



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

AUGUST 1ST, 2016

7:00 P.M.

• **6:00 pm – Finance & Administration Committee Meeting**

A. PLEDGE OF ALLEGIANCE

B. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

a. July 18th, 2016 Council Meeting minutes

3. COMMUNICATIONS

- a. Final submittal and certification for the Local Road Assistance Program for FY16
- b. Town of Hampden response to June 7th, 2016 MS4 Audit Conducted by Maine DEP

4. REPORTS

- a. Planning & Development Committee Minutes – July 6th, 2016
- b. Finance & Administration Minutes – July 5th, 2016
- c. Infrastructure Committee Minutes – June 20th, 2016
- d. Services Committee Minutes – none

C. PUBLIC COMMENTS

D. POLICY AGENDA

NOTE: The Council will take a 5-minute recess at 8:00 pm.

B-2-a



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

JULY 18TH, 2016

7:00 P.M.

• 6:00 pm – Finance & Administration Committee Meeting

Mayor Ryder called the meeting to order at 7:00 p.m.

Attending:

Mayor Ryder

Councilor Sirois

Councilor McPike

Councilor Wilde

Councilor Marble

Councilor Cormier

Councilor McAvoy

Town Manager Angus Jennings

Town Clerk Paula Scott

Members of the Public

- A. PLEDGE OF ALLEGIANCE – *Mayor Ryder led the Pledge of Allegiance*
- B. CONSENT AGENDA – *Councilor Marble made a motion to accept the consent agenda, seconded by Councilor McAvoy. Unanimous vote in favor.*

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. July 5th, 2016 Council Meeting minutes
b. July 6th, 2016 Council Public Hearing minutes

3. COMMUNICATIONS

- a. Victualer's License renewal – Neally's Corner Store
b. Hampden Historical Society Spring Newsletter and Membership Application
c. Notification of tax foreclosure sale for property located at 118 Fowlers Landing Road and further identified as Map 13 Lot 27-A
d. Memo from Shelley Abbott, Recreation Director on repairs and upgrades to tennis and basketball courts and acknowledgement of the Hampden Water District's assistance

NOTE: The Council will take a 5-minute recess at 8:00 pm.

4. REPORTS

- a. Planning & Development Committee Minutes – June 15, 2016
- b. Finance & Administration Minutes – July 5, 2016
- c. Infrastructure Committee Minutes –
- d. Services Committee Minutes – June 6, 2016

C. PUBLIC COMMENTS - *None*

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS -

2. PUBLIC HEARINGS – *None*

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

4. UNFINISHED BUSINESS –

5. NEW BUSINESS –

- a. Recommendation of the Director of Public Works for the John Deere flail mower as bid by Greenway Equipment on July 11th, 2016 and request authorization to use reserve account funds in the amount of \$12,858.30 for its purchase. – ***Councilor Sirois reported that this was discussed in Finance committee, having already been budgeted for FY17. Councilor McPike made a motion, seconded by Councilor Sirois, to approve the recommendation to accept the Greenway Equipment bid and to authorize use of reserve account funds in the amount of \$12,858.30 for the purchase. Unanimous vote in favor.***
- b. Recommendation of the GIS/IT Director for the purchase of a computer, software and peripherals for use by the Town Planner and request authorization to use IT Reserve funds in the amount of \$2,095.00 and Emera TIF funds in the amount of \$1,500.00 for the purchase. – ***Councilor Sirois reported that this was discussed in Finance Committee. Councilor Marble made a motion, seconded by Councilor Sirois, to accept the recommendation of the GIS/IT Director for the computer and software for the town planner and to authorize use of IT Reserve funds in the amount of \$2,095.00 and Emera TIF funds in the amount of \$1,500.00 for the purchase. Unanimous vote in favor.***

MINUTES

- c. Recommendation of the Director of Public Works to award the 2016 Paving program proposal as bid by Eaton Paving & Excavation on July 12th, 2016 and request authorization to use amounts carried forward from the FY16 operating account, the Streets and Roads Reserve account and the Conservation/Recreation Reserve account for paving projects. – ***Councilor Sirois reported that this was discussed in Finance Committee. Councilor McPike made a motion, seconded by Councilor Sirois to approve the recommendation to accept the Eaton Paving & Excavation bid and to authorize use of \$54,000.00 carried forward from DPW FY16 operating account and to fund the balance from reserves that were budgeted for FY17. Unanimous vote in favor.***
- d. Request authorization under #4 “Unusual Circumstances” of the Hampden Town Council Bid Procedure Guidelines to purchase a public works plow truck using the quotation system and not by bid procedure. – ***Mayor Ryder reported that this was discussed in Finance Committee. Councilor Marble supports the use of the quote system as a time and money saving process. Councilor Sirois made a motion, seconded by Councilor Marble to authorize use of the quotation process under #4 Unusual Circumstances of the Bid Procedure Guidelines. Councilor McAvoy suggested that if two trucks are already available, there could be a bid procedure which might garner a better price. Councilor Cormier asked if there was a need to vote on this tonight, or if the whole matter could be tabled until DPW Director Currier was available to answer questions. Councilor Wilde would like more information from the Director. Councilor McPike would like to bring this item back to the next meeting. Mayor Ryder stated that the vote tonight would not be on the purchase of a particular truck, but on the approval for the quotation system and not the bid system. He suggested that Director Currier could attend the next Infrastructure Committee meeting and answer Councilor’s questions. Mayor Ryder recognized resident William Shakespeare who stated that if he was on the council he would vote no as he thinks the Director should be here to answer questions and he doesn’t agree with bypassing the bid system. Discussion ceased and the matter was brought to vote. Mayor Ryder, Councilor Sirois, Councilor McPike and Councilor Marble voted in favor. Councilor Wilde, Councilor Cormier and Councilor McAvoy voted in opposition. Motion carries.***
- e. Request authorization to use GIS Reserve funds in the amount of \$5,000.00 for the purpose of funding stormwater mapping by Stillwater Environmental Engineering. – ***Councilor McPike made a***

MINUTES

motion, seconded by Councilor Marble to authorize use of \$5,000.00 from GIS Reserve fund for the purpose of stormwater mapping by Stillwater Environmental Engineering. Unanimous vote in favor.

E. COMMITTEE REPORTS –

Services Committee - Councilor McAvoy reported that the next meeting is on the 8th and the topic is goals and objectives and he will have a report after that.

