



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

JUNE 27, 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. June 7th, 2016 Budget work session minutes
- b. June 13th, 2016 Council Meeting minutes

3. COMMUNICATIONS

- a. Letter of appreciation to Department of Public Works employees from Mr. and Mrs. Richard Dufton
- b. Memorandum to U.S. Department of Justice providing comment on the Chevron Consent Decree filed May 18th, 2016
- c. Notice of preliminary Town of Hampden 2017 State Valuation report

4. REPORTS

- a. Planning & Development Committee Minutes – June 1, 2016
- b. Finance & Administration Minutes – May 16, 2016
- c. Infrastructure Committee Minutes – May 23, 2016

C. PUBLIC COMMENTS

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS -

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

2. PUBLIC HEARINGS – Proposed FY 2017 Municipal Budget including Sewer Budget and Capital Improvement Program – *Referred to public hearing by Town Council*

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

4. UNFINISHED BUSINESS – Reauthorization of Town Manager to execute Joinder Agreement with Municipal Review Committee (MRC) for MSW services beginning in 2018 – *referral from Infrastructure Committee*

5. NEW BUSINESS -
 - a. Notice of 2015 Assistance to Firefighters Grant and request authorization to use \$818.00 from the Matching Grant Reserve account for turn out gear extractor and dryer
 - b. Request authorization to use up to \$9,051.00 from the Municipal Building Reserve for fuel bid under buy
 - c. Request authorization to use up to \$17,000.00 from the Personnel Reserve fund for unbudgeted personnel expenses
 - d. Authorization to engage the firm of Eaton Peabody as bond counsel and to initiate process to authorize FY17 borrowing of up to \$2,000,000 in Tax Anticipation Note
 - e. Authorization to engage the firm James W. Wadman, CPA for FY16 year-end audit and FY17 audit services
 - f. Request to authorize up to \$2,500.00 from Host Community Benefit account or to otherwise fund insurance coverage for 2016 Children's Day activities

- E. COMMITTEE REPORTS

- F. MANAGER'S REPORT

- G. COUNCILORS' COMMENTS

- H. ADJOURNMENT



B-2-a

**Hampden Town Council
FY17 Budget Workshop for June 7, 2016
MINUTES**

In attendance:

Mayor Ryder
Councilor Sirois
Councilor McPike
Councilor Wilde
Councilor Marble
Councilor Cormier
Councilor McAvoy

Town Manager Angus Jennings
Town Clerk Paula Scott
Tax Assessor Kelly Karter
Rosemary Bezanson
Members of the Public

1. Call to Order: Mayor Ryder called the meeting to order at 6:00 p.m.
2. Review of Proposed Town Manager FY17 Budgets: - Manager Jennings started by reminding that this workshop is a continuation of the May 23, 2016 budget work session. The core budget is presented as it was on 5/23/16, the biggest difference is the change to the organizational chart. He explained the historical background of the shared function of planning and economic development and stated his position is that he believes the town would be better served with a full time planner that would improve economic development; both of which were left short by the combining of the positions. He read from a memo that he had presented to the council. (Attached to these minutes as **Exhibit A**)
3. **Economic Development account 01-30 proposed for \$15,750.00** - At the conclusion of the manager's introduction, and the start of budget discussion, resident William Shakespeare approached the podium. He stated that he is against eliminating the Economic Development director stating he doesn't believe a planner will be able to do enough in the economic development side of things. He read from two emails- one of his own and one from Albert Hall to the manager. (Attached to these minutes as **Exhibit B**) Manager Jennings stated he has been in contact with Mr. Hall since the email had been sent and acknowledged that points made in the email from Mr. Hall had merit. He further stated that those points would be taken under consideration during the council's deliberation on the matter. Keith Bourgoine of HEK approached the podium and shared his experiences in moving his business to Hampden from Bangor in 2007. He stated that the move was as difficult as he had heard it would be in dealing with the planning board and the permit process. He stated that there was no real economic development

professional helping facilitate things on behalf of the owner. He feels both positions are merited and feels that the process for a business would go smoother with an economic development person and a planner both. Former Councilor Janet Hughes of Hughes Brothers approached the podium and said she was speaking not just as a business owner but also as a former councilor. She stated that in the past Hampden has ridden the coattails of Bangor but feels the town needs more than just subdivisions; it needs business too. In prior years stormwater management has been almost invasive and DEP has had to step in on behalf of the business owner. She stated that approximately 10 years ago Hampden had a bad reputation with builders, developers and contractors but there has been a lot of positive changes. She spoke in favor of the economic development position and asked the council to consider where the town has been and to make sure that the plan is a correct one. Tom Brann, former councilor and former UMaine professor approached the podium. His specialty in 1972 was to bring GIS to the state, to begin to create an environment where long term planning could be done. He said that Hampden was one of the first towns to open its eyes to GIS. He stated that he was also a former planning board member and was against making the planning position part time when that occurred. He said lots of ordinances needed to be fixed back then. He spoke about how the name of Community and Economic Development Director was a purposeful name as community is very important in economic development in order to properly support parks, recreation, and the pool facility. He stated that as a councilor he supported the TIF program but didn't want to just return TIF funds to businesses but to shelter funds for the public benefit on justifiable general fund expenses. He stated that he absolutely agrees with the manager on the need for a full time planner with support staff. He also absolutely agrees with a full time economic development director as part time doesn't work. At the conclusion of public comments, Councilor McAvoy made a motion to accept this budget as is, seconded by Councilor McPike. Councilor Marble acknowledged that the business owners stated what *hasn't* happened in the past but that things have improved and that the council does not want to go backwards. Discussed how much work is done at committee level to balance compliance issues, reactive activities, money, and the support of business development. He spoke in support of Manager Jennings who has to balance all these activities and also keep the mil rate down. He spoke of the serious effort that went into recruiting the manager, which was a unanimous decision. He stated he would like to monitor the process for a year and to assure those listening that the council is both business friendly and in support of reducing onerous land use regulations. This has not been an easy decision, but it has been a very transparent one. Motion on the floor was then brought to vote. Councilor McAvoy, Councilor Cormier, Councilor Marble, Councilor Wilde, Councilor McPike and Mayor Ryder voted in favor of the motion. Councilor Sirois was opposed. Motion carries.

4. **Planning & Assessing account 01-25 proposed for \$269,782.00** – It was noted that there have been no changes to this beyond the discussion held on May 23rd. Councilor McPike made a motion to accept line item as presented, seconded by Councilor McAvoy. Unanimous vote in favor.

5. **TIF Reimbursement account 67-01-55-25 proposed for \$288,512.50** – Manager Jennings reported that the TIF estimates are based upon the projected mil rate which the assessor won't know until commitment is set. Discussion followed regarding increased valuation of about 11 million, being a mix of commercial and residential. Assessor Karter explained the categories the state uses to determine total valuation based on sales and that \$17,500.00 in new taxes is equal to 1 mil in valuation. Discussion on the TIF revenue supplementing economic development activities which is a permissible use of TIF funds and ties in closely with the capital plan. Manager Jennings stated he welcomed council guidance on utilizing TIF resources. Councilor Wilde stated that the council is making an effort to be pro-active and not reactive as to what will come to town vs what will not come to town for businesses. The Emera TIF was earmarked for down town and zoning issues need to be corrected in order to help development. Councilor McAvoy suggested taking Emera funds to invest in broadband for the town. Manager Jennings recommends getting a serious market study to tell us what we have to market as a community which will be a detailed indicator of the types of uses for the success of the community. After discussion, Councilor Marble made a motion to accept TIF funds as presented, seconded by Councilor Sirois. Unanimous vote in favor.

Manager Jennings then presented his analysis of FY17 staffing at both a 1% COLA and a 1.5% COLA, per council request. Discussion followed regarding union contract, the process of increasing wages, and the pay scale. At the conclusion of discussion, Councilor McPike made a motion to stay with a 1% increase in wages, seconded by Councilor McAvoy. Councilor McAvoy, Councilor Cormier and Councilor McPike voted in favor of the motion. Councilor Wilde, Councilor Marble, Councilor Sirois and Mayor Ryder voted in opposition. Motion fails. Councilor Sirois made a motion to accept the wage increase at 1.5%, seconded by Councilor Marble. Councilor McAvoy, Councilor Cormier and Councilor McPike voted in opposition. Councilor Marble, Councilor Wilde, Councilor Sirois and Mayor Ryder voted in favor. Motion carries.

With no further business, at 7:45 p.m., Councilor McPike made a motion to adjourn, seconded by Councilor Marble. Unanimous vote in favor.

Respectfully Submitted,



Paula A. Scott, CCM
Town Clerk

Exhibit A

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: June 7, 2016
RE: Proposed staffing changes in FY17 Town Budget

As part of my proposed FY17 Town Budget, I have proposed a couple of changes to the Town organizational chart that I believe would improve our service to the community. Tonight's meeting is intended to allow for a discussion of these proposed changes.

The most significant change is my proposal to restore a full-time Town Planner position, and to eliminate the Community and Economic Development Director position.

As you know, as recently as 2015 the Town employed both a full-time Town Planner and a full-time Community and Economic Development Director. In January 2015 the former Town Planner was reduced to part-time hours, and in May 2015 he resigned his position. The then-Community and Economic Development Director was placed in charge of the Town Planner's responsibilities, and was given oversight of other positions in Assessing and GIS/IT. The former Town Manager's April 2015 memo outlining these changes is attached.

Since beginning my work in August 2015, I have been evaluating the function of the combined Planning/Economic Development/Assessing/GIS-IT/Code Enforcement departments, and I am recommending changes in order to improve function without adding to the operating budget.

My proposals related to personnel are summarized as follows:

- Eliminate Community and Economic Development Director position.
- Restore full-time Town Planner position.
- Transfer Administrative Assistant to new position providing approx. 30 hours a week of administrative support to DPW and approx. 10 hours a week of administrative support to Administration (specifically, handling weekly payroll). This position would continue to handle Ambulance billing collections.
- Replace Administrative Assistant either through internal hire or new hire. If replaced through internal hire, replace transferred employee with new hire.

I expect that the effect of these changes will improve department function and public service in the following areas:

- Provide greater staff time from the Town Planner toward zoning and ordinance amendments, stormwater management/environmental compliance, physical planning in coordination with infrastructure, and neighborhood/district-based participatory planning. A reconfiguration of seating arrangements, placing the Planner in an office with direct line of sight to the Administrative Assistant work station, will enhance customer service and provide direct backup to the Administrative Assistant if that person is out, on the phone or with a customer.
- Provide substantially more administrative support to DPW, including handling accounts payable, public bidding/procurement, contract financial management, environmental compliance reporting, and clerical support. This will free up significant time each week that the DPW Director can put toward other work.
- Provide approximately 10 hours a week of time from the current Accounting/Finance/HR Director, who is currently handling payroll, to take on more responsibilities as Finance Director. This will supplement the Town Manager's finance capacity, and takes into account the fact that the responsibilities of the Accounting/Finance/HR Director have expanded during my tenure based on a management style that is more collaborative. Many finance-related tasks that the former Town Manager retained exclusively have, during my tenure, involved regular collaboration with the Accounting/Finance/HR Director.
- Provide enhanced administrative support to the Planning/Economic Development/Assessing/GIS-IT/Code Enforcement functions, since the Administrative Assistant will no longer be also supporting DPW and Ambulance.

The organizational chart changes summarized above would be accompanied by a reconfiguration of employee seating arrangements, set out in the attached exhibit, in order to provide better customer service, especially for walk-in customers.

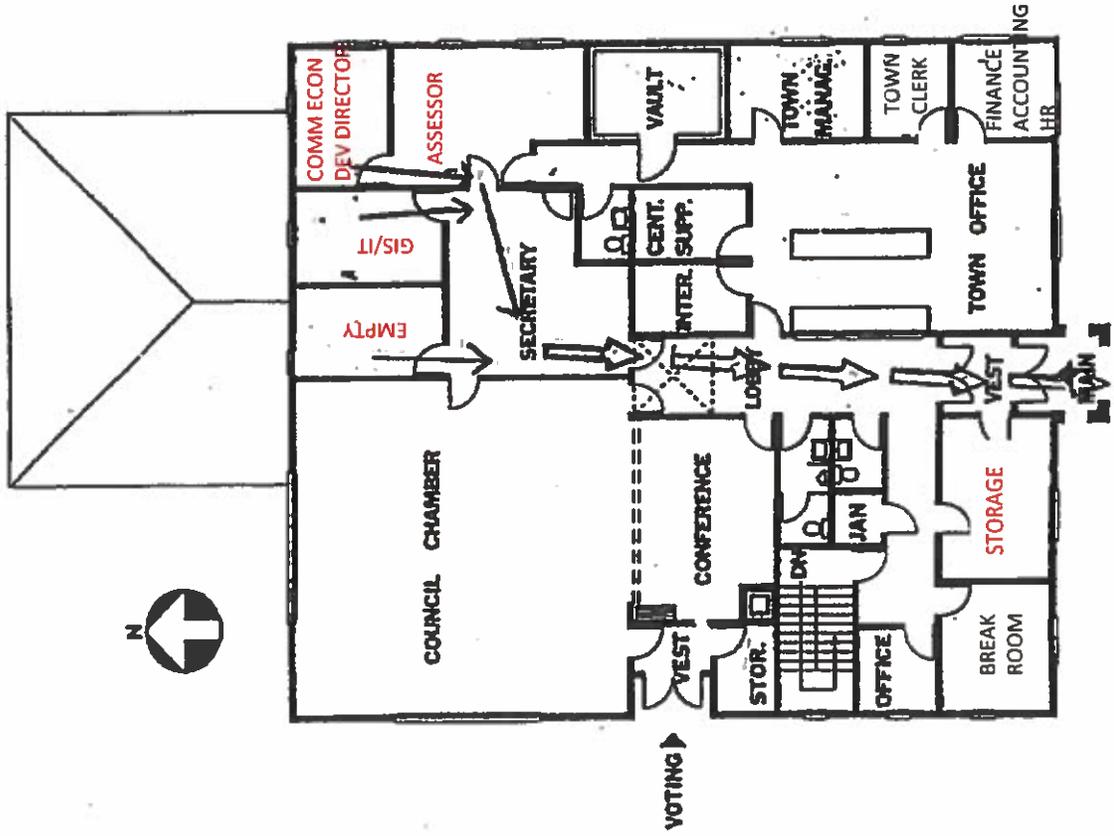
If the proposed organizational changes are approved within the FY17 Budget, it would have the effect of eliminating the Community and Economic Development Director position. As a manager, recommending the elimination of a position held by a current employee is one of the most difficult decisions I need to make. I have made this recommendation because I believe that the proposed organizational structure will better serve the Town of Hampden.

