



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

AUGUST 15th, 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. Aug 1st, 2016 Council Meeting minutes

3. COMMUNICATIONS

a. Nomination papers are available for two 3-year seats on the RSU 22 Board of Directors

4. REPORTS

a. Planning & Development Committee Minutes – 7/20/2016

b. Finance & Administration Minutes – 7/18/2016

c. Infrastructure Committee Minutes –

d. Services Committee Minutes – 7/11/2016

C. PUBLIC COMMENTS

D. POLICY AGENDA

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

AGENDA

1. NEWS, PRESENTATIONS & AWARDS -
2. PUBLIC HEARINGS – Town Manager’s recommendation for award of the 2016 Tax Anticipation Note
3. NOMINATIONS – APPOINTMENTS – ELECTIONS –
 - a. Appointment of Chief Joe Rogers as acting Town Manager from August 22nd – September 5th, 2016
 - b. Appointment of Bill Estes to the Environmental Trust Committee for a term of 5 years.
4. UNFINISHED BUSINESS -
5. NEW BUSINESS
 - a. Town Council order re-authorizing weir installation and eel research at Papermill Park
 - b. Foreclosed property bid award for property located at 118 Fowlers Landing Rd.
 - c. Setting the 2016/2017 mil rate
 - d. Council meeting schedule for September 2016 and November 2016
 - e. Request authorization for use of reserve funds in the amount of \$700.00 for the purchase of a Fire Department garage door opener
 - f. Request authorization for use of Public Works Equipment reserve funds for the purpose of leasing an excavator for ditching work.
 - g. Council referral to public hearing for comment on an ordinance authorizing the borrowing of funds to finance roadway and sewer projects and expenses and to cure financial obligations through the issuance of General Obligation Bonds or Notes of the Town of Hampden.
 - h. FY17 Work plan and priorities
- e. COMMITTEE REPORTS
- f. MANAGER’S REPORT

MONDAY

AUGUST 15th, 2016

7:00 P.M.

AGENDA

g. COUNCILORS' COMMENTS

h. ADJOURNMENT



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY AUGUST 1ST, 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

Mallory Bruen & Family

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

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

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

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 - *None*

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS - Certificate of Recognition presented to Hampden 6th grader Mallory Bruen of the Reeds Brook Middle School for first place in the All American Soap Box Derby – ***Mayor Ryder asked Mallory to approach the podium where he presented her with a certificate of recognition from the Town Council, congratulating her for placing 1st in the All American Soap Box Derby held in Akron, OH. He noted how building the cars is more difficult than it would seem and that it is nice to see that the whole family takes part in the process. He congratulated her and stated that perhaps one day we will see her on the NASCAR circuit.***
2. PUBLIC HEARINGS - *None*
3. NOMINATIONS – APPOINTMENTS – ELECTIONS
4. UNFINISHED BUSINESS
 - a. ***Request authorization to use public works equipment reserve funds (03-717-00) in the amount of \$36,500.00 for the purpose of purchasing a public works plow truck. – Mayor Ryder stated that this was discussed in the last two Finance Committee meetings with a recommendation to bring to the Council for vote. Councilor Sirois made a motion to authorize use of public works equipment reserve funds in the amount of \$36,500.00 to purchase a public works plow truck. Motion was seconded by Councilor McPike. Councilor McAvoy read from a prepared statement, which are attached to these minutes as Exhibit A, asking the Council to vote no. There was no further discussion and the motion was brought to vote. Mayor Ryder, Councilor Sirois, Councilor McPike, Councilor Wilde and Councilor Marble***

voted in favor. Councilor Cormier and Councilor McAvoy voted in opposition. Motion carries.

5. NEW BUSINESS

- a. Recommendation of Chief Joe Rogers for the turnout gear cleaning/drying system as bid by Industrial Protection Services, LLC on July 28th, 2016 and request authorization to use Matching Grant reserve account funds in the amount of \$818.00 for its purchase. – ***Mayor Ryder stated this was discussed in Finance Committee with a recommendation to bring to Council for a vote. Councilor Marble made a motion to authorize Matching Grant reserve account funds in the amount of \$818.00 for the town's share of the purchase price for the turnout gear cleaning system. Motion was seconded by Councilor McAvoy. Unanimous vote in favor.***

- b. Discussion of the timeline and process for the anticipated local referendum during the November 8th, 2016 election. – ***Manager Jennings reported that at Finance Committee the process and requirements for bond referenda was discussed. The bonds would be for potential capital projects. The first project under consideration is Hampden's share of the cost of reconstruction of 1.73 miles of Main Rd. North which is on DOT's schedule. If this goes forward it is a \$4.65 million dollar project of which Hampden's share would be \$465,000.00. The second project being considered is reconstruction of School House Lane between Old County and Rte. 1-A which is a \$310,000.00 project, which is entirely a Hampden responsibility. These two projects are on general obligation side. The third project is on the sewer side and it is part of the interlocal agreement with the City of Bangor for the discharge of our sewer. Bangor has initiated some capital improvement projects and Hampden's share is estimated at \$400,000.00. This will be paid for out of sewer funds. Finally, as people are aware, the Sewer Department is currently significantly behind in its bills to Bangor so discussion is on whether or not to borrow money to make whole our obligation to Bangor and pay it off over a couple of years. All of this will be presented in greater detail at the August 15th meeting for possible referenda in November. Also to be discussed is the Western Avenue sidewalk project that has been underway for several years. There has been some money previously allocated for it, but it will be discussed with Council to determine if it will be brought into referendum.***

MINUTES

E. COMMITTEE REPORTS –

Services – Councilor McAvoy reported that they have not met since 07/18
Infrastructure – Councilor Marble reported that at last week's meeting discussions were regarding sewer finances and the review of correspondence from BACTS regarding 20-21 capital work plan. Discussed a citizen concern about jake brakes on Main Rd. South. Discussed the VFW sewer service and who is responsible to pay for it. Going forward it will be absorbed into the Rec program. Councilors also discussed the GPS units and the need to better utilize the data.

Planning & Development – Councilor McPike reported that at the meeting on the 20th members discussed the Business Park TIF agreement. Members were updated on MRC and the DEP permitting for the project. MRC has set up a trust for 40 acres of land, however, no trust is willing to run it at this point. This will be discussed further on the 17th. Dewey Street zoning was another topic of discussion.

Finance – Mayor Ryder reported that as mentioned earlier, the committee discussed the purchase of the public works plow truck in a 5 year plan as well as the turn out gear system that was put to bid. The potential November referendum was presented and the different projects discussed. Goals and Priorities for FY17 are still being looked at.

F. MANAGER'S REPORT – Manager Jennings reported on several topics that are of interest. Report attached to these minutes as Exhibit B.

G. COUNCILORS' COMMENTS –

Councilor Sirois – none

Councilor McPike – He and Mr. Woodbury met and decided on a nominee for the Environmental Trust who respectfully declined. The two will be meeting again soon to try to find another trustee.

Councilor Wilde – none

Councilor Marble – none

Councilor Cormier - none

Councilor McAvoy – Reminded everyone to shop local and buy American

Mayor Ryder – Stated how it is a pleasure giving out awards such as the one given tonight to Hampden's youth, recognizing that they are the next generation who will be taking care of things in the future.

H. ADJOURNMENT – Councilor Sirois made a motion, seconded by Councilor McAvoy, to adjourn at 7:25 p.m.

Respectfully Submitted,

Paula A. Scott, CCM
Town Clerk

MONDAY

AUGUST 1ST, 2016

7:00 P.M.

MINUTES

Exhibit A

THANK YOU MAYOR RIDER.

TCM 8-1-16

THIS VOTE IS MORE THAN JUST ABOUT WHETHER OR NOT TO BUY A NEW PLOW TRUCK. THIS VOTE HAS THE POTENTIAL TO RETURN US TO THE DAYS WHEN TAXPAYERS COULD NOT RELY UPON THEIR UNDERSTANDING OR INTERPRETATION OF WHAT WAS BEING PRESENTED AND VOTED ON BY THE COUNCIL. A TIME WHEN THE COUNCIL'S RESPONSE TO TAXPAYER'S NEGATIVE REACTIONS TO A PARTICULAR OUTCOME WAS: ITS NOT OUR FAULT THAT YOU FAILED TO PARSE OUR WORDS; ITS NOT OUR FAULT THAT YOU FAILED TO RECOGNIZE THE NUANCES IMBEDDED IN OUR STATEMENTS. UNACCEPTABLE THEN, UNACCEPTABLE NOW.

TOWN MANAGER JENNINGS RECENTLY PRESENTED THE BUDGET NUMBERS IN A MANNER WHICH ACTUALLY RESTORED MY, AND OTHERS, CONFIDENCE IN WHAT WAS ON THE TABLE AND FOR THAT, WE THANK YOU MR. JENNINGS.

WHEN THE PUBLIC WORKS BUDGET WAS UP FOR CONSIDERATION WE DISCUSSED THE NEED TO PROVIDE FOR THE FUTURE REPLACEMENT OF A PLOW TRUCK. THE BEST WAY TO PREPARE FOR SUCH AN EXPENSIVE EVENTUALITY IS TO ANNUALLY ALLOCATE FUNDS TO A RESERVE ACCOUNT RESULTING IN AN ACCUMULATED BALANCE SUFFICIENT TO FACILITATE A PURCHASE. BEING BOTH SOUND PUBLIC POLICY AND PRUDENT FISCAL MANAGEMENT I JOINED THE REST OF COUNCIL IN APPROVING THAT LINE ITEM. BECAUSE MAYOR RIDERS LEADERSHIP, THE SINCERE EFFORTS OF MOST OF THE COUNCIL, AND THE TRANSPARENCY OF MANAGER JENNINGS HAD IN EFFECT, TURNED OFF MY SKEPTICISM FILTER I HAD NOT EVEN CONSIDERED THAT THE PLAIN LANGUAGE AND THE REASONABLY PRESUMED INTENT OF THE RESERVE ALLOCATION MEANT ANYTHING MORE THAN PLANNING FOR THE FUTURE.

TWO WEEKS AGO AT THE FINANCE AND ADMINISTRATION COMMITTEE WE WERE ASKED TO CONSIDER DEVIATING FROM THE USUAL REQUEST FOR PROPOSAL PROTOCOL TO ALLOW FOR THE IMMEDIATE PURCHASE OF THE AFOREMENTIONED PLOW TRUCK. IT SHOULD BE NO SURPRISE TO ANYONE THAT MY BULL CRAP METER SPIKED INTO THE RED ZONE. A MAJORITY VOTE

APPROVED THE POLICY DEVIATION AND THE ISSUE WAS REFERRED TO THE INFRASTRUCTURE COMMITTEE FOR FURTHER CONSIDERATION.

AT NO TIME DURING THE BUDGET SESSION WAS THERE ANY MENTION, THEREFORE, NO DISCUSSION, OF AN IMMEDIATE NEED TO REPLACE A PLOW TRUCK. AT THE INFRASTRUCTURE THERE WAS AN ATTEMPT TO JUSTIFY AN IMMEDIATE EXPENDITURE OF \$170,000. ONE JUSTIFICATION WAS THAT THE ADDED LOAD CAPACITY WOULD ENHANCE ITS UTILITY AND PROVIDE FOR MORE EFFECTIVE AND EFFICIENT SNOW REMOVAL OPERATIONS. BOTH LAUDABLE, BUT NEITHER SUBSTANTIATED BY ANY SORT OF COST/BENEFIT ANALYSIS BEYOND PRESUPPOSED RESULTS. THERE WAS NO CLAIM OF IMMINENT FAILURE, NOT EVEN ANY CLAIM OF ANTICIPATED FAILURE. IMMEDIATE NEED, NO; IMMEDIATE WANT, YES.

THE LEAST PALATABLE AND THE MOST OBJECTIONABLE STATEMENT OF JUSTIFICATION WAS THAT SINCE THE COUNCIL HAD APPROVED AN ALLOCATION TO A RESERVE ACCOUNT THAT WAS TANTAMOUNT TO A PREAPPROVAL OF AN IMMEDIATE PURCHASE. NEEDLESS TO SAY THAT MY BULL CRAP METER VAPORIZED. SUCH STATEMENTS ARE REMINISCENT OF THE TACTICS EMPLOYED BY PREVIOUS REGIMES TO GET WHAT THEY WANTED BY ANY MEANS. THE OVERT FALLACY OF SUCH A POSITION IS THAT AN ALLOCATION TO A RESERVE ACCOUNT IS DISCRETIONARY AND THEREFORE MAY FLUCTUATE FROM YEAR TO YEAR WHEN TAKING THE OVERALL TAXPAYER BURDEN INTO CONSIDERATION. CONVERTING A DISCRETIONARY RESERVE ALLOCATION INTO AN OBLIGATORY DEBT PAYMENT ELIMINATES ANY FLEXIBILITY. ACCEPTANCE OF THIS POSITION , IN EFFECT, RELEGATES ALL CURRENT AND FUTURE CAPITAL RESERVE ACCOUNTS TO A STATUS AKIN TO A PREAPPROVED CREDIT CARD. A STATUS NOT EVEN CLOSE TO THE ORIGINAL INTENT AND GENERALLY ACCEPTED PURPOSE OF SUCH RESERVE ACCOUNTS. DISINGENUOUS THEN, DISINGENUOUS NOW,

PLEASE DO NOT RETURN US TO THE DAYS WHEN TAXPAYERS ARE SKEPTICAL OF WHAT WE SAY AND DREAD WHAT WE WILL DO. PLEASE DO NOT JEOPARDIZE THE STRIDES WE WHICH WE HAVE MADE IN RESTORING THE TAXPAYER'S FAITH IN THE INTEGRITY OF THIS COUNCIL. PLEASE, VOTE NO.

Exhibit B

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Town Council
FROM: Angus Jennings, Town Manager
DATE: August 1, 2016
RE: Town Manager's Report to Town Council meeting

This report is intended to provide brief updates regarding current matters of potential interest that are not otherwise addressed on the Council agenda.

New Town Planner

Hampden's Town Planner Karen Cullen began work last Monday, July 25 and is well on her way to getting oriented to the community. Several staff members stepped up their efforts in the past couple of months while we were short-handed, and I'd like to thank in particular Rosemary Bezanson and Code Enforcement Officer Myles Block.