Infrastructure Committee – Councilor Marble reported that he too will have a report after the next meeting on the 25th.

Planning & Development – Councilor McPike reported that the next meeting is Wednesday. At the last meeting they began discussions on goal setting, discussed the BETTE and BETTR programs and work plans.

Finance – Councilor Sirois reported that much of what was discussed at tonight's meeting was acted on tonight at Council meeting. They identified 7 different priorities to be presented at the next Council meeting.

F. MANAGER'S REPORT – Manager Jennings reported that the preliminary fund balance after FY16 close out show that all but 2 departments were under budget, and that the overall bottom line is under budget. He also reported that the new planner will be starting next Monday.

G. COUNCILORS' COMMENTS –

Councilor Sirois – none

Councilor McPike – none

Councilor Wilde – none

Councilor Marble – Suggested that the new planner be invited to the Infrastructure meeting on Monday.

Councilor Cormier – none

Councilor McAvoy – reminded everyone to shop local and buy American.

Mayor Ryder -none

H. ADJOURNMENT – Councilor Sirois made a motion, seconded by Councilor McAvoy to adjourn at 7:20 p.m.

Respectfully Submitted,



Paula A. Scott, CCM
Town Clerk

B-3-a



Paul R. LaPage
GOVERNOR

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

David Bernhardt
COMMISSIONER

COMMUNITY SERVICES DIVISION
1-800-498-9133
<http://www.maine.gov/mdot/csd/lrap/index.htm>

Town of Hampden
RECEIVED

JUN 13 2016

Office of the
Town Manager

June 6, 2016

LOCAL ROAD ASSISTANCE PROGRAM (LRAP)

The LRAP allocation for the new Fiscal Year 17 went down slightly. Therefore most LRAP payments went down slightly this year.

Please remember that:

- LRAP payments are now made ONCE a year....not in quarterly payments. The full year's allocation will be sent to your municipality/county by December 1 of each year, if we receive an accurate, completed certification form.
- ALL Maine towns/cities are uniformly receiving the statutory lane-mile rates.

As in previous years, all LRAP recipients must provide information on how LRAP funds were expended from the previous fiscal year. The information collected on the back side of the Certification Form is used to chart the progress of improving public roads by the 500 Maine municipalities, counties, and Indian reservations that receive funding from this program. *If this information is not provided when we receive the certification form, we will return it to you for completion.*

Please submit the completed Certification Form for Fiscal Year 2017 (July 1, 2016 to June 30, 2017) either by US mail or by scanning and emailing it to us. We no longer accept faxes. The law says it must be received by August 1 or earlier.

Once we receive your completed form, your funds will be ready for the November payment.

If your town has not done so already, we are also encouraging municipalities to sign up for electronic transfer (Direct Deposit) of LRAP funds from the State to their financial institution to reduce costs, and provide a speedy and secure service. If you are interested in Electronic Fund Transfer, see our website at <http://www.maine.gov/mdot/csd/lrap/efi.htm>. There is no cost for this option.

If you have any questions, please feel free to contact me.

Sincerely:

Peter M. Coughlan, Director
207/ 624-3266 or peter.coughlan@maine.gov



COMMUNICATIONS UNIT 2016

**MAINE DEPARTMENT OF TRANSPORTATION
LOCAL ROAD ASSISTANCE PROGRAM (LRAP)
CERTIFICATION 2016-2017 (FY17)
MUNICIPALITY of Hampden 19280**

To be eligible to receive FY-17 LRAP funds, each Municipality must certify that the funds will be used in a manner consistent with Chapter 19 of Title 23. Effective July 1, 2013, as defined by Title 23, §1803-B.1.A, "funds must be used for capital improvements ... or for capital improvements to state aid minor collector highways and state aid major collector highways as described in section 1803-C." Effective July 1, 2008 municipalities must provide information on what capital improvements were done with the FY-16 (July 1, 2015 to June 30, 2016) LRAP funds received by the municipality. See back side of form.

It is estimated that the municipality of, Hampden will receive by December 1, 2016 one (1) payment of \$65,316 for the fiscal year beginning July 1, 2016. Notification will be made in the event of any change.

Beginning in 2014, municipalities receive 9% of MaineDOT's portion of the Highway Fund. This means that the disbursements to municipalities rise and fall with MaineDOT's budget.

We, the undersigned municipal officers or designees (i.e. Town Manager) of the municipality of Hampden do hereby certify that funds received from the Local Roads Assistance Program for the fiscal year 2016-2017 will be used only for uses as stated above. We also certify that the previous year's funds were spent on the projects listed on the back of this form.

*Signed [Signature] *Date 7/27/16 Signed _____ Date 1/1
Signed _____ Date 1/1 Signed _____ Date 1/1

*MANDATORY: Municipality E-mail Address: townmanager@hampden.maine.gov

Please print below: the name, title, and phone of the person to contact for the information on this form.
Name: SEAN CURRIER Title: Public Works Director Tel: 207-862-3337

If your address has changed in the last year (and you have NOT signed up for electronic fund transfer (EFT), we must have the new address for you to receive your funds.

Address: _____
Town: _____ State: _____ Zip Code: _____

Prior to August 1, 2016, (see cover letter) please return this completed form (BOTH SIDES) by US mail or scanned PDF/email to: (FAXES ARE NO LONGER ACCEPTED)

Sandra J. Noonan
MaineDOT- Community Services Division
16 State House Station
Augusta, Maine 04333-0016
Tel. (207) 624-3265, or sandra.noonan@maine.gov

NO LRAP payment shall be made until a completed form (BOTH SIDES) is received by MaineDOT- Community Services Division.

We need the original -Please make a copy for your records.

Over please

Hampden 19280

Last year's (FY-16) LRAP Funds of \$65,616

As a result of 2007 Legislative inquiries and discussions centered around LRAP, MaineDOT needs to collect additional information on the uses of LRAP funding by 500 Maine municipalities, counties, and Indian reservations. This is intended to be simple and provide an easy method to collect information on the use of over \$20 million per year by local agencies.

As noted on the front side, LRAP funding can only be spent on capital improvements in non-compact towns.