There are several opportunities for Hampden residents and businesses to provide input to these proposals and/or other aspects of the proposed FY17 Budget:

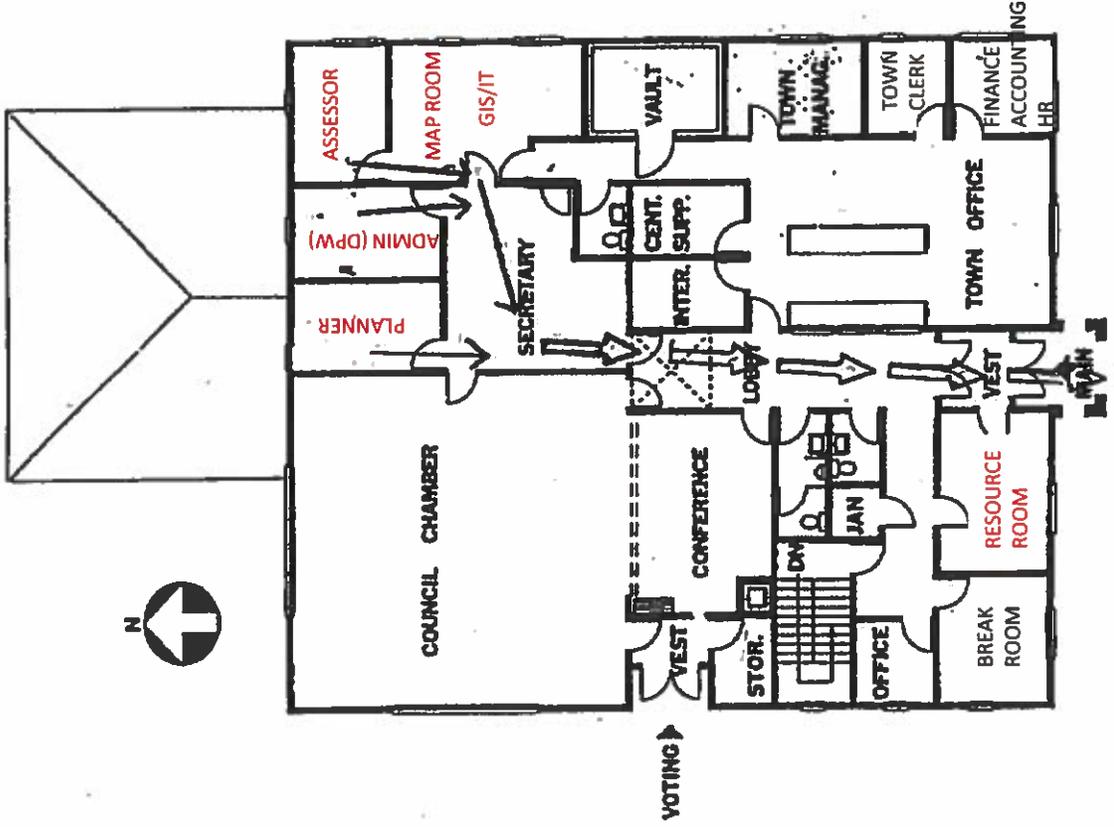
- The Town Council meeting tonight at 6 PM will focus on these proposals;
- The Town Council meeting on Monday, June 13 at 6 PM will include review of the entire proposed FY17 Budget proposed by the Town Manager, including these proposals.
- On the 13th, the Council will refer its recommended FY17 Budget to public hearing to be held on Monday, June 27 at 7 PM.

In addition, comments submitted verbally or in writing are always welcome. All budget materials are on the Town website at www.hampdenmaine.gov

Current Layout



Proposed Layout



Offices with proposed changes are shown in red text.

Exhibit B**Re: Retaining Hampden's Community and Economic Development Director**

Bud and Barb Hall

Mon 6/6/2016 11:10 AM

Inbox

To: william <wmshakespeare@hotmail.com>;

2 - Hi Bill

When reviewing the proposed budget and noticing the lack of funds missing on this line item, I called Steve as one of the Council to express my concerns. He told me he would inform the new town manager. He reassured me that the manager would get in touch with me to listen to my concerns. After waiting a week I never heard from the town manager. So, I personally went to the Town office and left a message with the Town manager to contact me. I am now moving into the second third week without hearing from the Town manager. When speaking with the Councilor, I expressed my concern that is very similar to yours. As a business owner, my decisions are made based on directions and leadership of the Town and the direction the town is moving.

Bill, who is representing the town now that is so penny wise and pound foolish???? I do not understand??? When Sue was leading the Town, I felt comfort in knowing when I wanted to work with the town, she would immediately respond to my request. Moving into the third week after expressing concern and a desire to be informed on the new direction the town is moving, and be shut out by the town, as an existing business I am gravely concerned. Should Angler's continue to conduct business in the Town, or is the writing on the wall to move before any economic gains I have made are lost in this new direction the new town manager is driving the town to? I have learned over the years that your wisdom in Town affairs has been on target pretty much all the time. Any guidance moving forward would be greatly appreciated.

At minimum, can you inform the Council tomorrow evening of my concerns. In a public setting, and on the record, make note I have tried for three weeks to have the Town manager respond to my concerns. Granted, Anglers only employs 28, but we can sell multiple time of Children's Day raffle tickets then any other business in the Town of Hampden. Serving 100,000 guests a year in the Hampden store alone makes it an asset I refuse to let go unguided in a Town with such unresponsive Government.

Dean, had Anglers be the first business to go through his new program to develop a business in Hampden. Everyone told me how Hampden was not business friendly. Matter of fact All the Department heads laughed at me in thinking I was able to convert a residential property into a commercial business in less then 7 weeks. Which with Dean's help Anglers accomplished. I just think that if I was a new business wanting to come to town and contacted the Town Manager and it takes three plus weeks to get a response. That is half of the time it took to complete the start up of my business. Why would I bother?? I just don't understand Bill? I am not the most articulate guy in the world, but I think this email explains my concerns.

Thanks for giving me the time to vent.

Bud Hall

Anglers Restaurants

PS This letter was very hard for me to write, as being in the restaurant business I must satisfy 100% of everyone. I realize this letter will leave and divide many people which made it very hard to hit send. Just wanted you to know this. Thanks again Bill, and maybe this year I can win the boat!!!! LOL

From: [william](#)

Sent: Monday, June 06, 2016 10:10 AM

To: ron.dennis@dennisexpress.com ; eric.clapp@emeramaine.com ; brianb@hobouchard.com ; info@wightssportinggoods.com ; dhiggins@hamlinsmarina.com ; mainedist@juno.com ; unclejonny04@yahoo.com ; herbsargent@sargent-corp.com ; ken.whit@fapeabody.com ; kbourgoin@hec CPA.com ; jhughes@hughesbrosinc.com ; tombrann@tds.net ; anglers@gwi.net

Subject: Retaining Hampden's Community and Economic Development Director

The following is an e-mail I forwarded to all Hampden Town Councilors and the Town Manager expressing my concern over the elimination of our Community Economic Development Director. The Council will be voting on this matter this Tuesday evening 7 June, at 6 PM, in their chambers. I am appealing to all of you to either attend this meeting and express your concern about this matter, or contact the Town Councilors and express the necessity for an Economic Development Director. Thank you. Bill Shakespeare

→ I feel it necessary to contact all the Town Councilors to address a pending vote on the elimination of the Town's current Community and Economic Development Director. Having served on this Council for a period of six years, I am well aware of tight budgets, but am also well aware of the necessity and need in this community for Economic development.

Each and every one of you councilors have strongly expressed, during your councilor campaign, for the need to bring new business into this community. We have worked diligently to accomplish this to make this community a "Business Friendly Community". This action has virtually come to a "stand still" since the planner, Bob Osborne, was placed on a part time bases last year by this Council (I'm the only one who voted against this) and eventually resigned. Since then the Economic Development director has had to play the role of Town Planner, one which he is neither "trained for", qualified, nor wished to do. It seems to be an incompatible position. Economic development has consequently suffered and opportunities possibly missed.

At a Planning and Development meeting on June 1st, our current Town manager proposed that he hire a full time Planner. He feels, because of the absence of one, "with corresponding training and education, has resulted in work of the planning department not getting done". I agree, because as I have already said, Dean Bennett did not have, nor is trained as a planner. He was only filling in that role until a full time planner could be hired. (\$40,000. was retained by Sue in reserves for a part time planner which was never hired). I even stated, many times, when Sue wanted to cut Bob Osborne's hours, that we needed a full time planner and that it was a huge mistake to not have one and to add that responsibility to the Economic Development Director. I was chair person of the Economic Development Committee, at that time, and worked closely with both Bob and Deane and was well aware of all the work which was and had to be done.

However, I disagree with Manager Jennings that a Town Planner can serve in the role as an Economic Development Director. This would be making another huge mistake as was making Deane the Planner. This community, without question, needs to have a separate Community and Economic Development Director that works with a Town Planner.

Let me remind this Council of some of the success stories we have had, either directly or indirectly, because of this Director and a Town Planner.

Anglers Restaurant, Rite-Aid relocation, Katahdin Trust, Central Maine Diesel, Wights Sporting Goods, **Hamlin Marine Expansion**, Rawcliffe Car Wash, Mclaughlins Seafood, Emera Maine, Apostolic Church.

Retention of Dennis Paper and food products and their expansion. Development of the rear phase of the Business Park. Initiation of Lafayette Hotels purchasing the Old High School. Extensive collaboration with Chevron, the Attorney General, the DEP, and Hamlin Marine in our acquisition and development of Turtle Head Park. Meetings with Hampden Triangle land owners to discuss potential collaboration resulting in the Fiberight project being borne.

These are just a few of the many accomplishments which have resulted because we have had a Community and Economic Development Director. They did not "just happen". They were a result of many, many, hours of hard work and because we are "**Business Friendly**". No Planner, and I repeat, no Planner, could possibly, nor can by himself, accomplish this and also do his job. To eliminate this position, in this community, would be like "cutting off" one of your legs. Let's do that and hobble around.

To save a few dollars (only a penny or so on the mil rate) would be, in my opinion, not only a travesty to this community, but contrary to everything this Council and this Community has worked so hard to accomplish-to become "**Business Friendly**". If we're worried about the budget, why not utilize the money from the Emery TIF. That's allowed for economic development. Utilize the \$40,000. Sue reserved for a part time planner, or scrap the \$15,000 to repair a few Xmas lights on the poles. Or how about his Council forfeiting their \$30.00 per meeting paycheck. That's about \$15,000. per year. Don't forget you voted also to fund about \$80,000. for a mostly empty bus to pick-up a few citizens.

If you are concerned about business development in Hampden, as you say you are, then do the "**right thing**", keep the Economic Development Director. Let's not take a step backwards!

Bill

From: Janet Hughes [mailto:jhughes@hughesbrosinc.com]
Sent: Tuesday, June 07, 2016 2:21 PM
To: bdstar@midmaine.com
Subject: RE: Memorandum from Hampden Town Manager Angus Jennings

Sue,

Can you forward this back to the group please? I think I will go to the budget meeting tonight, if anyone else has thoughts they would like to share.

