

INFRASTRUCTURE COMMITTEE MEETING

Wednesday, October 12, 2016

6:00 P.M.

HAMPDEN TOWN OFFICE

AGENDA

1. MINUTES – 8/22/2016 Meeting
2. OLD BUSINESS
 - a. Update regarding consideration of LED streetlights – *Angus Jennings, Town Manager*
 - b. Town Center holiday lights - recommendation to proceed with bid process – *Angus Jennings, Town Manager*
 - c. Discussion of recommended sewer ordinance amendments regarding testing procedures – *Sean Currier, DPW Director*
 - d. Proposed amendments to driveway/culvert policy as relates to responsibility for maintenance/repair of driveway underdrains – *Sean Currier, DPW Director*
 - e. Update on MRC/Fiberight engineering review of road and sewer; construction inspection – *Angus Jennings, Town Manager*
 - f. Fiberight sewer rate setting – revisiting earlier discussion based on anticipated project changes indicating lower than expected water usage – *Angus Jennings, Town Manager*
 - g. Sewer Ordinance – pending abatement requests and discussion of policy for abatement requests and summer meters – *Angus Jennings, Town Manager*
3. NEW BUSINESS
 - a. Potential TIF funding for MRC/Fiberight construction inspections to supplement escrow account to be funded by developer – *Angus Jennings, Town Manager*
 - b. Update on Western Ave sidewalk / Sidney Blvd culvert – *Sean Currier, DPW Director*
 - c. Timing and process for consideration of Transfer Station operations, policy – *Dennis Marble, Infrastructure Committee Chair*
4. PUBLIC COMMENTS
5. COMMITTEE MEMBER COMMENTS

INFRASTRUCTURE COMMITTEE MEETING

Monday, August 22, 2016

MINUTES – DRAFT

Attending:

*Councilor Dennis Marble, Chair
Mayor David Ryder
Councilor Terry McAvoy
Councilor Mark Cormier
Councilor Stephen Wilde*

*Councilor Ivan McPike
Acting Town Manager Joe Rogers
DPW Director Sean Currier
Greg Nash (former Public Works)
Rosemary Bezanson (staff)*

Chairman Marble called the meeting to order at 6 PM.

1. **MINUTES** – 7/25/2016 Meeting - Motion by Councilor McAvoy seconded by Councilor McPike to approve the July 25, 2016 minutes. 6-0 vote in favor.
2. **OLD BUSINESS**
 - a. **Sewer financial report**

DPW Director Currier updated the Committee on the sewer spending and revenue account. It was a unanimous consensus that the account seems on target.
 - b. **Sewer rate setting for MRC/Fiberight**

Director Sean Currier summarized the sewer rate and charges for the Fiberight facility. The rate would be \$9.94 per 100 CF. This would include the normal rate of \$ 9.74 per 100 CF plus \$13,917.00 for maintenance of system.

Councilor Wilde has questions on how the rate was calculated and would the rate include the pay back to the general fund.

What is the additional cost from Bangor?

It was discussed that this should be reviewed annually.

Greg Nash stated that this is the first industrial use for Hampden and there were no rates set for this kind of use. This is a whole new classification under sewer users.

It was recommended to the next Finance Committee meeting set for September 8th.

A motion was made by Councilor McPike to refer this item to Finance Committee, seconded by Mayor Ryder. Voted was 5 in favor – 1 against (Councilor Wilde stated he could not support the vote due to unanswered questions and because he would not be present at next Finance Committee meeting.)

3. NEW BUSINESS

Chairman Marble moved item C to be taken up first, since Greg Nash was attending the meeting for this item.

c. Discussion of driveway/culvert policy as related to responsibility for maintenance/repair of driveway underdrains.

Greg Nash stated that in the late 80's and into the 90's a lot of subdivisions were being developed within the town. Most had large ditches, which created problems for the home owners in these subdivisions. Greg was directed by the Council at that time to put in underground drainage and fill in the ditches, which was budgeted over a period of years, and work was completed. Specific roadways or neighborhoods were budgeted in each budget year for several years. Westbrook Terrace was one of those subdivisions.

The current policy does not address the underground drainage.

Director Currier pointed out that Title 52 section 3251 and 3152 defines culverts and drainage.

The cost of 20 George Street, which DPW did repair this summer following the Committee's request, was \$800.00 with 80% being labor.

Mayor Ryder asked how long it would take public works employees to do the driveways in question. Director Currier mentioned it would depend on conditions, but estimated three to four hours with multiple crew and equipment.

There have been 4 requests from neighbors of 20 George Street to date.

Underground drainage is referred to as a close system, whereas culverts are an open system.

Director Currier asked the Infrastructure Committee what the priorities are, the driveways versus the roadways traveled by the public which have culverts that have failed and safety becomes an issue.

Councilor McPike stated that roads are a number one priority.