A capital improvement is defined as "any work on a road or bridge which has a life expectancy of at least ten years and restores the load-carrying capacity". Examples of eligible "capital" activities are defined as follows:

- ① Medium to heavy overlays which improve the strength and ride quality (minimum 1 inch lift on a shimmed surface), pavement and/or base recycling, pavement cold planing and resurfacing
2. Road reconstruction or rehabilitation
3. Gravel road grade-raising or paving
4. Single culvert replacements or a series of drainage improvements
5. * Traffic signal or sign installation and/or replacements
6. * Sidewalk construction or reconstruction
7. * Heavy ditching, under drain and catch basin installation or total system replacement, permanent erosion control
8. * Wetland mitigation
9. * Guardrail installation
10. Bridge or minor span replacement and rehabilitation
11. Any bridge repair activities with a ten year life
12. Local share of a Municipal Partnership Initiative (MPI) project on a state road
13. Debt financing/bond repayment for past capital improvements to public roads
14. The urban match component of any federal-aid project
15. "Banking it" to save up for a future project
16. Other (explain) _____

* Some of the categories of work (# 5, 6, 7, 8 & 9) qualify as capital improvements, but must be done in conjunction with roadway reconstruction/rehabilitation.

The "funds spent" (LRAP ONLY) below must add up to at least the amount of your FY-16 LRAP payments (shown above) from 7/1/15 to 6/30/16.

1. Road Name: <u>Miller Road</u>	Funds spent on Capital Improvements: \$ <u>41,424.99</u>
Type of Capital Improvement: see above, list all numbers that apply: <u>(#1)</u>	<u>1" lift on shimmed surface</u>
Length of Capital improvement (miles or feet): <u>0.64</u> miles or _____ feet	
2. Road Name: <u>Fowler Road</u>	Funds spent on Capital Improvements: \$ <u>49,839.44</u>
Type of Capital Improvement: see above, list all numbers that apply: <u>(#1)</u>	<u>1" lift on Shimmed Surface</u>
Length of Capital improvement (miles or feet): <u>0.77</u> miles or _____ feet	
3. Road Name: <u>Hanning Mill Road</u>	Funds spent on Capital Improvements: \$ <u>39,483.21</u>
Type of Capital Improvement: see above, list all numbers that apply: <u>(#1)</u>	<u>1" lift on Shim Surface</u>
Length of Capital improvement (miles or feet): <u>0.61</u> miles or _____ feet	

OPTIONAL: In addition to the information above, what was your municipality's TOTAL SUMMER CAPITAL IMPROVEMENT EXPENSES (including FY-16 LRAP payments) \$ _____

We need the original, please make a copy for your records.

See next
page →

Hampden 19280

Last year's (FY-16) LRAP Funds of \$65,616

As a result of 2007 Legislative inquiries and discussions centered around LRAP, MaineDOT needs to collect additional information on the uses of LRAP funding by 500 Maine municipalities, counties, and Indian reservations. This is intended to be simple and provide an easy method to collect information on the use of over \$20 million per year by local agencies.

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- ① Medium to heavy overlays which improve the strength and ride quality (minimum 1 inch lift on a shimmed surface), pavement and/or base recycling, pavement cold planing and resurfacing
2. Road reconstruction or rehabilitation
3. Gravel road grade-raising or paving
4. Single culvert replacements or a series of drainage improvements
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15. "Banking it" to save up for a future project
16. Other (explain) _____

* Some of the categories of work (# 5, 6, 7, 8 & 9) qualify as capital improvements, but must be done in conjunction with roadway reconstruction/rehabilitation.

The "funds spent" (LRAP ONLY) below must add up to at least the amount of your FY-16 LRAP payments (shown above) from 7/1/15 to 6/30/16.

1. Road Name: North County Road Funds spent on Capital Improvements: \$19,417.96
Type of Capital Improvement: see above, list all numbers that apply: (#1) 1" lift on shimmed surface
Length of Capital improvement (miles or feet): 0.3 miles or _____ feet

2. Road Name: Old County Road Funds spent on Capital Improvements: \$14,775.75
Type of Capital Improvement: see above, list all numbers that apply: (#1) 1" lift on shimmed surface & (#4) single culvert replacement
Length of Capital improvement (miles or feet): 2.1 miles or _____ feet

3. Road Name: Triangle Road Funds spent on Capital Improvements: \$ 7767.18
Type of Capital Improvement: see above, list all numbers that apply: (#1) 1" lift on shimmed surface
Length of Capital improvement (miles or feet): 0.12 miles or _____ feet

OPTIONAL: In addition to the information above, what was your municipality's TOTAL SUMMER CAPITAL IMPROVEMENT EXPENSES (including FY-16 LRAP payments) \$ _____

We need the original, please make a copy for your records.



B - 3 - b

To: David Ladd, Maine Department of Environmental Protection
From: Kyle Severance, Town of Hampden GIS/IT Specialist
Date: 07/28/2016
Re: Town of Hampden Response to June 7th, 2016 MS4 Audit Conducted by Maine DEP
Message:

The purpose of this memo is to respond to the minor MS4 program deficiencies cited in the letter received by the Town from MDEP on 6/13/16 following a MS4 audit conducted on 6/7/16.

...*"MCM 5 Post Construction Stormwater Management in New Development and Redevelopment performed by Jana Woof and Kurt Yuengling"*

...**"CONDITION FOUND:"** ... "Department staff documented an erosion scour at the Chickadee Crossing site, which was very small in size, in a grassy area of the shallow ditch near the inlet of the culvert towards the rear of the subdivision. This was reported to be from the rain event on Saturday June 4, 2016. This area must be reseeded and mulched immediately to prevent the discharge of sediment."

RESPONSE: This area has been reseeded and mulched. Please reference figure 1.

...

"The Marina/Riverfront Park aka Turtle Head Park has built an infiltration basin and is in the post construction maintenance phase of this project. The Town has begun to reseed and mulch the side slopes of the basin and will continue to monitor and conduct corrective actions until vegetation is permanently established."



RESPONSE: These deficiencies have been addressed and we will continue to monitor this area. Please reference figure 2 and 3.