My response to the memorandum is as follows. The Economic Development position has made huge strides in changing the attitude and environment of the town government to a more business friendly and workable government for business. The economic developer's position was to focus on business development for 1) increasing tax base in the narrow margin of what "Hampden" wants to see as our future (beyond building subdivisions), and 2) to improve the business climate in the Town of Hampden. For years, the Town was considered anti-business and overzealous in environmental policy. New (and existing) business found it difficult to "do business" and the Town had a bad reputation for being difficult to deal with. The economic developer took a CAN DO approach. His job was to spear head a number of issues including the Marina, the Business Park, to attract new business, and change the business environment (and/or the relationship between business and the Town government). Now, when a business steps foot in the Town office, they are met with a group of people lead by the economic development director with a can-do attitude. He pulls public works, the water district, the Planner, code enforcement officer, and environmental representatives. So the applicant or even interested business has a clear understanding of what needs to be done. What we needed was a leader who understood business, and at the same time could help through the hurdles of permitting. That person needs to build relationships with the community. There has been so much change, and while change can be good, so much change in the past few years is making me nervous.

So many times in this Town, we were told what we could NOT do, and not what we CAN do. Projects were dragged out and stalling projects unnecessarily.

We need to continue to build the economic development strategy we started over 5 years ago. Hampden is more than a suburb of Bangor, and there is a lot more to be done to make this Town a thriving Town and government. In the Town had been very good at building environmentally restrictive ordinances, many now that people just simply ignored because they can't be followed. Now I'd like to see some focus in our downtown area, and continue to build a business base to overcome the rising costs faced by our Town.

I just think this is bad timing saving pennies on the mill rate if at all. Now that the recessionary times appear to be breaking through, we need to get to work.

Those are my thoughts, and you know I've seen this situation all around....from doing Business to being a part of Town government. I haven't always agreed with the Economic Development Director on every single issue but I do feel that the Position has been the best thing that has happened to Hampden business for many years.

Janet Hughes

From: Bud and Barb Hall [mailto:anglers@gwi.net]
Sent: Tuesday, June 07, 2016 2:32 PM
To: bdstar@midmaine.com
Subject: Re: Memorandum from Hampden Town Manager Angus Jennings

Hi Susan and Cheryl

As you both know I am out of town with my wife who had a stroke last month. I find this memorandum and changes very concerning. The very first thing the town manager refers as beneficial to this change, is amendments to the zoning and ordinances and environmental compliance. This means more constraints of business growth and a seeming step backwards in the old "Hampden is not business friendly" mind set.

I have been informed that the new town manager has back ground in planning. Wouldn't it be much more sensible to have a full time Economic developer and the planning needs done by the town manager vs. hiring another employee with back ground in which the manager has for his strong point? Doesn't make sense to me???? Am I missing something????

I contacted a town councilor three weeks ago and Steve said he would direct the town manager to contact me. After waiting a week and knowing I had to leave the state I stopped in to the town office personally, to reach out to the town manager and he was not available but I left a message with my personal cell phone as a contact for Angus to call me so we could talk. That was a week and a half ago and I have yet to hear from him???

I wrote to Bill Shakespeare a response to his letter, of my concerns and what has been happening with the lack of communication with the town manager which I understand he is going to convey at the meeting to night.

You two have worked very hard in getting the Hampden businesses together in the HBA. How many business members of the community are on board with this change? It concerns me greatly and the decision of eliminating the Economic Development Director's position in order to hire someone to provide greater staff time towards "zoning and ordinance amendments, storm water management/environmental compliance" seems very constrictive of growth.

I will keep the new town office seating and office re-arrangement ideas as elementary at best. Seriously? Planning of who is in line of site? Is this so people can be avoided when entering the town offices if they are not wanted? Then again maybe there does need to be a seating arrangement change so the town manager can respond quicker then three weeks to a request?

I maintain the idea of eliminating the Economic Developer is very "penny wise and pound foolish"! Let's see if a new business wants to come to the town of Hampden. Let's send him to the planner who is making new "zoning and ordinance amendments and storm water / environmental compliance" documents coving his desk for the new potential business thinking about coming to town????????? Seriously?

Susan, I have known you for a long time and your love for this community. Are you really on board with the elimination of the Economic Developer from the budget? You of all people know how much Economic Development has been accomplished by the current Economic Developer. Even if there was a personality clash between him and the new town manager the "position" is needed to continue to grow. That is what brings me back to the penny wise and

pound foolish mind set. How many millions of dollars of new business and more taxes are we giving up to save in actual budget dollars when you add in the new line item of a new planner?

If this is the new direction the Town of Hampden is moving I am strongly questioning why I would want to continue doing business is a Town moving backwards and wanting to strengthen their ordinances and environmental compliance constraints. Who would??????

Hope this finds you well and thank you so much for allowing me to vent. If you see Dean please let him know I would lobby very very hard for him to be hired in Searsport as someone with his qualifications is someone I would really hate to see slip away.

It is extremely hard for me to take a position like this publicly because in the restaurant business I HAVE to satisfy EVERYONE. Which this issue can not do.

Again thanks for listening
Bud

On Tue, Jun 7, 2016 at 4:30 PM, Ken White <ken.white@fapeabody.com> wrote:

Good afternoon Angus-

I just wanted to drop you a note about the proposed elimination of the Economic Development Director. In the 22 years I've been working in Hampden (and having been the President of the Hampden Business Association a couple of times) I can honestly say that the time Dean has been in the position have been the only times I would consider the Town "Business Friendly". Dean worked well as a liaison between the wants/needs of the business community while working within the zoning, codes, etc. set forth by the Town and the comprehensive plan. We (FA Peabody) personally had several issues that arose over the years while trying to find a new location in Hampden that were very frustrating to deal with. Things that simply didn't make sense. These were prior to Dean being in the position. Since Dean has been in the position, we have seen many things that have happened that I truly don't believe would've happened in the past.

I believe the proposal is to have the Town Planner's duties include Economic Development. From what I saw in the past, at least based on the former occupant of that position, the two positions seem to be looking at different things. Sometimes it seemed the two positions might almost have conflicting interests. The conversations I had with the former Town Planner always took the wind out of my sails when discussing things. Again, I'm not sure it was the actual person in the role, but just because they were looking at things from a different angle...more thoughts about green space, storm water runoff, trees, etc...not about how can we attract more businesses and jobs to the town. FYI – when I'm looking for more space for my growing business, I could care less about green space, trees, and storm water runoff. I'm not saying these things aren't important...they are, and they certainly need to be addressed, but putting these at the forefront is not how you do economic development. A real world example was when I called the former town planner to explain that we needed more space for our office. I inquired about possibly adding a second floor to our existing building, similar to what both Realty of Maine and Dawson Bradford had done in Bangor. The Planner's first response was "you'd have to put in an elevator for ADA compliance...and that would cost you something in excess of \$100,000 just to do that". Now, he may be right, he may be wrong (based on conversations I've had with others since then, I believe he may have been wrong) but I certainly wasn't excited about pursuing that as an option.

I've been in Hampden for all but about 3 of my 45 years. It is my home and I take pride in the town. Many outsiders have opinions about the Town, some of which are false, some of which are true. Being a tough town to do business in was one it truly earned in the past (I have several examples of it). I'd really hate to go back to it being that way, especially since we are looking at building a 4-6,000 square foot building in the next year. I realize that your position

requires you to make tough decisions, and I can certainly appreciate that. I also realize that I do not know or understand all of the ins and outs of town government. What I do know is that there have been some great strides made over the last number of years and there seems to be some momentum with business in Hampden. I'd hate to see that go away.

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

Thanks, Angus.

Ken

Ken White

F. A. Peabody Company

792 Main Road North

Hampden, ME 04444

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Minutes

4. REPORTS

- a. Planning & Development Committee Minutes – May 17, 2016
- b. Infrastructure Committee Minutes – None
- c. Finance & Administration Minutes – May 2, 2016
- d. Services Committee Minutes – May 9, 2016

C. PUBLIC COMMENTS - None

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS -

- a. **Acknowledgement of receipt of MMA Safety Enhancement grant** – Mayor Ryder reported that Officer Bailey applied for and was awarded a Safety Enhancement grant in the amount of \$1,136.79 and thanked him on behalf of the town.

2. PUBLIC HEARINGS – None

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Appointment of Peter Neal as Harbor Master – referral from Planning & Development Committee – Councilor McPike made a motion to appoint Peter Neal as Harbor Master, seconded by Councilor McAvoy. Unanimous vote in favor.

4. UNFINISHED BUSINESS - None

5. NEW BUSINESS

- a. **Referral of proposed amendments to Subdivision Ordinance to authorize Private Road Subdivisions to Public Hearing** – Councilor Wilde made a motion to refer the proposed amendments to the Subdivision ordinance, to public hearing at the July 5th council meeting, seconded by Councilor McAvoy. Unanimous vote in favor.
- b. **Request authorization to use Information Technology reserve funds in the amount of \$3,295.00 for GIS Trimble unit** – Councilor Sirois made a motion to authorize use of IT reserve funds in the amount of \$3,295.00 for the purchase of the GIS Trimble unit, seconded by Councilor McAvoy. Unanimous vote in favor.

Minutes

- c. **Review of Business Park sewer for town acceptance pursuant to the Sewer Ordinance – sent from Infrastructure Committee –** Councilor Marble made a motion to accept the Business Park sewer as recommended by DPW Director Currier, seconded by Councilor Wilde. Unanimous vote in favor.
- d. **Review of Ammo Park sewer for town acceptance pursuant to the Sewer Ordinance – sent from Infrastructure Committee –** Councilor Marble discussed the previous Ammo park sewer issues and as reported by Director Currier, all issues have been taken care of. Director Currier recommended that the council accept with the condition to receive a sewer easement. Councilor Marble made a motion to accept the sewer, conditional upon receipt of a sewer easement, seconded by Councilor Sirois. Unanimous vote in favor.
- e. **Update on DEP/Chevron consent decree –** Manger Jennings recapped the original consent decree from a few years ago from which Hampden received \$900,000. A new consent decree was filed in May with a thirty day comment period that ends on June 23rd. We have already reached out to DEP and the EPA to let them know that we are interested in being involved in the process and how any future funds could be allocated in the best possible way for Hampden residents. The number in the consent decree is \$880,000.00 and a trust committee will be set up. At tonight's finance & administration committee meeting, this was discussed and we will be looking into whether the town can have an actual sitting member on this committee to help determine disbursement of any funds.
- f. **Town Council review of Town Manager proposed FY17 Budget and referral for public hearing on June 27, 2016 –** Manager Jennings recapped the budget process once again, stating that the budget proposal and series of meetings started May 1st to review and discuss individual departments, the sewer, and the capital plan as set out by charter. Tonight is the review of the entire budget which shows a bottom line increase from FY16 in the amount of \$770,716.18. Manager Jennings reported that the RSU budget is up 2.9%, the county budget is up 3.1%. In the municipal budget, up 2.6%, the increase is due primarily to non-personnel items. Specific increases are in reserves, up \$205,279, DPW, up \$171,000, Stormwater, up \$124,000, Buildings/Grounds, up \$114,800, and TIF, up \$99,000. The budget document is a 31 page document,

Minutes

downloadable from the website and which is separated by each department and line items within the departments. Manager Jennings deferred to Mayor Ryder in how the council will review the budget. Mayor Ryder suggested starting with the list of accounts and reviewing them in order with discussion on anything any councilor brings up. Budget discussion as follows:

Account 01-01 Administration proposed for \$598,061.62 – accepted as proposed.

Account 01-02 GIS/IT proposed for \$108,030.60 – accepted as proposed

Account 01-03 Communications proposed for \$19,482.14 – accepted as proposed

Account 01-05 Town Council proposed for \$29,717.00 – accepted as proposed

Account 01-10 Municipal Buildings proposed for \$95,561.00 – accepted as proposed

Account 01-15 Tax Collector proposed for \$7,350.00 – accepted as proposed

Account 01-20 Elections proposed for \$9,014.00 – Manager Jennings stated that due to the probability of a town referendum in November, he suggested increasing this line item by \$500.00. Councilor Sirois made a motion, seconded by Councilor Marble to increase this line item to **\$9,514.00**. Councilors Wilde, Marble, McAvoy, McPike, Sirois and Mayor Ryder voted in favor. Councilor Cormier voted in opposition. Motion carries.

Account 01-25 Planning/Assessing proposed for \$274,163.67 – accepted as proposed

Account 01-30 Economic Development proposed for \$4,000.00 – Councilor Wilde made a motion, seconded by Councilor McAvoy, to eliminate the training and travel line item, decreasing proposal to **\$2,250.00**. Councilors McAvoy, Cormier, Wilde and McPike voted in favor. Councilor Sirois and Mayor Ryder voted in opposition. Motion carries. Councilor McAvoy made a motion, seconded by Councilor Cormier, to zero out the advertising line item. Councilor McAvoy and Councilor Cormier voted in favor. Councilors Wilde, McPike, Sirois and Mayor Ryder voted in opposition. Motion fails.

Account 05-01 Police proposed for \$1,024,039.00 – Councilor Wilde made a motion, seconded by Councilor McAvoy, to reduce to **\$1,014,039.00**, removing \$10,000.00 for the proposed thermal imaging camera from the budget. Councilor Sirois suggested putting \$5,000.00 into reserves. Councilor McPike stated he would rather postpone than place into reserves. Motion was brought to vote, unanimous vote in favor.

Account 05-05 Fire Department proposed for \$968,605.00 – Councilor Wilde made a motion, seconded by Councilor McAvoy, to reduce supplies to \$3,000.00. Unanimous vote in favor. Councilor Wilde made a motion, seconded by Councilor McPike, to reduce gas/oil/lube to \$9,000.00. Unanimous vote in favor.

