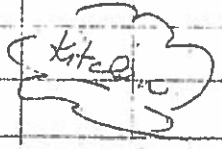
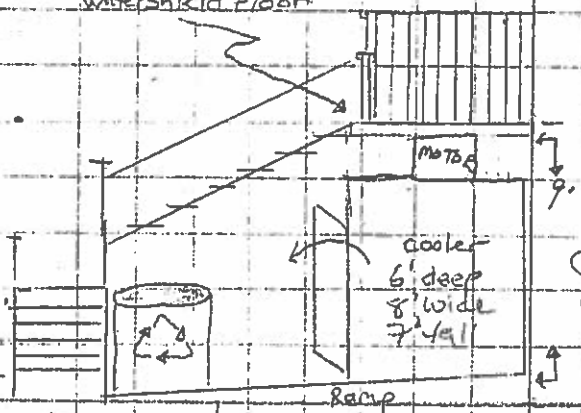
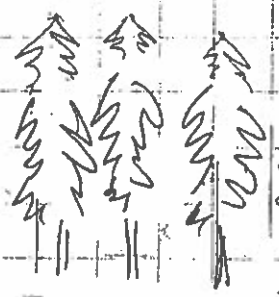
# Winnegance Store

OUTSIDE COOLER + STORAGE SHED

Note: cooler will not be visible from street due to main building just out. Shown here as illustration only

watershield floor

BUILDING



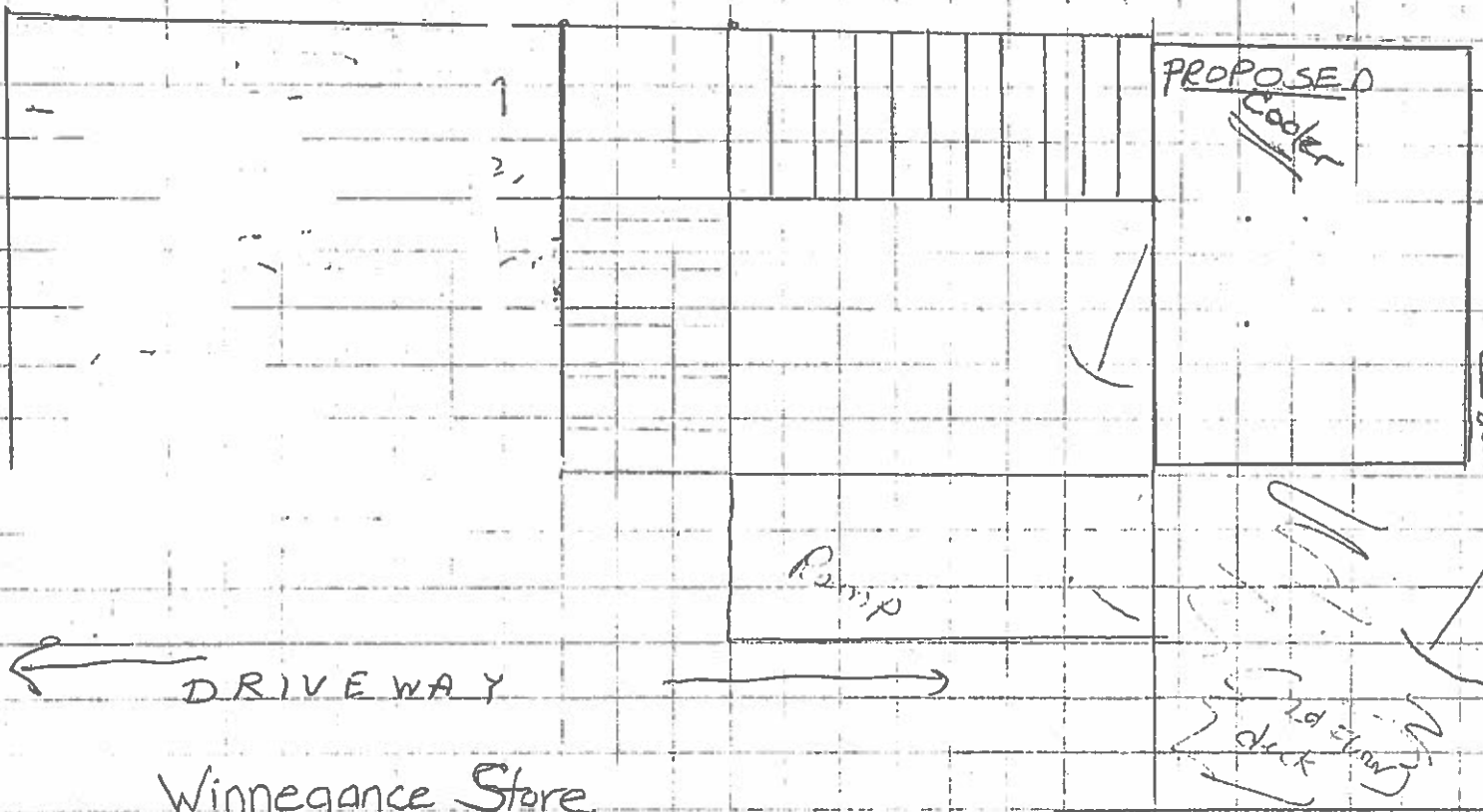
level gravel foundation  
existing drainage behind bldg x width of lot

BACK OF LOT DETAIL

1 line = 2'

← DRIVEWAY →

7-2-2019



Winnegance Store  
- site plan 3 of 3 -

1 square = 1'

7-2-2019

## ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LAND USE CODE OF THE CITY OF BATH ADOPTED JULY 19, 2000, AND SUBSEQUENTLY AMENDED, BE HEREBY FURTHER AMENDED AS FOLLOWS:

Amend Article 16, by adding Section 16.29, as follows:

### **SECTION 16.29 WINNEGANCE STORE CONTRACT ZONE, NUMBER 2**

#### **A. District Designation**

The property designated for contract rezoning is the property located at 36 High Street, being identified as Lot 20 on City of Bath Tax Map 45 dated April 1, 2018. The property is know as the Winnegance Store.

