

Location: Town Office, Council Chambers
21 Water Street, 2nd Floor

Viewing on: Pioneer Cable – Channel 400
Spectrum Cable – Channel 1301

Public Participation thru Zoom: Meeting ID: 856 7271 4460
NO PASSCODE NEEDED
CALL-IN: 1-929-205-6099

AGENDA

Special Council Meeting

**August 12, 2024
5:55 PM**

I. New Business

**A. (S080124-1) The Town of Houlton ordains the transfer of up to \$400,000 from the Undesignated Fund Balance for the purpose of reducing taxes. The Town Manager certifies that this is in the best interest of the Town.
(Introduction)**

V. Adjournment

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AGENDA

Regular Council Meeting August 12, 2024
6:00 PM

Pledge of Allegiance

Public Comments

I. Minutes: Special & Regular Council Meeting of July 29, 2024.

II. Old Business:

A. (S080124-1) The Town of Houlton ordains the transfer of up to \$400,000 from the Undesignated Fund Balance for the purpose of reducing taxes. The Town Manager certifies that this is in the best interest of the Town.

(First Reading)

Will update closer to commitment.

III. New Business

A. (080124-1) Council authorizes to postpone the presentation of the 2025 Long Range Program (Capital Plan), which is subject to funding through the budget process until the August 26, 2024 Regular Council Meeting.

B. (080124-2) Council authorizes the Town Manager to apply for financial assistance under provisions of the Bureau of Parks and Recreation Snowmobile Fund (MRSA Title 12, Chapter 220, Subchapter 8, Subchapter 1893-3) for the maintenance of the Town of Houlton's snowmobile system.

Done annually.

**C. (080124-3) Council accepts the 2024 FY2022 Edward Byrne Justice Assistance Grant of \$8,329 for the Police Department.
Will be used for equipment.**

**D. (080124-4) Council authorizes temporary use of 2 parking spaces on Court Street located just east of Bastions Tavern. Spaces to be utilized for a food truck on Fridays from August 16, 2024 through October 25, 2024 no later than 10:00 PM.
Permission to utilize town property requires authorization.**

IV. Discussion and Reports

- A. Water Line Update- Greg Sherman**
- B. Ordinance Revision Proposal – Zach Waite**
- C. Town Managers Report**
- D. Councilors' Remarks**

V. Adjournment

**Special Council Meeting
July 29, 2024**

Chairman Robinson called the meeting to order at 5:00 PM with all councilors present, except Councilor Horvath who was excused.

Executive Session

(S070224) It was moved by Councilor Lake, seconded by Councilor Torres that Council enter Executive Session with the Town Manager for the purpose of discussing a personnel matter, pursuant to MRSA Title 1, Section 405(6)A.

Vote was taken as follows: Councilor J. McLaughlin, yes; Councilor Lake, yes; Councilor Peters, yes; Councilor Torres, yes; Councilor E. McLaughlin, yes.

Council entered Executive Session at 5:01 PM and returned to Open Session at 6:12 PM.

V. **Adjournment:** On motion by Councilor Lake, seconded by Councilor Torres, the meeting adjourned at 6:13 PM with all in favor.

**Regular Council Meeting
July 29, 2024**

Chairman Robinson called the meeting to order at 6:13 PM with all councilors present, except Councilor Horvath who was excused.

Public Comments None

I. **Minutes:** It was moved by Councilor Lake, seconded by Councilor Torres that the Regular Council Meeting of July 8, 2024 minutes be approved as presented.

All were in favor of the minutes.

II. **Old Business:**

III. **New Business**

Consensus of Council was to not take action on the following:

A. (070224-1) Council appoints _____ to the RSU 29 School Board until the next regular Municipal Election.

Chairman Robinson encouraged anyone who wanted to serve on the board to pick up nomination papers to be listed on the November ballot.

B. (070224-2) It was moved by Councilor Lake, seconded by Councilor Torre that Council authorize the Town Manager to execute the Maine Municipal Association Voting Ballot for the Election of MMA Vice President and Executive Committee Members. (Note: List of candidates available at the Town Office during normal business hours.)

Vote to approve the order was taken as follows: Councilor E. McLaughlin, abstain; Councilor Torres, yes; Councilor Peters, yes; Councilor Lake, yes; Councilor J. McLaughlin, yes.

The order passed.