Tax Anticipation Note Preparation

We continue to do the preparation work associated with the recent request for bids for a Tax Anticipation Note in FY17. This item will come before the Council on August 15 and the issuance of the TAN will allow the Town to remain current with its financial obligations leading up to receipt of tax payments this fall.

Children's Day

The Hampden Children's Day Committee is hard at work on preparations for this year's Children's Day, which will take place on Saturday, August 20. This citizen committee, led by Kurt Mathies, Janet Hughes, Tom Brann and Bill Shakespeare is to be commended for their work and dedication, and the Recreation Director Shelley Abbott is also committing significant time toward event planning. Volunteers are still needed for the day of the event so, if you're available, please contact the Committee or Shelley, or stop in at the town office.

2nd Quarter Sewer Bills Mailed

We have received a number of calls and visits last week's sewer bills were mailed. Complete information regarding the February 2016 rate increase that applied to the bills is available on the Town website at hampdenmaine.gov/sewer. Although we understand that the rate increase was significant, it was needed, and overdue, due to increases in operating costs and debt service over many years. As of today, the Sewer Fund is over \$1 million behind when taking into account

amounts due to Bangor, amounts due to the General Fund, and other operating costs. The increased rates at least put the Sewer on a financial path to digging out of this hole, although all should be aware that it will take several years before the Sewer is on firm financial footing.

Public Safety Building Drainage Problem

After designing a fix to the long-term drainage problem causing moisture on the floor of the lower level of the Public Safety Building, Public Works is planning to implement a solution to this problem this Thursday and Friday. If the work is successful, we'll be able to move forward with the remainder of the flooring work that began last year.

Planning and Development Committee
Wednesday July 20, 2016
6:00 PM
Conference Room
MINUTES

Attendees:

Committee/Council

Ivan McPike-Chair
Greg Sirois
Dennis Marble
Terry McAvoy
David Ryder
Mark Cormier

Staff

Angus Jennings, Town Manager
Resident Mike Levesque
Engineer Jim Kiser
Resident Tom Brann
Resident Bill Shakespeare

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

1. **Approval of July 6, 2016 Minutes** – *Motion by Councilor Cormier seconded by Councilor Marble to approve the July 6 meeting minutes. Approved 6-0.*
2. **Committee Applications:** *None.*
3. **Updates:** *None.*
4. **Old Business:**
 - A. **Business Park Development Agreement – Town Manager Update** – *Manager Jennings reported on his recent meeting with Chip Laite of Sargent, Noreen Norton the TIF Consultant affiliated with Rudman Winchell, and with David Hughes of Epstein Commercial Real Estate. The purpose of the meeting was to scope out the division of labor and a general timeline for preparation of a proposed TIF District based on the 2014 Development Agreement. Once the new Town Planner gets started she will be leading the Town's portion of this work, while the TIF Consultant will be working on the projections of future assessed values and revenues. In order to establish original assessed values from 2016 a TIF would need to be approved by late March 2017, but the goal is to get a proposal complete and moving through the local and state approval process by the end of 2016.*
 - B. **Update on MRC/Fiberight local and DEP permitting status** – *Manager Jennings reported that the DEP licenses had been*

issued last week and that the Planning Board had voted unanimously to approve the site plan and conditional use applications at their July 19 meeting. The Committee acknowledged the significant amount of time and effort the Planning Board put in on this matter. Manager Jennings recognized Myles Block and Rosemary Bezanson for their extra efforts during the period that the department has been short staffed.

5. New Business:

- A. Discussion of request for zoning amendment for 17 Dewey Street – James Kiser, P.E., LSE –** *Manager Jennings reported that Mr. Kiser had called him a few weeks ago to discuss the subject property. He had advised Mr. Kiser that the new Town Planner would be initiating a Town Center planning process expected to include zoning amendments and that this would begin in the fall and extend into spring 2017. In his discussion with Mr. Kiser this timeline was workable for consideration of the concept for Dewey Street.*

Mr. Kiser presented regarding his client's property. He noted that it is zoned Residence A but may be more appropriate as Residence B. He said it abuts a Business B District but does not abut Village Commercial. His client would like to build 8 to 9 townhouse style units on about 2 acres of property, and the units could be either condo or rental. He suggested a couple of thoughts regarding how the property could be rezoned to accommodate this use and said he was here to start a discussion.

Councilor Sirois asked if they had spoken with the neighbors but they have not. Councilor McPike asked about their timeframe for development and they said 1 to 2 years, noting that the home on the property is currently occupied. Mayor Ryder asked whether the amendments to the Village Commercial District approved a couple of years ago were correctly reflected on the zoning map and Manager Jennings said he would confirm this. [Note: after the meeting it was confirmed that the zoning district boundaries as presented at the meeting were accurate.]

It was agreed that this matter would be included for consideration within the Town Center planning process.

6. Zoning Considerations/Discussion

- A. Update on 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)**

Manager Jennings reported that the Planning Board has scheduled an Ordinance Committee meeting to review the four proposed ordinance amendments that have been referred by the Council. It will take place on Wednesday, August 3 at 6:30 PM.

- 7. **Citizens Initiatives:** *None.*
- 8. **Public Comments:** *None.*
- 9. **Committee Member Comments:** *Councilor Sirois noted that there are a number of good restaurants in Winterport. Manager Jennings said that the Hampden Business Association has had preliminary discussions regarding co-hosting a networking event with Winterport businesses. Councilor McPike asked about the status of getting a market study done. Manager Jennings said he has spoken with the vendor by phone and is awaiting a proposed scope and budget. The cost will vary depending on which market sectors the study would include, and once he has enough information he'll bring this back for review.*
- 10. **Adjourn:** *There being no further business the meeting was adjourned.*

*Respectfully submitted –
Angus Jennings, Town Manager*

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, July 18, 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

GIS/IT Specialist Kyle Severance

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

1. Meeting Minutes – July 5th, 2016 – Motion by Councilor McAvoy seconded by Councilor McPike 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. Preliminary Summary of FY16 Close-out – Manager Jennings presented the report of year-end FY16 Expense accounts noting that overall operations had come in under budget and that, because no use of the overlay was needed, those funds would revert to Fund Balance. He noted that the numbers are not yet audited and will change, but that preliminary results indicate a positive close-out to the fiscal year.

b. Discussion of work plan and priorities for FY17 – The Committee agreed to postpone this discussion item to the end of the agenda.

4. New Business

- a. **Recommendation of the Director of Public Works for the Ferri 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. Motion by Councilor McPike seconded by Councilor Marble to recommend Council authorization of reserve funding in the requested amount. Councilor Marble asked about the rationale for purchasing items such as this out of reserve funds and Manager Jennings said that reserve funds are generally used for items that will be paid for over multiple years or, such as in this case, when the item being purchased has a useful life of many years. If it were paid out of expense accounts, but is not a recurring cost item, it would inflate that year's expense account rather than keeping it stable. Motion carried 6-1 (Wilde opposed).**
- 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. Motion by Councilor McPike seconded by Councilor Wilde to recommend Council authorization of reserve funding in the requested amount. Mayor Ryder asked about the rationale for allocating costs to the TIF fund and Manager Jennings said that because the software would be used for economic development purposes it would be eligible for spending out of TIF, and that the intent is to reduce the budget impact to the IT Reserve Fund. Motion carried 6-1 (Wilde opposed).**
- 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. Manager Jennings summarized the materials received in response to the paving bid and noted that, because all sources of funding for the work have already been approved and voted, the action before the Council is simply contractor selection. Motion by Councilor McPike seconded by Councilor Marble to recommend that we contract with Eaton Paving & Excavation based on theirs being the low bid and positive reference checks. Motion approved 7-0.**

- 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** – *Manager Jennings summarized the memo from DPW Director Currier including his recommendation that the plow truck be purchased through a quotation process rather than a full bid because there are multiple trucks currently available that meet the Town’s specifications, and proceeding in this way will allow us to get the vehicle sooner and will save significant staff time associated with the bidding process. Several Councilors requested more information regarding the age and condition of the current plow truck, and whether the new truck was really needed. Manager Jennings said that Director Currier had identified the need for the truck a while ago but that this detail is not included in his memo and, in his absence, Manager Jennings does not have all of those details. Resident Bill Shakespeare raised a question about the condition of the current plow truck and whether this truck was needed. It was agreed that Director Currier would attend next week’s Infrastructure Committee meeting to answer further questions. Tonight’s action is regarding proceeding with a quotation system, and would not actually allocate the funding which would be in a separate vote later. Motion by Councilor McPike seconded by Councilor Marble to waive the Bid Procedure Guidelines to allow for use of a quotation system in this instance. Motion passed 4-3 (Councilors Wilde, McAvoy and Cormier opposed).*
- 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** – *Motion by Councilor McPike seconded by Councilor Marble to recommend Council authorization of reserve funding in the requested amount. Councilor McPike noted that, once the Environmental Trust is up and running, this item may be reimburseable from that fund. Motion carried 7-0.*

Old Business Item 3B – Discussion of work plan and priorities for FY17 – *The Committee discussed its priorities for work items for the new fiscal year, and several individual Committee members offered their priorities. Chairman Sirois said that he thinks an evaluation of staffing levels would be appropriate, as he notes that several staff get caught up in day-to-day responsibilities so don’t have as much time to advance policy items. He also recommended a process by which the*

Council can exercise some oversight of budgeting and spending by RSU-22. He said that we have to pay the bill so we need to ask questions.

Councilor McAvoy said he would like to look at contracting out the assessing function and either reducing or eliminating the current assessing position. He would also like to look at normalizing the Town Office hours to normal business hours.

Councilor McPike said it is a priority to get the FY16 audit complete and closed out so we know where we stand financially.

Councilor Marble said that getting the Environmental Trust up and running is a priority, and he also said we need closure regarding the budgeting process for TIF funds.

Resident Bill Shakespeare said that the Town Manager had shown up at several RSU-22 Board meetings and asked questions, and he thinks that if the Council also shows up it may have some effect.

Chairman Sirois said that the Town Charter provides the Council with authority to look into matters. Councilor Wilde said that his concern is a total lack of transparency.

5. Public Comment – None.

6. Committee Member Comments – None.

7. Adjournment

There being no further business, the meeting was adjourned at 6:35 p.m.

Respectfully submitted –
Angus Jennings, Town Manager

SERVICES COMMITTEE MEETING**Monday, July 11, 2016****MINUTES****Attending:***Councilor Terry McAvoy, Chair**Mayor David Ryder**Councilor Ivan McPike**Councilor Mark Cormier**Councilor Dennis Marble**Councilor Greg Sirois**Councilor Stephen Wilde (arrived 6:04)**Town Manager Angus Jennings**Resident Bill Shakespeare*

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

1. MINUTES

- a. Minutes from June 6, 2016** – *Motion by Councilor Marble seconded by Mayor Ryder to approve the June 6 meeting minutes. Approved 6-0.*

2. OLD BUSINESS**3. NEW BUSINESS**

- a. Update regarding Cable Franchise Agreement negotiations and next steps from June 23 meeting of Penobscot Downeast Cable Television Consortium** – *Manager Jennings summarized the meeting that he and GIS/IT Specialist Severance attended with the Consortium, noting that it was the Consortium's first meeting in more than a year. He reported that, following the meeting, Severance had volunteered to sit on the Consortium's negotiating committee regarding an updated franchise agreement and that Manager Jennings supported this participation.*

Chairman McAvoy asked whether the capital improvement monies that Hampden received to offset the costs of the Council Chambers AV upgrades had come from fees Hampden's customers had paid. He also asked about the impact of Time Warner Cable now becoming Charter Communications. He also asked what is the benefit of having a franchise agreement, noting that cable customers pay a franchise fee. Manager Jennings said that staff would look into these questions.

- b. Discussion of Town objectives for flags in Town Center** – *Chairman McAvoy invited Resident Shakespeare to present to the Committee based on*

his written correspondence to the Committee. Resident Shakespeare said that the issue comes down to money. He noted that he and Resident Tom Brann have been hanging and taking down flags for two years. He said there is routine damage and it is a constant effort. He expressed his opinion that there do not need to be so many flags, and that a flag at the Municipal Building may be adequate. He expressed disappointment that representatives from the VFW were not in attendance tonight.

Councilor Sirois said that new flags and holders were needed, and a plan needed to be in place to put them up and take them down. He said the VFW is losing membership and doesn't have the resources to do this work, and (being a member of VFW) he offered to meet with Terry Bean to discuss it.

Manager Jennings asked Resident Shakespeare how many locations flags are displayed and Shakespeare estimated about 25. Chairman McAvoy asked when the Town got involved with hanging the flags. There was discussion about the life of the flags, noting that they begin to deteriorate after a year and have a maximum 2 year life, then must be retired properly. There was discussion of costs and vendors of flags and brackets. Resident Shakespeare said he is willing to help but cannot do it alone. Manager Jennings said that one option would be to display flags but only during a shorter time window, such as from Memorial Day through the 4th of July, and again around Veterans Day.

Chairman McAvoy said he doesn't think the town should getting into maintaining 25 flags. Mayor Ryder said we should wait to find out what it costs. Councilor McPike said that if we're going to do it we need to devote the resources to do it right, and Councilor Wilde agreed.

Chairman McAvoy said that this is another example of a program someone else started that then became the Town's obligation.

Councilor McPike asked about whether permissions from Emera were needed to hang the flags and Shakespeare said that VFW got permission in the past and that flags should only be displayed on poles with streetlights.

Chairman McAvoy said we should find out what funds VFW may have available, and Councilor Sirois said we need to find out costs.

c. Discussion of work plan and priorities for FY17 – Members of the Committee spoke about their priorities for work in FY17.

Councilor McAvoy said he'd like to looking at eliminating the BAT Bus. He'd like to get a real-time tally of ridership. He'd like to increase fees at the Skehan Center and Pool in order to get those facilities as close to being financially self-supporting as possible.

Councilor McPike said he'd like to focus on the issue of recreational fields, and whether there is adequate field space or, if not, where and how it could be added. Councilor Sirois agreed, and said he'd like to look at fields in the near term and over the longer term look at a potential community center.

Councilor McPike said it's important to focus on broadband: where we stand as a community and what improved service might do to stimulate economic development. He is also interested in the Bus, and better understanding who rides the Bus. He said we ought to look at whether we can run our own bus. Finally, he said we ought to be looking at what we're spending on books, whether we can rely more on the Library Trust to offset this cost, and to better understand our obligations in this regard.