Figure 2

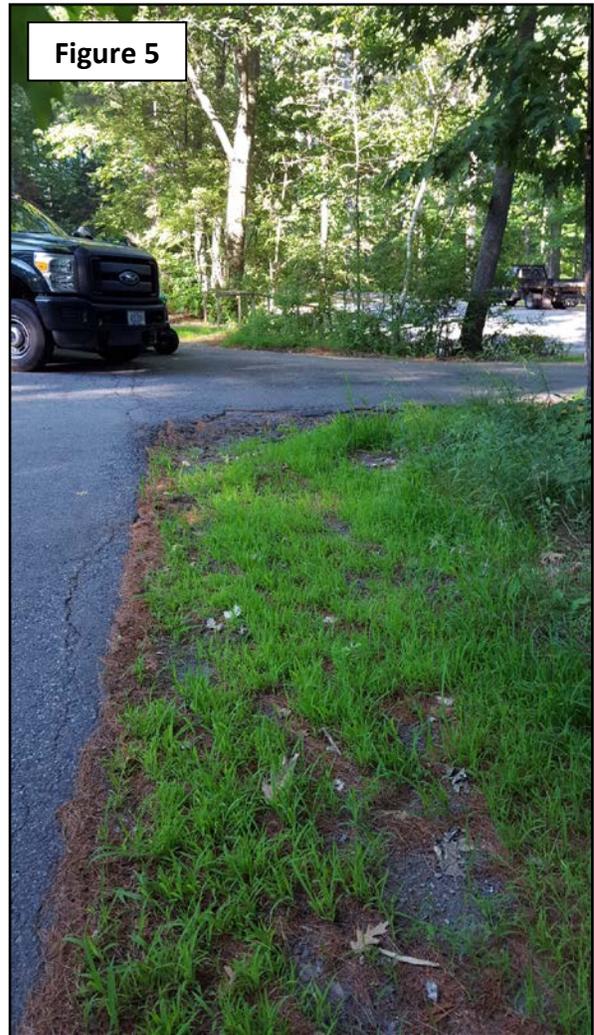


Figure 3



...*"MCM 6 Pollution Prevention/Good Housekeeping Review performed by Jana Wood and Kurt Yuengling"*
...*"CONDITION FOUND: ... "Department staff evaluated the Community Library and noted that maintenance was required to prevent soil erosion associated with winter plowing or snow pile storage. This area will require vegetation stabilization and monitoring. Road shoulders were in need of grading to prevent channelized flow directly adjacent to the road prior to vegetation stabilization."*

RESPONSE: Please reference figure 4 and 5 for corrective actions taken.



Thank you for providing the Town of Hampden the opportunity to show how we have stepped up our MS4 permit compliance. It has been a pleasure working with the MDEP and we look forward to collaborating in the future to further improve environmental quality. Please let us know if there is anything else you need from us in regard to the June 7th Audit.

Sincerely,

Kyle Severance

B-4-a

**Planning and Development Committee
Wednesday July 6, 2016
6:00 PM
Conference Room
MINUTES**

Attendees:

Committee/Council

Ivan McPike-Chair
Greg Sirois
Dennis Marble
Terry McAvoy
David Ryder
Mark Cormier
Stephen Wilde (arr. 6:09)

Staff

Angus Jennings, Town Manager
Myles Block, CEO
Kelly Karter, Assessor
Chip Laite, Sargent Corporation
David Hughes, Epstein Commercial R. E.
Miles Greenacre, Resident
Bill Shakespeare, Resident

Chairman McPike called the meeting to order at 6:00 PM.

1. Approval of June 15, 2016 Minutes – Motion by Councilor Marble seconded by Councilor Wilde to approve the June 15 minutes. Approved 5-0 (Cormier abstained).
2. Committee Applications: None.
3. Updates: None.
4. Old Business:
 - A. Discussion of Business Park Development Agreement – continued from June 15

Manager Jennings summarized the Committee's discussion from its June 15 meeting at which it had been agreed that a follow-up meeting to include a representative from Sargent Corp. would be helpful in order to mutually agree on how to proceed. He introduced Chip Laite from Sargent and David Hughes from Epstein Commercial Real Estate, who is under agreement with the Town to market the business park lots. Mr. Laite reported that he had scheduled a meeting for next week to include both Manager Jennings and the TIF Consultant Noreen Norton in order to review what work is needed, how this will get done and on what timeline.

Mr. Hughes spoke about the challenges he has experienced in selling the lots. He noted that a great deal of industrial development in the past 15 years has gone to Hermon, which has executed many TIF agreements. Mr. Hughes suggested that a TIF agreement including the front town-owned lots could help to move

the front lots, which he feels would generate some momentum for the park which could improve sales of the remaining lots. He said that the average list price of the Hampden lots is \$40-50,000 per usable acre, but industrial lots in Hermon are in the \$35-37,000 range.

Councilor McPike acknowledged that the Development Agreement from 2014 indicates that the Town will proceed with a TIF for the back lots. Mr. Laite agreed that, under the terms of the agreement, Sargent would pay for the consultant costs to assist the Town in preparing a TIF for state and local approval.

Councilor McPike said that the TIF structure in the agreement provides for Credit Enhancement Agreement funds to be paid to Sargent, and Councilor Wilde said this structure doesn't provide an enticement to a new developer. Mr. Hughes said it is in everyone's interest for the lots to sell and development to go forward. Councilor McAvoy noted that the proceeds from the lot sales also go to Sargent.

Mr. Hughes said that the Development Agreement provides for TIFs of 10-year duration but that the useful life of the infrastructure Sargent is constructing is fifty plus years. He said the Town is investing in order to receive future tax revenue. Councilor McAvoy said that the Town has spent a lot of money on the business park that he doesn't think it will recoup.

Manager Jennings said that the goal of tonight's meeting was not to arrive at a decision regarding the structure of a TIF but rather to get the parties together, and that the TIF process in the months ahead would allow for detailed discussion. Councilor Wilde said that getting the lots sold and built upon would be a win-win.

5. New Business:

A. Overview of BETE and BETR policies – Kelly Karter, Assessor

Assessor Karter presented her memorandum detailing how the State BETE and BETR programs work. Councilor McAvoy asked which program Fiberight was expected to participate in, and Assessor Karter said most likely BETE. There was continued discussion regarding TIF and the trade-offs between stimulating development that might not otherwise occur and foregoing full taxation revenue. Councilor McPike said in his experience Hermon has been very proactive about issuing TIFs, and that the threshold for value of new development is only \$200,000. Councilor McAvoy said that TIFs redistribute the tax burden to residents. Councilor Cormier said that any reference to government money should clarify that the government has no money: it's the people's money. Councilors Marble and Wilde said that they'd like to see more businesses in town. Bill Shakespeare

said that a TIF agreement had led to the current grocery store. Councilor Wilde said we need to get more proactive about new business development and to offset tax rate increases with new taxable growth. He said TIFs are the game we're in.