The Committee was in agreement that the bumps in driveways where underdrain ditches exist need to be fixed. The Committee felt that the culvert policy could remain unchanged.

Director Currier pointed out that based on his conversation with an MMA attorney it was her opinion that bumps in driveways over culverts and underdrains are the responsibility of the resident.

a. Request for reserve funding – Municipal Building Reserve – repair of drainage.

Councilor Wilde made a motion to refer the request of \$840.72 to Finance Committee this was seconded by Councilor McAvoy. Vote was 6-0 in favor of referring this to the Finance Committee.

b. Request for reserve funding – Cemetery Reserve – Grub damage.

Councilor Wilde made a motion to refer the request of \$ 5655.00 to fix the grub problem in the cemeteries to the Finance Committee seconded by Councilor McPike. The vote was 6–0 in favor.

Addendum to the agenda.

3. NEW BUSINESS

d. Request for Cemetery Reserve Funding – to repair fence at Locust Grove Cemetery damaged in a wind storm.

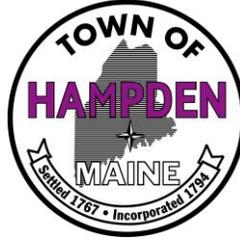
Director Currier submitted a request for \$750.00 to repair a chain link fence damaged at Locust Grove Cemetery.

Councilor McPike made a motion to refer the request to the Finance Committee seconded by Councilor Wilde. The vote was 6-0 in favor.

Motion to adjourn 7:35 PM

*Respectfully submitted –
Rosemary Bezanson, DPW*

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Infrastructure Committee
FROM: Angus Jennings, Town Manager
DATE: October 6, 2016
RE: DPW pre-winter project list
LED Streetlights
Town Center holiday lights

Agenda Item 2.a.

On my request Director Currier prepared the attached list of projects his Department is working to complete prior to winter. This is provided to the Committee for informational purposes.

Agenda Item 2.b.

As you know we have put some effort toward exploring the potential of replacing Hampden's current streetlights with LED lighting in hopes of reducing electrical costs and improving light quality. Since the Committee's last consideration of this topic my office has provided the complete documentation required for Pemco to refine or confirm their prior proposal. I also sent the Committee's questions, including regarding the impact of legislative changes on the value determination of current lighting infrastructure.

I have not had responses to these questions, and have not had time to pursue this since August. More recently, I read the attached article regarding a recent report from the American Medical Association which, in my opinion, justifies tabling this initiative for the time being. If the Committee agrees, I will continue to track this issue on a periodic basis, but will not invest significant time unless and until this is identified as a priority.

Agenda Item 2.c.

As you know, when we received quotes last winter for the installation and removal of holiday lights in the Town Center, one vendor correctly pointed out that there are problems with the electrical power supply on several utility poles. Their proposal included addressing this work, but we did not proceed with the work because it was out of scope (relative to lighting installation) and was not then budgeted.

An early draft of the FY17 Budget proposed funding to repair these faulty poles, but the Council agreed with my recommendation that this work would be an eligible expense for TIF funding, as this lighting contributes to the Town Center's "identity" and therefore can play a role in advancing an overall vision for the Town Center. Director Currier and I seek the Committee's endorsement to bring forward a proposal for TIF funding (est. at \$15,000), and to initiate a bid process to secure a vendor to complete this work.

2016 DPW PROJECTS BEFORE WINTER

(NOT IN ORDER OF PRIORITY)

FILL IN HOLE IN 44 DAISY LANE
 DITCH ICHABOD AND REPLACE FAILED DRIVEWAY CULVERT
 VFW STORM DRAIN INSTALLATION APPROX. 300'
 DITCH VFW BALLFIELD PARKING AND INSTALL CURBING ALONG ENTIRE PARKING/DRIVE AREA
 CANOE CLUB ROAD CULVERT REPLACEMENT
 (2) MILLER ROAD CULVERT REPLACEMENTS
 REMOVE FAILED DRIVEWAY CULVERT AT 631 MEADOW ROAD
 PAVE 391 OLD COUNTY ROAD DRIVEWAY FROM CULVERT REPLACEMENT
 PAVE CANOE CLUB, MILLER, OLD COUNTY TRENCHES
 PAVE APRON AROUND SEWER MH ON MRN
 CUT BRUSH ON EMERSON MILL RD
 CUT BRUSH THROUGHOUT TOWN ROADS (IN PROGRESS)
 MOW ALL ROAD SIDES WITH ZLE 1800 (IN PROGRESS)