Councilor Marble said we need to understand who rides the Bus. He is interested in thinking about how it affects the Town's position in the regional economy. Regarding the Marina, he said we need to establish protocols and responsibilities. He thinks that a plan for the Town Center is important.

Councilor Cormier said we need to focus on the Transfer Station.

Mayor Ryder said that in order to really understand Bus ridership a survey – or a rider counting ridership – would need to happen for a week or more and would need to be while the schools and colleges are in session.

Resident Shakespeare said that some residents rely on the Bus but that it's mostly empty. He asked what is our responsibility to those individuals, and noted that it's mighty expensive. Regarding the Transfer Station, he said he relies on C&D weekends. He noted that no one seems to be checking stickers anymore, and that someone ought to be doing this.

4. PUBLIC COMMENTS – None.

5. COMMITTEE MEMBER COMMENTS – Mayor Ryder said that senior citizens are reporting that the water at the pool is cold.

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

Respectfully submitted –
Angus Jennings, Town Manager

**TOWN OF HAMPDEN
BID OPENING
\$2,000,000 TAX ANTICIPATION LOAN
AUGUST 08, 2016 at 10:00 am**

BIDDER	INTEREST RATE
Androscoggin Bank	0.86%
Bangor Savings Bank	1.20%
Camden National Bank	0.94%
Katahdin Trust	0.89%
Machias Savings Bank	1.15%
The First	1.10%



AUG 08 2016

Office of the
Town Clerk

30 Lisbon Street
PO Box 1407
Lewiston, Maine 04243
1.800.966.9172
androscogginbank.com

August 5, 2016

Angus G. Jennings, Town Manager
Town of Hampden
106 Western Avenue
Hampden, ME. 04444

Re: Tax Anticipation Note

Dear Town Manager Jennings:

In response to the Tax Anticipation Note RFP recently received from your office, we are pleased to offer the rate listed below for borrowing of up to Two Million Dollars (\$2,000,000). It is our understanding the Town desires to issue the Note on or about August 22nd 2016, and will repay the Note on or before June 30th, 2017.

For this "As Needed" TAN we offer a fixed tax-exempt interest rate of .86% per annum. Using the August 22nd funding date and the June 30th maturity date (312 days) specified in the RFP the total interest cost of this borrowing would be \$14,702.46 if the full TAN amount was advanced at the closing and remained outstanding until the maturity date.

It should be noted that the actual interest cost under an "As Needed" borrowing format will likely be less than the above noted sum due the anticipated gradual drawing of TAN funds during the fiscal year as the Town's cash flow requires.

Interest will be calculated on an actual / 365 day basis on the Note, which will be issued without prepayment penalty. A single Note for the full TAN amount is acceptable to the bank. There are no additional bank fees, charges, or premiums associated with this TAN.

Our bid is predicated on receipt of an unqualified legal opinion attesting to the validity and non-arbitrage nature of this borrowing and designating the Note as a qualified "tax exempt" obligation under existing tax laws. We understand the Town has engaged Dan S. Pittman, Esq. of Eaton Peabody to provide the opinion, the Note and supporting documentation, and to carry out all legal work for this issue, and that the cost of these services will be borne by the Town. We will be pleased to work with attorney Pittman to assist in the timely closing of this transaction.

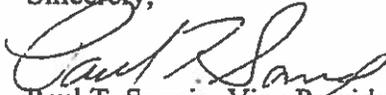
Our proposal is subject to change if not accepted by the close of business on August 25th 2016, and is further subject to withdrawal if there is discovered prior to disbursement any material adverse information pertaining to the Town's financial affairs.

On behalf of Androscoggin Bank, I would like to thank you for providing us with an opportunity to assist the Town with its TAN borrowing needs. We look forward to



working relationship with Hampden officials on this transaction. If I can be of further assistance to the Town in any facet of its banking activity, please feel free to contact me.

Sincerely,


Paul T. Soucie, Vice President
Government Finance

ACKNOWLEDGEMENT / AWARD

This proposal is accepted and this financing is awarded to Androscoggin Bank.

Name & Title

Date

Town of Hampden
 \$2,000,000
 TAX ANTICIPATION NOTE
 Proposal for Loan

August 2, 2016

Angus Jennings, Town Manager
 Town of Hampden
 106 Western Avenue
 Hampden, Me. 04444

Dear Angus:

We offer to purchase the above captioned Note, dated on or about August 22, 2016 and maturing on June 30, 2017, as described in the Invitation to Bid and hereby made a part of this proposal, as follows:

1. Interest rate to be charged, and the basis upon which interest is to be computed:

The interest rate offered is .89%. The basis for computing the interest is 360 days.

2. Total amount of interest to be paid for each potential issue based on closing date of August 22, 2016.

Type	Principal Amount	Interest Rate	Interest Expense	Fees or Charges	Less Premium	Net Interest Expense	Net Interest Rate
Lump Sum	\$2,000,000	.89%	\$15,476.11	\$0.00	\$0.00	\$15,476.11	.89%
As needed	\$2,000,000	.89%	\$15,476.11	\$0.00	\$0.00	\$15,476.11	.89%

3. Number of notes and denominations required:

Borrower's option.

4. Length of time during which the Bank's bid will be open prior to acceptance:

August 22, 2016.

5. **LEGAL OPINION:** This bid will be subject to a legal opinion from bond counsel acceptable to the Bank, the cost of which will be borne by the borrower. If required, the opinion would need to include a statement that the note represents a valid and binding obligation of the issuer and further that the note is a "qualified tax exempt obligation" for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

If the terms and conditions as herein stated are satisfactory to you, please sign this bid signifying your acceptance and return the signed and accepted copy by August 22, 2016 as your authorization for us to proceed with the preparation of the necessary loan documentation. We will anticipate a closing on or before September 3, 2016. Unless otherwise extended, this commitment will expire at either of the above two dates, if not promptly acted upon.

Respectively submitted,

Name of Institution: Kafahdin Trust Company

By: _____

Print Name: Cale L. Burger, Vice President

Address: 52 Springer Drive

Bangor, Maine 04401

Telephone: 207-941-6762

Accepted:

Borrower: Town of Hampden

By: _____

Angus G. Jennings, Town Manager

_____ Date



August 3, 2016

Angus G. Jennings, Town Manager
Town of Hampden
106 Western Ave.
Hampden, Maine 04444

Dear Mr. Jennings:

I would like to thank you for the opportunity to provide you with this proposal for municipal financing for the Town of Hampden in the amount of Two Million Dollars (\$2,000,000.00). Camden National Bank (the "Bank") is pleased to offer this proposal with the following conditions:

- 1) ISSUER: Town of Hampden
- 2) ISSUE DATE: The note will be issued on or about August 22, 2016.
- 3) DENOMINATION OF NOTES: One note in the amount of \$2,000,000.00 will be issued on an as needed basis.
- 4) MATURITY DATE: The note will mature on June 30, 2017.
- 5) INTEREST RATE: The interest rate will be 0.94% computed on the basis of actual days elapsed over a 360-day year.
- 6) REPAYMENT TERMS: All outstanding principal and interest will be due and payable on the maturity date. Assuming that the full amount of the note is drawn on the issue date, the estimated interest due on the maturity date is \$16,293.33.
- 7) PREPAYMENT PROVISION: The note may be prepaid at any time without penalty.
- 8) LEGAL OPINION: This proposal is subject to a legal opinion from bond counsel acceptable to the Bank, the cost of which will be borne by the Town of Hampden. The opinion must include a statement that the note represents a valid and binding obligation of the issuer and further that the note is a "bank qualified and designated tax exempt obligation" for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The issuer's counsel will be responsible for preparing the required loan documents and filing the necessary forms with the Internal Revenue Service. (Proposed loan documents should be obtained from the Town's bond counsel.)

Town of Hampden
Page 2
August 3, 2016

9) ADDITIONAL PROVISION: It is a condition of this proposal that none of the proceeds shall be used or invested in any manner such as to result in the loss of exemption from Federal Income taxation of interest earned on this obligation. If this condition is violated by the issuer, the actions of any of its officers, agents, or employees, said issuer shall be liable to any holder of this obligation for all income tax liability incurred by said holder as a result of said condition broken, and in addition, all obligations under this Note shall become immediately due and payable at the option of the holder. All acts, conditions and formalities essential to the validity of said obligation have been performed and compiled with as required by law, and the total indebtedness of the issuer is within the legal debt limit prescribed by law.

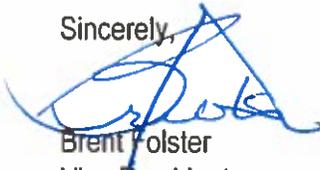
10) CONFIRMATIONS: The Town of Hampden must confirm in writing that the Town of Hampden will comply with all of the Tax Reform Act of 1986, as amended, including all provisions relating to arbitrage and rebate.

11) SUBMISSION OF FINANCIAL STATEMENTS: The Town of Hampden will provide the Bank with year-end audited financials within one hundred twenty (120) days of the Town's fiscal year-end. Such statements are to be prepared by an independent certified public accountant.

This proposal shall expire if it is not accepted in writing by August 22, 2016 and the bid may be withdrawn if any adverse information relating to the issuer's affairs is discovered prior to closing.

Should you have any questions regarding this proposal or require additional information, please contact me at 299-1318 or by email at bfolster@camdenational.com. Thank you for considering Camden National Bank for the town's financial needs. Your municipality is very important to us.

Sincerely,



Brent Folster
Vice President

Cc: Dan Pittman, Esq.

RESOLUTION OF THE COUNCIL OF THE TOWN OF HAMPDEN, MAINE
AUTHORIZING THE SALE OF \$2,000,000
TAX ANTICIPATION NOTE

WHEREAS, the Town of Hampden, Maine (the "Town") is authorized by 30-A M.R.S.A. §5772 and other applicable law to borrow money in anticipation of taxes; and

WHEREAS, the Council of the Town have determined that \$2,000,000 should be borrowed in anticipation of taxes and that, for that purpose, a Tax Anticipation Note in the amount of \$2,000,000 (the "Note") of the Town should be issued;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN AS FOLLOWS:

Section 1. The issuance, sale and delivery of the Note to _____ (the "Bank") is authorized. The Note shall be sold to the Bank at an aggregate purchase price equal to the original principal amount of the Note, shall mature on June 30, 2017, may or may not be subject to prepayment or redemption in whole or in part at any time with or without penalty, as the Town Treasurer shall determine, shall bear interest at the rate per annum of ___%, shall be payable as to principal and interest as set forth in the Note and shall contain such other terms as are set forth in the Note.

Section 2. The Town Treasurer is authorized and directed to sign the Note and a Certificate (the "Certificate") on behalf of the Town. The official seal of the Town is authorized and directed to be impressed on the Note and the Certificate. The Note will be countersigned by at least a majority of the Town Council. The Town Treasurer is authorized and directed to deliver the Note and the Certificate to the Bank upon receipt of the purchase price therefore.

Section 3. The Note is hereby designated as a qualified tax exempt obligation for purposes of § 265(b) of the United States Internal Revenue Code.

Section 4. The Council and the Town Treasurer are each authorized and directed, on behalf of the Town, to carry out or cause to be carried out all of the obligations of the Town under the Note and the Certificate and to cause to be done all acts and to execute and deliver all certificates and other documents as may be necessary and proper in connection with the issuance, sale and delivery of the Note and in carrying out the purposes of this Resolution.

Section 5. All actions heretofore taken by the Council and the Town Treasurer relating to the issuance and sale of the Note, in ensuring that the interest thereon will be exempt from federal income taxation to the Bank are hereby ratified, approved and confirmed.

Section 6. The law firm of Eaton Peabody is hereby designated as Bond Counsel for the Town to advise the Town with respect to the issuance and sale of the Bond, and to prepare documents and render opinions as may be necessary or convenient for the purpose.

Section 7. This Resolution shall take effect immediately.

APPROVED August 15, 2016, by the Council of Town of Hampden, Maine at a meeting duly convened after sufficient public notice and conducted at Hampden, Maine.

TOWN OF HAMPDEN, MAINE

ATTEST:

(SEAL)

Town Clerk

**UNITED STATES OF AMERICA
TOWN OF HAMPDEN, MAINE
TAX ANTICIPATION NOTE**

\$2,000,000

August 22, 2016

On June 30, 2017, for value received, the Town of Hampden, Maine (the "Town"), promises to pay _____, a banking corporation with offices in _____, Maine, or its assigns the sum of Two Million Dollars (\$2,000,000) or so much thereof as may be advanced upon the order of the Town and outstanding at maturity, upon presentation and surrender hereof, together with interest at the rate of ____% per annum (computed on the basis of actual days elapsed over a ____-day year) on the unpaid principal balance outstanding from time to time from the date hereof until payment in full of the principal then due. The Town shall have the right to prepay, without penalty or premium, all or any portion of the principal amount of this note at any time prior to the maturity hereof.

This note is issued in anticipation of taxes pursuant to the authority set out in the Maine Revised Statutes, and resolutions adopted by the Council of the Town.

Each and every act, condition and thing required to be done, to happen and to be performed precedent to and in the issuance of this note, has been done, has happened, and has been performed in full and strict compliance with the Constitution and laws of the State of Maine and the resolutions of the Town. This note is within every debt and other limit prescribed by law. The full faith and credit and resources of the Town are hereby irrevocably pledged to the punctual payment of this note and of interest that may accrue hereon after maturity according to its terms.

Executed in accordance with law by the duly authorized Treasurer and signed by at least a majority of the Council of the Town, as of the 22nd day of August 2016.

THIS NOTE IS DESIGNATED AS A QUALIFIED TAX EXEMPT OBLIGATION OF THE TOWN FOR PURPOSES OF SECTION 265(b) OF THE UNITED STATES INTERNAL REVENUE CODE.

TOWN OF HAMPDEN, MAINE

Treasurer

Councilor

(SEAL)

Seal attested by:

Town Clerk

FORM OF REGISTRATION RECORD

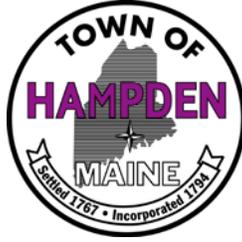
This Note may be transferred and registered only at the offices of the Agent,

_____.

No writing on this Note except by an officer of the Town of Hampden or its Agent.