C. 070224-3 It was moved by Councilor Lake, seconded by Councilor Torres that Council appoint James Peters to the TIF Advisory Board as the Council Representative.

Councilor Torres asked Councilor Peters if he had volunteered to be on the board. Councilor Peters replied that he had and would no longer attend the SADC TIF meetings. Councilor Torres stated that she'd like to read the bylaws before action is taken on this.

Vote to approve the order was taken as follows: Councilor E. McLaughlin, yes; Councilor Torres, no; Councilor Peters, abstain; Councilor Lake, yes; Councilor J. McLaughlin, no.

The order did not pass.

D. (070224-4) It was moved by Councilor Lake, seconded by Councilor J. McLaughlin that Council accept the \$1,000 donation from the Scott and Jane Stuart Charitable Fund for Eclipse expenses.

Councilor Torres read the letter received by the town from Scott Stuart and thanked them for their donation.

Vote to approve the order was taken as follows: Councilor J. McLaughlin, yes; Councilor Lake, yes; Councilor Peters, yes; Councilor Torres, yes; Councilor E. McLaughlin, yes.

The order passed.

Councilor E. McLaughlin was excused from the meeting at 6:40 PM.

IV. Discussion and Reports

A. Town Managers Report

Town Manager Smith reminded everyone that nomination papers for the November election were available and to contact the Town Clerk if anyone was interested. He also reminded everyone that the Peanut Parade would be held on Wednesday at 10:00 and the Peanut Carnival would be held on Thursday at 5:00.

Department Head Reports

B. Updates on tree cutting, sidewalks/roads, and blight

Ben Torres, Code Enforcement Officer spoke to everyone about the proposed Dangerous Building Ordinance and the proposed revisions to the Solid Waste Ordinance. He stated that the court system was now open to hear land use matters. Ben stated that due to time constraints he often relies on people reaching out to him with issues and that there is also a complaint form on the town's website. He stated that he hopes to include a supplement with tax bills to give people more information.

Councilor J. McLaughlin asked what Ben would need for help/assistance to get more done. He stated that he thought TIF funds could be used to provide him with a part-time assistant. Ben replied that a part-time assistant would be great for doing administrative tasks such as scheduling and answering the phone.

Chris Stewart, Public Works Director/Airport Director gave an update on the logging operation at the Airport. He stated that the work is 90% done and should be completed by August or September. He stated that all the monies from this are required to be put in the Airport Improvement Account.

Councilor J. McLaughlin asked for an update on the Reservoir Hill Road project. Stewart replied that it was in the easement process and that the town is also waiting for Consolidated Communications to move 4 or 5 telephone poles. He stated that he was unsure how long the easements would hold up the project and would be speaking to residents that the project will affect.

Nancy Ketch, Community Development Director gave an update on the sidewalk projects. She stated that the Walkable Houlton project was in the environmental review process and the Downtown project was in the right of way process. She stated that the hope was to put the bid out this winter and to begin the project in the Spring.

C. Councilors' Remarks

Councilor Torres thanked the Public Works Department for replacing the railing at the Chamber. She stated that she felt the town needed a part-time Animal Control Officer.

Chairman Robinson thanked Kelly Johnson, School Board applicant for coming to the meeting. He thanked her for volunteering and encouraged her to pick up nomination papers.

V. **Adjournment:** On motion by Councilor Lake, seconded by Councilor Torres, the meeting adjourned at 6:59 PM with all in favor.

The Department of Public Safety (DPS) will be awarding the FY 22 Edward Byrne Memorial Justice Assistance Grant (JAG) 15PBJA-22-GG-00643 funds, and we are inviting you to apply for the next round of funding. Please let us know if your agency will continue the role of applicant or if there is another individual/agency in your county that we should contact for the FY22 JAG Grant. There should only be a single applicant agency per county or tribal agency. The agencies within the counties can choose to follow the award allocations provided on the list below, work together in collaboration toward one project, or to reallocate the funding amounts. If funds are being reallocated there must be information in the Memorandum of Understanding (MOU) from the agency originally awarded funds showing the agreement to reallocate funds. However, there must be one agency that submits the application and receives the funding from DPS. They then must distribute the funding according to the county-wide plan. All agencies must sign a MOU describing this collaboration.