DITCH EMERSON MILL ROAD WHOLE LENGTH OF HILL BOTH SIDES
 SHOULDER PENOBSCOT MEADOW ROAD
 SHOULDER EMERSON MILL ROAD
 SHOULDER MECAW
 SHOULDER CONSTITUTION, LIBERTY AND INDEPENDENCE
 SHOULDER POND ROAD
 REPLACE FRANCES DRIVE CATCH BASIN
 REPLACE NORTH ROAD CULVERT
 REPLACE SIDNEY BLVD CULVERT
 REPLACE 2 CULVERTS ON OLD COUNTY ROAD
 INSTALL INVERT IN SUCKER BROOK CULVERT ON OLD COUNTY ROAD
 CUT CULVERT HEADWALL OFF BEFORE WINTER ICE
 PREP/DITCH ALL 2017 PAVING STREETS
 FIX LOCUS GROVE BUILDING
 BIDS FOR DPW ROOF, OLD COUNTY PIPE BURST, DPW LIGHTING,
 STAIN ALL NEW PORTA POTTY ENCLOSURES (PUT CARDBOARD DOWN TO PREVENT CONCRETE STAINS)
 FIX CSO TANKS (AFTER OCT 1 TRAINING)
 CCTV MAIN RD NORTH (MOUNTAINVIEW TO OLD COUNTY)
 CCTV COTTAGE / VFW AREA
 FLUSH/TV CROSS COUNTRY STORM DRAIN AT DAISY-EXTENSIVE ISSUES IN THIS AREA
 PUT UP 3000 YDS OF WINTER SAND
 FIX DRIVEWAY BUMPS AT 15 GEORGE ST, 29 GEORGE ST AND HORSESHOE LANE (FIX ORDINANCE PRIOR TO WORK)
 STORMWATER PRIORITY FIX LIST FROM PY1 TO PY3 **** (EXTREMELY EXTENSIVE LIST OF REPAIRS NECESSARY) ****
 RFP'S TO CREATE:

DPW ROOF	RESERVE 03-777-00
SUCKER BROOK CULVERT	RESERVE 03-777-00
OLD COUNTY ROAD CULVERTS	OPERATING BUDGET 10-10-22-20
SIDNEY BLVD CULVERT	OPERATING BUDGET 10-10-22-20
NORTH ROAD OR OLD COUNTY ROAD CULVERT	OPERATING BUDGET 10-10-22-20
DPW LIGHTING INTERIOR	OPERATING BUDGET 10-05-20-35
DPW LIGHTING EXTERIOR	OPERATING BUDGET 10-05-20-35
CAB FOR JD 2520 TRACTOR	OPERATING BUDGET 10-01-20-01

Some cities are taking another look at LED lighting after AMA warning

By Michael Ollove September 25 at 8:00 AM

If people are sleepless in Seattle, it may not be only because they have broken hearts.

The American Medical Association issued a [warning](#) in June that high-intensity LED streetlights — such as those in Seattle, Los Angeles, New York, Houston and elsewhere — emit unseen blue light that can disturb sleep rhythms and possibly increase the risk of serious health conditions, including cancer and cardiovascular disease. The AMA also cautioned that those light-emitting-diode lights can impair nighttime driving vision.

Similar concerns have been raised over the past few years, but the [AMA report](#) adds credence to the issue and is likely to prompt cities and states to reevaluate the intensity of LED lights they install.

Nearly [13 percent](#) of area/roadway lighting is now LED, according to a report prepared last year for the Department of Energy, and many communities that haven't yet made the switch plan to do so. LEDs are up to 50 percent more energy-efficient than the yellow-orange high-pressure sodium lights they typically replace. They last for 15 to 20 years, instead of two to five. And unlike sodium lights, the LEDs spread illumination evenly.

Some cities say the health concerns are not convincing enough to override the benefits of the first-generation bright LED lights that they installed in the past three to eight years. New York is one of them, although it has responded to resident complaints by replacing the high-intensity, white LED bulbs with a lower-intensity bulb that the AMA considers safe.

Scott Thomsen, a spokesman for Seattle City Lights, which is responsible for the city's exterior illumination, dismissed the health concerns about bright-white LED lights, noting that they emit less of the problematic blue wavelengths than most computers and televisions.

After a year and a half of discussion and sampling, Lake Worth, Fla., is replacing its sodium streetlights with about 4,150 LED lights with an amber glow. "We found a color that made sense for the health of our city, and we're proud of the choice we've made," Michael Bornstein, the city manager, said.

Mark Hartman, Phoenix's chief sustainability officer, said the city might go with a mix of the intense lights for major intersections and ballpark areas that need very bright light and a softer light for residential areas. He said the city would consider the health arguments, although he too mentioned the glow from computers and televisions. "Nobody says don't watch television or use your computer after 9 p.m. because of blue lights," he said.

The first generation

Almost as soon as outdoor LEDs were made available, the federal government encouraged states and municipalities to use them, calling LEDs highly efficient for applications such as traffic lights and exit signs. But critics say federal authorities were too quick to endorse LEDs.

The Department of Energy and the Environmental Protection Agency "put a lot of push into them," said Michael Siminovitch, director of the California Lighting Technology Center at the University of California at Davis. "I call it a rush."