Date of Registration	In Whose Name Registered	Registered By:
August 22, 2016	_____	_____

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Paula Scott, Town Clerk
FROM: Angus Jennings, Town Manager
DATE: August 10, 2016
RE: Designation of Acting Town Manager

As you know, I will be out of the office on vacation from Monday, August 22 through Monday, September 5 (Labor Day), returning to the office on Tuesday, September 6.

Pursuant to Sec. 404 of the Town Charter, I wish to designate Public Safety Director Joe Rogers to exercise the powers and perform the duties of Town Manager during my absence. Chief Rogers has agreed to serve in this capacity, and he and I will meet prior to my departure to review active issues and anticipated responsibilities during my absence.

This designation is subject to approval of the Town Council, and this letter is intended for their consideration at their meeting on August 15.

cc: Chief Rogers

(8) *Administrative Code.* The manager shall prepare an administrative code or amendments to an existing administrative code as required, to be proposed to the council, and the council may by ordinance adopt them with or without amendment.

(9) *Other Duties.* The manager shall perform such other duties as are specified in this charter or may be required by the council. (Amended: November 6, 1990)

Sec. 404 Absence of Town Manager - By letter filed with the town clerk the manager shall designate, subject to approval of the town council, a qualified town administrative official to exercise the powers and perform the duties of manager during any temporary absence or disability. During such absence or disability the council may revoke such designation at any time and appoint another official of the town to serve until the manager shall return or the disability shall cease. In the event of failure of the manager to make such designation, the council may by resolution appoint any administrative official of the town to perform the duties of the manager until the manager shall return or the disability shall cease. (Amended: November 6, 1990)

ARTICLE V TAX ADMINISTRATION

Sec. 501 Assessment Administration, Assessor - There shall be a single assessor appointed by the manager subject to the approval of the town council. The assessor shall perform all duties and responsibilities provided for assessors under general law. The salary, hours and working conditions shall be determined by the town manager, subject to the approval of the town council. Cause shall not include any disagreement with respect to an assessing practice employed by the assessor where such practice is generally accepted and lawful. (Amended- June 8, 1986, November 6, 1990)

Sec. 502 Board of Assessment Review, Appointments; Vacancies - There shall be a Board of Assessment Review to consist of five members who will be appointed by the town council for a term of three years, except of those first appointed, one shall be for a term of two years and one for a term of one year. Two alternates serving staggered terms, shall also be appointed. Three (3) members will constitute a quorum and they shall elect their own chairman. Vacancies in the membership of such board shall be filled by appointment by the council for the unexpired term. (Amended: March 13, 1979)

Sec. 503 Board of Assessment Review Duties - The Board of Assessment Review shall have the powers and duties conferred upon such boards by the laws of the State of Maine.

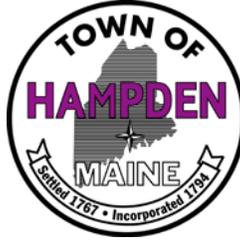
ARTICLE VI ZONING BOARD OF APPEALS AND PLANNING BOARD

Sec. 601 Composition and Terms - There shall be a zoning board of appeals whose composition and term of office shall be in accordance with state law. Further reference is made to the Town of Hampden Zoning Ordinance. (Amended: June 2, 1982)

Sec. 602 Planning Board: Appointment

- (1) Appointment to the board shall be made by the municipal officers.
- (2) The board shall consist of seven members and two associate members.
- (3) The term of each member and associate member shall be five years.
- (4) Not more than one municipal officer may serve as a member or associate member. (Amended: June 2, 1982)

Town of Hampden
 106 Western Avenue
 Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
 townmanager@hampdenmaine.gov

TO: Town Council
 FROM: Angus Jennings, Town Manager
 DATE: August 12, 2016
 RE: Appointment of Environmental Trust Committee

The membership of the Hampden Environmental Trust Committee is defined as "the Committee described in Section 19 of the DEP Trust." That reference refers to the following section of the Private Landfill Closure Trust, which was executed concurrent with the Environmental Trust:

19. Committee.

(a) Members. The Committee shall consist of three (3) members, who shall act by majority and are identified as follows:

(1) One member shall be appointed by the chair of the Town Council of the Town of Hampden, Maine (the "Town Member"),

(2) One member shall be the Chief Executive Officer of the Grantor, or its successor, or a person designated in writing by such Chief Executive Officer. After delivery of the certificate described in section 8, Grantor may delegate (in writing) the power to appoint a Committee member to another entity (the "SERF Member"),

(3) A third member who shall be chosen by agreement of the Town Member and the SERF Member (the "Neutral Member").

The Town Member and the SERF Member shall serve at the pleasure of the party appointing the same and may be removed or replaced upon written notice to the Chair of the Committee. The Neutral Member shall serve for a term of five (5) years and may be reappointed by agreement of the Town Member and the SERF Member any number of times. The Neutral Member may be removed only by agreement of the Town Member and the SERF Member. Committee action shall require a quorum of three (3) members.

As you know, the Committee has not been active for several years, but its appointment and re-activation is important to several Town policy objectives. The Council has recently ratified Mayor Ryder's appointment of Councilor McPike as the Town Member and Casella's appointment of Kerry Woodbury as the SERF Member.

The Committee held its first meeting and has appointed Hampden resident and retired businessman Bill Estes to serve as the Neutral Member. This appointment is brought to the Council for ratification. Once all members are appointed and sworn in, the Committee can begin its work.

HAMPDEN ENVIRONMENTAL TRUST COMMITTEE

MEETING

Thursday, August 11, 2016

5 P.M.

HAMPDEN TOWN OFFICE

A G E N D A

1. Introductions
2. Background regarding Environmental Trust – Angus Jennings, Town Manager
3. Consideration of potential appointment of Neutral Member by Town Member (Ivan McPike) and SERF Member (Kerry Woodbury)
4. Review of next steps
5. Adjourn

HAMPDEN ENVIRONMENTAL TRUST COMMITTEE

MEETING

Thursday, August 11, 2016

5 P.M.

HAMPDEN TOWN OFFICE

MINUTES – DRAFT

Attending:

*Councilor Ivan McPike, Town Member of Environmental Trust Committee
Kerry Woodbury, SERF Member of Environmental Trust Committee
Town Manager Angus Jennings*

Because no Committee Chair has yet been designated, the meeting was called to order by unanimous consent of the Committee members at 5 p.m.

- 1. Introductions** – *The two members who have been appointed to the Environmental Trust Committee, Ivan McPike and Kerry Woodbury, and Town Manager Angus Jennings had all met previously so no introductions were necessary.*
- 2. Background regarding Environmental Trust – Angus Jennings, Town Manager** – *Manager Jennings provided a brief summary of the process that has led to the re-activation of the Environmental Trust Committee, which based on available records has not met since 2009. He said that the two appointed Committee members, both present, were convened today in order to appoint the third member – the “Neutral Member” – pursuant to the Environmental Trust. The third appointment will complete the Committee and allow it to proceed with its authorized activities.*
- 3. Consideration of potential appointment of Neutral Member by Town Member (Ivan McPike) and SERF Member (Kerry Woodbury)** – *Councilor McPike reported that Hampden resident and retired businessman Bill Estes had been asked to serve on the Committee and has agreed to do so. He briefly summarized Mr. Estes’ business background and understanding of financial matters. There was a motion by Councilor McPike seconded by Mr. Woodbury to appoint Bill Estes to serve as the Neutral Member of the Environmental Trust Committee. The motion passed 2-0.*

- 4. Review of next steps** – *Manager Jennings stated that the appointment of Mr. Estes would be brought to the Town Council for their ratification at their meeting on August 15. Once Mr. Estes is appointed and sworn in by the Town Clerk, he said that the Committee members would then schedule their first meeting of the full Committee sometime in September. He suggested the inclusion of three items on the Committee’s meeting agenda: a meeting with representation from Bangor Savings Bank, which as the Institutional Trustee manages the Trust’s assets; presentation of expenses budgeted in the Town’s FY17 budget that would only move forward upon authorization of \$120,000 from the Environmental Trust (requiring votes of both the Trust Committee and the Town Council); and a presentation of Town expenses incurred since the prior 2009 meeting of the Trust which, subject to approval of the Trust and Council, would be eligible for reimbursement from the Trust.*

Councilor McPike said that the Committee should receive regular financial statements regarding the Trust’s assets, both principal and income. There was brief discussion regarding eligible uses for Trust income based on the language of the Trust.

- 5. Adjourn** – *There was a motion by Councilor McPike, seconded by Mr. Woodbury, to adjourn the meeting, and by a 2-0 vote the meeting was adjourned at 5:15 PM.*

Respectfully submitted –
Angus Jennings, Town Manager

David I. Ryder (Mayor, Dist. 4)
Stephen L. Wilde (1)
Dennis Marble (2)

**TOWN OF HAMPDEN
IN THE TOWN COUNCIL**

Terry McAvoy (3)
Marc Cormier (A/L)
Gregory J. Sirois (A/L)

**Order 2016-02
Adoption 08/15/2016**

**ORDER AUTHORIZING WEIR INSTALLATION AND
EEL RESEARCH AT PAPERMILL PARK**

ORDERED, that the Town Council hereby approves a request from Joseph Zydlewski of the U.S. Geological Survey Maine Cooperative Fish and Wildlife Research Unit, and authorizes temporary vehicular access to Papermill Park for the purpose of installing a weir to study eel migration timing, movement patterns and survival.

The actions authorized herein are as set forth in permits issued by the Maine Department of Inland Fisheries and Wildlife Service, including:

- Temporary vehicular access to Papermill Park for the purposes of installing the weir
- Twice-daily monitoring of the weir trap;
- Posting of a small sign near the weir site to educate the public regarding the research, and including researchers' contact information;
- Term of weir installation between August 1 and December 31 of each of five years, beginning in 2015, subject to annual Town Council reauthorization.

The work, including site access shall be coordinated through the Department of Public Works and Recreation Department as needed.

Town clerk:

ORDERED by a majority of the Town Council:

Paula Scott

David I. Ryder (Mayor, Dist. 4)
Stephen L. Wilde (1)
Dennis R. Marble (2)

TOWN OF HAMPDEN
IN THE TOWN COUNCIL

Terry McAvoy (3)
William W. Shakespeare (A/L)
Gregory J. Sirois (A/L)

Order 2015-01
Adoption: 9/21, 2015

**ORDER AUTHORIZING WEIR INSTALLATION AND
EEL RESEARCH AT PAPERMILL PARK**

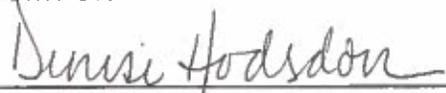
ORDERED, that the Town Council hereby approves a request from Joseph Zydlewski of the U.S. Geological Survey Maine Cooperative Fish and Wildlife Research Unit, and authorizes temporary vehicular access to Papermill Park for the purpose of installing a weir to study eel migration timing, movement patterns and survival.

The actions authorized herein are as set forth in permits issued by the Maine Department of Inland Fisheries and Wildlife and the Department of Marine Resources, and the U.S. Fish and Wildlife Service, including:

- Temporary vehicular access to Papermill Park for the purposes of installing the weir;
- Twice-daily monitoring of the weir trap;
- Posting of a small sign near the weir site to educate the public regarding the research, and including researchers' contact information;
- Term of weir installation between August 1 and December 31 of each of five years, beginning in 2015, subject to annual Town Council reauthorization.

The work, including site access, shall be coordinated through the Department of Public Works and Recreation Department as needed.

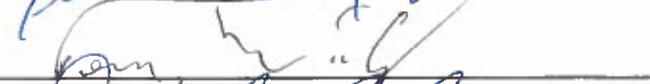
Town Clerk:


Denise Hodsdon

ORDERED by a majority of the Town Council:









Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Town Council Service Committee
FROM: Angus Jennings, Town Manager
DATE: September 10, 2015
RE: USGS request for eel research / access to Papermill Park

The attached request has come forward from Joseph Zydlewski of the U.S. Geological Survey Maine Cooperative Fish and Wildlife Research Unit. He seeks authorization for temporary vehicular access to Papermill Park for the purposes of installing a weir to study eel migration timing, movement patterns and survival.

This request is referred to the Services Committee to make a recommendation to the Town Council regarding whether to authorize the access subject to the terms included in the request, including:

- Temporary vehicular access, as soon as can be achieved, for the purposes of installing the weir;
- Twice-daily monitoring of the weir trap;
- Posting of a small sign near the weir site including researchers' contact information;
- Term of work to extend until December 31, 2015 or until the stream freezes.

If access and associated activities are authorized, the work would be coordinated through the Department of Public Works and Recreation Department as needed.

Upon recommendation by the Services Committee, this matter would be forwarded to the Council for consideration at the September 21 meeting.

Migration and Survival of Penobscot River American eels

Joseph Zydlewski, U.S. Geological Survey- Maine Cooperative Fish and Wildlife Research Unit
5755 Nutting Hall, Orono, ME 04469-5755 Phone (207) 581- 2853 jzydlewski@usgs.gov

Eels exhibit a complex, catadromous life history, migrating to the Sargasso Sea as large, adult, “silver” eels to spawn and die. Their offspring are carried by ocean currents as willow leaf –shaped larvae and they metamorphose into “glass” eels as they enter into river systems. In freshwater, they initiate feeding and become “yellow” eels. Yellow eels take up residence in areas from the estuary to up river sites. This yellow eel growth phase can last up to 25 years (Velez-Espino and Koops 2009) before undergoing a second transformation, including color change, to a downstream-migrating silver eel.

Historically the American eel was the target species of a lucrative fishery (Baldwin et al. 1979), however this fishery has collapsed over the last few decades (Casselman 2003; MacGregor et al. 2008) and eels are in decline worldwide (Mathers and Stewart, 2009). Such declines are troubling as eels play an integral role in maintaining biological integrity in fish communities (Meixler 2011). As such, eel conservation has become a high priority of both fishery managers and conservationists in many freshwater ecosystems.