Minutes

Councilor Wilde made a motion, seconded by Councilor McAvoy, to reduce EMS supplies to \$10,000.00. Discussion followed regarding EMS services for the aging population. Councilor Wilde offered to withdraw his motion, Mayor Ryder asked to just dispose of the motion on the floor. Councilor Cormier and Councilor McPike voted in favor. Councilors Wilde, Marble, McAvoy, Sirois and Mayor Ryder voted in opposition. Motion fails. Councilor Wilde made a motion, seconded by Councilor Sirois, to reduce EMS supplies to \$11,000.00. Councilors McAvoy, Marble, Wilde, McPike, Sirois and Mayor Ryder voted in favor. Councilor Cormier voted in opposition. Motion carries. Above motion reduced proposal to **\$959,605.**

Account 05-10 Public Safety proposed for 197,377.00 – Councilor Wilde made a motion, seconded by Councilor Marble to reduce recruitment to **\$2,250.00**, bringing proposal to **\$195,877.00**. Unanimous vote in favor.

Account 06-06 Non departmental utilities proposed for \$544,095 – accepted as proposed.

Account 10-01 Public Works proposed for \$1,366,656.61 – Councilor Wilde made a motion, seconded by Councilor McAvoy to reduce tree planting and removal to \$3,000.00. Discussion followed on the cost of tree removal for a single tree and liability concerns over fallen trees. Discussion ceased, Councilor Marble and Mayor Ryder voted in opposition. Councilors McAvoy, Cormier, Wilde, McPike, and Sirois voted in favor. Motion carries. Councilor Wilde made a motion, seconded by Councilor Marble to reduce signs to \$2,500.00. Unanimous vote in favor. Discussion on road resurfacing followed with Councilor Wilde asking if it would be prudent to change the 8 year rotation to a 12 year rotation. Sean stated that an 8 year rotation is actually closer to \$300,000.00, but he offset this request by the \$65,000.00 from local road assistance. Councilors noted that in the past spending on this line item has been closer to \$156,000.00. Director Currier clarified that the money budgeted was offset by money that was taken from reserves, so the actual cost was closer \$300,000.00 and that some of the money was used to rebuild several gravel roads. It used to be a 6 year rotation that had to be backed up to 8 years. He cautions going any further out as the roads will start to degrade in the next 3 – 4 years because we are so out of rotation already. Councilor McAvoy asked if we should show the line with the full \$300,000.00 as an expense and show the \$65,000.00 as revenue. Manager Jennings agreed with that accounting principle and stated that the finance director agreed. Councilor Wilde made a motion, seconded by Mayor Ryder to reduce this line item to \$200,000.00. Discussion followed regarding the wording of the motion and whether or not the change in stating revenues and expenses correctly was reflected in the motion. The \$65,000.00 would be added to both the revenue and the expense side. Mayor Ryder restated the motion as a motion to reduce the line item to \$265,000.00. Unanimous vote in favor.

Alex King of Ichabod Lane was recognized and requested that in the future would the council have Sean provide a list of roads to be done. Councilor Wilde made a motion to add \$10,000.00 to equipment maintenance and wipe out the tires line item, seconded by Councilor McAvoy. Councilor Cormier voted in

Minutes

opposition. Councilors McAvoy, Marble, Wilde, McPike, Sirois and Mayor Ryder voted in favor. Motion carries. Councilor Wilde made a motion, seconded by Councilor McAvoy to reduce tires to \$12,000.00. Discussion followed regarding price of tires, how many vehicles, and only replacing tires as needed. Councilor Marble and Mayor Ryder voted in opposition. Councilors McAvoy, Cormier, Wilde, McPike and Sirois vote in favor. Motion carries. Mayor Ryder made a motion, seconded by Councilor Wilde to reduce Street and Crosswalk painting by \$9,600.00. Discussed striping every other year, discussed putting only one stripe as opposed to two. Unanimous vote in favor. Councilor McAvoy made a motion to reduce supplies and materials to \$4,500.00. Councilor Wilde interjected prior to a second and asked if this line item included the special confined space entry tool, which Director Currier confirmed. At that, Councilor McAvoy withdrew his motion. Total proposal after above changes is **\$1,367,857.**

Account 10-10 Stormwater Management proposed for \$134,305.00 –

Councilor Wilde led the discussion under contracted services regarding cleaning catch basins and the possibility that we would not have to do all 80 this year. Director Currier stated he would need to check the inspection records to determine which ones showed the sump being 50% full but also clarified that we have 417 catch basins in all. He based the number on the amount cleaned last year. Councilor Marble stated for the public that this is what happens when you go from non-compliance to becoming compliant and there is really no option. Manager Jennings stated that he was looking at other off setting revenues to fund this and cleaning catch basins would qualify under the Environmental Trust. The underlying asterisk is that we currently do not have a committee. Councilor Wilde asked if the Sidney Rd. Old County Rd. and North Rd. culverts absolutely needed to be replaced. Director Currier informed the council that they are in extremely poor condition and the one on Sidney is almost collapsed. The 3 on North Rd. were discussed 2-3 years ago and are barely putting water through them now. Mayor Ryder asked if the DPW could do the culvert on North Rd., even if it meant a cut into the pavement. After discussion, Mayor Ryder made a motion, seconded by Councilor McAvoy to reduce the contracted services line item to \$7,000.00. Councilor Wilde recused himself from the vote as the Old County Rd. culvert is near to his property. Mayor Ryder, Councilors Sirois, Marble, Cormier and McAvoy voted in favor. Councilor McPike voted in opposition. Councilor Wilde abstained. Motion carries. **Total proposal after changes is \$123,430.00**

Account 10-05 Municipal Garage proposed for \$34,090.00 – accepted as proposed

Account 15-10 Solid Waste proposed for \$360,027.89 – Councilor McAvoy made a motion, seconded by Councilor Wilde to reduce the tipping fees line to \$145,000.00. Director Currier questioned the council as to whether the discussion would be to keep C & D or not. Mayor Ryder stated he didn't think that service should be removed at this time with no other option. Councilor McAvoy stated the other option is to take it over the mountain and pay for it. Councilor Sirois stated he felt that before doing that the council should let the

Minutes

taxpayers know that it is looking at other options. Councilor Wilde stated that he felt it should at least be discussed. Mayor Ryder stated he felt there should be public notice and discussion. Councilor Marble stated he believes this should be researched and the level of C & D decreased, but not settled tonight with no public input. Councilor McAvoy stated he wanted to start the discussion to which Mayor Ryder suggested that Councilor McAvoy put it on the next Infrastructure Committee agenda. Resident Alex King was recognized who stated he would circulate petitions to keep it. At the end of discussion, Councilor McAvoy voted in favor. Councilors Sirois, McPike, Wilde, Marble, Cormier and Mayor Ryder voted in opposition. Motion fails. No changes to proposal.

Account 20-01 Recreation proposed for \$137,082 – accepted as proposed
Account 20-10 Dyer Library proposed for 250,007.11 – accepted as proposed

Account 20-20 Laura Hoyt Pool proposed for \$206,023.11 – accepted as proposed

Account 25-10 The Bus proposed for \$84,597 – Councilor McAvoy made a motion, seconded by Councilor Cormier to reduce this to \$40,000.00. Discussion followed with going through proper channels to opt out of this service. Councilor McAvoy and Councilor Cormier voted in favor. Councilors Sirois, McPike, Wilde, Marble and Mayor Ryder voted in opposition. Motion fails.

Account 30-10 Buildings & Grounds proposed for \$197,494.34 – Mayor Ryder made a motion, seconded by Councilor Wilde to reduce grounds improvement to \$1,500.00. Councilors Sirois, Wilde, Marble, Cormier, McAvoy and Mayor Ryder voted in favor. Councilor McPike voted in opposition. Motion carries. Proposal after changes **\$196,494.35**.

Account 40-10 General Assistance proposed for \$6,000.00 – During discussion regarding not wanting to underfund this for eligible recipients during certain times when it is needed, clerk informed council that this is one budget item that may be legally over drafted. Councilor McPike made a motion, seconded by Councilor McAvoy to reduce this to \$2,000.00. Councilor McAvoy, Councilor Cormier and Councilor McPike voted in favor. Councilors Sirois, Wilde, Marble, and Mayor Ryder voted in opposition. Motion fails. Accepted as proposed.

County taxation proposed for \$792,557.54 – accepted as proposed.

Account 50-10 Debt Service proposed for \$339,985.89 – accepted as proposed

Account 67-10 TIF proposed for \$288,512.50 – accepted as proposed

Account 3-00-00 Reserves proposed for \$529,018.70 – Councilor Wilde made a motion, seconded by Councilor McAvoy to remove \$15,000.00 for holiday light repair. Unanimous vote in favor. Discussion on the \$80,000.00 recreation reserve, parking lots, DEP permitting, field space. Councilor McAvoy made a motion, seconded by Councilor Cormier to remove \$50,000.00 from the recreation reserve. Councilor McAvoy, Councilor Cormier and Councilor Wilde voted in favor. Councilor Sirois, Councilor McPike, Councilor Marble and Mayor Ryder voted in opposition. Motion fails. Mayor Ryder made a motion, seconded

Minutes

by Councilor Wilde to remove \$12,000.00 for Baker Rd from Streets and Roads. After being asked by Councilor Marble to explain the road situation, Director Currier stated that it could be postponed for a couple of years. Councilor Sirois, Councilor Wilde, Councilor Cormier, Councilor McAvoy and Mayor Ryder voted in favor. Councilor McPike and Councilor Marble voted in opposition. Motion carries. Councilor Marble stated that when the three member Environmental trust board is formed the Sucker Brook culvert may be an approved expense. Director Currier stated that he has been looking for possible grant opportunities as well. Councilor Wilde asked if it would be feasible to reduce the line item by \$20,000.00. Manager Jennings stated that instead \$20,000.00 should be added to revenue as an offset to the expenditure in keeping with the charter and use of funds. **Proposal after changes is \$502,018.70.**

Municipal Revenues projected at \$3,004,516.69 - Councilor Wilde made a motion, seconded by Councilor Marble to create a revenue line for the \$65,000.00 to offset the paving expense as discussed earlier in the public works budget. Unanimous vote in favor. Councilor Wilde made a motion to create a revenue line for Environmental Trust for \$20,000.00. With no second to the motion, discussion followed regarding whether to cap the revenue projection at \$20,000. Manager Jennings stated there are other eligible expenses that could be funded by the trust which interest income as of April at \$1.1 million. Councilor Wilde rescinded his motion. Councilor Wilde made a motion to create a revenue line for Environmental Trust and leave the amount at zero. Manager Jennings explained that projected revenue as less to have to raise through property tax and to show a projected offset to the expense. Councilor Wilde rescinded his motion. Discussion followed regarding funding levels, having to utilize overlay if the board denied the funding request and dedicating funds to projects. Manager Jennings stated that if we project a revenue but do not receive it, unless it is an imperative situation, we do not have to complete the work that is the offset expense. After discussion ceased, Councilor Wilde made a motion, seconded by Councilor McAvoy to create a revenue line for Environmental Trust and project it at \$20,000.00 with the condition that expenses are not incurred unless the revenue has been confirmed. Unanimous vote in favor. **Projected revenue after changes is \$3,089,516.69**

Recreation Enterprise Councilor McAvoy asked what happens to Enterprise funds for recreation and pool at the end of the year and if lines should be added to revenues in an effort to begin accounting for the fees. Manager Jennings explained that the revenue is accounted for, but under the quasi-enterprise framework. It is a goal to change the process for FY18, but to do that in this budget cycle would have been a bridge too far; that the changes made have to be ready to send to the paper tonight for the public hearing notice. He further added that all the revenues and expenses are here and that the policy objective has been that rec and pool revenues above costs are to be utilized to further the programs. He stated that this has been the most comprehensive and transparent enterprise budget cycle to which Councilor McAvoy agreed. No changes to Recreation enterprise.

Minutes

Pool Enterprise – Manager Jennings explained that historically there have been no revenue accounts in the pool budget which was flagged by the auditor. Going forward the pool will have separate accounts to show revenue, which is estimated at \$155,000.00. No changes to Pool enterprise.

Account 60 Sewer proposed for \$987,337.35 – Manager Jennings explained that this is the first time the sewer department has had an actual budget. Included in the expense side is the \$100,000.00 due to the general fund to pay back what has been borrowed. Discussed the likelihood of this being brought to referendum in November. Accepted as proposed.

At the conclusion of the budget discussion, Councilor Wilde made a motion, seconded by Councilor McAvoy to refer the proposed FY17 budget to public hearing on June 27th, 2016. Unanimous vote in favor.

E. COMMITTEE REPORTS

Services – none

Infrastructure – Councilor Marble reported that they met on May 23rd and discussed LED streetlights, reviewed sewer billing, and discussed the sewer abatement process, deciding to continue to have the manager make those decisions. There were recommendations on the Ammo and Business park sewer as discussed tonight and continued discussions on the transfer station. The committee also discussed citizen concerns about grub damage at the cemeteries.