#### **B. Findings**

The property is located in the Special Purpose Commercial Contract Overlay District. The City Council makes the following additional findings:

1. Contract Rezoning is allowed in the Special Purpose Commercial Contract Overlay Zoning District per section 8.13 (F) of the Land Use Code.
2. The property has previously been designated for contract rezoning to allow for the creation of the Special Purpose Commercial Contract Zone District designation. This designation allows for the continued use of the site as a retail establishment/ restaurant in an underlying residential zone.
3. Additional buildings located on the lot, other than the principle structure, require contract zoning according to Section 8.13 (D) of the Land Use Code.
4. The project consists of adding an additional structure, an outdoor walk-in cooler, along the rear of the existing building.
5. Without the creation of a contract zone, no additional buildings may be constructed or located on the lot unless they are allowed through a contract rezoning procedure, necessitating contract zoning.
6. The project is consistent with the mandatory conditions set forth in Land Use Code Section 8.20 paragraph D1.
7. The applicant is proposing the following voluntary, Discretionary Conditions in exchange for Contract Rezoning. For the Contract Rezoning the applicant will:

- The applicant will provide enhanced landscaping along the front and rear of the building.

### **C. Zoning Provision Affected**

This contract zoning designation is intended to allow for the addition of a secondary structure on the parcel pursuant to Section 8.13 of the Land Use Code, by allowing for the construction of an outdoor walk-in cooler and other site improvements depicted on the Site Plan approved, without conditions, by the Bath Planning Board on October 1, 2019.

### **D. Conditions of Approval**

This Contract Rezoning Ordinance requires full and complete compliance with all conditions of approval, which are part of the Site Plan approval, granted to Jennifer Greene, by the Bath Planning Board on October 1, 2019.

RECEIVED

AUG 22 2019

K11

**City of Bath**

CITY CLERK - BATH, ME

Application for Appointment to City Board/Commission/Committee

Full Name: DAVID HUDSON

Street Address: 9 Hounells way

Home Tel #: 207-751-1980 e-mail address dhudson@midcoastheath.com  
I live in Council Ward # \_\_\_\_\_

I wish to be considered for appointment to the:

Old Customs House Reappointment  
(Name of Board/Commission/Committee)

Check one or both:

Full Membership Status \_\_\_\_\_

and/or

Associate Membership Status \_\_\_\_\_

**TERM BEGINS: 08/2019**

**TERM EXPIRES: 08/2022**

Occupation: Paramedic

Employed by: Midcoast Hospital Work Tel #: \_\_\_\_\_

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

I wish to continue serving for another term

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

Customs House board member past 4 years

Have you ever served on a City Board/Commission/Committee? \_\_\_\_\_  
If so, please list the Board/Commission/Committee and years of service:

Currently on EH board

8/22/19  
Date

David Hudson  
Signature

Please return form to: City Clerk's Office, 55 Front Street, Bath, ME 04530





FOR USE BY CITY CLERK'S DEPARTMENT:

Date application received: 8/22/2019

Received by: Mary O'Howe

Date application on City Council agenda: 9/4/2019

Date appointed by City Council: 9/4/2019

Date applicant notified by City Clerk's office: 9/5/2019

Date applicant sworn in: \_\_\_\_\_

Term to begin: 8/2019

Term to expire: 8/2022



AUG 19 2019

CITY CLERK - BATH, ME

10:55 AM

## Application for Appointment to City Board/Commission/Committee

**Please return form to: City Clerk's Office, 55 Front Street, Bath, ME 04530**



FOR USE BY CITY CLERK'S DEPARTMENT:

Date application received: 2/19/19

Received by: Mary [Signature]

Date application on City Council agenda: \_\_\_\_\_

Date appointed by City Council: \_\_\_\_\_

Date applicant notified by City Clerk's office: \_\_\_\_\_

Date applicant sworn in: \_\_\_\_\_

Term to begin: \_\_\_\_\_

Term to expire: \_\_\_\_\_



RECEIVED K-13

AUG 27 2019

**City of Bath**

CITY CLERK - BATH, ME

Application for Appointment to City Board/Commission/Committee

Full Name: George Sprague

Street Address: 14 Park St

Home Tel #: 207 596 3066

e-mail address george-sprague@yghco.com

I live in Council Ward # 7

I wish to be considered for appointment to the:

Foresty Committee  
(Name of Board/Commission/Committee)

Check one or both:

Full Membership Status ☒ X

Term Begins: \_\_\_\_\_

and/or

Associate Membership Status \_\_\_\_\_

Term Expires: \_\_\_\_\_

Occupation: Property Manager

Employed by: Self

Work Tel #: 207-596-3066

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

City involvement

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

\_\_\_\_\_  
\_\_\_\_\_

Have you ever served on a City Board/Commission/Committee? Yes

If so, please list the Board/Commission/Committee and years of service:

Solid Waste current

8/27/19  
Date

[Signature]  
Signature

Please return form to: City Clerk's Office, 55 Front Street, Bath, ME 04530