One well-documented source of mortality for silver eels is through hydroelectric facilities encountered during downstream migration (e.g. Carr and Whoriskey, 2008). Tagging studies have demonstrated that a majority of eels pass through turbines at hydroelectric facilities rather than using surface-oriented bypass facilities (Brown et al., 2009). As a result, deaths from turbines at hydroelectric facilities can be significant (McCleave 2001, Durif et al. 2003) and serious injuries are observed in those that survive (Kiraly, University of Maine, unpublished data). Such a high loss of sexually mature adults can result in a substantial, negative impact on eel population dynamics because there are fewer adults to produce the next generation. Decreasing mortality at dams is therefore an important conservation goal. Shutting down turbines during migration would satisfy conservation goals, but at an operational cost. As a result, there is a difficult trade-off between the ecological benefit of shutting down turbines to allow safe eel passage and the economic detriment of no power generation.

Much research has been conducted on the timing of silver eel migration. The movement of eels occurs during a relatively short period in the fall, usually associated with episodes of high precipitation and high river flows (Durif and Elie 2008, Haro et al 2002, Haro 2003). In addition, eels tend to migrate at night and lunar phase is an important correlate of downstream migration.

The construction and operation of a weir in Souadabscook Stream will allow us to do two things. First, we will be able to improve our understanding of how silver eel migration timing is related to environmental factors such as lunar phase and stream flow. With this understanding, we can more accurately predict downstream migration timing. Accurate migration timing predictions can be useful to managers who wish to maximize hydropower production and American eel survival. Second, catching and tagging eels at the weir will allow us to transport several individuals above Milford Dam and to study their movement and survival through the dam, again with the ultimate goal of improving downstream survival and hydropower efficiency.

Construction of the weir in Souadabscook Stream, adjacent to Papermill Recreation Area, will require the movement of large metal construction materials and heavy tools. Access to the

gate on site would allow us to drive our equipment to the stream's edge, and would improve efficiency of weir installation, fish sampling and surgery, and weir removal.

Planned work at the weir site:

1) Construction of a weir for capturing American eels

Our goal is to collect mature adult American eels as they migrate downstream from Souadabscook Stream toward the Penobscot River. The weir will be constructed atop the concrete foundation of an old weir at the same site using steel poles and fiberglass or aluminum slats that will block the stream and guide passing fish into a trap. The weir will only catch fish at night to minimize the number of non-target fish captured. The weir trap will be checked and opened every morning and closed again at dusk. The weir will remain in place throughout the period of fall downstream migration, until December 31, 2015 or the stream freezes. We will then remove all structures from the stream; no permanent changes will be made to the waterway. Mature eels trapped will be retained so we can implant an acoustic tag, and non-target fish will be released.

2) Acoustic tag implanting

Acoustic tags are small devices used to track the location of a fish. Acoustic tagging is a common practice in which tags are surgically implanted into the fish's body cavity with minimal impact on the fish's health and movement. These tags allow us to track the location of fish for over a year, and we hope that our project will help us understand how American eels are moving through hydroelectric facilities on the Penobscot River.

After American eels are caught at the weir near Papermill Recreation Area, we will perform a short surgical procedure to implant the acoustic tags. The University of Maine's Institutional Animal Care and Use Committee (IACUC), the entity charged with ensuring that UMaine animal research is conducted in an ethical and humane manner, has already granted approval for this routine surgical procedure. After the eels have recovered from surgery, they will be transported to a site in the Penobscot River above Milford Dam.

3) Signage

We would like to post a small sign near the weir site explaining the purpose of the weir, the agencies conducting the research, and to provide our contact information for those who would like more information about the project. It is our hope that sharing information with the public will get them interested in the work we are doing, and make them less likely to disturb the weir or the eels. We are happy to discuss our work with passing Papermill Recreation Area visitors on site during our two daily visits.

References

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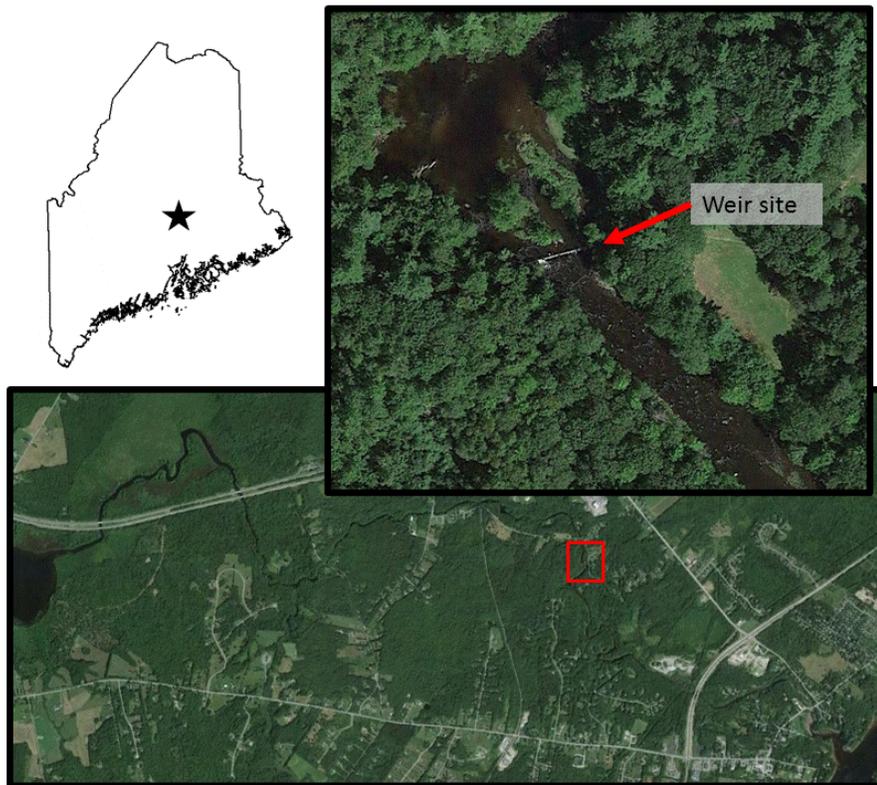


Figure 1. Map of the location of the proposed work on Souadabscook Stream. Smaller inset shows location of the old weir footing.



Figure 2. Pictures of eel weir operated by Jim and Gloria Bennet in the 1980-1990's.

D-5-b

**TOWN OF HAMPDEN
FORECLOSED PROPERTY BID FOR
118 FOWLERS LANDING RD
BID SHEET**

**August 10, 2016
10:00 AM**

BIDDER	BID AMOUNT
Dan Boyle	\$3,756.00
William Burchard	\$6,020.00
Andrew Colford	\$3,501.00

FORECLOSED PROPERTY SALE
TOWN OF HAMPDEN, ME

Bid Specifications
LOT & LOCATION

The Town of Hampden is accepting sealed bids for a foreclosed property at 118 Fowlers Landing Road in Hampden, Maine. The property is located at 118 Fowlers Landing Road, identified as Map 13, Lot 27-A, real estate tax account #1520. The property contains approx. 0.11 acres of land with building(s).

A copy of the property card that lists acreage and assessments is attached to this notice. Information on this bid is available on the Town website at www.hampdenmaine.gov or by calling the Town Manager at 862-3034. Tax maps showing location of the lot may be viewed at the Hampden Town Office Monday through Thursday between 7:30 am and 6:00 pm.

BIDDER'S INSTRUCTIONS

Sealed bids clearly marked **FORECLOSED PROPERTY SALE, 118 Fowlers Landing Road** must be submitted by Wednesday, August 10, 2016 at 10 a.m. to the Hampden Town Office, 106 Western Avenue, Hampden, ME 04444 and must contain a certified check in the amount of 10% of the bid. Bids will be publicly opened at that time. The Hampden Town Council will award the bid as part of its regular meeting on Monday, August 15, 2016 at 7 p.m.

The winning bidder shall have 30 days from award of the bid to complete the sale. Failure to do so will result in forfeiture of the 10% deposit. In case of default, Town retains the right to negotiate with remaining bidders for sale of the lot.

MINIMUM BID

Minimum bid for this property is \$2,250.

OTHER INFORMATION

The Town of Hampden retains the right to accept or reject any and all bids.

The Town shall issue a quitclaim deed without covenants to the successful bidder. It will be the bidder's responsibility to obtain warranty title to the property. Proceeds from the sale of the lot shall be used to clear all outstanding taxes, interest, and costs for the parcel. Properties will be sold with the property taxes cleared through June 30, 2017.

FORECLOSED PROPERTY SALE
TOWN OF HAMPDEN, ME

118 Fowlers Landing Highlighted Below (2014 Imagery):



118 Fowlers Landing Site Photos (July 2016):



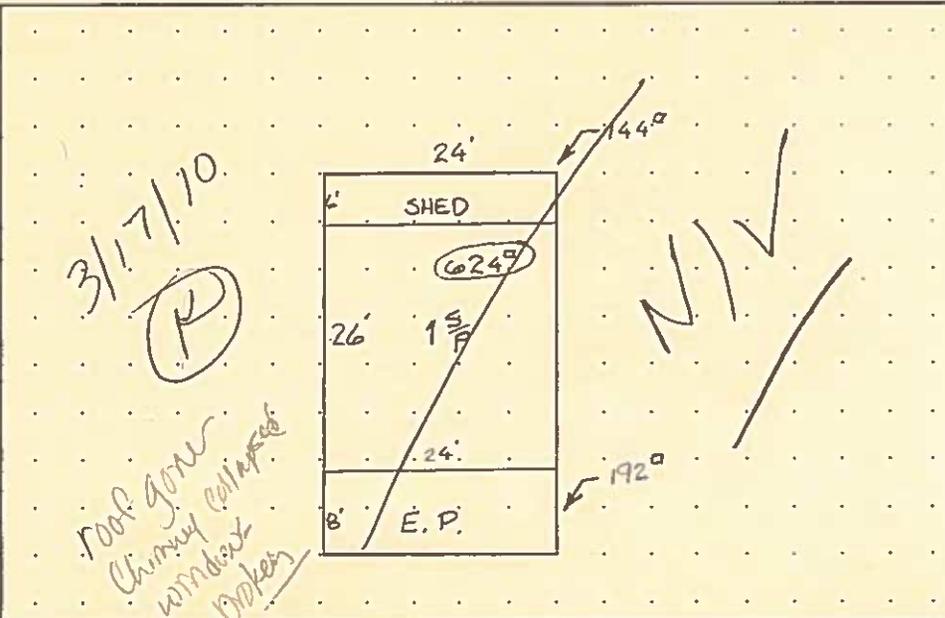
TOWN OF HAMPDEN

BUILDING RECORD

MAP 13 LOT 27A

ACCOUNT NO. 1520

BUILDING STYLE 1. Conv. 6. Split Lev 2. Ranch 7. Contemp. 3. R. Ranch 8. Mod. Log 4. Cape 9. Other 5. Garrison	1	S/F BSMT LIVING	---	LAYOUT 1. Typical 2. Inadeq.	1
DWELLING UNITS	1	FIN BSMT GRADE	---	ATTIC 1. 1/4 Fin. 4. Full Fin. 2. 1/2 Fin. 5. Fl/Stairs 3. 3/4 Fin. 9. None	9
OTHER UNITS	0	HEAT TYPE %	8	INSULATION 1. Full 4. Minimal 2. Heavy 9. None 3. Capped	4
STORIES 1. One 4. 1 1/2 2. Two 5. 1 3/4 3. Three 6. 2 1/2	1	1. HW BB 6. Grav. WA 2. HW CI 7. Electric 3. Heat 8. Units 4. Steam 9. No Heat 5. FWA	100%	UNFINISHED %	00%
EXTERIOR WALLS 1. Wood 6. Brick 2. Al/Vinyl 7. Stone 3. Comp. 8. Conc. 4. Asbestos 9. Other 5. Stucco	1	COOL TYPE %	9	GRADE & FACTOR 1. E 4. B 2. D 5. A 3. C 6. AA	2
ROOF SURFACE 1. Asphalt 4. Comp. 2. Slate 5. Wood 3. Metal 6. Other	1	KITCHEN STYLE	---	SQ. FOOTAGE	624
S/F MASONRY TRIM	---	1. Modern 3. Old Style 2. Typical 4. Obsolete	2	CONDITION 1. Poor 5. Avg + 2. Fair 6. Good 3. Avg - 7. V Good 4. Avg. 8. Exc.	2
YEAR BUILT Est ()	1930	BATH(S) STYLE	---	PHYS. % GOOD	---
YEAR REMODELED ()	---	1. Modern 3. Old Style 2. Typical 4. Obsolete	2	FUNCT. % GOOD	---
FOUNDATION 1. Conc. 4. Wood 2. C. Blk 5. Slab 3. Br/Stone 6. Piers	6	# ROOMS Est ()	03	FUNCT. CODE 1. Incomp. 3. 2. Overbuilt 9. None	---
BASEMENT 1. 1/4 4. Full 2. 1/2 5. Crawl 3. 3/4 9. None	9	# BEDROOMS	01	ECON. % GOOD	---
BSMT GAR # CARS	0	# FULL BATHS	1	ECON. CODE 1. Location 3. Services 2. Encroach 9. None	---
WET BASEMENT 1. Dry 3. Wet 2. Damp 9. None	9	# HALF BATHS	---	ENTRANCE CODE 1. Inspect. 4. Vacant 2. Refused 5. Estim. 3. Info Only 6. Ext.	6
		# ADDN FIXTURES	---	INFO. CODE 1. Owner 4. Agent 2. Relative 5. Estimate 3. Tenant 6. Other	6
		# FIREPLACES	---	DATE INSP.	11/09/90



No./Date	Description	Date Insp.

ADDITIONS, OUTBUILDINGS & IMPROVEMENTS						CODES	
TYPE	YEAR Est ()	UNITS	GRADE	COND.	PERCENT GOOD		1. 15 Fr 2. 25 Fr 3. 35 Fr 4. 1 1/25 Fr 5. 1 3/45 Fr 6. 2 1/25 Fr Add 10 for Masonry 21. OFP 22. EFP 23. Garage 24. Shed 25. Bay Window 26. Overhang 27. Unf. Bsm. 28. Unf. Attic 29. Fin. Attic Add 20 for 2 Story 61. Carport 62. Patio 349. Swimming Pool 64. Tennis Court 65. Stable w/Loft 66. Greenhouse 67. Natorium 68. Wood Deck 69. Jacuzzi
					Phys.	Funct.	
22	()	192	91.00	9	---	---	
24	()	144	91.00	9	---	---	



NOTES:

Hampden
 Name: HENRY, KATHLEEN N
 "TENANT IN POSSESSION"

Valuation Report

06/21/2016
 Page 1

Account: 1520 Card: 1 of 1

Map/Lot: 13-0-027-A
 Location: 118 FOWLERS LANDING RD

Neighborhood 30 Hermon Pond 30.