Attached to this email are several documents that will assist you in your Application for the FY22 JAG Grant Funds:

- FY22 JAG Application – The applicant agency is the only one that needs to fill the complete application out as a whole county. Each department (including the applicant) must only fill out pages 4, 5, & 6 for your individual agency. This has been converted into a WORD document to be easier for filling out electronically.
- Application Instructions
- MOU Template - this is only a template and can be modified to suit your County needs. Please include any reallocation of funds before signatures are obtained.
- Body Worn Camera (BWC) Certification, if needed. A JAG award recipient that proposes to use fiscal year (FY) 2022 funds to purchase BWC equipment or to implement or enhance BWC programs must provide an executed BWC Certification(s) indicating that each law enforcement agency receiving the equipment or implementing the program has policies and procedures in place related to BWC equipment usage, data storage and access, privacy considerations, and training. This is only needed if you are intending to purchase BWC's.
- Body Armor Certification, if needed. Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the following requirements are met: The body armor must have been tested and found to comply with the latest applicable National Institute of Justice ballistic or stab standards. In addition, body armor purchased must be made in the United States. Finally, body armor purchased with JAG funds must be "uniquely fitted vests," which means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage through a combination of: (1) correctly sized panels and carrier determined through appropriate measurement and (2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. This is only needed if you are intending to purchase Body Armor.

Below is the Federal breakdown of the FY22 JAG Award for the various Townships/Municipals in your county. Applications should include a total fund request from the County and be supported by individual projects/items needed with supporting budgets from each agency.

Aroostook	AROOSTOOK County	\$2,594
Aroostook	PRESQUE ISLE City	\$8,329
Aroostook	CARIBOU City	\$2,594
Aroostook	ASHLAND Town	\$546
Aroostook	FORT FAIRFIELD Town	\$1,365
Aroostook	FORT KENT Town	\$546
Aroostook	HOULTON Town	\$8,329
Aroostook	LIMESTONE Town	\$956
Aroostook	MADAWASKA Town	\$273
Aroostook	VAN BUREN Town	\$273
Aroostook	WASHBURN Town	\$956
Total		\$26,763



Updated April 25, 2024

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program

The Edward Byrne Memorial Justice Assistance Grant (JAG) program is a Department of Justice (DOJ) formula grant program. The JAG program allocates funds to the 50 states, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, America Samoa, and the Northern Mariana Islands (collectively referred to as “states” hereinafter) for a variety of state and local criminal justice initiatives. The program is administered by the Bureau of Justice Assistance (BJA).

Calculating Allocations

Under the JAG formula, each state’s allocation is based on its population and the number of reported violent crimes in the state. Specifically, half of a state’s allocation is based on the state’s respective share of the U.S. population, using the most recent population figures published by the Census Bureau. The other half is based on the state’s respective share of the average number of violent crimes reported to the Federal Bureau of Investigation for the three most recent years for which data are available. Under current law, each state is guaranteed to receive no less than 0.25% of the amount appropriated for the JAG program in a given fiscal year (i.e., the minimum allocation). Therefore, after each state’s initial allocation is calculated using the JAG formula, states that would have received less than 0.25% of the total amount appropriated for the JAG program are funded at the minimum allocation. Non-minimum allocation states receive the minimum allocation plus a share of the funds remaining after all states receive the minimum allocation. The remaining funds are allocated among the non-minimum allocation states using the JAG formula, except that both population and violent crime data for the states that received the minimum allocation as their award are excluded when allocating the remaining funds.

After each state’s allocation is determined, 40% of it is directly awarded to units of local government in the state (this does not occur in the District of Columbia or the territories). Awards to units of local government, which includes Indian tribes that have law enforcement responsibilities, are based on the jurisdiction’s proportion of the three-year average number of violent crimes committed in its respective state. Only units of local government that would receive \$10,000 or more are eligible for a direct allocation. The balance of funds not awarded directly to units of local government is administered by the state and must be distributed to the state police department or to units of local government that were not eligible to receive a direct award from BJA. Also, each state is required to “pass through” to units of local government a certain percentage of the funds directly awarded to the state. The pass-through percentage is calculated using data on criminal justice expenditures collected by the Bureau of Justice Statistics. A

state is allowed to retain a portion of its funding equal to the ratio of the total amount of state expenditures on criminal justice to the total amount of expenditures on criminal justice by both the state and all units of local government.