Planning & Development – Councilor McPike reported that the committee met June 1st and recommended Peter Neal as Harbor Master and discussed more of the budget.

Finance & Administration – Councilor Sirois reported that at the meeting tonight they reviewed the status of the Dangerous Building Order and gave the property owner some direction, reviewed the information on the consent decree, selected 3 individuals to be a part of the interview team for the planner and approved the use of reserve funds for the Trimble unit.

F. MANAGER'S REPORT - Manager Jennings reminded everyone that the Primary and the RSU budget vote was tomorrow and encouraged everyone to vote.

G. COUNCILORS' COMMENTS

Councilor Sirois – no comment

Councilor McPike – no comment

Councilor Wilde – Thanked the citizens who are watching from home or the audience and thanked the department heads for attending.

Councilor Marble – no comment

Councilor Cormier – no comment

Mayor Ryder – Thanked the staff for stepping to the plate and helping in any way when the manager had a family emergency. Meetings were changed and

MONDAY

JUNE 13, 2016

7:00 P.M.

Minutes

everyone worked together. He also thanked the council for re-arranging their schedules as well.

- H. **ADJOURNMENT** – *With no other business to conduct, Councilor Sirois made a motion seconded by Councilor Wilde to adjourn at 10:00 p.m. Unanimous vote in favor.*

Respectfully Submitted,



Paula A. Scott, CCM
Town Clerk

B-3-a

451 Monroe Road
Hampden ME
04444-3006
June 15, 2016

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

Town of Hampden
RECEIVED

JUN 20 2016

Office of the
Town Manager

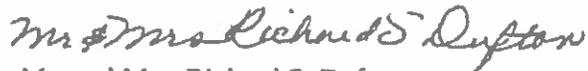
Dear Mr. Jennings:

Enclosed is a copy of a letter we have sent to the Public Works Director regarding the installation of a culvert at our home. Although we have lived in Hampden for over forty years we have had few occasions to be involved with employees of the Town such interactions being limited to things like registering cars, paying real estate taxes, etc. It has always been a most pleasant experience to stop by the Town office and take care of such mundane things, as the folks are always most accommodating and friendly.

On June 14th a work crew from the Department of Public Works replaced the culvert at the foot of our driveway, and we were most impressed with the professionalism of the workers. Herewith I am forwarding to you a copy of our letter to Sean Carrier, the manager of the department.

We appreciate the efficiency and professionalism with which they carried out their responsibilities.

Sincerely,



Mr. and Mrs. Richard S. Dufton

Enc.

451 Monroe Road
Hampden ME
04444-3006
June 15, 2016

Mr. Sean Currier
Hampden Public Works
106 Western Avenue
Hampden ME 04444

COPY

Town of Hampden
RECEIVED
JUN 20 2016
Office of the
Town Manager

Dear Mr. Currier:

Yesterday Mr. Paul Weaver and his fine crew of workers replaced the culvert at the end of our driveway. Thank you for having this taken care of. We realize that your department is very busy and has to satisfy multiple operations.

We just wish to add our thanks to the good crew of workers who took care of this. We do appreciate all that you folks have to deal with in working for the public. Thank you all,

Sincerely,

Mr & Mrs Richard S. Dufton

cc: Town Manager



Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Phone: (207) 862-3034
Fax: (207) 862-5067

Memorandum

TO: Laura J. Rowley, U.S. Department of Justice
Environment and Natural Resources
Division
Environmental Enforcement Section

FROM: Angus Jennings, Town Manager
Town of Hampden, Maine

DATE: June 22, 2016

RE: Chevron Consent Decree
Case: 1:16-cv-00256-DBH

The purpose of this memorandum is to provide comment on the Chevron Consent Decree filed on May 18th, 2016. We respectfully request that if the consent decree is upheld, the Board of Trustees will seek Requests for Remediation Projects. It would be our hope that in doing so, it might afford the Town of Hampden the opportunity for input into ways in which the natural resources along the river may be improved for public use as it relates to the damages caused by the defendant. We will also be pleased to make available through this process our community's local knowledge of the Penobscot River and its natural environment. We look forward to participating.

cc: Scott Whittier, Maine DEP



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
MAINE REVENUE SERVICES
PO Box 9106
AUGUSTA, MAINE
04332-9106

ADMINISTRATIVE & FINANCIAL SERVICES

RICHARD W. ROSEN
COMMISSIONER

MAINE REVENUE SERVICES

JEROME D. GERARD
EXECUTIVE DIRECTOR

B-3-c

June, 2016

Municipal Assessors and Chairman of the Board of Selectmen

RECEIVED

RE: Preliminary 2017 State Valuation

JUN 20 2016

Dear Municipal Official(s):

TOWN OF HAMPDEN ASSESSING DEPT.

Enclosed you will find a copy of the preliminary 2017 State Valuation report for your municipality as prepared by a field representative of the Property Tax Division. This valuation represents the full equalized value of all taxable property in the municipality as of April 1, 2015. Please note that these figures are preliminary and are being forwarded to you at this time in order to provide for your review and allow time for any contribution of additional comments and/or pertinent data.

The State Valuation is compiled by determining, through field work and meetings with local officials, the approximate ratio of full value on which local assessments are made, and by then adjusting the local assessed values in accordance with the Rules of Procedure Used to Develop State Valuation (08-125 Chapter 201). State Valuation is a mass appraisal estimate of the 100% market value of all taxable property of a municipality and is established annually by the State Tax Assessor. The enclosed report is comprised of four (4) parts: the Sales Ratio Analysis; State Valuation Analysis (PTF303.4); Report of Assessment Review, a three (3) year comparison (PTF303); and Report of Assessment Review, informational review (PTF303.2).

If after reviewing this report you find any errors or inconsistencies, need clarification or simply wish to discuss the report, please call the Property Tax Division at 624-5600 ext. 1 or fax your concerns to us at 287-6396. Alternatively, you may contact your area field representative from Maine Revenue Service, Property Tax Division directly for the purpose of discussing any additional information pertinent to the preliminary state valuation.

The Proposed 2017 State Valuation Notice will be sent by certified mail on or before September 30, 2016.

Sincerely,

Mike Rogers,
Supervisor, Municipal Services

Property Tax Division
REPORT OF ASSESSMENT REVIEW



Municipality	Hampden		County	Penobscot (s)	
	2015	2016		2017	
1. State Valuation	608,850,000	617,200,000		630,500,000	
2. Amount of Change	9,550,000	8,350,000		13,300,000	
3. Percent of Change	1.59%	1.37%		2.15%	
4. Effective Value Rate (line 2/1)	0.01652	0.01737		0.01735	
5. Local Mill Rate (line 2/1)	0.01665	0.0175		0.0175	
6a. Commitment 2013-14-15	9,864,551	10,484,602		10,840,573	
6b. Homestead Reimbursement	161,997	163,617		162,041	
6c. BETE Reimbursement	62,379	104,089		126,884	
6d. Total (6a, 6b, 6c)	10,088,927	10,752,308		11,129,498	
6e. % Change from previous year	6.47%	6.58%		3.51%	
	2014	2015			
A. Municipal Valuation	599,120,100	619,461,300			
Net Supplements / Abatements	(846,960)	(519,500)	Amount of Change		Percent of Change
Homestead (Exempt Valuation)	9,349,550	9,259,500			
BETE (Exempt Valuation)	5,947,950	7,250,499			
Adjusted Municipal Valuation	613,570,640	635,451,799	21,881,159		3.57%
B. Sales Information					
Sales Period Used	07/13 - 06/14	07/14 - 06/15	Combined Sales Period		98%
State Valuation	2016	2017			
# of Sales	80	100			
# of Appraisals					
C. Residential Study			Percent of Change		
Weighted Average	97%	99%			
Average Ratio	98%	98%			
Assessment Rating	10	10			
D. Waterfront Study					
Weighted Average					
Average Ratio					
Assessment Rating					
E. Condominium Study					
Weighted Average					
Average Ratio					
Assessment Rating					
F. Continued Ratio	100%	100%			

STATE OF MAINE Sales Ratio Analysis - 2017 State Valuation

Municipality

Hampden

County

Penobscot (s)

1 Year - COMBINED STUDY

Weighted Avg
Average Ratio
Avg Deviation
Quality Rating

99%	=	21,107,120	/	21,406,796
98%	=	68.89	/	70
10	=	1040	/	100
10	=	10	/	98%

Average Selling Price = \$214,088 2015

Item No.	Class	Date of Sale Month Year	Book	Page	Map	Lot	Name	Selling Price	Assessed Value	Ratio	Day
1	R	4 2015	13816	1	5	A18		135,600	96,120	0.71	27
2	R	6 2015	13874	294	1	63		166,900	122,000	0.73	25
3	W	7 2014	13607	16	4	60		417,000	313,000	0.75	23
4	R	5 2015	13843	4	4	20		153,000	117,000	0.76	22
5	R	5 2015	13845	310	26	9		147,000	111,000	0.76	22
6	W	7 2014	13596	4	12	14		98,500	76,000	0.77	21
7	R	6 2015	13855	322	2	35-13		198,000	157,000	0.79	19
8	R	7 2014	13581	240	41	20		191,000	150,000	0.79	19
9	R	3 2015	13782	56	8	33-13		290,000	232,000	0.80	18
10	R	7 2014	13585	252	24	24C		161,900	131,000	0.81	17
11	R	10 2014	13686	231	26	022		211,500	173,000	0.82	16
12	R	11 2014	13700	56	8	33A		207,975	173,000	0.83	15
13	R	4 2015	13868	206	9	11		215,000	178,000	0.83	15
14	R	4 2015	13824	176	19	31		135,600	112,000	0.83	15
15	R	5 2015	13843	50	24	27		175,000	146,000	0.83	15
16											
18	R	4 2015	13799	338	10	3-27		279,000	233,000	0.84	14
17	R	4 2015	13824	310	8	33		284,130	241,000	0.85	13
18	M	6 2015	13864	269	3	18-07		235,900	202,000	0.86	12
19	R	6 2015	13884	216	27	34		169,500	146,000	0.86	12
20	R	7 2014	13601	117	19	9		124,900	109,000	0.87	11
21	R	7 2014	13590	143	3	30		377,400	331,700	0.88	10
22	R	9 2014	13644	209	7	062		100,000	88,000	0.88	10
23	M	9 2014	13659	243	3	18		197,500	176,000	0.89	9
24	R	11 2014	13709	109	09	009		127,000	113,400	0.89	9
25	R	12 2014	13732	185	10	3-29		264,000	236,000	0.89	9
26	R	10 2014	13685	178	26	22		127,000	113,000	0.89	9
27	R	6 2015	13861	162	3	30-16		375,000	338,000	0.90	8
28	R	2 2015	13776	125	10	24A		269,748	242,000	0.90	8
29	R	7 2014	13590	105	4	6-E		296,000	270,000	0.91	7
30	R	10 2014	13689	3	5	51-17		355,000	324,600	0.91	7
31	R	11 2014	13703	177	10	003-31		262,444	238,000	0.91	7
32	U	2 2015	13761	123	10	3		259,900	236,000	0.91	7
33	R	3 2015	13782	350	30	19		127,000	115,000	0.91	7
34	R	7 2014	13606	4	18	15A		240,000	221,000	0.92	6
35	R	10 2014	13671	71	8	33-19		255,290	238,000	0.93	5
36	R	5 2015	13849	339	7	75		136,500	128,000	0.94	4
37	R	7 2014	13590	118	8	23-9		275,000	258,000	0.94	4
38	R	8 2014	13619	2	10	003-32		250,000	235,000	0.94	4
39	R	4 2015	13814	145	10	3-25		259,500	247,000	0.95	3
40	R	9 2014	13644	241	23	061		175,000	167,000	0.95	3
41	R	2 2015	13761	252	26	29		165,000	157,000	0.95	3
42	R	9 2014	13637	339	11	1A		177,000	170,300	0.96	2
43	R	6 2015	13863	203	40	12		225,000	217,000	0.96	2
44	R	3 2015	13784	253	15	4		105,000	101,600	0.97	1
45	R	4 2015	13805	81	19	44-A		187,000	182,000	0.97	1
46	R	6 2015	13873	285	8	30		450,000	442,000	0.98	
47	R	8 2014	13608	309	23	76		213,000	209,000	0.98	
48	R	9 2014	13657	253	26	12		150,000	147,000	0.98	