Zoning/Use Seasonal
 Topography /Level
 Utilities Drilled Well/Septic System
 Street Gravel

Reference 1
 Reference 2
 Tran/Land/Bldg 1 2 35
 X Coordinate 0 Y Coordinate 0
 Exemption(s) Land Schedule 5

		Land Description				
Units	Method - Description	Price/Unit	Total	Fctr	Influence	Value
0.11	Acres-ImprovSite(Frac)	25,000.00	14,015	100%	Access	14,015
Total Acres	.11				Land Total	14,015
Calc. Land		14,000	Calc. Bldg	0	Total	14,000

**TOWN OF HAMPDEN
SALE OF TOWN OWNED REAL ESTATE ORDINANCE**

ARTICLE I - SALE OF TOWN OWNED REAL ESTATE

1.1 AUTHORITY

In accordance with ARTICLE II, Section 212 (b) of the Town Charter the Town Council shall be authorized to convey or lease any lands of the Town within the limitations fixed by the Constitution and statutes of the State of Maine as they now or may hereafter apply to said Town of Hampden.

1.1.1 SALE BY TOWN

Real estate shall be sold by the Town only after the adoption by affirmative vote of a majority of all the members of the Town Council of a Resolution calling for the sale of real estate owned by the Town; the resolution shall contain a reasonably accurate description of the property which is proposed to be sold.

1.2 DISPOSAL

After the Town Council has voted to sell real estate, notices shall be sent to each landowner abutting the proposed parcel to be sold as well as to each landowner within three (300) feet of any property line of said parcel. Landowners shall be considered to be those to whom property taxes are assessed. Failure of any landowner to receive a notice of public sale shall not necessitate another sale or invalidate any action of the Town Council. Notices shall be sent to the previous owner in the case of tax acquired property. In addition, notice of the proposed sale shall be published as specified in Article II, Section 213 (d) of the Charter, such publication to be not less than seven (7) days before the Council's final action on such sale. The notice shall contain a reasonably accurate description of the property to be sold and shall provide for a day and place when and where bids for said property shall be submitted to the Town Office.

1.3 BID PROCEDURE

All bids shall be submitted in writing and shall clearly identify the purchaser and the price bid for the property. Bids shall be placed in sealed envelopes and given to the Town Clerk who shall hold all such bids until the date and time designated in the notice, when the bids shall be opened by the Town Clerk. The results of

the bidding shall then be submitted to the Town Council at its next regular meeting; ~~after proponents and opponents if any, to said proposed sale have been heard, the Council may by the affirmative vote of a majority of all the members of the Council vote to convey the property to the highest bidder. The Council may reject any bid which does not comply with Town's bid procedure guidelines;~~ furthermore, the Council may reject all bids and withdraw the offer to sell the property.

1.3.1. DEED EXECUTION

The Town Treasurer is hereby authorized for and on behalf of the Town of Hampden to make, execute and deliver a Quitclaim Deed to convey title to the purchaser.

1.4 FORECLOSURE ACQUIRED PROPERTY

The Town Treasurer shall give written notice to the prior owner of record of real estate acquired by the Town by way of foreclosure of tax lien or sewer lien of the Town's intent to sell said real estate at public sale. Said notice shall be given in writing and sent via U.S. mail to the property owner's last known address at least 30 days before notice of public sale is given in the manner specified in Section 1.2 above. Failure of any prior owner to receive such notice shall not necessitate another sale or invalidate any action of the Town Council.

If the prior owner of record makes full payment of all sums due the Town, including but not limited to the amount of tax and/or sewer liens, real estate taxes, personal property taxes, sewer charges, recording fees, interest and costs, before notice of public sale is given, the Town Treasurer shall release title to said real estate to its record owner.

ADOPTED BY THE HAMPDEN TOWN COUNCIL: November 19, 1979

EFFECTIVE: December 19, 1979

AMENDED: July 6, 1987

EFFECTIVE: August 4, 1987

AMENDED: April 21, 2015

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Town Council
FROM: Angus Jennings, Town Manager
DATE: August 12, 2016
RE: FY17 Mil Rate

Taking into account the approved FY17 Budget and the final determination of town-wide Assessed Values, I have worked with the Assessor to prepare scenarios based on two alternate mil rates for FY17. Either mil rate would be an increase from the FY16 mil rate of \$17.50. The two scenarios we evaluated are based on mil rates of \$18.20 and \$18.50 per thousand. Both forms are attached.

A rate of \$18.50 would result in an overlay of \$417,329. A rate of \$18.20 would result in an overlay of \$223,500.

However, note that as a result of the Council's July 5th budget amendment of \$10,000 to restore certain public safety line items to recommended levels, the actual overlay amount will be reduced by \$10,000 once that budget amendment is taken into account.

One other item to note is that the expense amount that is budgeted for TIF reimbursement under the terms of existing Credit Enhancement Agreements is based on a mil rate of \$18.50, which was the rate that was used for estimating purposes at the June 27 budget public hearing. If a lower mil rate is adopted, this would have the effect of reducing the amounts due under the CEAs, and increasing the overlay by the same amount. At a rate of \$18.20, the expense budget would be reduced, and the amount of the overlay increased, by approximately \$2,570.

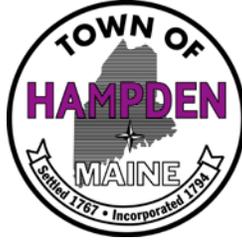
At the June 27 budget hearing, it was estimated that an \$18.50 mil rate would have the following impact on homes with the Homestead Exemption at various values:

- Home at \$125,000 value, tax bill would increase \$22.50
- Home at \$175,000 value, tax bill would increase \$72.50
- Home at \$225,000 value, tax bill would increase \$119.50
- Home at \$250,000 value, tax bill would increase \$147.50
- Home at \$300,000 value, tax bill would increase \$197.50

I will work with the Assessor on Monday, when she returns from medical leave, to update these impact estimates; obviously, the impact would be lower at an \$18.20 rate.

On the basis of this information, I plan to recommend that the Council establish a FY17 mil rate of \$18.20 per thousand.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Town Council
FROM: Angus Jennings, Town Manager
DATE: August 12, 2016
RE: Requested changes to dates of Finance and Council meetings

The Finance Committee and the Council's first regularly scheduled meetings in September would normally take place on Tuesday, September 6, the day after Labor Day.

Since the 6th will be my first day back from vacation, I would like to request that the Finance Committee and the Council reschedule their first September meetings to either Wednesday September 7 (which would require rescheduling Planning & Development) or to Thursday September 8 in order to provide me additional time to prepare for the meeting upon my return. I am working to prepare items for the September meeting packets prior to leaving for vacation, but there will inevitably be agenda items added in my absence that may take some time for me to review in order to be prepared for the meetings.

I would also like to request that the Council consider changing the date of its first November meeting from Monday, November 7. The 7th is the day before Election Day and, due to high anticipated turnout this year, the Town Clerk and others in the Administration office will benefit from having Monday the 7th available for preparation. I would suggest that the first November Council meeting take place on Monday, November 14, and that the Services Committee meeting that would normally occur on that date be rescheduled to another date to be determined.



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

August 9, 2016

To: Angus Jennings
From: Sean Currier
Subject: Excavator rental for miscellaneous projects

The Public Works department is requesting approval to rent a mini-excavator for the period of (1) one month for numerous projects in Town. Some of the projects include; fixing the drainage at the municipal building, replacing culverts on Patterson Rd, Miller Rd, Canoe Club Road and installing storm drain piping at the VFW ballfields. If time permits within the month, other projects will be conducted to prepare for the paving program next year.

Equipment rental has been budgeted for in FY17 under the 03-717-00 Public Works Equipment reserve. The cost of the equipment is \$2,500.00 for a full month of rental.

Thank you,

A handwritten signature in black ink, appearing to read "S Currier", is written over a faint, larger version of the same signature.

Sean Currier

Current Account Status

G 3-717-00 RESERVE ACCT / EQUIPMENT

-3,904.96 = Beg Bal
0.00 = Adjust

-15,000.00 = YTD Net
0.00 = YTD Enc

-18,904.96 = 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	15,000.00
Totals-								0.00	15,000.00

Monthly Summary

Month	--Regular Entries--		--Balance Entries--	
	Debits	Credits	Debits	Credits
July	0.00	15,000.00	0.00	0.00
Totals	0.00	15,000.00	0.00	0.00

Election Timeline November 8 2016 Presidential Election and Bond Referendum

July 1st Mail thumb drives to Secretary of State (completed on 7/1/16, per Secretary of State's request)

August 15th Council adopts ordinance/authorizes borrowing

August 18th Deadline for ESS to receive thumb drives from SOS

August 26th Pre-election questionnaire/ thumb drive form to be completed for ESS

Sept. 6th, 7th or 8th Public Hearing on Ordinance (date TBD on 8/15/16)

Sept. 9th All ballot content must be submitted to ESS
*** ESS cannot guarantee delivery of ballots to municipalities by October 7th if content is not received by September 9th.**

Sept. 23rd Must sign off on the ballot layout and submit ballot quantities

Oct 7th Absentee ballots are available

Nov. 7th Early absentee processing

Nov. 8th Presidential/State Referendum/Bond Referendum Election

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Town Council
FROM: Angus Jennings, Town Manager
DATE: August 12, 2016
RE: Referral of ordinance to public hearing for November 2016 referendum

At Monday's meeting, the Council will be asked to refer an ordinance to public hearing which, if approved at the hearing, would result in placement of one or more referendum questions on the November ballot. There are five items that have been discussed for potential inclusion as a referendum question:

1. Route 1A Reconstruction: Local match for \$4.65M MDOT reconstruction of 1.73 miles of Route 1A. Construction estimated to begin 2018. Estimated local cost: \$465,000.
2. Reconstruction of Schoolhouse Lane: Estimated local cost: \$310,000.
3. Western Avenue Sidewalk: Local match for \$191,680 MDOT installation of sidewalks on a portion of Western Ave. Estimated local cost: \$38,336.
4. Sewer: Hampden cost contribution to Bangor improvements to wastewater treatment plant biotower. Total project cost \$5.43M with Hampden's share estimated at \$225,743. Bangor also intends to add aeration system upgrades to the project. This work would add an additional \$66,640 to Hampden's share, bringing Hampden's estimated obligation to approximately \$295,000.
5. Sewer: Borrowing to pay overdue treatment and maintenance costs due to the City of Bangor. At present, we have overdue invoices in the amount of \$258,810 for service through Feb 2016, and we recently received an invoice for March through June 2016 in the amount of \$70,403.

The enclosed materials include detail on each of these five items.

I have also enclosed the Mayo Road bond authorization as a sample referendum question. On the basis of the Council's action on Monday, the Town Clerk and I will work with Bond Counsel to prepare draft referendum questions for consideration at the public hearing in September.

REFERENDUM QUESTION

ARTICLE 1. Ordinance authorizing appropriation and borrowing of funds to finance the construction and/or reconstruction of Mayo Road and other related infrastructure improvements through issuance of general obligation bonds or notes of the Town of Hampden which may be callable in the principal amount not to exceed \$2,300,000.

Shall the above described ordinance be adopted and the municipal officers have the authority to issue general obligation bonds or notes of the Town and accomplish the Project as described above and in the ordinance?

Yes No

FINANCIAL STATEMENT OF TOWN TREASURER (Required by Law)

1. Total Town Indebtedness

A.	Bonds outstanding and unpaid	\$10,577,585.00
B.	Bonds authorized and unissued	\$ 0.00
C.	Bonds to be issued if this question is approved:	\$ 2,300,000.00
TOTAL		\$12,877,585.00

2. Costs

At an estimated maximum interest rate of 4%, the estimated costs of this bond issue will be \$1,652,999 for a term of 30 years.

Principal	\$2,300,000.00
Interest	\$1,652,999.00
Total Debt Service	\$3,952,999.00

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

s/ Susan Lessard
Treasurer, Town of Hampden, Maine

Route 1A Reconstruction

This project goes back to 1994 when Hampden had asked for Route 1A to be reconstructed from the Bangor line to the intersection at Route 9 (Western Ave). Over the years design and construction have occurred on the northern portion of this road. The work included in the BACTS and MassDOT funding documents would include reconstruction of 1.73 miles of Route 1A. A local match of \$465,000 will be needed as part of the overall \$4.65M project cost. Construction estimated to begin 2018.



MaineDOT

**MAINE DEPARTMENT OF TRANSPORTATION
THREE-PARTY PARTNERSHIP AGREEMENT
ROUTE 1A/9 REHABILITATION
TOWN OF HAMPDEN**

Internal Use Only

CTM#: DOT0516-35915 BACTS and
DOT0516-35916 HAMPDEN
CSN: 35915 (BACTS) / 35916 (HAMPDEN)

TEDOCS #: _____

PROGRAM: Planning

Internal Use Only

WIN #: 011577.00

Agreement Maximum Amount: \$4,650,000.00

Federal Project #: STP-1157(700)X

Agreement Begin Date: 05/10/2016

N/M Id#: BACTS

Agreement End Date: 06/30/2018

N/M Id#: HAMPDEN

This agreement (“**Agreement**”) is entered into by the State of Maine Department of Transportation (“**MaineDOT**”), the Municipality of Hampden (the “**Municipality**”), and the Bangor Area Comprehensive Transportation System, the designated Metropolitan Planning Organization for the Bangor Urbanized Area (“**BACTS**”), jointly hereinafter referred to as the “**Parties**”.