Siminovitch said the light from early-generation LEDs "really negatively impacts people's physiological well-being."

Lighting is measured by color temperature, which is expressed in "kelvin," or "K." The original LED streetlights had temperatures of at least 4000K, which produces a bright white light with a high content of unseen blue light.

Now, however, LEDs are available with lower kelvin ratings and roughly the same energy efficiency as those with higher ratings. They don't emit as much potentially harmful blue light, and they produce a softer, amber hue.

When 4000K and 5000K LEDs were installed, they drew mixed responses. Police and traffic-safety officials and many motorists liked them because they created a bright light that sharply illuminated the ground they covered.

But in many places, including New York City and Seattle, residents complained that the bright white light they emitted was harsh, even lurid. People described them as invasive, cold and unflattering.

Even before the AMA warning, some researchers raised health concerns. Some noted that exposure to the blue-rich LED outdoor lights might decrease people's secretion of the hormone melatonin. Secreted at night, melatonin helps balance the reproductive, thyroid and adrenal hormones and regulates the body's circadian rhythm of sleeping and waking.

"As a species, we weren't designed to see light at night," Siminovitch said.

Meanwhile, the "dark sky" movement criticizes LEDs as a major contributor to what it calls the "light pollution" that humans cast into the night sky.

Effect on sleep cycles

In its warning, the AMA cited the melatonin issue, noting that studies have linked bright LEDs to reduced sleep time, poor sleep quality and impaired daytime functioning.

It referred to evidence that exposure to high-intensity light at night might increase the risk of cancer, diabetes, cardiovascular disease and obesity. And it cautioned that intense LEDs have been associated with “discomfort and disability glare,” which might impair nighttime vision for drivers.

Finally, the AMA cautioned about the harmful effects of bright LEDs on wildlife, particularly nocturnal animals, birds and insects.

“These lights aren’t just bad for us,” said Mario Motta, one of the authors of the AMA report, “they’re bad for the environment, too.”

The AMA did commend LEDs for their energy efficiency and effectiveness, but it urged cities to minimize blue-rich outside lighting and recommended the use of LEDs no brighter than 3000K.

Tony Dorsey, a spokesman with the American Association of State Highway and Transportation Officials, said that the organization’s environmental committee is studying the AMA’s report but that association members haven’t seemed concerned about the use of 4000K LEDs on roadways.

The Department of Energy said LEDs should be used with “prudence” but praised their overall performance. It said the AMA had added “another influential voice” to the issue.

Others, including the Lighting Research Center at Rensselaer Polytechnic Institute in Troy, N.Y., said the lights pose less risk than the AMA suggests. The research center pointed out that the AMA report is based on extended exposure to high-intensity LEDs, and said the blue-light hazard of LEDs “is probably not a concern to the majority of the population in most lighting applications.”

Motta stood by the AMA’s concerns about high-intensity LEDs and said there is no downside — either in cost or efficiency — to choosing a lower-intensity light.

Some cities are satisfied with their higher-intensity LED streetlights.

In Seattle, which has installed about 41,000 new lights since 2010, Thomsen, the spokesman for Seattle Light, attributed the early complaints to residents' surprise at the sharp difference in brightness between the old sodium lights and the new LEDs.

Light from the new fixtures is comparable to moonlight and provides excellent visual acuity for drivers, Thomsen said. Police especially like them, he said, because they enable people to distinguish colors at night. "The police say they get much better witness descriptions," Thomsen said.

Thomsen also noted that even though the Seattle LEDs are rated at 4100K, significantly lower than most computer screens, laptops and televisions.

But Pete Strasser, technical director at the International Dark-Sky Association, said moonlight contains far less blue light than high-intensity LED lights.

A little more than a year ago, Gloucester, Mass., was on its way to replacing its sodium streetlights with new 4000K LEDs. But then city planner Matt Coogan began reading about health and environmental warnings. He also had residents sample the 4000K lights against 3000K models.

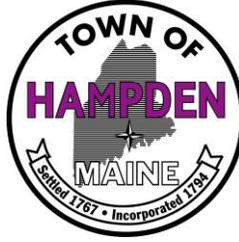
Next month, the city is expected to finish installing its LEDs, but they will be 3000K rather than 4000K.

Coogan knows the debate over the health risks of LEDs rages on. But he doesn't want to be on the wrong side of history.

"I didn't want to get 10 or 15 years down the road and find out we had exposed our people to a health risk," Coogan said.

— Stateline

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Infrastructure Committee
FROM: Angus Jennings, Town Manager
DATE: October 6, 2016
RE: Proposed amendments to driveway/culvert policy as relates to responsibility for maintenance/repair of driveway underdrains

I understand from review of the August 22 meeting minutes, and discussion with Director Currier, that the Committee felt that the DPW could undertake work on driveway underdrains without amending the Driveway/Culvert Policy. I am not in agreement with this interpretation, and do not see language in the Policy that would provide a basis to explain to a resident why work could proceed on an “underdrain” (a term which is not defined in the Policy) but not on a culvert.