Manager Jennings said that it would be recommended to establish a "TIF Team" which could be an informal group, but would be assembled early in the consideration of a potential TIF or a request for TIF. Councilor Wilde said that the Town needs to be able to move quickly since once businesses decide to move they move quickly.

B. Discussion of work plan and priorities for FY17

Manager Jennings presented his memo included in the meeting packet and the Committee members discussed their priorities for work to get done in FY17. Three items were identified as top priorities, including:

- a Town Center plan and zoning amendments;
- completing the TIF work for the Business Park that was agreed to in 2014, and establishing a dedicated TIF working group to improve the Town's approach to weighing the pros and cons of specific proposals; and
- completing the Codification process that began in 2014.

Other items that were discussed as being important, but somewhat less time-sensitive than the three priority items, included establishing a vision and plan to optimize use of the riverfront, and looking more closely at what would be involved with serving the Town Center with natural gas. Regarding the waterfront, it was noted that a developer is looking for a place in the region to build a new venue.

6. Zoning Considerations/Discussion

- A. Update on Codification process
- B. Ordinance amendments referred to Planning Board for recommendation:
 - a. Off-Premises Signage (referred 5/2/16)
 - b. Accessory Apartment Ordinance (referred 5/2/16)
 - c. Threshold for Building Permits, Zoning Ordinance (referred 5/16/16)
 - d. Shoreland Zoning Ordinance (referred 5/16/16)
- C. Other amendments on Committee work plan
 - a. Harbor Ordinance
 - b. Mineral Extraction
 - c. Flag Lots
 - d. Home Occupation

e. Fees Ordinance

- 7. Citizens Initiatives: None.**
- 8. Public Comments: None.**
- 9. Committee Member Comments: None.**
- 10. Adjourned: 8:10 PM.**

FINANCE & ADMINISTRATION COMMITTEE MEETING

Tuesday, July 5, 2016

MINUTES

Hampden Town Office

Attending:

Mayor David Ryder

Councilor Greg Sirois, Chair

Councilor Ivan McPike

Councilor Mark Cormier

Councilor Terry McAvoy

Councilor Dennis Marble

Councilor Stephen Wilde

Town Manager Angus Jennings

Recreation Director Shelley Abbott

Janet Hughes, Hampden Children's Day

Tom Brann, Hampden Children's Day

Bill Shakespeare, Hampden Children's Day

Chairman Sirois called the meeting to order at 6 p.m.

1. **Meeting Minutes – June 27th, 2016** – *Motion by Councilor Marble seconded by Councilor Wilde to approve the June 27, 2016 minutes as written. Approved 7-0.*

2. **Review & Sign Warrants** – *Warrants were reviewed and signed by Committee members.*

3. **Old Business**
 - a. **Consideration of proposed options to facilitate insurance coverage for the Hampden Children's Day** – *Manager Jennings summarized the previous discussions when the Committee had requested that two options be explored to provide insurance coverage for the Children's Day event. He referred to the memo in the meeting packet summarizing what would be involved with reorganizing the event organization to make it eligible for coverage under the Town's policy with MMA. He said that it's his understanding that the Children's Day Committee has been pursuing one or more quotes for a separate insurance policy, which was the other option.*

Janet Hughes spoke on behalf of the Children's Day Committee, saying that they've been working with two potential insurance providers. She said it is difficult to get coverage for a one-day event such as this, and that they had been denied by one company. She provided estimates of the cost of insurance ranging from \$1,350 to \$5,000. The lower-end quote would require eliminating some activities such as the petting zoo, bounce house, fireworks and touch a truck. She said that the Committee has also reached out to the RSU-22 Board to see if their insurance could cover some portion of the event since it takes place on school property.

She said that the Children's Day Committee, a separate not-for-profit organization, does not want to be entirely a part of the town, but that they could donate funds raised to the Town for use toward Children's Day. She also said she doesn't want the Town to bear the full responsibility for the event.

Councilor Cormier asked where the proceeds from advertising in the program booklet go, and Ms. Hughes said they are used to pay vendors. Bill Shakespeare said the food costs are significant.

Mayor Ryder made a motion to authorize up to \$2,500 from the Host Community Benefit account to offset costs of insurance. Councilor Marble seconded the motion, then said he'd like to better understand what parts of the event are covered and what are not. Mayor Ryder noted that the Town's MMA insurance will cover the parade.

Councilor Sirois asked how last year's event turned out financially, and Tom Brann said that it raised between \$3-5,000 above costs. Councilor Wilde said \$2,500 for insurance for a one-day event seems costly.

The motion was passed 6-0-1 with Councilor Wilde abstaining because insurance is his livelihood.

4. New Business

- a. Proposed amendment to the approved FY17 Budget in the amount of \$10,000 from overlay to restore funding in the Fire and Public Safety Departments – Manager Jennings summarized Chief Rogers' memo included in the meeting packet. Motion by Councilor McPike seconded by Councilor Marble to recommend Council approval of an amendment to the FY17 Budget to transfer \$10,000 of funding**

from Overlay to the Fire and Public Safety line items requested by Chief Rogers and recommended by the Town Manager. Motion approved 7-0.

- b. Notification of the appointment of Trustees to the Hampden Environmental Trust Committee** – *Manager Jennings reported that Casella would like to appoint Kerry Woodbury to serve on the Environmental Trust Committee. Mayor Ryder would like to appoint Ivan McPike to serve on the Environmental Trust Committee based on his work to date regarding the Trust and stormwater issues. Motion by Councilor Wilde to recommend Council approval of the appointment of Ivan McPike and Kerry Woodbury to serve on the Environmental Trust Committee. Motion approved 6-0-1 with Councilor McPike abstaining.*

- c. Discussion of workplan and priorities for FY17** – *Manager Jennings presented his memo included in the meeting packet. Councilor McPike, Chair of the Planning and Development Committee, noted that that Committee’s process of prioritizing work items for FY17 would begin at tomorrow night’s meeting. Councilor Marble, Chair of the Infrastructure Committee, said that he had spoken with DPW Director Currier about priorities and would be bringing this to that Committee’s next meeting. Mayor Ryder said that, once each of the Committees have established priorities, that the Council as a whole needs to help establish overall priorities. Councilor McPike noted that if too many priorities are adopted that it’s a recipe to not get anything done. Councilor Sirois agreed, saying it will be important to include those items that absolutely have to happen.*

- 5. Public Comment** – *Director Abbott presented invitations to members of the Council to attend the Kids Kamp luncheon to take place tomorrow.*

- 6. Committee Member Comments** – *None.*

There being no further business, the meeting was adjourned at 6:48 p.m.