49	M	11	2014	13695	20	3	18	165,000	163,000	0.99	1
50	R	5	2015	13844	26	6	22	128,000	127,000	0.99	1
51	R	6	2015	13863	169	10	3-18	323,687	319,000	0.99	1
52	R	5	2015	13831	41	23	60	200,000	197,000	0.99	1
53	R	5	2015	13847	203	1	54-10	211,000	211,000	1.00	2
54	R	8	2014	13625	145	3	30-11	388,700	389,000	1.00	2
55	R	7	2014	13604	203	05	81	166,000	165,400	1.00	2
55	R	9	2014	13660	341	10	24	283,000	284,000	1.00	2
57	R	6	2015	13880	163	4	21-7	168,000	170,000	1.01	3
58	R	6	2015	13864	327	7	24	150,000	151,000	1.01	3
59	R	5	2015	13846	259	9	014	188,000	189,000	1.01	3
60	R	3	2015	13791	350	10	3-21	295,727	299,000	1.01	3
61	R	12	2014	13728	30	7	7	93,000	95,000	1.02	4
62	R	9	2014	13647	161	8	44	334,420	340,000	1.02	4
63	R	10	2014	13673	170	9	39	255,000	259,000	1.02	4
64	R	10	2014	13665	320	45	6A	260,000	266,000	1.02	4
65	R	7	2014	13579	250	5	51-34	324,500	334,000	1.03	5
66	M	12	2014	13730	249	6	41	80,000	82,000	1.03	5
67	R	1	2015	13752	118	23	17	159,500	164,000	1.03	5
68	R	4	2015	13799	149	26	35-12	250,000	260,000	1.04	6
69	R	12	2014	13713	312	33	40	250,000	260,000	1.04	6
70	R	6	2015	13874	309	27	30-B	145,000	152,000	1.05	7
71	R	7	2014	13604	179	45	023	183,000	193,000	1.05	7
72	R	3	2015	13782	100	8	007-R	192,000	203,000	1.06	8
73	R	8	2014	13623	212	2	33-10	190,000	203,000	1.07	9
74	R	4	2015	13816	102	24	47-14	208,725	223,000	1.07	9
75	R	4	2015	13801	96	36	007	211,000	225,000	1.07	9
75	R	10	2014	13678	24	45	7	126,250	135,000	1.07	9
77	R	4	2015	13805	110	08	33-4	280,000	302,000	1.08	10
78	R	6	2015	13874	324	33	33-A	135,000	147,000	1.09	11
79	R	9	2014	13659	321	21	19	161,000	177,000	1.10	12
80	R	6	2015	13859	200	1	2	150,000	167,000	1.11	13
81	R	9	2014	13655	1	7	35	191,600	212,000	1.11	13
82	R	6	2015	13874	94	8	23-14	340,000	378,000	1.11	13
83	R	12	2014	13730	51	09	53	70,000	78,000	1.11	13
84	R	2	2015	13772	123	20	59	80,000	89,000	1.11	13
85	R	8	2014	13633	303	24	9	150,000	167,000	1.11	13
86	R	6	2015	13864	239	5	75-A1	190,000	213,000	1.12	14
87	R	8	2014	13625	132	07	16	355,000	399,000	1.12	14
88	R	12	2014	13728	48	8	45	213,000	242,000	1.14	16
89	R	4	2015	13797	30	5	51	310,000	357,000	1.15	17
90	R	9	2014	13646	234	9	56	182,500	210,000	1.15	17
91	R	3	2015	13795	346	2	33	173,000	201,000	1.16	18
92	R	3	2015	13793	278	07	69-5	217,500	252,000	1.16	18
93	R	1	2015	13754	100	4	19	219,000	256,000	1.17	19
94	R	5	2015	13849	316	09	008-16	280,000	336,000	1.20	22
95	R	5	2015	13856	271	7	1	150,000	182,000	1.21	23
96	W	3	2015	13793	312	25	7	215,000	260,000	1.21	23
97	R	8	2014	13619	262	1	45	350,000	434,000	1.24	26
98	R	11	2014	13709	294	6	26	215,000	266,000	1.24	26
99	R	10	2014	13679	121	9	5-A	276,000	341,000	1.24	26
100	R	3	2015	13800	172	2	2-F	175,000	223,000	1.27	29

Business Equipment Tax Exemption Audit

Municipality: Hampden

Date: 5/17/2016

County: Penobscot (s)

Municipal Official(s): Kelly Karter - C.M.A.

Municipal Valuation: 2016

Valuation: 2016

	Yes	No	Comment(s)
1. Are application(s) available for inspection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Are application(s) signed for/approved by the assessor?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Do the equipment date(s) of purchase and/or date(s) put in service meet BETE parameters?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Is the item description sufficient to reasonably determine eligibility under program guidelines?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Does the property qualify for BETE?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Are municipal depreciation schedules evident and uniformly employed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Is all BETE value incorporated in the tax commitment book, MVR and Tax Rate Calculation Form (including enhanced reimbursement forms when applicable)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Is all qualified property adjusted by the municipal assessment ratio?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	100%

Additional Comments: BETE is administered properly in town.

Signature: Byron D. Tibbetts
Field Rep.

Property Tax Division

REPORT OF ASSESSMENT REVIEW

Municipality: Hampden

County: Penobscot (s)

I. Valuation System

A. Land: Tax Maps by In House-Gretchen Heldmann GIS Date: 7/2/2005
 Undeveloped Acreage \$500-\$2,400 Undeveloped Lots \$15,000-\$55,000
 Road Frontage _____ Water Frontage \$55,000-\$74,000
 House lots \$12,500-\$74,000 Other _____

B. Buildings : Revaluation By: _____ Computerized Records TRIO

C: Personal Property: Assessed? Y/N Y Method Used: RCNLD
 Is Cert Ratio Applied? Y/N Y

II. Assessment Records/Condition

Website w/VAL data Y/N Y Web Address _____

Valuation Book	<u>Good</u>	Tree Growth Forms	<u>Good</u>
Property Record Cards	<u>Good</u>	Farm Land Forms	<u>Good</u>
Veteran Exemption Forms	<u>Good</u>	Open Space Forms	<u>Good</u>

III. Supplements and Abatements

Supplements: Number Made _____ Value Supplemented _____
 Abatements: Number granted 20 Value Abated (519,500)
 (excluding penalties)

IV. Statistical Information

Number of Parcels	<u>3,542</u>	Land Area	<u>24,249</u>
Taxable Acres	<u>21,646</u>	Bog/Swamp	<u>749</u>
Population (2010)	<u>7,257</u>		

V. Assessment Statistics

Standards Ratio 103.04% = (2015 Municipal Valuation /2016 State Valuation)
 Assessment Quality: Combined 10

Comments or Plans for Compliance: _____

VI. Audit Information

Municipal Official providing data: Kelly Karter - C.M.A.

Date(s) of Field Audit: 5/17/2016

VII. Office Review

Recommended by: Byron D. Tibbetts
Field Rep

Checked by: _____

Approved by: Mike Fogel 6-14-16

Copies Mailed: (date) 6-14-16

**Planning and Development Committee
Wednesday June 1, 2016
6:00 PM
Conference Room
MINUTES**

Attendees:

Committee

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

Staff

Angus Jennings, Manager
Sean Currier, DPW Director
Myles Block, CEO

Guests

Sean Thies, P.E., CES, Inc.
Kyle Corbeil, P.E., Woodard & Curran
Bill Shakespeare
Tom Brann
Peter Neal

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

1. Approval of May 17, 2016 Minutes – Approved
2. Committee Applications:
 - A. Peter Neal, Application for Appointment as Harbor Master – Committee review for recommendation to Town Council

Motion by Councilor Marble, seconded by Mayor Ryder, to recommend that the Town Council appoint Peter Neal to serve as Harbor Master. Motion passed 6-0.
3. Updates:
 - A. Planning Board public hearing re MRC/Fiberight proposal continues on Wednesday, June 8 at 7 PM

Manager Jennings provided an update on the recent Planning Board hearing, and that the public hearing was continued to June 8.

B. Update on Planning Board consideration of proposed Ordinance Amendments referred by the Town Council

Manager Jennings updated the Committee regarding the timeline provided in the Zoning Ordinance for Planning Board review of ordinance amendments referred by the Town Council. He noted that the timeline for review of the proposed Private Roads Subdivision amendments, which was referred in December, has long since passed. Manager Jennings noted that the Planning Board's meeting have been lengthy, and that they've held extra meetings, due to the Fiberright public hearing, and that the Board has not scheduled a meeting of its Ordinance Committee to review the changes.

Several Committee members agreed that it's been a long time, and Mayor Ryder suggested that the Council should move forward with its hearing process. Manager Jennings said this is provided for in the Ordinance, but that no action from the Planning Board is considered a negative recommendation and means that adoption of the amendment would require a 2/3 vote of the Council. He suggested that, if the Council does move forward, the Planning Board could be invited to participate in the Council hearing.

The Committee agreed to recommend that the Council move forward with scheduling a public hearing regarding the Private Roads amendments. Resident Brann expressed concern about the Committee making this recommendation, rather than the Council, and Manager Jennings responded that the Council would be the body referring the matter to hearing. This matter was brought to this Committee to allow for discussion before this action is taken.

C. Marina Road signage

Manager Jennings summarized three options that may be available regarding the location of a potential sign to promote the Marina Park and the two businesses. He said each option has a down side. One option would be to locate a sign within the right-of-way for Marina Road, which is owned by the City of Bangor. It would be necessary to secure permission, and probably an easement, from the City. Manager Jennings has corresponded with the Bangor City Solicitor regarding this possibility. Another option may be to locate a sign on adjacent private land owned by Jeffrey Rawcliffe, but that the landowner has indicated that he would require payment for this, and has indicated that he's not willing to entertain placement of an easement on the land. This would not provide long-term assurance that the sign could remain in the location. The third potential option would be to continue to pursue permission from Maine DOT to locate a sign within the Route 1A layout, but that many correspondences with the State have not yet yielded a positive response. Manager Jennings

acknowledged the existence of a Statute prohibiting the installation of commercial signage within a State right-of-way, but noted that following a 2015 Supreme Court case regarding signage the Town may be able to assert its free speech rights to locate a sign even if it included commercial signage subordinate to the primary Town park sign.

It was asked whether anyone had talked with the owner of the building adjacent to Marina Road to see about putting signage on the side of the building, and Councilor McPike suggested that McLaughlin's should look into that.

Councilor Marble said if it's allowable, practical and visible, he would favor pursuing a sign within the Bangor right-of-way.

Resident Brann said that the signs on Route 202 were allowed by DOT as temporary signs. Mayor Ryder asked what is considered a temporary sign, and CEO Block said there is not much guidance in the ordinance and this is up to DOT to determine. It was agreed that it makes sense to look more closely at whether the Bangor right-of-way location would be practical and provide sign visibility.

4. Old Business:

5. New Business:

- A. Review of MRC/Fiberight street design in anticipation of future petition for public acceptance of street pursuant to own Ways Ordinance – Sean Thies, P.E., CES, Inc.

Sean Thies from CES, Inc. presented MRC and Fiberight's proposal to construct a new road and new sewer infrastructure to serve its proposed waste processing facility. He said that his client's goal is to ensure that the design of the infrastructure is acceptable to the Town so that, if it's built as designed, it could be accepted as public infrastructure. Chairman McPike invited Director Currier to report. Director Currier said that he has met with the applicant including the Town's peer review engineer Woodard & Curran, and that many issues have been addressed. Kyle Corbeil said that the proposed road was reviewed pursuant to the Town Ways Ordinance, and that there are some concerns regarding drainage due to the flat topography and road design. The Town does not want drainage accumulating in the gravel base which can cause damage during freeze/thaw cycles. The road will get a lot of usage from trucks year-round, so can't be posted as "no trucks" during winter. There was some discussion of road speed limits and number of curb cuts. Mayor Ryder asked about water and sewer, and Mr. Thies said water would come up Coldbrook Road and sewer would cross over from Ammo Park.

He said that the applicant is seeking to design to DPW standards. The Committee agreed that, if there comes a time that any friction emerges between design requirements and project cost, they would want to know about it, but that they are happy to have the DPW Director and engineering consultant work with the applicant to ensure that the design meets Town requirements.

- B. Review of MRC/Fiberight sewer design in anticipation of future petition for public acceptance of sewer pursuant to Sewer Ordinance – Sean Thies, P.E., CES, Inc.

The earlier discussion continued to include proposed sewer infrastructure. Director Currier noted that the pump station is not yet designed, but that the applicant has been provided the Town's specifications. Councilor McAvoy asked whether sewer could come up Coldbrook Road instead of Ammo Park, but it was reported that there are topographic challenges, and that the Souadabscook pump station would require millions of dollars of investment. Mayor Ryder asked about the capacity of the pump station, and Mr. Thies said it would be designed in a way that could accommodate the Fiberight facility and additional buildout, and could be expanded in the future. Manager Jennings noted that there is not a formal process for the Committee to approve this work, but that the goal of tonight's meeting is to ensure that the Committee is aware of the design work because eventually the Council would be asked to consider public acceptance of the infrastructure.

- C. **MaineBiz opportunity for highlight article**
Manager Jennings reported on the invitation by MaineBiz to purchase advertising in the form of an article highlighting Hampden. The Committee suggested postponing this cost for a year by which point we'll be in a better position to market specific development opportunities.

- 6. Zoning Considerations/Discussion
- 7. Citizens Initiatives:
- 8. Public Comments:
- 9. Committee Member Comments:
- 10. Adjourn

There being no further business, the meeting was adjourned at 6:58.

Respectfully submitted,
Angus Jennings, Town Manager

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, May 16, 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

Chairman Sirois called the meeting to order at 6:30 p.m.