I have therefore asked Director Currier to propose modifications to the Policy in order to reflect the Committee’s policy intent, which as I understand it is for the DPW to take on explicit responsibility for the repair and/or replacement of driveway underdrains. Director Currier and I have each reviewed a range of policies in place in other Maine communities, and he is presently working to draft such amendments.

Additional information regarding the specific proposal we will bring forward will either be circulated by email prior to Wednesday’s meeting, or will be presented at the meeting.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Infrastructure Committee
FROM: Angus Jennings, Town Manager
DATE: October 6, 2016
RE: MRC / Fiberight (Agenda Items 2.e. and 3.a.)

Item 2.e.

The past eight days have been quite intense with regard to the MRC/Fiberight project, and have absorbed significant staff time from my office, DPW, Planning, and Code Enforcement. Several related items are included on Wednesday's agenda either as informational, or for specific Committee action.

Town Planner Cullen's memo to the Planning Board, attached, provides a good summary – along with the CES memo it references – of the proposed “phased” construction plan that MRC wishes to undertake. In order to take advantage of the limited remaining window for construction in 2016, the MRC Board voted on September 30 to allocate funds toward construction of the roadway and utilities infrastructure.

The Town's peer review of the final engineering of the road and utilities is still underway, taking into account updated plans provided by the developer last Monday September 26, as well as the proposed “phased” construction approach summarized in CES' memo of October 3. However, because the road was not proposed as a subdivision, and is not subject to the Subdivision Ordinance, the sequence of design to construction is not as clearly defined as would be expected of other projects. In our continuing efforts to accommodate the proposed timing for this complex project, we have agreed to participate in a pre-construction meeting this Tuesday October 11 to include Town staff, our peer review engineer from Woodard & Curran, the developer (MRC), MRC's engineers from CES, and MRC's construction contractor Sargent Corp. Progress has been made on our engineering peer review this week, and we are working to stay “one step ahead of the shovels” in part by keeping Woodard & Curran focused on those near-term critical path issues which will be essential to get right for the long term good of this new infrastructure.

I have attached a recent email that summarizes a number of issues that may be of interest or concern to the Committee. At Wednesday's meeting Director Currier and I will be prepared to answer any questions you may have.

Item 3.a.

Typically, a road being built in anticipation of public acceptance would be subject to field inspections by third-party inspectors retained by the Town using escrow funds provided by the developer. These inspections are standard practice, and are important to ensure

that what gets built matches the approved designs, and that the construction is of sufficient quality to ensure that its acceptance as public infrastructure is a good decision. The same is true for sewer infrastructure, and the Sewer Ordinance provides a framework for these inspections.

Because the proposed roadway was not proposed as a subdivision, and is not subject to the Subdivision Ordinance, the regulatory “vehicle” for eventual public acceptance is the Town Ways Ordinance. The Planning Board Order approving the project (especially Conditions 14 and 17) provide additional basis for construction inspections.

Following correspondence with MRC dating back to July, the MRC Board finally approved some funding for construction inspections at its meeting last Friday September 30. However, we are continuing to negotiate with MRC regarding the specific scope of work and budget for third-party inspections. Because MRC will retain its own design engineer, CES, to oversee project construction and certify that work is completed properly, they have balked at the costs associated with the Town’s third-party reviews.

The need for third-party inspections is clear, and is standard practice, but is especially necessary in this instance due to the proposed “phased” construction approach, and due to the – essentially – design/build nature of this project (at least this fall, until final roadway and sewer plans are submitted and approved).

I have directed Director Currier to work with Woodard & Curran to scope the inspections that he feels are necessary and warranted in order to secure the Hampden taxpayers’ long-term interest in the quality of the infrastructure (in anticipation of its eventual public acceptance).

We will continue to work with MRC to arrive at a work scope that is mutually agreeable; however, due to absolute financial constraints to which the project is subject, I am not certain that they’ll ultimately agree to fund the level of inspections that we would expect, and have undertaken for other projects (such as construction of the infrastructure in the Business Park).

In the event that MRC’s agreed funding would constrain the Town’s ability to get the support it needs during the construction process, I am committed to ensure that this not result in potential long-term liability to the Town. I am therefore prepared to recommend Council authorization of TIF funding in order to supplement – if and as needed – the available budget for construction inspections.

At Wednesday’s meeting Director Currier and I will be prepared to answer any questions you may have. Prior to that time, we will have received Woodard & Curran’s review of the latest revised roadway and sewer plans, and will be in a position to update the Committee regarding the pre-construction meeting to be held on Tuesday.