Respectfully submitted –
Angus Jennings, Town Manager

INFRASTRUCTURE COMMITTEE MEETING

Monday, June 20, 2016

MINUTES*Attending:*

*Councilor Dennis Marble, Chair
Mayor David Ryder
Councilor Terry McAvoy
Councilor Greg Sirois (arr. late)
Councilor Mark Cormier
Councilor Stephen Wilde*

*Councilor Ivan McPike
Town Manager Angus Jennings
DPW Director Sean Currier
Resident Alex King
Resident Bill Shakespeare
Resident Tom Brann*

Chairman Marble called the meeting to order at 6 PM.

1. **MINUTES – 5/23/2016 Meeting** – *Motion by Councilor McAvoy seconded by Councilor McPike to approve the May 23, 2016 minutes. Unanimous (6-0) vote in favor.*
2. **OLD BUSINESS**
 - a. **Updated estimate of timeline for consideration of LED streetlight proposal** – *Following on direction from the Committee, Manager Jennings has requested additional references to check for Pemco regarding their proposal to provide LED streetlights. Councilor McAvoy asked whether the Public Utilities Commission has made a determination regarding the value of the streetlights, and Manager Jennings said he is not aware that a decision has been made but he is tracking this.*
 - b. **Discussion of potential recommendation of TIF funds for lighting infrastructure in town center** – *Manager Jennings said that holiday lights haven't all worked due to problems with the power drops on the utility poles, and that a quote was received last winter estimating a cost of \$15,000 to replace the power drops. This item had been included in the initial draft Capital Program but was removed during the budgeting process. He brought this to the Committee to see if there is support to bring this item forward for funding from the TIF account since the holiday lights are part of the community "brand" and can contribute to economic development. After discussion, Mayor Ryder supported getting additional quotes regarding the cost of the work, and Chairman Marble said it sounds like there's a consensus that feels that the work in the Town Center would be TIF eligible. Resident Shakespeare said that when the lights were first installed they were purchased with support from local businesses.*

- c. Discussion of anticipated Fall 2016 public process regarding consideration of potential changes to policies and practices regarding municipal solid waste management and Transfer Station operations –** *Chairman Marble began the discussion noting that the Committee has talked about several potential changes to transfer station operations and layout in the past year and has considered both level of service objectives and costs. Manager Jennings said that, given the many people who use this service, he recommends that a process be put in place including broad outreach and multiple meetings over a period of time so that, whatever decision is made, it reflects broad input and is the basis for the decision is understood by the public. Mayor Ryder referred to Director Currier's memo setting out several alternatives and said he'd be interested in cost estimates for each. Resident Brann said he'd like to see an estimate of per-household costs to run the Transfer Station. Resident Shakespeare said that curbside pickup was discussed 10-20 years ago and leads to complaints; he said he would advocate to retain C&D disposal saying he doesn't want to see tires, fridges etc. on the side of road and in gravel pits. Mayor Ryder said that all we're doing at this stage is collecting data. There were questions about costs to run the C&D weekends but Chairman Marble said we're ahead of where we need to be in this process, and that we first need to explain the service we're providing and what it costs. Manager Jennings said that it will take time to work up level of service and cost scenarios for different potential approaches and that, once this information is available, it will be up to the Council to look at the issue based on the information. Councilor Wilde said we need to look at whether there's a better way to provide the service, and that this will take time. Resident King said that it's about maintaining a service, and it's not just about costs. He said the Town has cut for ten years and that the budget is within \$300,000 of where it was ten years ago. Resident Brann said that the Transfer Station has never been treated as an isolated cost center. Resident Shakespeare said that stickers are not always being checked and that there should be someone at the gate checking stickers.*

3. NEW BUSINESS

- a. Citizen request for DPW work at 20 George Street storm drain –** *Manager Jennings summarized the request from a resident on George Street for DPW to repair a storm pipe that was causing his driveway to buckle. Mayor Ryder said it's a storm drain not a culvert, so isn't subject to the culvert policy. He said it connects to catch basins on either side. Councilor McAvoy asked if the underdrains were part of the original subdivision and Mayor Ryder said they're needed because the topography is so flat in this area. Councilors McPike and Cormier said they think DPW should do the work. Councilor McAvoy asked whether this would continue to re-occur, but he also agreed*

that DPW should fix the problem. This was the majority opinion of the Committee.

- b. Results of June 7, 2016 Town of Hampden MS4 Stormwater Management audit conducted by Maine DEP – Manager Jennings** *summarized the recent DEP Audit of the Town’s stormwater management operations and noted that it is very rare that DEP conducts such an audit without finding significant deficiencies. This reflects well on the Town’s stormwater management team and its personnel. Chairman Marble offered kudos to Director Currier, GIS/IT Specialist Severance, and to Rosemary and former GIS/IT Specialist Gretchen Heldemann.*
- c. Stormwater Quiz for distribution to town officials and staff – provided by SEE, Inc. – Manager Jennings** *circulated a quiz regarding stormwater and the Committee members completed and returned the quiz.*
- d. Review of recent information regarding Fiberight project status including permitting and financing – Chairman Marble** *began the discussion noting that the MRC has been seeking tonnage commitments but has come up short of what they had originally sought. He brought this for discussion to ensure that we do the best job for the town. [Councilor Sirois arrived.] Manager Jennings summarized new information that’s become available since the Council’s vote in February to authorize him to sign the Joinder Agreement with MRC. He said that consideration could include signing with MRC, not signing with MRC, or waiting until after the June 30 deadline to decide whether to sign with MRC, noting that this would cause slightly higher tipping fees and no eligibility for rebates but would give more certainty before a commitment is made. Councilor McAvoy noted that, once the Joinder is signed, we’re committed to sending waste to Norridgewock even if the Fiberight facility doesn’t open. Councilor McPike said that if commercial haulers bring waste to PERC they’ll be paying \$15/ton more than the tipping fees that Fiberight is offering. Chairman Marble asked if we could offer a counter proposal regarding any items the Manager has raised, noting that it would be too bad to miss out on lower tipping fees and rebates. Councilor Wilde said we can’t dictate where commercial waste is hauled, and Manager Jennings acknowledged that this is a somewhat gray area but that he’s working on getting a better legal opinion so we can decide what tonnage we’re able to obligate if we sign the Joinder. Councilor McAvoy said that if the Joinder is signed that MRC will spend the available capital. He said that if MRC doesn’t get enough communities signed up and MRC ceases to exist we’d still be on the hook with Norridgewock. Councilor McPike said this could be brought back to the Council for the June 27 meeting. Councilor Sirois said*

we should look into whether we can get changes to the contract. Councilor McAvoy asked whether the tonnage commitments to Fiberight would also apply if the waste was brought to Norridgewock.

