

## **FINANCE & ADMINISTRATION COMMITTEE MEETING**

Tuesday, September 1, 2015

**6:30 p.m.**

Hampden Town Office

1. Meeting Minutes
  - a. August 17, 2015
2. Review & Sign Warrants
3. Old Business
  - a. Tax Anticipation Note Bid Results
  - b. Town Attorney Appointment
4. New Business
  - a. FEMA Assistance to Firefighters Grant – Acceptance of Grant and Authorization to use Matching Grant Reserve Funds
5. Public Comment
6. Committee Member Comments

## FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, August 17, 2015

### MINUTES - DRAFT

#### *Attending:*

<i>Mayor David Ryder</i>	<i>Councilor Terry McAvoy</i>
<i>Councilor Stephen Wilde</i>	<i>Councilor Greg Sirois</i>
<i>Councilor Dennis Marble</i>	<i>Interim Town Manager Susan Lessard</i>
<i>Councilor William Shakespeare</i>	<i>Incoming Town Manager Angus Jennings</i>

*Mayor Ryder called the meeting to order at 5:30 p.m.*

#### **1. Meeting with Candidates for Town Attorney**

- a. *At 5:30 p.m., Charles E. Gilbert of Gilbert & Greif, P.A. presented his firm's interest and qualifications to serve as the new Town Attorney. Mr. Gilbert responded to questions from Councilors.*
- b. *At 5:50 p.m., Ed Bearor of Rudman & Winchell presented his firm's interest and qualifications to serve as the new Town Attorney. Mr. Gilbert responded to questions from Councilors.*
- c. *At 6:10 p.m., Jon Pottle of Eaton Peabody presented his firm's interest and qualifications to serve as the new Town Attorney. Mr. Gilbert responded to questions from Councilors.*

*Following each presentation, Incoming Town Manager Jennings notified each firm that he would contact them to schedule a time to meet with him during the week of August 24 in order to discuss their proposal in more detail, and that he will prepare a recommendation for consideration by the Council. The Council may, at its option, conduct additional interviews, but need not do so to make an appointment.*

#### **2. Meeting Minutes**

- a. *August 3, 2015 – There was a Motion and a second to approve the August 3, 2015 minutes. Unanimous vote in favor.*

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

#### **4. Old Business**

- a. **Trackless Sidewalk Machine Replacement Proposal – Referral from Infrastructure Committee – Councilor Marble reported on recommendation**

*of the Infrastructure Committee that a new trackless sidewalk machine be purchased, to be financed over two years (current fiscal year and FY17). There was a Motion and a second to recommend that the Council authorize the purchase. Unanimous (6-0) vote in favor.*

- b. Audio/Visual/Cable TV Equipment Upgrade – Referral from Services Committee** – *Councilor McAvoy reported that the AV equipment is very old, and reported on the Services Committee's recommendation for approval of this item. If the work is approved, NESCOM would be the responsible party, and would set up the components listed. Motion by Councilor McAvoy, seconded by Councilor Marble to recommend that the Council accept bid and authorize purchase and installation of new AV equipment for funding in the amount of \$49,542 as specified in the proposal worksheet. Unanimous (6-0) vote in favor.*
- c. Draft Amendments to Council Rules** – *This item was tabled for consideration at a later date.*

## **5. New Business**

- a. Request to use Library Reserve Funds for Air Conditioning Repair - \$986.48 – Referral from Infrastructure Committee.** *Councilor Marble reported on recommendation of the Infrastructure Committee to allocate Library Reserve Funds for air conditioning repair. Motion by Councilor Marble, seconded, to recommend that the Council authorize funds in the amount of \$986.48. Unanimous (6-0) vote in favor.*
- b. Request to use Garage/Transfer Station Reserve Funds for Beneficial Use Permit for Catch Basin Cleaning - \$3,500 – Referral from Infrastructure Committee.** *Councilor Marble reported on recommendation of the Infrastructure Committee to allocate funds for catch basin cleaning as recommended by DPW Director. Motion by Councilor Marble, seconded, to recommend that the Council authorize funds in the amount of \$3,500. Unanimous (6-0) vote in favor.*
- c. Request to use Garage Modification Reserve Funds for Town Garage DEP Compliance Items - \$5,000 – Referral from Infrastructure Committee.** *Councilor Marble reported on recommendation of the Infrastructure Committee to implement the changes to the DPW Garage as recommended by the DPW Director in order to bring the facility into compliance with DEP Regulations. Councilor Marble noted that this proposal represents a good initiative of the Director and Councilor Wilde agreed, pointing out that if materials are not stored in lockable barrels, for instance, it could subject the Town to significant fines. Motion by Councilor Wilde, seconded, to recommend that the Council authorize funds in the amount of \$5,000. Unanimous (6-0) vote in favor.*
- d. Tax Anticipation Note.** *Interim Town Manager Susan Lessard reported that this item is proposed to seek Council approval to pursue bids from area banks for issuance of a Tax Anticipation Note (TAN). Due to the need to make an*

initial payment toward the school budget, which could exceed \$500,000, prior to anticipated receipt of the first quarter property tax payments due in October, a TAN may be necessary due to low cash reserves during this period of time. Authorization is requested for a TAN in an amount up to \$2,000,000 with a repayment date no later than June 30, 2016. Additional borrowing may be needed in or around February 2016 based on cash flow projections at that time. Interim Town Manager Lessard suggested that, in years past, there has been adequate cash on hand to provide a cushion but that, after several budgets where reserve accounts were not funded, there is no longer such a cushion. She suggested that one way to avoid the need for such borrowing in future years would be to set the mil rate to rebuild the Town's reserve funds over time. *There was a Motion and a second to authorize the Town Manager's office to seek bids for a TAN up to \$2,000,000. Unanimous (6-0) vote in favor.*