Town of Hampden
Land & Building Services

Memorandum

To: Planning Board
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: October 5, 2016
RE: MRC/Fiberight Project Update

Town staff has been working with the proponents of the MRC/Fiberight project over the last few weeks as they are addressing their needs and trying to get the project started. Due to circumstances beyond their control they are in a position where they need to begin road construction before the end of the construction season this year in preparation for site construction as early as possible in 2017. The attached memo from CES addresses their proposed method of dealing with this. Woodard & Curran is currently reviewing this as well as the final road and utility plans.

While the road design is not explicitly part of the Planning Board's approval, since the project was not proposed as a subdivision and the road is expected to be proposed for acceptance by the Town Council under the Town Ways Ordinance, access to the site is an explicit requirement of the Planning Board Order and the Zoning Ordinance and we believe it is important for the Planning Board to be apprised of the situation. It is possible that MRC may request modification to the Planning Board's Order; their attorney is currently reviewing the order in light of recent changes in their infrastructure design and proposed construction timing to determine if any modification is needed.

As of this writing I don't know if representatives of MRC will be attending the Planning Board meeting or not – in an effort to prevent unnecessary delays I have included this on the agenda. The project proponents have been advised that materials would need to be received this week in order to be timely for next Wednesday's meeting. If we receive additional information in a timely manner we will email it to you prior to the meeting.

October 3, 2016

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

Re: MRC Interim Access Road - Phase I Construction

Dear Angus:

Thanks again for your time last Thursday to meet and discuss the Municipal Review Committee (MRC) and Fiberight project. The MRC Board of Directors voted on Friday to move ahead with constructing interim access to the site (Phase 1) as I described to you last Thursday. This phased approach is necessary to address some critical path scheduling constraints that resulted from the several challenges that the MRC Board was addressing over the past few months. These challenges can be further explained by Greg Louder and Chip Reeves this afternoon. A phased approach is necessary to maintain the overall project schedule of construction completion in 2017 and operation of the Fiberight facility by Spring of 2018.

The proposed Phase I scope includes the following items:

- ◆ installation of the erosion and sedimentation control measures along the road corridor;
- ◆ clearing and grubbing of the access road project area;
- ◆ installation of the sanitary sewer gravity system including the main, services, sewer manholes, grinder station structure and pump station structure only, and the forcemain and air/vacuum release structure along the access road;
- ◆ installation of the access road box culvert and HDPE culverts;
- ◆ construction of one 15-foot lane of the access road through the sub-base gravel course; and,
- ◆ installation of temporary seed and mulch.

A detail highlighting the Phase 1 work elements is enclosed.

The MRC is in the process of finalizing a contract agreement with Sargent Corporation to begin construction as soon as possible to utilize the remaining 2016 construction season. We understand that the Town and your consultant need to review the revised construction plans that were provided on September 26, 2016 and also participate in a preconstruction meeting. An escrow for the Town's review was also approved last Friday. We will provide technical specifications for the Phase I construction activities by Wednesday this week. Based on the Phase I scope described above, we would request that you focus your review efforts on the construction activities to be done this Fall. Review and approval of the final design for elements beyond the Phase I scope can be completed at a later date as these items are not planned for construction until the Spring of 2017.

The following identifies the CES team members, roles, and responsibilities to help you, your staff, and the Town's consultant(s) coordinate with us.

CES Project Team Member	Project Role
Denis St. Peter, PE	Project Manager
Sean Thies, PE	Senior Project Engineer – Town Permitting, Design Engineer for Road and Stormwater
Travis Noyes, PE	Senior Project Engineer – Design Engineer for Water and Sewer
Nate Gustafson, PE	Senior Project Engineer – Task Manager for Construction Phase