Whereas, the project that is the subject of this Agreement consists of rehabilitation of Route 1A/9 from Route 9 extending northeasterly 1.73 miles to Mt. View Road (hereafter referred to as the “**Project**”), and as further described in the attached Project Identification Form; and

Whereas, BACTS has programmed the Project for inclusion in the MaineDOT Annual Work Plan for CY16-18, using Federal and State capital improvement funding allocated by MaineDOT; and

Whereas, the Municipality supports the decision by BACTS to program the Project; and

Whereas, MaineDOT is providing BACTS with advanced funding in order to expedite completion of the project, with the BACTS repayment provisions identified in a separate Agreement; and

Whereas, preliminary engineering and right of way for the Project has progressed to the Preliminary Design Report (“**PDR**”) phase. Expenditures for this phase total \$219,381.95 the Municipality will not be responsible for contributing to this portion of the work; and

Whereas, the Parties have a mutual interest in ensuring that the Project is delivered on a reasonable schedule and within the budget programmed, using a process that maximizes communication and cooperation; and

Whereas, the purpose of this Agreement is to identify the Parties’ individual responsibilities during the design, permitting and right-of-way phases of the Project through completion of final Plans, Specifications and Estimate (“**PS&E**”), and to identify the intended financial allocations between the Parties through all phases of the Project if and when the parties formally approve and commit financial resources for the Project; and

Whereas, following the preparation of the project PS&E, a separate Municipal/State Agreement will be executed by MaineDOT and the Municipality.

Now therefore, in consideration of the forgoing, the Parties hereby establish and agree to the following terms and conditions:

1. The total estimated cost of the Project through all phases is \$4,868,879.45 (the "Project Estimate"), and the Parties agree to share in and allocate the associated costs of each phase as outlined in this section for the total cost of the project less \$219,381.95 as outlined in the table below:

- a. Remaining work to be completed.

Work Phase	Estimated Federal Share	Estimated State Share	Estimated Local Share	Estimated Total Cost
Preliminary Engineering	\$320,000.00	\$40,000.00	\$40,000.00	\$400,000.00
Right of Way	\$240,000.00	\$30,000.00	\$30,000.00	\$300,000.00
Construction	\$2,800,000.00	\$350,000.00	\$350,000.00	\$3,500,000.00
Construction Engineering	\$360,000.00	\$45,000.00	\$45,000.00	\$450,000.00
Total Share	\$3,720,000.00	\$465,000.00	\$465,000.00	\$4,650,000.00

- b. Estimated allocations are further identified as follows:

- i. Federal share (through BACTS) – 80% of federally participating costs, up to a maximum of \$3,720,000.
 - ii. State share (through BACTS) – 10% of federally participating costs, up to a maximum of \$465,000.
 - iii. Local share (through the Municipality) – 10% federally participating costs, which is estimated at \$465,000, plus 100% of any additional costs incurred in accordance with Section 1.c. below.
- c. The Municipality shall be fully responsible for any and all Project costs exceeding \$4,650,000, unless otherwise agreed to in writing by the Parties through a modification to this Agreement.
 - d. If the actual Project cost is less than the Project Estimate the amounts owed will be adjusted according to the percentages.
 - e. If the Project Estimate or associated financial allocations are adjusted to reflect updated costs, MaineDOT will consult with BACTS and the Municipality before such adjustments are approved and implemented.

2. MaineDOT will share information about the status of the Project with staff from BACTS and the Municipality at the following milestones:

- Project kickoff/initial team meeting/formal public contact.
- Completion of the preliminary design report (PDR).
- Formal public meeting.
- Completion of the plans, specifications and estimate (PS&E.)
- Changes in the Project Schedule or Engineer's Estimate.

3. MaineDOT will prepare, or cause to be prepared, construction plans and specifications for the Project within the scope described above, using MaineDOT's standard project development process to ensure adherence to federal and state regulations.
4. After the final PS&E package is prepared, MaineDOT and the Municipality will execute a Municipal/State Project Agreement covering Project advertisement, award, construction and construction engineering. Said Municipal/State Agreement will carry the financial terms outlined in Section 1 above, as well as a schedule for collection of the Municipality's share of Project costs. Generally, Municipality payments for 100% of its share of the Preliminary Engineering and Right of Way costs, 50% of its share of Construction and Construction Engineering costs and 100% of all additional work requested by the Municipality are due prior to award of the contract for Project construction. The remainder of the payments to be made by the Municipality will be defined in the Municipal/State Project Agreement.
5. MaineDOT will consult with BACTS and the Municipality before implementing any adjustments to the Project scope, and BACTS and the Municipality will, likewise, notify MaineDOT of any proposed changes they wish to implement.
6. The Parties will participate as partners in any public meetings held to discuss the Project.
7. If MaineDOT withdraws from the Project before it has been advertised for construction, and that action was not directed by BACTS and the Municipality, MaineDOT will be responsible for all Project costs incurred to date.
8. If the Municipality withdraws its financial support for the Project as described in Section 1 above, leading MaineDOT to cancel the Project before it has been advertised for construction, the Municipality shall reimburse MaineDOT fully for any and all Project costs incurred in reliance on the Municipality commitment documented in this Agreement, including, but not limited to, reimbursement of all federal funds expended to date.
9. Anything herein to the contrary notwithstanding, the Municipality and BACTS acknowledge that, although the execution of this Agreement by MaineDOT manifests its intent to honor its terms and to seek funding to fulfill any obligations arising hereunder, by law any such obligations are subject to available budgetary appropriations by its federal partners and the Maine Legislature and, therefore, this Agreement does not create any obligation on behalf of MaineDOT in excess of such appropriations.
10. The Municipality represents that its governing body has taken all steps necessary and lawful to approve the Project and the Municipality's entry into this Agreement, has appropriated or authorized the use of any necessary funds in connection with the Municipality's participation, and has further authorized the undersigned Municipal representative to execute this Agreement on the Municipality's behalf.
11. MaineDOT shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off monies due the Municipality under a specific Project Contract up to any amounts due and owed to MaineDOT with regard to this Agreement, and any other Agreement/Contract, any other Agreement/Contract with any State Department or Agency, including any Agreement/Contract for a term commencing prior to the term of this Agreement, plus any amounts due and owed to the State for any reason including without limitation, tax

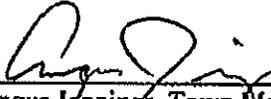
delinquencies, fee delinquencies or monetary penalties relative thereto. MaineDOT shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by MaineDOT, its representatives, or the State Controller.

12. All provisions of this Agreement shall expire at Project final voucher, or upon final payment by the Municipality of any Project costs as hereinbefore provided, whichever occurs later.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement effective on the day and date last signed.


Date 5/5/2016
Rob Kenerson, Director |
Bangor Area Comprehensive Transportation System

I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to myself; (c) is capable of verification; and (d) is under the sole control of myself.


Date 4/27/16
Angus Jennings, Town Manager |
Municipality of Hampden

I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to myself; (c) is capable of verification; and (d) is under the sole control of myself.


Date MAY 10, 2016
Herb Thomson, Director, Bureau of Planning
Maine Department of Transportation

I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to myself; (c) is capable of verification; and (d) is under the sole control of myself.

Schoolhouse Lane Rebuild

Existing road is approx. 860' long and 20' wide with a steep grade.

Preliminary Draft Scope of Work, full depth reconstruction:

- Add 2' width to road and install curb
- Box cut to waste
- 8" Type C underdrain, both sides of street
- Six precast 4' diameter concrete catch basins
- 18" Subbase
- 6" Base
- 4" pavement (2.5" binder and 1.5" surface)
- Striping
- Erosion control measures, dewatering
- Traffic control and signage
- Slipform concrete curb
- Loam, seed and mulch shoulders

Estimated cost to construct: \$275,000

With cost added for contingency, 8% engineering and inspection: **\$310,000**



Western Avenue Sidewalk

Local match for \$191,680 MDOT installation of sidewalks on a portion of Western Ave.

Estimated local cost: \$38,336.

In 2012 the Council approved funds from the Host Community Benefit fund but, since that fund has been largely depleted, the Council requested to consider rolling this into the November referendum. However, while it's not the millions it once was, there is more than enough in HCB to cover this so I do not recommend that this item be included.

However, before local match funds come due in excess of the \$31,600 authorized in 2012, the Council will be asked to authorize an additional \$7,000 to reflect the increased costs resulting from change orders since 2012.



**MAINE DEPARTMENT OF TRANSPORTATION
Modification 3 to a Local Project Agreement
With the
Town of Hampden
Regarding
Western Avenue Sidewalk, WIN 19401.00**

Modified Agreement Amount: <u>\$191,680</u>	Federal Project: <u>AC-STP-1940(100)X</u>
Federal Share: <u>\$153,344</u>	Federal Authorization: <u>May 9, 2011</u>
Municipal Share: <u>\$38,336</u>	Town's Vendor ID: <u>VC1000034557</u>
Effective Date: <u>October 27, 2011</u>	Town's DUNS #: <u>03-771-4755</u>
Expiration Date: <u>December 31, 2017</u>	CFDA #: <u>20.205 Highway Planning & Construction</u>

This Modification 3 applies to an Agreement between MaineDOT and the Town of Hampden for the above-referenced locally administered project that took effect Oct. 27, 2011 and was amended previously on Dec. 28, 2011 and on April 11, 2013. When executed, this latest modification shall increase the Agreement amount by \$10,000 – to a new upset limit of \$191,680 – and shall extend the terms by six months, as follows:

- ARTICLE II. Project Development – Paragraph A.** This section shall be modified to read as follows: "The estimated cost of the Project is One Hundred Ninety-One Thousand Six Hundred Eighty Dollars (**\$191,680**) to be shared at the rates in Article III, "Cost Sharing & Reimbursement Procedures."
- ARTICLE III. Cost-Sharing & Reimbursement Procedures – Paragraph A.** This section shall be modified to read as follows: "MaineDOT shall be responsible for eighty percent (80%) of federally eligible Project costs, not to exceed One Hundred Fifty-Three Thousand Three Hundred Forty-Four Dollars (**\$153,344.**)"
- ARTICLE III. Cost-Sharing & Reimbursement Procedures – Paragraph B.** This section shall be modified to read as follows: "The Town shall be responsible for twenty percent (20%) of federally eligible Project costs, or an estimated Thirty-Eight Thousand Three Hundred Thirty-Six Dollars (**\$38,336.**) The Town exclusively shall be responsible for costs deemed ineligible for federal funding and costs exceeding the upset limit of this Agreement as set forth in Article II.A above, unless MaineDOT approves otherwise in writing by executing an additional modification to this Agreement."
- ARTICLE VIII. EXPIRATION.** This section shall be modified to read as follows: "All provisions of this Agreement – except for Article II.M (maintenance), Article VI.A (records), and Article VII.C (indemnification) – shall upon satisfactory completion of the Project or **December 31, 2017**, whichever occurs first, unless otherwise modified in writing by the Town and MaineDOT."

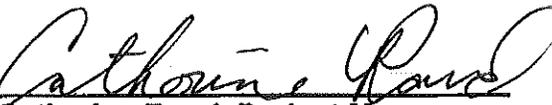
All other terms and conditions of the original Agreement shall remain in effect without gaps. **MaineDOT and the Town of Hampden**, by their duly authorized representatives, have executed this Modification 3 to the original Agreement on the date last signed below.

Town of Hampden

By: 
Angus G. Jennings, Town Manager

Date: 1/26/16

Maine Department of Transportation

By: 
Catherine Rand, Project Manager

Date: 1-26-16

CLERK'S CERTIFICATE OF VOTE OF TOWN COUNCIL

I, Denise R. Hodsdon, Clerk of the Town of Hampden, do hereby certify that the following is a true and accurate copy of a vote taken by the Town Council of said Hampden, at a regular meeting held on July 16, 2012, a majority of the Councilors being present:

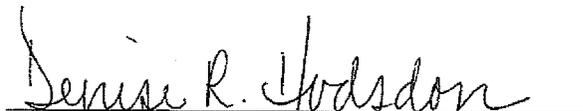
Item C.3.d. WESTERN AVENUE SIDEWALK – MATCHING GRANT FUNDS:

Manager Lessard reported that the Town had applied for two different grants for sidewalk on Western Avenue to Mayo Road. One of the grants was from the intersection of Route 202 to Mayo Road on the inside and the second was to complete the sidewalk that is already started on Western Avenue as far as Sidney Blvd., with a crosswalk across Western Avenue and then a sidewalk on the interior to meet the sidewalk on Mayo Road. MDOT approved the application for the smaller sidewalk and crosswalk. Almost a year ago the Council approved a match for engineering monies. Tonight the Finance Committee recommended that the Town take up to \$31,600 as the match for the Western Avenue sidewalk completion to Mayo Road from Host Community Benefits and the approval of that would accept a grant of \$131,000 from the State as their 80% share of the project.

Mayor Hughes asked for public comment and there were none.

VOTED: Motion by Councilor Cushing, seconded by Councilor Brann to accept the report and recommendation of the Finance Committee to spend up to \$31,600 from Host Community Benefits for the Town's share of the sidewalk grant project – unanimous vote in favor.

Dated: July 17, 2012


Clerk, Town of Hampden



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

C-3-a

Paul R. LePage
GOVERNOR

July 12th, 2011

COMMISSIONER

Robert Osborne
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: Project Number 19401 - HAMPDEN-PED SAFETY

Dear Robert:

The Maine Department of Transportation (MaineDOT) is pleased to inform you that your community's application for Quality Community Program funding for pedestrian and/or bicycle safety project(s) has been approved, and your community has been selected to receive federal funding assistance to design your project.

The approved project scope may have been altered relative to your original proposal. The project is funded for design for improvements located on Route 9, connecting the gap between Sidney Boulevard and Mayo Road.

Your community's project will be included in the MaineDOT 2012-2013 Biennial Capital Work Plan, pending final authorization of federal funds. MaineDOT has programmed up to \$6,400 in federal funds for design work on the project, contingent upon the additional minimum required local match of \$1,600. The funding amounts approved were based primarily on estimates for design services contained within your Quality Community Program application, although MaineDOT after review may have adjusted the amount to fit the proposed scope of the project. If actual design costs prove to be greater than the approved funding amount, your municipality will be responsible for those costs.

These numbers do not reflect additional local efforts that you may have outlined in your application. Any local efforts outlined within the application not quantified within the numbers listed above will also be required to be completed.

The MaineDOT has instituted a new policy that requires a municipality to have completed Preliminary and/or Final Design on a project funded through the Quality Community Program before being eligible to receive construction funding. Future funding for construction will be contingent upon both the community moving the project expeditiously through design and the availability of future federal and or state funding. This project is considered an approved project and your community will not need to apply again for the construction funding once the project moves through design and permitting and is ready for construction.