4. PUBLIC COMMENTS – *Resident Shakespeare said he thinks the issue of Councilor pay should be included on next Monday's agenda and Manager Jennings said this is part of the overall budget that will be reviewed within the public hearing.*

5. COMMITTEE MEMBER COMMENTS – *Mayor Ryder noted that he's still waiting for the stormwater area in the front of the town building to be removed.*

There being no further business, the meeting was adjourned at 7:56 PM.

Respectfully submitted –
Angus Jennings
Town Manager

**Memorandum**

TO: Town Council, Manager Jennings
FROM: Shelley Abbot, Recreation Director
DATE: July 25th, 2016
RE: Recognition of Mallory Bruen

Mallory Bruen, a 6th grade student from Hampden who attends the Reeds Brook Middle School won 1st Place in the All American Soap Box Derby-Super Stock Division last Saturday, July 16, in Akron, Ohio. Mallory is only the 2nd athlete from the State of Maine to place 1st place in these World Championships since its beginning in the 1930's.

Mallory earned her chance to compete after attending a local competition in Houlton, ME, where she placed 2nd place. The 1st place finisher was unable to attend the World Championships so Mallory attended and raced as the Maine Representative. Mallory competed against athletes and cars from New Zealand, Japan, and California just to name a few. Her winning car is now part of the Soap Box Derby Museum in Akron.

I would like to publicly offer Congratulations to Mallory for her accomplishment as a World Champion for Soap Box Derby. I know in the past that the Town Council has acknowledged such accomplishments at the Council Meetings, and I thought perhaps I would pass this information along so that she can be recognized publicly.



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

July 28, 2016

To: Angus Jennings
From: Sean Currier
Subject: New Plow Truck Budgeted for in FY17

The Public Works department has recommended the purchase of a new plow truck to be included in the FY17 budget process. The budget was approved by the Town Council on June 27, 2016. The initial payment has been budgeted in the Public Works Equipment Reserve account (03-717-00) with the remainder to be financed over 5 years. This purchase follows the Capital Improvement Plan established as part of the FY17 budget process.

There are currently (2) two built trucks in our surrounding area that have the correct specification, equipment installed and are ready to work. The first truck is a 2016 Freightliner (\$170,518) and the other is a 2016 International (\$173,950), both with the same HP Fairfield rigging that we currently use. A standard Freightliner Level II warranty and a 5 year (100,000 mile) extended warranty for the engine, after treatment system, transmission and electrical system on the Freightliner is offered inclusive to the price above. A 5 year extended warranty for the International would be priced above previously stated cost.

Per the capital improvement plan, I would like to recommend the purchase of the 2016 Freightliner in the amount of \$170,518.

Thank you for your consideration and commitment to improving the capabilities of the Public Works department.

Sean Currier

DAIMLER

Daimler Truck Financial

July 14, 2016

Mercedes-Benz Financial Services USA LLC, is pleased to offer the following proposal to finance the acquisition of various vehicles by Town of Hampden.

Lessee: Town of Hampden
Issue Type: Tax-exempt installment financing of various equipment, subject to annual appropriation
Equipment Type: (1) 2016 Freightliner 108SD
Amount Financed: \$170,500.00

	<u>Option 1</u>
Term:	5 yrs/annual/advance
Rate:	3.51%
Payment:	\$36,492.39

The Quoted Interest Rate assumes the Lessee designates the lease as "Bank-Qualified" pursuant to Section 265(b) of the IRS Code.

Subject to credit qualification and based on the terms described above, MBFS is quoting the Interest Rates as shown in the tables provided above. This quote and the Interest Rates stated herein expires as of the Date shown on this pricing quote and shall have no effect on any prior documentation signed by the parties. This pricing quote is not a commitment and is subject to credit approval by MBFS; credit qualification based on the terms of the transaction; verification of eligibility for tax-exempt financing; and mutually agreeable documentation executed and submitted to MBFS for funding. Any subsequent pricing quote, Commitment Letter or documentation executed by the parties will supersede and replace this pricing quote.

No changes in federal or applicable state or local tax law, regulations, case law, rulings, or other interpretations by the Internal Revenue Service that would affect any Federal, State or Local tax benefits are assumed in determining the above Quote.

LEGAL OPINION: The Lessee's Counsel shall furnish MBFS with an opinion covering this transaction and the documents used herein. This Opinion shall be in a form and substance satisfactory to MBFS.

This rate expires on August 13, 2016

I look forward to working with you on this transaction.

Sincerely,

Riley Holland
Daimler Truck Financial

Daimler Truck Financial
13650 Heritage Parkway
Fort Worth, TX 76177
www.daimler-truckfinancial.com

D-5-a

**Hampden Public Safety
Fire Department**

To: Hampden Town Council
From: Lieutenant Jason Lundstrom- Hampden Fire Department
Date: July 28, 2016
Re: Bid Award Recommendation- 2015 Assistance to Firefighters Grant Award

Bid Award Recommendation- 2015 Assistance to Firefighters Grant Award

The Hampden Fire Department has reviewed the two bids that have been submitted. After careful consideration, we ask the Hampden Town Council to accept the bid submitted by **Industrial Protection Services LLC in the amount of \$17,196.**

It is important to note that the bid submitted by Industrial Protection Services LLC, was the only bid to stay within the budget for the project.