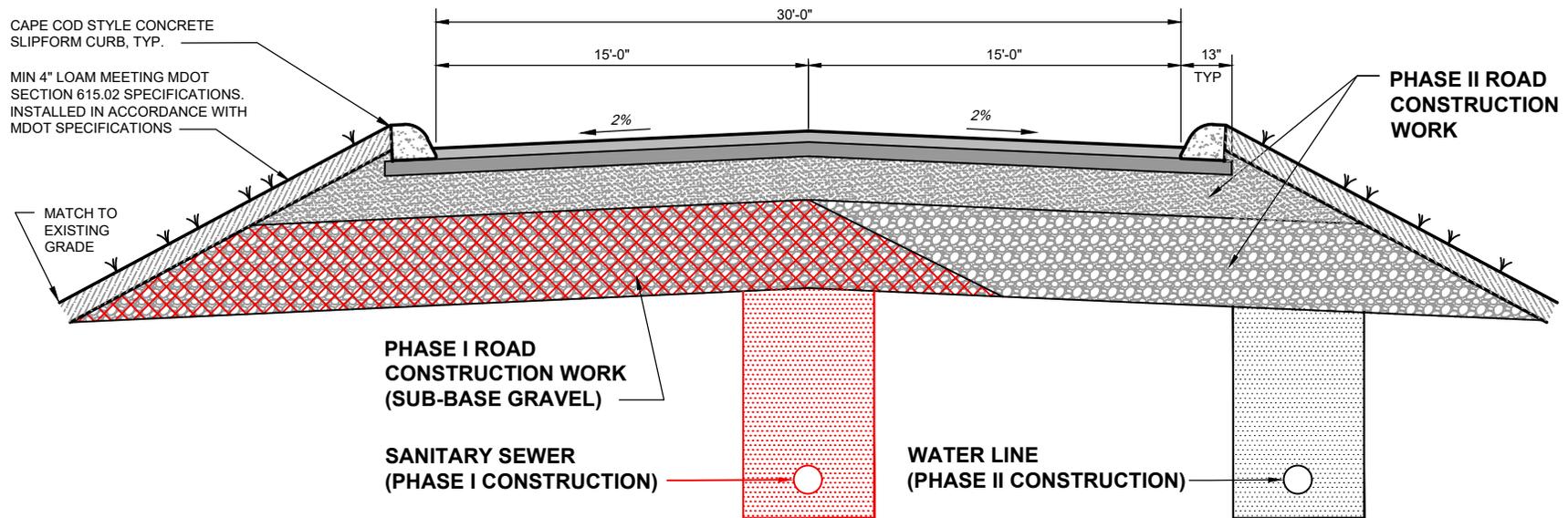
Please let us know if you have any questions or need additional information.

Sincerely,
CES, Inc.



Denis St. Peter, P.E.
Senior Project Manager/Principal

Cc: Greg Louder
Chip Reeves
Craig Stuart Paul
Sean Thies, PE
Travis Noyes, PE
Nate Gustafson, PE
Enc.





Angus Jennings <townmanager@hampdenmaine.gov>

Notes and next steps re MRC/Fiberight

1 message

Angus Jennings <townmanager@hampdenmaine.gov>

Tue, Oct 4, 2016 at 2:56 PM

To: Denis St Peter <dstpeter@ces-maine.com>, Greg Louder <glouder@mrcmaine.org>, Chip Reeves <chip@barharbormaine.gov>

Cc: Sean Currier <publicworks@hampdenmaine.gov>, Karen Cullen <planner@hampdenmaine.gov>, Myles Block <codeenforcement@hampdenmaine.gov>

Denis,

Following up on our meeting with you, Greg and Chip yesterday, we met again this morning including me, Sean, Karen, Myles Block, and Jim Wilson from W&C.

Design Review / Inspections

- W&C continues to advise us that the proposed "phasing" with construction of one road lane through sub-base gravel can work, in their opinion, if it is handled properly in design and construction. However, it should be understood by all parties that there is some risk to this approach that some amount of gravel laid during the initial phase may need to be re-installed or replaced if future inspections indicate that the material has been compromised. Our DPW Director continues to have concerns about variable compaction etc., but if all parties are focused on this we hope your contractor can mitigate any risk that the road integrity would become compromised over time.
- W&C is putting all available resources toward reviewing the road and sewer design information, with a near-term focus on those critical path aspects that would come up sooner in the site work sequence. They will require further information regarding the design basis for the pump station and product specifications for key components, per my email to you, Sean Thies and Travis Noyes on Friday.
- W&C advised, as they have previously, that their reviews would be more efficient (and cost-efficient) if they review all materials at once, rather than piecemeal. Given the moving parts with the design this doesn't appear possible while maintaining a fast timeline, but MRC should be aware that there could be a cost impact to reviews if we are continually responding to design changes.
- We have decided that we will work with W&C on field inspections, rather than Greg Nash, given the dynamic nature of the project and their familiarity with the project to date. If we worked with Greg there would be some amount of time - until definitive design plans are available, at least - of overlap, and this would be inefficient. Once the design is final, we may revisit the inspections role for 2017 field work.

Building Permit

- CEO Myles Block confirmed that what Karen said at yesterday's meeting is accurate: site work on the building site can proceed without a building permit, but a building permit will be required to set forms for foundation, pouring of foundations, etc. When we next meet we can review this in more detail with Myles present.
- We remain concerned about a future scenario where Fiberight is seeking a building permit but one cannot be issued under either our Ordinance, the Planning Board Order, or both. The key definitions to focus on in our zoning are for "lot" and "frontage." It seems that the scenario of issuing a building permit for the land while it is connected with Bouchard's land with frontage on Coldbrook Road would break down once the land is purchased and becomes a distinct real estate parcel. Whatever urgency MRC/Fiberight is feeling now will surely be compounded once real money goes into the ground, and we need clarity on this point now so it does not come to a head in the future. It is the applicant's responsibility to propose how you plan to address this, and we (primarily Code) will promptly determine whether it is workable.