**6. Public Comment – None**

**7. Committee Member Comments**

*There being no further business, the meeting was adjourned at 6:55 p.m.*

Respectfully submitted –

Angus Jennings  
Town Manager

**TOWN OF HAMPDEN  
BID OPENING  
\$2,000,000 TAX ANTICIPATION LOAN  
AUGUST 27, 2015 at 10:00 am**

BIDDER	INTEREST RATE
Machias Savings Bank	.85
Bangor Savings Bank	.83
Camden National Bank	.82
Katahdin Trust Company	.98

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone: (207) 862-3034  
Fax: (207) 862-5067  
email:  
manager@hampdenmaine.gov

August 17, 2015

Connie Brennan  
TDBank  
Government Banking  
1 Portland Square  
Portland, ME 04401

RE: Town of Hampden  
2015/16 Tax Anticipation Note - \$2,000,000

Dear Ms. Brennan ,

The Town of Hampden will receive proposals until 10 a.m. on August 27, 2015 for the purchase of the Town's \$2,000,000 2015/16 Tax Anticipation Note.

This note will be issued in interest bearing form and not discounted, and will be in denominations according to the purchaser's option. The Town reserves the right to prepay the Note in whole or in part without penalty or premium.

The Town is requesting that your bank quote interest rates for this financing on an 'as is needed' basis.

The Note will be issued on or about September 3, 2015 and will be payable on June 30, 2016 at the banking rooms of the successful bidder.

Bids should be marked 'proposal for loan' and delivered to the Town Manager by mail, fax or email, set out above.

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

The City will be advised by Eaton Peabody, acting as bond counsel. At closing, that firm will issue its opinion that the 2014/15 Tax Anticipation Note has been duly authorized and will be validly issued by the City, and as to the tax-exempt status of the interest on the Note. The Note will be designated a 'qualified tax-exempt obligation' of the City under § of the Internal Revenue Code.

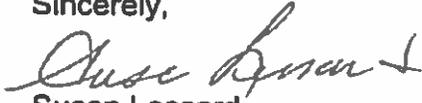
Your proposal should include the following information:

1. Interest rate to be charged, and the basis upon which interest is to be computed.
2. Total amount of interest to be paid for this issue. For this 'as needed' bid please assume the entire principal amount is drawn at closing.

3. Number of notes and denominations required
4. Length of time during which the Bank's bid will be open prior to acceptance; minimum should be September 3, 2015.
5. Any other terms and conditions.

Please send, email, or a fax a copy to bond council for the Town: Dan S. Pittman, Esq., Eaton Peabody, P.O.Box 1210 Bangor, ME 04402-1210, Fax No. 942-3040 or email to [dpittman@eatonpeabody.com](mailto:dpittman@eatonpeabody.com).

Sincerely,



Susan Lessard  
Interim Town Manager  
Town of Hampden

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



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

3b

TO: Town Council

FROM: Angus Jennings, Town Manager

DATE: August 26, 2015

RE: Consideration of respondents to Town Attorney RFQ

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At their meeting on August 17, the Administration & Finance Committee conducted interviews with the three respondents to the Request for Qualifications issued earlier this month for Town Attorney services. Following up on those interviews, I met with principals of each of the three firms at their Bangor offices earlier today in order to discuss their proposals in more detail. Among other things, we discussed in some detail their proposed business terms, options for structuring an agreement for services and, in general, how their firm could be most responsive to the Town's needs while maintaining careful cost controls.

In preparation for these meetings, I obtained writing samples from each firm (based on their other municipal counsel work). I am in the process of reviewing the samples received, and will be happy to share these materials with the Council, or individual Councilors, upon request.

I also had a productive meeting with outgoing Town Attorney Tom Russell. On the basis of information Tom's office provided, and information gathered by our finance staff Tammy Ewing, I have assembled documentation of hours billed and fees paid over the past five years. This information will provide a useful frame of reference for eventual negotiation of contract terms with the selected Town Attorney.

On the basis of my review, I recommend that, of the three firms considered, either Eaton Peabody or Rudman-Winchell will be most suitable to provide legal services to the Town. Between now and Tuesday, I will conduct reference checks for both firms. On this basis, and on the basis of my continued review of the firms' writing samples, I expect to be prepared to offer a recommendation for appointment on Tuesday evening.

Please let me know if you have any questions.



# FEMA

Mr. Jason Lundstrom  
Hampden Fire Department  
106 Western Ave  
Hampden, Maine 04444-1436

Re: Award No.EMW-2014-FO-01204

Dear Mr. Lundstrom:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2014 Assistance to Firefighters Grant has been approved in the amount of \$44,888.00. As a condition of this award, you are required to contribute a cost match in the amount of \$2,244.00 of non-Federal funds, or 5 percent of the Federal contribution of \$44,888.00.

**Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system.** By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2014 Assistance to Firefighters Grant Funding Opportunity Announcement.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

**Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov).** As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

**Step 1:** Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

**Step 2:** If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form

electronically. Then, using the Print 1199A Button, print a copy and take it to your bank to have the bottom portion completed. Make sure your application number is on the form. After your bank has filled out their portion of the form, you must fax a copy of the form to FEMA's SF-1199 Processing Staff at 301-998-8699. You should keep the original form in your grant files. After the faxed version of your SF 1199A has been reviewed you will receive an email indicating the form is approved. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

Sincerely,



Brian E. Kamoie  
Assistant Administrator for Grant Programs