1. Meeting Minutes – May 2nd, 2016 – *There was a motion and a second to approve the May 2, 2016 minutes as written. Approved 7-0.*

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

3. Old Business

- a. Status of Dangerous Building Order from April 4th, 2016 Town Council Public Hearing** – *Manager Jennings reported that, since the Town Council issued its Order on April 4, the building owner has not submitted an application for building permit as had been required on or before May 4. Despite follow-up correspondence from Town personnel to the building owner, no information has been submitted regarding whether a structural engineer has been consulted. Members of the Committee noted that the building roof appears to be crooked, and that cribbing is sitting on the ground beside the foundation. Manager Jennings reported that the Town Attorney has advised that the Council table this matter until the Code Enforcement Officer is able to be present. (He was unable to attend tonight's Council meeting). Councilor McAvoy asked whether, if the Town were to take action costing money and then placed an assessment on the property as allowed under the Dangerous Buildings statute, the property would be liened. Councilor Marble referred to the intent of the statute to ensure public safety, and said that he thought that required both keeping people out of the building's open foundation and keeping the building*

from falling down. The Committee agreed that it would recommend that the Council table this matter until the next meeting, with the expectation that both the Code Enforcement Officer and the building owner would be present.

4. New Business

- a. Request for Municipal Building reserve funds in the amount of \$550.00 to replace garage door opener –** *Manager Jennings summarized the request from Chief Rogers and reported on the current balance in the Municipal Building reserve fund. Motion by Councilor Marble seconded by Mayor Ryder to recommend Council approval of the requested expenditure. Motion approved 7-0.*
- b. Request for Marina reserve funds in the amount of up to \$4,000.00 for channel markers, no wake buoys, mooring equipment –** *Manager Jennings summarized the proposed work to purchase and install channel markers, no wake buoys and mooring equipment in compliance with the Harbor Ordinance. He presented an updated, reduced cost estimate prepared with the support of Peter Neal. He also reported on the current balance in the Marina reserve fund. Motion by Councilor Marble seconded by Councilor McAvoy to recommend Council approval of up to \$1,600 from the Marina reserve fund. Motion approved 7-0.*
- c. Request for Streets/Roads reserve funds in the amount of up to \$59,213.00 for 2016 paving projects –** *Manager Jennings summarized the request from DPW Director Currier and reported on the current balance in the Streets and Roads reserve fund. There was discussion about the relatively low cost of paving this season, and acknowledgement of Director Currier's advice that each dollar toward paving this season would go further than it would have in the past (or might in the future) due to lower costs. Motion by Councilor Marble seconded by Councilor McAvoy to recommend Council approval of the requested expenditure, which represents the entire balance of the reserve fund. Motion approved 7-0.*

5. Public Comment – None.

6. Committee Member Comments – None.

There being no further business, the meeting was adjourned at 6:52 p.m.

Respectfully submitted –
Angus Jennings, Town Manager

B-4-c

INFRASTRUCTURE COMMITTEE MEETING

6:00 P.M.

Monday, May 23, 2016

HAMPDEN TOWN OFFICE

MINUTES

Attending-

Councilor Marble

Councilor McPike

Councilor McAvoy

Councilor Sirois

Councilor Cormier

Public Works Director, Sean Currier

Manager Jennings (arrived late)

Alex King, resident

1. MINUTES – 4/25/2016 Meeting - Tabled

2. OLD BUSINESS

- a. **Report on reference check re Pemco (LED Street Lights) – DPW Director Sean Currier updated the council on status of the Pemco project. At this point, there has been nothing finalized in the budget process. Still waiting on reference check from Brunswick to find out how this has worked. Stated that we may need to find records of maintenance done here in the past. Councilor McAvoy stated the only savings will be kilowatt usage from the new LED vs what we have now, but all other line items on bill will remain the same. Councilor Marble suggested trying to find 2 or 3 other communities to get references from, and then determine the costs of doing it ourselves and later determine where it falls in the capital plan.**
- b. **Update on sewer financial status, and correspondence with Bangor regarding cost trends – Sean reported that this is better than first thought and do follow the trend of the estimated flow. He reported that Bangor did find some items that needed to be removed from the bill such as accounting costs. Heating costs have played a part. Seeing it in graph form has helped understand correlation between flow and costs. Sean stated that the calibration of the meter at the pit has corrected the spike that was seen last summer. He recommends calibrating on a more regular basis, every 2 – 3 years.**

3. NEW BUSINESS

- a. **Sewer ordinance – pending abatement requests and discussion of policy for abatement requests and summer meters - Sean reported that currently there is no formal policy for sewer abatement. There are three pending abatement requests at this time. Councilor Marble asked the sewer clerk Danielle Simons if the intent was to create a policy first or to deal with the requests first. She stated that the pending requests should be taken care of at this point and that a policy should be created for the future. She has obtained sample policies from other municipalities. Discussion followed regarding the need to address the issue of pools and the use of summer meters. Councilor Marble asked if the Committee was to be tasked with creating the policy and**

both Danielle and Sean stated that they would compile the information received and create our policy from that information. Discussion followed regarding draining pools and hot tubs whether on the ground or into the sewer, summer meters, and the dollar amount of the abatement requests. After discussion, the Committee consensus was to direct staff to handle abatement requests and to have a draft policy by the next meeting.

- b. Review of Ammo Park / Business Park / Calvary Church sewer for town acceptance –** *Sean reported that the Ammo Park portion of the sewer pipe has been updated in the past month. It has been tested and confirmed that it adheres to our standards. Sean reported that on the mandrel testing, there is a difference between our ordinance and the ASTM standards; our ordinance being stricter. He would like to review the ASTM standards and incorporate them into our ordinance. Councilor Marble stated that those findings can be brought back to a later meeting. Regarding the rest of the pipe, progress has been made with Woodard & Curran monitoring project. There have only been a few discrepancies to tie up, but it should be finished this week. All the manholes have been tested and the mandrel testing has been done, some of the lines need to be pressure tested, or else records of pressure testing need to be provided. DPW Director Currier recommended acceptance as part of public sewer as long as all testing is completed. After discussion, Committee consensus was to defer to director Currier regarding the ASTM standards.*
- c. Transfer Station 2015 Annual Report, and review of FY15 and FY16 YTD vendor costs for solid waste and recycling –** *Director Currier reported construction debris, wood ash, scrap metal and electronics costs for FY16 to date as \$203,000.00, still on track. Councilors discussed whether to include transfer station as part of capital planning. Discussed doing away with all items at transfer station except for municipal solid waste. Discussed retaining white goods, increasing sticker costs. Councilor Marble suggested that this topic be given real time and attention at future meetings. Councilor McPike is in favor of doing away with municipal responsibility for solid waste, and leave it to the for-profit company. Much discussion followed on various scenarios for solid waste. Consensus to add this to next month's agenda.*
- 4. PUBLIC COMMENTS –** *Resident Alex King spoke to support the idea that residents will be upset without a place to take their household waste but costs need to be watched. Said if people do not have a place we will be finding it dropped off on the roadsides. Is in favor of increasing transfer station permit costs rather than outsource this service.*
- 5. COMMITTEE MEMBER COMMENTS –** *No comments*

With no other business to conduct, the meeting adjourned at 8:00 p.m.

Respectfully Submitted,

*Paula Scott, Town Clerk
for Sean Currier*

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



D-2
Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Town Council
FROM: Angus Jennings, Town Manager
DATE: June 24, 2016
RE: Update on Town of Hampden execution of Joinder Agreement with MRC

Since the discussion at the Infrastructure Committee on Monday, I have had a series of productive correspondences with the Municipal Review Committee. This information is attached in a Q&A format, excerpting correspondences with MRC Executive Director Greg Louder. In addition, DPW Director Currier and I participated in a conference call with Mr. Louder and with MRC consultant George Aronson on June 23 which provided additional clarity regarding matters that the Infrastructure Committee discussed. At Monday's meeting I will request that the Council re-authorize me to execute the Joinder Agreement prior to June 30 on behalf of the Town of Hampden.

The proposed Joinder Agreement, which has already been agreed by the Town Council by vote on February 22, 2016, is not included in this meeting packet but is posted online with the Town Council meeting materials for that date at:

http://www.hampdenmaine.gov/vertical/sites/%7B1FCAF0C4-5C5E-476D-A92E-1BED5B1F9E05%7D/uploads/MRCs-Plan-for-2018_for_2-22-16_mtg.pdf

Excerpts of correspondence between Town Manager and MRC Executive Director, June 2016

- How would operations at tonnage below 150k affect the ability to ensure a \$70 tipping fee? The info on the MRC website, which I'm aware is four months old, says "150,000 is the minimum threshold contemplated in the contracts. From an operational standpoint, it can operate at lower levels, but the feasibility of doing so at the tipping fees provided for in the proposed contracts is less solid." I have reviewed George Aronson's June 2 updated analysis of the Fiberight pro forma and if I'm reading it correctly it retains a \$70 tipping fee in its Low MSW Case Pro Forma, with a 2.5% annual escalator. Please confirm these are the current assumptions.

MRC confirms that per the June 2 pro forma analysis, the \$70 tip fee can be achieved. The 2.5% escalation is a projection based upon our historical experience in the management of other processing facilities

- How would operations at reduced tonnages (and the receipt by MRC of less capital from joining Charter Members) affect the anticipated capitalization of the Building Reserve, Delivery Sufficiency Reserve, Closing Reserve, Bridge Waste Transportation Reserve and Target Value Reserve Funds? We understand this is still somewhat of a moving target but wonder, based on commitments to date, whether updated numbers have been estimated regarding funding to each of these funds. I do not see that the June 2 pro forma analysis includes review of reserve funds.

The capitalization of the reserves will be impacted. We have secured about \$14,000,000 in commitments to date and that figure could grow by \$1,500,000 or more by July 1. There will be some proportional drop in certain reserves such as less bridge to cover, less rebates to send to the communities and so on. We are still on target to cover the contingencies for which the reserves were established.

- In a related question, if the facility is not operational by April 2018 it's our understanding that the transportation costs to Norridgewock could be borne by Fiberight or by Hampden. Again from the MRC website: "In the event that the Fiberight facility in Hampden is up and running and needs to bypass the MSW to the Crossroads Landfill, Fiberight will pay for the transportation costs. If the Fiberight facility does not start on time as a result of excused delays (such as permitting delays by the Maine DEP, or delays in MRC acquisition of the property) , , Joining Members will pay for the transportation costs." Has MRC reviewed with Fiberight whether the permitting timelines, as they're playing out, constitute "excused delays" in which case Hampden would bear these costs? Yes, we constantly monitor all issues that may impact the project achieving commercial operation by April 1, 2018. The margin of "wiggle room" is shrinking but we remain on schedule and do not foresee the need to bridge MSW at this time.

- Can you confirm the date through which communities that sign the Joinder would remain under contract in the event that the facility is not operational by April 1, 2018 or January 1, 2020?

We would have the option to terminate on 1.1.2020. This would be a fundamental matter under the agreement that would require extensive consultation with the member communities before this action were taken.

- Finally, from a housekeeping standpoint, the Municipal Joinder Agreement - Charter Member document I have includes many references to the 150,000 ton threshold,

including in section regarding aggregate delivery requirements etc. Likewise, the exhibits to the Joinder refer to Reserve and Stabilization Fund amounts do not reflect changes based on the reduced tonnage scenario. Will MRC provide updated documents reflecting the updated aggregate minimum delivery amounts and capitalization amounts for Reserve Funds?

We made provision for this sort of event when we developed inter-relationship among the Joinder, Master Waste Supply and Site Lease agreements. Please find attached a series of changes that are being developed to address the types of questions you raise. The necessary changes will be made in the Master Waste Supply Agreement. We will be providing updated draft documents to everyone when the "final target becomes stationary" before financial close.

For your planning purposes, I am also forwarding information below from our DPW Director which indicates that Hampden's tonnage included in the overall calculations would be less than the MRC report showing Hampden contributing 3,412 tons of MSW annually. Although the MRC number is consistent with prior years' Solid Waste Reports to DEP, Sean advises that MSW delivered by the Town's haulers is more in the 1,850 range - as opposed to waste picked up by commercial haulers from businesses or curbside pickup customers (of which there are a few, who independently contract for this service). The numbers in the DEP report reflect total tonnage from Hampden, but DPW has advised that it is not within the Town's control to prescribe where the commercial haulers bring MSW not deposited at the Transfer Station. If you have knowledge to the contrary please let me know.

The MRC figures have no relationship to DEP reports. They are based upon actual MSW deliveries by the Town of Hampden to the PERC for the past 25 years. Considering market conditions related to commercial tons from within town that were delivered to PERC under the town's control for 25 years, I do not foresee any change in the local marketplace that would cause this practice to change. Especially in light of the facility being located in town. If the market did change for some reason and our market conditions causing economic flow control were disrupted for any reason, the town could still take steps to adopt or implement small changes to an existing flow control ordinance, or adopt a new ordinance that would take care of this issue. I disagree that it is not within the town's control to direct commercially generated MSW to prescribed facilities. I understand that those with an intent interest in killing the MRC/Fiberight project have asserted that town's do not have this management tool.

All the above said, however, in the end, if the town's honest feeling is that 2,000 or so is the best EDA for you, we will accept that. Please appreciate that if too many towns deviate significantly from historical deliveries to PERC, we will have trouble reaching financial close and the project could be lost.