Disparate Allocation

In some instances, a unit of local government or multiple units of local government are required to collaborate on a single joint award with the county. This happens when BJA certifies that there is a “disparate allocation,” meaning that one city qualifies for an amount that is one-and-a-half times more than the amount for the county with concurrent jurisdiction, or when the total amount for which cities in a single county qualify is four-times more than the amount for the county. The unit or units of local government and county representatives must sign and submit a memorandum of understanding stating that they all agree on how the joint award, which is the sum of all of the individual awards, will be allocated and used.

Program Purpose Areas

Grant recipients can use their JAG funds for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and criminal justice information systems for

- law enforcement;
- prosecution and courts;
- prevention and education;
- corrections and community corrections;
- drug treatment;
- planning, evaluation, and technology improvement;
- crime victim and witness assistance (other than compensation);
- mental health and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams; and
- state crisis intervention court proceedings and related programs or initiatives, including mental health, drug, and veterans courts, and extreme risk protection order programs.

JAG’s nine program purpose areas are intended to give states and local units of government flexibility in creating programs to address local needs.

Appropriations

There are two numbers to consider when evaluating changes in appropriations for the JAG program: the total (or *top-line*) appropriation, and the amount available to be allocated through the JAG program after set-asides.

Traditionally, Congress has dedicated some of the annual JAG appropriation for other purposes, as specified in the annual Commerce, Justice, Science, and Related Agencies (CJS) Appropriations Act. In many fiscal years, as a part of its annual budget submission, the Administration has also requested that Congress set aside a portion of the annual JAG funding for specific purposes.

Table 1 provides information on JAG appropriations for the past 15 fiscal years. Top-line funding for JAG since FY2010 has averaged \$510 million per fiscal year. The post set-aside appropriation for JAG has averaged \$367 million over the past 15 fiscal years.

Table 1. Appropriations for the JAG Program, FY2010-FY2024

Appropriations in millions of dollars

Fiscal Year	Top-Line Appropriation	Appropriation after Set-Asides	Percent Set Aside
2010	519	511	2%
2011	430	423	2%
2012	470	352	25%
2013	365	345	5%
2014	376	345	8%
2015	376	333	12%
2016	476	347	27%
2017	403	335	17%
2018	416	340	18%
2019	424	330	22%
2020	547	349	36%
2021	484	360	26%
2022	675	382	43%
2023	771	412	47%

Fiscal Year	Top-Line Appropriation	Appropriation after Set-Asides	Percent Set Aside
2024	924	346	63%

Source: Appropriations were taken from the conference report or explanatory statement to accompany the annual Commerce, Justice, Science, and Related Agencies (CJS) Appropriations Act for each fiscal year, with the exception of FY2013. The FY2013 appropriation was provided by DOJ.

Notes: Amounts shown in the table are in nominal, not inflation-adjusted, dollars. The FY2013 appropriation is post-sequestration as implemented per the Budget Control Act of 2011 (P.L. 112-25).

The top-line appropriation for JAG generally decreased from FY2010 through FY2013, but it has mostly increased since then. In comparison, the appropriation after set-asides also decreased from FY2010 through FY2013, but since then it has generally been in the range of \$330 million to \$350 million (though it was somewhat higher in FY2021, FY2022, and FY2023). Congress has increased the top-line figure for JAG as more funding has been set aside for non-JAG programs. In FY2010, two programs were funded through set-asides from JAG. In FY2016, five programs were funded through set-asides from JAG and \$100 million was dedicated for reimbursing cities that hosted presidential nominating conventions for security-related costs they incurred. Since FY2017, Congress has funded several DOJ grant programs (e.g., Project Safe Neighborhoods, the John R. Justice program, programs authorized under the Prison Rape Elimination Act, and the Capital Litigation Improvement and Wrongful Conviction Review program), which had traditionally received their own line item appropriation in the annual CJS appropriations act, through set-asides from JAG. In addition, since FY2017 Congress started funding an increasing number of programs that did not traditionally have their own line-item appropriation but rather exist solely as a set-aside from the JAG program. This includes funding for Byrne Discretionary Community Project grants (i.e., congressional directed spending), which were first included in FY2022. For FY2024, there were 17 programs funded through set-asides from JAG and \$125 million dedicated for security at presidential nominating conventions.

Nathan James, Analyst in Crime Policy

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