TOWN OF HAMPDEN
FIRE DEPARTMENT
TURN OUT GEAR CLEANER & EXTRACTOR
TURN OUT GEAR DRYING SYSTEM
BID SHEET
July 28th, 2016
12:00 PM

BIDDER	TOTAL BID AMOUNT
Bergeron Inc. 45#	\$11,628.75
60#	\$15,556.50
Industrial Protection Services, LLC	\$17,196.00

Current Account Status

G 3-780-00 RESERVE ACCT / MATCHING GR

-15,073.87 = Beg Bal
0.00 = Adjust

818.00 = YTD Net
0.00 = YTD Enc

-14,255.87 = Balance

Per	Jrnl	Check	Date	Vendor-----	Description-----	RCB / Type	Debits	Credits
07	0037	1811	07/13/16	00481 TOWN OF HAMP	MATCHING FUNDS EXTRACTOR	R AP	818.00	0.00
Totals-							818.00	0.00

Monthly Summary

Month	--Regular Entries--		--Balance Entries--	
	Debits	Credits	Debits	Credits
July	818.00	0.00	0.00	0.00
Totals	818.00	0.00	0.00	0.00

Current Account Status

G 1-426-00 GENERAL FUND / EXTRACTOR

0.00 = Beg Bal
0.00 = Adjust

-818.00 = YTD Net
0.00 = YTD Enc

-818.00 = Balance

Per	Jrnl	Check	Date	Vendor-----	Description-----	RCB / Type		Debits	Credits
07	0039		07/14/16		07/14/2016 C/R	R	CR	0.00	818.00
Totals-								0.00	818.00

Monthly Summary

Month	--Regular Entries--		--Balance Entries--	
	Debits	Credits	Debits	Credits
July	0.00	818.00	0.00	0.00
Totals	0.00	818.00	0.00	0.00

**Memorandum**

TO: Town Council, Town Manager
FROM: Paula Scott, Town Clerk
DATE: July 28, 2016
RE: Local Bond Referendum

In anticipation of the local bond referendum and in order to meet tabulator coding and ballot layout timelines, I would recommend asking Dan Pittman of Eaton Peabody to begin constructing the wording for the ballot as soon as possible after the council has had time to discuss this further. The wording will be key in how much ballot "real estate" is used. (Which drives the cost.) As a suggestion, the Secretary of State stopped putting the Treasurer's statements on their bond ballots because it is so expensive. Now instead, the Treasurer's statement is posted ahead of time, and given out with every ballot issued so that the actual ballot is a summarized question with a simple yes/no.

If we do a brochure like the one done in 1999 for the business park acquisition & development and get the word out through the website, social media, traditional postings and other means, it would not only save money, but save time at the polls. I have heard about the long lines out the door and to the post office during the gubernatorial election when Hampden residents voted on a charter change. There was so much content to read on the local ballot, people were taking an inordinate amount of time in the actual voting booth which backed up the lines. I am in hopes that during this Presidential and Referendum election we do all we can to keep our ballot streamlined without losing content or meaning, but with the intent of keeping the flow of voters moving steadily.



Angus Jennings <townmanager@hampdenmaine.gov>

Charter review

1 message

Pittman, Dan <dpittman@eatonpeabody.com>
To: Angus Jennings <townmanager@hampdenmaine.gov>
Cc: "Dow, Kim" <KDow@eatonpeabody.com>

Thu, Apr 14, 2016 at 5:57 PM

Angus

Good speaking with you the other day, though I'm sorry the water situation has you in such a jam. As discussed, I've looked into referendum procedures under your charter. There is a possibility of a narrow exception from the requirement of a referendum, if the amount you intend to borrow is relatively modest. I don't think it will be terribly helpful, but it might help tide you over until November. Even if you do not qualify for that exception, however, I think it should be possible to get the question to the voters before November, if the Council is willing to call a special election.

1) Referendum requirement

Per section 212 of your charter, all matters authorizing the borrowing of money other than tax anticipation notes must be done by ordinance passed by the city council. You could not use a tax anticipation note for the matters we've discussed, so an ordinance will be required.

Section 902 provides that "all ordinances...authorizing general obligation of [sic] bond issues of 10% or more of the previous year's town operating budget for capital improvements shall be submitted to referendum."

It is worth considering whether it would be possible to avoid referendum by relying on this language. I took the liberty of pulling a summary of Hampden's 2015 budget from your website. The summary does not have a breakdown of "operating budget for capital improvements," but looking through it I saw a total of about \$2,000,000 that could have been some combination of capital improvements or ordinary operating expenses—for instance, \$92,020 was spent on "Municipal building;" if you own the building and those expenses related primarily to upgrades, some of that would qualify; on the other hand, to the extent it was allocable to groundskeeping, or rent, it would not be. The big potentially helpful items I see in the budget are public works (\$1.277m), Dyer Library and Lura Hoyt Pool. If the capital improvements figure is available in your financial statements, it would be interesting to know what level of borrowing it would support. My guess is it would not be enough to get you current on your obligations to Bangor, but it might be enough to tide you over until November.

Note, however, that if you do think it makes sense to authorize borrowing by ordinance without referendum, you may still be forced to hold a referendum if the citizens commence referendum proceedings. That would require signature of 10% of the registered voters in town, so I assume is a long shot, but we should bear it in mind.

2) Referendum procedures

Assuming the capital improvement budget for last year was too small to support substantial borrowing, you will be required to seek referendum approval of the ordinance authorizing borrowing. Per section 904, the council may submit on its own initiative a referendum to enact the borrowing ordinance without the need to gather signatures.

Section 905 says that if citizens want to enact ordinances by initiative, once they get the appropriate signatures the question will be placed on the ballot for the next scheduled election or, if there is no election within six months, the council may call a special election. That provision gave me some heartburn for a while, because I initially read it to mean that if the council submitted a question, their choices were the June ballot (which we're probably too late for) or the November ballot (which will likely be too late for your needs). However, upon close reading of section 904 and 905, it is clear that while citizen initiatives generally have to wait up to six months, the council can call for a referendum "to be voted on at any municipal election," sec. 904. So if it's impossible to get on the June ballot, the council can call for a special referendum election to get authorization sometime this summer.

The procedure would be as follows:

- 1) The Council adopts the ordinance authorizing borrowing and submits it to the clerk, and consults with the clerk regarding timing of a special election
- 2) Within 30 days, the council holds a public hearing on the ordinance.
- 3) The ordinance would be submitted to the clerk for processing subject to the general timing rules for special elections
- 4) Upon voter approval, the ordinance would go into effect and borrowing would be authorized.

As I say, my guess is it's too late to get this on the June ballot, but I imagine you could aim for referendum approval in July, which would probably permit you to close a loan by mid August.

I'm going to be out of the office until Tuesday, but I'll try to look at my e-mails over the weekend, or we can discuss next week at your convenience.

Best regards

Dan

Dan S. Pittman
Eaton Peabody
P.O. Box 1210
80 Exchange Street
Bangor, ME 04402-1210
Tele: 207.992.4342
Fax: 207.942.3040
Professional Profile | Website

Eaton
Peabody

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