PRINTED ON RECYCLED PAPER

It is very important that design of this project move forward in a timely manner and that at a minimum a Preliminary Design Report (PDR) be completed prior to June 30, 2012 so that an accurate construction estimate can be arrived at for construction funding in the next Work Plan, scheduled to begin in the summer of 2013. This construction funding will be contingent upon the expeditious completion of the design.

Joel Kittredge has been assigned as MaineDOT project manager from the Bureau of Project Development. He can be reached at 624-3420. The municipality will be required to designate its own project administrator, who will oversee all local responsibilities for the project and be required to be certified in Local Project Administration through the MaineDOT. Please keep in mind that as outlined in the original application, MaineDOT staff time required to review project plans is part of the costs that need to come out of the project funding. Furthermore, please note that funding for this project including future construction funds is contingent upon MaineDOT receiving adequate federal funding to support it, and MaineDOT reserves the right to withdraw funds from this project for any reason.

We would like to emphasize that the Municipality should not authorize any engineering work or expend any funds on this project (including local match funding) before receiving notice that funds are authorized and you have signed a Local Project Agreement with the MaineDOT. Please call your project manager listed above at 624-3420 if you have any questions regarding this project and the next steps of the process.

Please sign below to indicate that the municipality agrees with all the elements contained within this letter and commits to the local match as outlined above, to complete the design, and to continue with the development of the project. If funds are expended on the project and the community decides at a later date to not proceed with construction, then all federal/state funds may be required to be reimbursed by the municipality.

Please return this letter, signed, to Dan at the address below.

Municipality _____

Authorized Signature

Date

Sincerely,



Dan Stewart
MaineDOT Quality Community Program Manager
16 State House Station
Augusta, Maine 04333-00

Cc: Susan Lessard

**State of Maine
Clean Water State Revolving Fund**

2015 CWSRF Project Information Request Form

CDP and town data shall be from the U.S. Census Bureau – American FactFinder <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

American Community Survey Use 5-year MHI estimates. See “Attachment 1” for details.

The U.S. Census Bureau has an application on its website that lets you see the CDP boundaries without needing any GIS expertise: <http://tigerweb.geo.census.gov/tigerweb/>. Zoom into a small portion of the state at a time and select the “Places and County Subdivisions” checkbox to see the CDP boundaries.)

- C. If a system wide income survey was used, list the year of the survey and organization that conducted it.

The percentage of affordability principal forgiveness offered will be based on the Affordability Criteria and Analysis presented in “Attachment 1”. In addition to the Sewer User Rate and Median Household Income data collected above, the additional data is needed for criteria of Poverty Rate, Unemployment and Population Trends. The Department will use the public information sites for these criteria noted in Attachment 1 to collect this information. Applicants may also use the attached spreadsheet, Affordability Principal Forgiveness Percentage Calculator.xlsx, to calculate this percentage on their own using the methodology described in Attachment 1.

Section 3 - Project Description:

(For each proposed project, please complete a separate project description form. Please be brief.)

- A. Project Name: WWTP Biotower Media Project

- B. Project Description:

Replace Biotower Media that has exceeded the manufacturer's estimated life span. During this project, concrete repairs will be completed as necessary and the rotary distributor will be dismantled and rebuilt.

- C. Purpose or need for project. Describe the existing conditions and the consequences of not proceeding.

The Biotower Media needs to be replaced. The manufacturer's estimated life span is 12 years. The Media is now 23 years old and its functionality has started to decline. Substantial portions of the top layer have been replaced twice. At this point the media is not safe to step out on without the risk of collapsing. This limits our ability to properly maintain the rotary distributor mechanism as well as reducing treatment efficiencies. The consequences of not replacing the media will eventually result in media collapse. A failure would put the treatment plant at risk of degraded effluent quality and possible MEPDES discharge violations.

- D. Will this project:

- | | | |
|--------------------------------------|------------------------------|--|
| a. Protect a drinking water supply: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Protect a lake: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Protect a shell fishing resource: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

**State of Maine
Clean Water State Revolving Fund**

2015 CWSRF Project Information Request Form

- d. Improve an impaired water body: Yes No
e. Address a facility need: Yes No

E. Are there known or suspected water quality concerns that this project will address?

If yes, describe.

Due to the deteriorated nature of the current Biotower Media, treatment efficiencies must be considered to be negatively impacted. In addition newer media designs have been developed since 1992 that will provide better treatment than the current media could have when it was new. It is likely that nitrogen and phosphorus removal can be improved with proper media selecton.

Budget Breakdown

		Comb. Total	Proj. Tot.	SRF	Hampden
			Biotower	Biotower	Biotower
1	Development				
1b	Contract 1 - Court St II	\$376,466.00	\$ -	\$ -	\$ -
1c	Contract 2 - Biotower	\$2,308,275.00	\$ 2,308,275.00	\$ 2,115,995.69	\$ 192,279.31
1d	Contract 3 - Hammond II	\$1,848,150.00	\$ -	\$ -	\$ -
	Contract 4	\$0.00	\$ -	\$ -	\$ -
1e	Contract 5	\$0.00	\$ -	\$ -	\$ -
1f	Contract 6	\$0.00	\$ -	\$ -	\$ -
2	Prelim. Expenses	\$3,300.00	\$ 1,100.00	\$ 1,008.37	\$ 91.63
3	Land & Rights	\$0.00	\$ -	\$ -	\$ -
4	Legal & Admin	\$0.00	\$ -	\$ -	\$ -
5	Engineering	\$0.00	\$ -	\$ -	\$ -
5a	Administration	\$24,000.00	\$ 8,000.00	\$ 7,333.60	\$ 666.40
5b	Design	\$110,597.00	\$ 52,597.00	\$ 48,215.67	\$ 4,381.33
5c	Inspections	\$272,000.00	\$ 112,000.00	\$ 102,670.40	\$ 9,329.60
5d	Other Services HMA, Test	\$115,000.00	\$ -	\$ -	\$ -
6	Interest & Refinance	\$0.00	\$ -	\$ -	\$ -
7	Equipment & Misc	\$6,000.00	\$ 500.00	\$ 458.35	\$ 41.65
8	MMBB Expenses	\$0.00	\$ -	\$ -	\$ -
9	Contingency	\$365,462.00	\$ 227,528.00	\$ 208,574.92	\$ 18,953.08
10			\$ -		\$ -
11					
12					
13					
	TOTAL	\$5,429,250.00	\$ 2,710,000.00	\$ 2,484,257.00	\$ 225,743.00

Source: City of Bangor

**State of Maine
Clean Water State Revolving Fund**

2015 CWSRF Project Information Request Form

*CDP and town data shall be from the U.S. Census Bureau – American FactFinder <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>
American Community Survey Use 5-year MHI estimates. See “Attachment 1” for details.
The U.S. Census Bureau has an application on its website that lets you see the CDP boundaries without needing any GIS expertise: <http://tigerweb.geo.census.gov/tigerweb/>. Zoom into a small portion of the state at a time and select the “Places and County Subdivisions” checkbox to see the CDP boundaries.)*

- C. If a system wide income survey was used, list the year of the survey and organization that conducted it.

The percentage of affordability principal forgiveness offered will be based on the Affordability Criteria and Analysis presented in “Attachment 1”. In addition to the Sewer User Rate and Median Household Income data collected above, the additional data is needed for criteria of Poverty Rate, Unemployment and Population Trends. The Department will use the public information sites for these criteria noted in Attachment 1 to collect this information. Applicants may also use the attached spreadsheet, Affordability Principal Forgiveness Percentage Calculator.xlsx, to calculate this percentage on their own using the methodology described in Attachment 1.

Section 3 - Project Description:

(For each proposed project, please complete a separate project description form. Please be brief.)

- A. Project Name: WWTP Aeration System Project

- B. Project Description:

This project is designed to upgrade the existing aeration and reaeration system to operate automatically based on dissolved oxygen, air flow, TSS, ph, and ammonia/nitrate. This project will also result in significant energy savings.

- C. Purpose or need for project. Describe the existing conditions and the consequences of not proceeding.

The main purpose of this project is to upgrade the aeration system to maintain a constant dissolved oxygen (DO) level to provide optimal treatment. Currently, flow and loading variations to aeration must be manually adjusted between 7:00 a.m. through 3:30 p.m. No DO adjustment is possible outside staffed hours resulting in periods of over or under aeration possibly resulting in degraded TSS and BOD effluent values. Improved automation will allow the blowers to restart automatically, preventing brief pauses in aeration while staff respond to the notification.

- D. Will this project:

- | | | |
|--------------------------------------|------------------------------|--|
| a. Protect a drinking water supply: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Protect a lake: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Protect a shell fishing resource: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

**State of Maine
Clean Water State Revolving Fund**

2015 CWSRF Project Information Request Form

e. Address a facility need: Yes No

E. Are there known or suspected water quality concerns that this project will address?

If yes, describe.

Without constant automated DO control, final effluent water quality can not be optimized at this plant. Improper DO levels and/or poor mixing result in reduced treatment. Excess DO can result in increased TSS values as air attaches to MLSS, reducing settling and resulting in an increased BOD. Low DO and poor mixing can result in insufficient treatment that results in increased BOD and TSS. Utilizing online instrumentation such as DO, SCFM, TSS, ph, and ammonia/nitrate measurement, it should be possible to increase nitrogen removal by implementing advanced aeration scenarios.

Bangor WWTP Improvement Funding

Aeration Tank Improvements:

Bangor cost estimation: \$505,000

-DPW Suggest contingency for inspection/engineering/construction
be valued at \$650,000

Hampden's share: **\$54,145.00**

Actuator Replacement:

Bangor cost estimation: \$55,000

Hampden's share: **\$4,581.50**

Main Flyght Pump Replacement:

Bangor cost estimation: \$85,000

Hampden's share: **\$7080.50**

Climber Rack Motor Replacement:

Bangor cost estimation: \$10,000

Hampden's share: **\$833.00**

Hampden's Total Share of Costs: \$66,640.00

Payback of Overdue Sewer Charges to Bangor

The following table summarizes the amounts currently due (and overdue) to the City of Bangor, for both treatment and pump station maintenance charges:

Hampden Sewer Fund, Analysis of 8-9-16									
<u>Sewer Invoices from City of Bangor</u>	<u>Period of Service</u>	<u>Total Amount Due</u>	<u>Date Due</u>	<u>Date Paid</u>	<u>Amounts Past Due</u>	<u>Total Amounts Due</u>	<u>Partial Payment Amount</u>	<u>Partial Payment Sent</u>	<u>Remaining Amount Due</u>
10/31/2014	Jan. to June 2014	\$ 94,534.94	11/30/2014	12/2/2015	\$ -	\$ -			
11/18/2014	July to Oct. 2014	\$ 72,707.72	12/18/2014	12/16/2015	\$ -	\$ -			
3/6/2015	Nov '14 to Feb '15	\$ 126,695.57	4/5/2015	n/a	\$ 126,695.57	\$ 126,695.57	\$ 64,000.00	5/18/2016	\$ 62,695.57
10/27/2015	March to June 2015	\$ 73,304.43	11/26/2015	n/a	\$ 73,304.43	\$ 73,304.43			\$ 73,304.43
3/10/2016	July '15 to Feb '16	\$ 122,809.73	4/9/2016	n/a	\$ 122,809.73	\$ 122,809.73			\$ 122,809.73
8/11/2016	March to June 2016	\$ 70,403.02	9/10/2016	n/a	\$ -	\$ 70,403.02			\$ 70,403.02
					\$ 322,809.73	\$ 393,212.75			\$ 258,809.73
					FY16 paid, total	\$ 231,242.66	<i>For service in FY14 and FY15</i>		
					<i>FY15 amounts overdue</i>	\$ 200,000.00			

The total amount due is \$393,213 including \$322,810 in overdue amounts. Every dollar paid to the City of Bangor during FY16 was for costs incurred in FY14 and FY15, so all of FY16 charges (and a portion of FY15 charges) remain unpaid.

Bond Counsel has advised that paying overdue bills is not a legitimate purpose for tax exempt bonding; therefore, borrowing to pay overdue amounts to the City of Bangor would not be tax exempt, and would be a separate article from the request for voter authorization for the WWTP work.

Bond Counsel has advised that, although we wouldn't be soliciting formal bids yet, we can gather very preliminary information so the Council can make an informed decision and present the voters a reasonable estimate. We have begun this research and will continue on Monday in hopes of providing the Council with an estimate of potential non tax-exempt financing terms on Monday night. I expect we'll have additional information, as well, in time for the September public hearing, which will be the basis for drafting language for the referendum article(s).

Bond Counsel has further advised that, while we will prepare estimates based on the best available information at the time, there is no getting around the fact that we will be subject to interest rates should anything happen between now and closing.

General Fund Interfund Transfers to Sewer Fund

The following table summarizes the amounts currently due from the Sewer Fund to the General Fund as a result of interfund transfers over the last many years:

Interfund Transfers to Sewer Fund, FY15 Year-end		
	<u>Date</u>	<u>Amount</u>
	6/30/2015	\$ 541,666.00
Interfund Transfers to Sewer Fund, FY16 YTD		
	<u>Date</u>	<u>Amount</u>
	10/15/2015	\$ 55,000.00
	12/14/2015	\$ 50,000.00
	1/14/2016	\$ 5,000.00
	7/21/2016	\$ 90,000.00
		\$ 200,000.00
Total balance due to General Fund:		\$ 741,666.00

The Council has preliminarily discussed adding to this borrowing the amount due from the Sewer Fund to the General Fund – which stands at \$741,666 – so the General Fund can be made whole. However, interest costs would be substantial.

Further, the amount of the interfund transfer deficit will decrease somewhat this fall as we complete collections from our 2nd quarter billing, which was based on the new higher sewer rates, and I do not expect that FY17 operations will rely on interfund transfers that are still outstanding at the end of the year. (The July 21, 2016 interfund transfer was necessary to pay a bond payment due to sewer fund cash flow, and additional funds will need to be transferred in order to pay \$245,238 in debt service payments due on or before November 1; however, as FY17 billings continue based on the new rates I expect that most if not all of these amounts will be able to be repaid to the General Fund during FY17.)