Planning Board Order

- The Planning Board Order will be enforced as written. As we discussed, the PB Order provides for Board adoption of "insubstantial" changes at a regular meeting (rather than a newly posted hearing) upon determination by the PB Chair, in consultation with staff, that a proposed change is insubstantial. The next monthly Planning Board meeting is next Wednesday October 12. We urge you to review the Order carefully to determine whether there are aspects of the Order that will create problems for the project in the field; then to bring forward any recommended changes so that these may be reviewed with the Chair to determine whether they're considered insubstantial. **If you are to appear on next week's agenda we will need to know this no later than tomorrow (Wednesday) morning; and will need any supporting material for the Board's meeting packet no later than Thursday at 4 PM.**

Pre-Construction Meeting

- Sean, Karen, Myles, W&C and I can all be available for a meeting to include Sargent next Tuesday October 11; it appears that the window between 10am and 3pm is open to meet.
- Prior to that time, W&C expects to have completed its review of the updated roadway design to confirm that comments from their prior review have been satisfactorily incorporated. They will also have reviewed in more detail the proposed phased construction approach.
- At (or prior to) the meeting we would like to review the proposed construction sequencing and timeline, including relative to stormwater management, erosion controls, site access management during construction (incl. the need for turn-outs along the single-lane road), and how the snowmobile trail will be handled during construction. We would also like to talk through anticipated timing for Fiberight's application for building permit, including as relates to the frontage issue above.
- Per Condition 14 of the PB Order, we will need to receive five full-size plan sets. Understanding that some engineering changes to roadway and sewer may still occur, it will be imperative to ensure that all parties are working from the same (and latest) plan set throughout the project.

Please let me know if a meeting next Tuesday will work on your end. If you have specific questions that you'd like to address prior to our meeting please let me know, or you can feel free to be in touch with Sean, Karen or Myles based on the nature of the question(s).

Thanks,
Angus

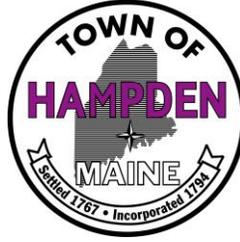
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TO: Infrastructure Committee
FROM: Angus Jennings, Town Manager
DATE: October 6, 2016
RE: Sewer Rate Setting for Fiberight project

At its August 22 meeting, the Committee recommended a special sewer rate for the Fiberight facility based on language in the Sewer Ordinance. The Sewer Ordinance Sec. 10.3 reads as follows:

Section 10.3. Special Charge for Industrial Organizations: A Special Sewer Service Charge shall be assigned to any industrial firm or organization, the strength or other characteristic of whose waste varies significantly from that of normal domestic sewage. In general, such charges will be based on equitable prorating of costs for conveying and treating such waste, taking into account, but not necessarily limited to, the effect of volume, BOD, suspended solids, settleable solids, chlorine demand, toxicity, and pH. Pretreatment by the industry may also be a requirement if necessary to make the waste compatible with flow in the sewer system. The Town Council, after appropriate study, and advice from the Town Manager, shall assign a Special Sewer Charge to the industrial firm by separate agreement with said firm. The applicable portions of the preceding sections, as well as the equitable rights of the public, shall be the basis for such an arrangement.

10.3.1. Additional Special Charge: In addition to the Special Sewer Service Charge, which is concerned solely with the cost to the Town for debt service, capital expenditures, operation and maintenance of the public sewage works, there shall be a special charge to nongovernmental users of the public sewage works in accordance with the Town of Hampden Fees Ordinance identified in the Standard Industrial Classification Manual, 1972, prepared by the Federal Government Office of Management and Budget, as amended and supplemented, under the following divisions:

- Division A - Agriculture, Forestry and Fishing
- Division B - Mining
- Division D - Manufacturing
- Division E - Transportation, Communications, Electric, Gas and Sanitary Services
- Division I - Services

The special rates were recommended due to the characteristics of the anticipated discharge from the Fiberight facility, and the specific costs associated with maintenance of the pump station and cross-country easement to ensure access to the force main. The DPW Director prepared an estimate of annual costs that would result from this facility that differ from those associated with typical system maintenance. He prepared an estimate of \$13,917 in annual costs.

The special rate recommended by the Committee would have internalized these costs into the flow-based rate, and were based on Fiberight's estimates of 150,000 gallons per day of discharge. However, very recently, we were informed that Fiberight is likely to revert to an electricity-cooled process – rather than water-cooled – and as a result would use much less water (and, in turn, discharge less to the sewer) than had previously been presented.

Nevertheless, the incremental costs that Director Carrier estimated would not change.

Therefore, I am recommending that, rather than “embed” these costs into the usage rate, as had been proposed, that instead a separate fee be levied on the Fiberight facility in order to offset the Town's anticipated direct expenses to result from public acceptance of the sewer infrastructure (including pump station and force main).

If the Committee is in agreement with this approach, I would request that this matter be referred to the Finance Committee. In that event, Director Carrier and I would prepare a specific proposed method by which this fee could be assessed.