One other potential wrinkle: the Town Council has held a series of discussions in recent months regarding potential policy changes regarding Hampden's Transfer Station. One option that's been suggested, and appears to be favored by at least a portion of the Council, would involve closing the Transfer Station and contracting with Casella for them to serve that function for Hampden's residents. This is by no means set: in fact there are up to five alternate scenarios the Council has kicked around with an interest in reducing costs. The DPW Director and I have advised that, in order to consider any such change, it would be advisable to set out a substantial public process including several

meetings over the course of months, with many opportunities for public input. We'll be talking about these issues again at Monday's Infrastructure Committee, and we'll recommend that we begin this process in earnest after Labor Day. So while it's anyone's guess how this will play out, I do see this as a reportable item under MRC's Guidelines to Calculate Estimated Delivery Amounts ("Appropriate adjustments for those Joining Members for which recent or foreseeable events provide a basis for departing from recent delivery data and trends"). The Council has not directly addressed the issue of how these changes would affect MSW tonnage, but this will also be part of Monday night's discussion. I expect to come out of that meeting with updated information and will let you know.

I appreciate the heads up on the talks that you are engaged in concerning changes at your transfer station facility. I'm not surprised that Casella has a new interest in working with the town on transfer station management issues. Such arrangements are rare, but I do know of 2 such arrangements along this line years ago in Machias and Ellsworth. They each contracted out management and operation of their transfer stations to Casella. In both cases each community reverted back to public management of those facilities when the agreements reached term.

In addition to those items in my earlier email, the issues that were discussed:

- The development agreement provides MRC the right to terminate the agreement if Fiberight does not secure financing by Jan. 1, 2017 or if commercial operation is not achieved by Jan. 1, 2020. In this eventuality, would this also terminate MRC's contracts with joining communities or would joining communities remain under contract for 15 years?

If the MRC terminates the Master Waste Supply Agreement, then the Joinder Agreements also terminate as of that date (see Joinder Agreement, Section 10.3) UNLESS the Joining member affirmatively waives their right to terminate – which they would do if they elect to utilize Crossroads landfill.

- A question asked by a Councilor was whether joining communities would be committed to sending waste to Norridgewock (or alternative destination MRC may arrange) throughout this term? If so, would joining communities be responsible to deliver certain tonnage to Norridgewock? (I would think not since it's a landfill not a waste-to-energy facility but the question was asked).

No and no. If the Joining Member elects to waive Section 10.3, it can do so conditionally. The agreement with Crossroads Landfill has no minimum tonnage requirement of any kind.

- Because the development agreement between MRC and Fiberight provides Fiberight until Jan 1, 2017 to secure financing, is there a scenario where MRC builds the infrastructure but Fiberight does not build the facility?

Unlikely. The MRC has asked Fiberight to provide security for cost reimbursement in the event the MRC begins to build the infrastructure, but Fiberight does not build the facility. The MRC Board is unlikely to proceed in advance of close of construction financing for the Fiberight

Excerpts of correspondence between Town Manager and MRC Executive Director, June 2016

facility in the absence of such security, since there is no interest in building “a road to nowhere”.

- If so, has the MRC Board determined how it would proceed in this instance? (We are aware that the development agreement contemplates potential operation of a transfer station at the site, and this is referenced in several locations on the MRC website, but as discussed during permitting meetings this use would require separate land use permitting).

How the MRC proceeds will depend on the specific circumstances. There are several scenarios, depending on whether Fiberight has completed the building and, if so, the extent to which the facility is able to accept and process waste (see Section 4.6 of the Master Waste Supply Agreement). The front-end MRF involves mostly a standard configuration of equipment that can be put in place over a relatively short period, so the MRC considers the risk of delay of commercial operation of the front-end processing equipment to be minimal, presuming that construction starts in 2017.

Thanks in advance if you can clarify these matters. I think the core concern we have is regarding the scenario where we sign but for whatever reason the facility does not get built or does not achieve commercial operations. I think the suggestion of an earlier termination date on Atty Katsiaficas' memo to you of Feb 10 would go a long way toward allaying those concerns... I don't know if that is an option.

I have preliminarily discussed with our town attorney the enforceability of our Solid Waste Flow Control Ordinance and have been told it's a gray area... but he did not research it in detail and I have not yet asked him to. Can you direct me to any definitive opinion on this matter? It is clearly of major importance to the project, and also to joining communities. If no such opinion exists we may ask our town attorney to look into this further so we can make an informed decision re tonnage we can commit.

On Wed, Jun 22, 2016 at 4:41 PM, George <garonson@crmcx.com> wrote:
Angus Also per your request, attached are two memos that Dan McKay prepared for the MRC on flow control. Recognize also that flow control is more than a legal issue – politics and economics also come into play. We believe that the MRC has a very strong position that haulers are unlikely to challenge, notwithstanding the recent rhetoric from avowed opponents of the project. Would a hauler really take a public position of diverting waste away from a local recycling facility to a remote out-of-state landfill at a much higher cost to its customers, risking poorer service due to the long haul, when other haulers are just waiting to offer those customers lower costs and local recycling services? Do you see that as a credible threat?

We can discuss tomorrow.

George

George H. Aronson, Principal
Commonwealth Resource Management Corporation

**AMENDMENT NO. 1 TO THE
MASTER WASTE SUPPLY AGREEMENT**

This Amendment No. 1 (the Amendment) is made and executed on this ____ day of _____, 2016, by and between the Municipal Review Committee, Inc. a Maine nonprofit corporation with offices at 395 State Street, Ellsworth, Maine 04605 (the “MRC”) and Fiberight, LLC, a Delaware limited liability company with offices at 1450 South Rolling Road, Baltimore, Maryland 21227 (“Fiberight”, or, together with its successors or assigns, the “Company”).

WHEREAS, the MRC and Fiberight have entered into a Master Waste Supply Agreement dated as of January 1, 2016 (the Agreement), pursuant to which the MRC has agreed to seek commitments from municipalities to deliver municipal solid waste (MSW) to a facility in Hampden, Maine that is being developed by Fiberight, and Fiberight has agreed to accept and process such MSW, in accordance with the terms and conditions of that Agreement;

WHEREAS, the MRC and Fiberight wish to amend the Agreement as set forth herein;

WHEREAS, capitalized terms used herein and not otherwise defined herein shall have the meaning assigned to them in the Agreement unless explicitly modified herein;

NOW THEREFORE, for good and valuable considerations, the receipt and adequacy of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. The sixth recital shall be amended by deleting the following:

“..not less than 150,000 tons per year of...”

2. The first sentence of the definition of “Delivery Commitment” shall be amended to replace the number 150,000 with [TO COME].

3. The following shall be inserted into the second paragraph of the definition of “Force Majeure” as items (vii) and (viii):

“(vii) An event involving delivery of Unacceptable Waste to the Facility and having a cost for handling, removal, and remediation of more than \$1.0 million in excess of amounts recoverable either from insurance proceeds or from an identified negligent party, and

(viii) Invalidation of a flow control ordinance adopted by a Joining Member.”

4. In Section 3.1, the first paragraph shall be replaced with the following:

“Delivery Commitments in Advance of Construction. The MRC shall secure commitments from Joining Members to deliver Acceptable Waste to the Facility during the term of this Agreement. Each such commitment shall be evidenced by a Joinder Agreement substantially in the form of Exhibit C with the final form to be approved by the MRC and the appropriate legislative body of the Joining Member. For the purposes of this agreement, the Delivery Commitment shall be determined as the sum of the Estimated Delivery Amount in Section 3.3(b) of each Joinder Agreement that has been executed as of the date of Financial Close as that term is defined in the Site Lease. Fiberight acknowledges that each Joining Member has determined the Estimated Delivery Amount in its Joinder Agreement in good faith on the basis of its best estimate of actual deliveries of Acceptable Waste in 2018 and thereafter, accounting for recent trends in deliveries as interpreted by the Joining Member and adjusted for foreseeable events that might cause departures from recent trends in the near future in the judgment and discretion of the Joining Member.”

5. In Section 3.1(iv), the following shall be inserted at the end of the section:

“Fiberight further acknowledges that Joining Members may, without the prior consent of Fiberight, sponsor programs for diversion of edible food waste to food pantries or other distribution points, use food scraps as soil nutrients in community projects, and promote back-yard composting of food scraps by residents.”

6. In Section 3.2, the number 150,000 shall be replaced with [TO COME].

7. In Section 3.3, the number 150,000 shall be replaced with [TO COME].

8. In Section 3.5(i), the number 150,000 shall be replaced with [TO COME].

9. The following shall be inserted after the first complete sentence of Section 4.3:

“The Company shall not knowingly permit delivery to or acceptance at the Facility of Unacceptable Waste. The Company shall use reasonable care to identify and remove Unacceptable Waste from waste delivered to or accepted at the Facility at the earliest point of acceptance and handling.”

10. The first portion of the second clause of what is currently the sixth sentence of Section 4.3 shall be amended to read as follows:

"provided, however, that the Company reserves the right to pass any uninsured handling and disposal expenses and costs for environmental clean-up and remediation that result from the delivery of Unacceptable Waste to the Facility (other than deliveries of Unacceptable Waste knowingly permitted to be made by the Company or with respect to which the Company has failed to use reasonable care to identify and remove Unacceptable Waste)....through first..."

11. In Section 5.1, the sentence that reads as follows shall be deleted in its entirety:

“ In the event that the Company provides a formal proposal for amendment of the Tipping Fee that the MRC agrees is reasonable and necessary for the Company to continue operation of the Facility on a sustainable basis, the MRC will facilitate presentation by the Company of such proposed amendment to the Joining Members for their consideration.”

12. The existing Section 13.5 shall be relabeled as 13.5(a) and the following shall be inserted as Section 13.5(b):

“In the case of a Force Majeure due to invalidation of a flow control ordinance pursuant to Item (viii) of the definition of Force Majeure, the Parties agree as follows:

- (i) As mitigation of the potential impacts of such Force Majeure, the MRC shall work with the affected Joining Members to (x) seek a stay of, and pursue to the extent reasonable an appeal of, such invalidation; (y) act expeditiously to institute a lawful and economically feasible program to encourage commercial haulers and waste generators located within the borders of such Joining Member to direct Acceptable Waste under their control to the Facility; and (z) seek to cause the governing authority of such Joining Member to act on a timely basis to amend its existing flow control ordinance, or enact a new or modified or replacement ordinance, that would to the extent possible remedy the provision or condition that led to the invalidation of the original ordinance.
- (ii) To the extent that the MRC and the affected Joining Members comply with Section 13.5(b)(i) above, the Company agrees to waive any right it might have to charge the MRC Delivery Sufficiency Payments under Sections 3.7 and 3.8 of the Master Waste Supply Agreement that are attributable to such invalidation.”

13. In Exhibit F, Section 1.0(c), the number 150,000 shall be replaced with [TO COME].

14. In Exhibit F, Section 1.0(f), the entire clause shall be replaced with the following:

“ $RevMP_{baseline}$ shall be calculated as the sum of (x) \$[TO COME] million per year for the Contract Year that starts on the Commercial Operation Date, which shall escalate thereafter during the Term on an annual basis to reflect any annual percentage change in the CPI on the same basis as changes due to escalation in the Tipping Fee per Section 5.1; and (y) \$125,0000 per year, which shall not escalate. The value of $RevMP_{baseline}$ shall be pro-rated for any Contract Year that is not a complete year.”

15. In Exhibit F, the following shall be added to the end of Section 1.0(g):

“Moreover, for the purposes of the calculations, (x) in no event shall $[RevTF_{contract\ year} - RevTF_{baseline}]$ be less than zero; and (y) in no event shall $[RevMP_{contract\ year} - RevMP_{baseline}]$ be less than zero.”

IN WITNESS WHEREOF, each Party has caused this Agreement to be executed as a sealed instrument as of the date first written above.

MUNICIPAL REVIEW COMMITTEE

By:
Name:
Title:

FIBERIGHT, LLC

By:
Name:
Title:

DRAFT

Memorandum

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

To: MRC Board of Directors
From: Eaton Peabody
Date: July 19, 2010
Re: Update on Flow Control in the Courts

Introduction

The Municipal Review Committee (“MRC”) has an interest in assuring a minimum supply of municipal solid waste for the PERC facility. Several MRC members have expressed interest in achieving that assurance through enactment of flow control ordinances or other lawful means designed to capture for PERC all processible solid waste generated by member municipalities. Since the Supreme Court decided Carbone in 1994, the Circuit Courts have employed a variety of legal theories in their assessment of flow control with some inconsistent results.

Eaton Peabody produced a memo to the MRC in 2001 that detailed the flow control options available to municipalities at that time. We provided an update to that memo in 2006. At the time of that update, the case of United Haulers¹ was pending before the Supreme Court. That case has since been decided and has provided further guidance for municipalities as to how to structure arrangements that control or restrict the flow of solid waste to instate facilities.

Issue and Short Answer

Does the public-private distinction at issue in the United Haulers case assist the MRC in its flow control planning, and, if not, are there other viable options?

Currently, the clearest option for a municipality wishing to institute flow control is to do so through direct market participation with an open and fair bidding process leading to exclusive contracts, which may direct the contractor to dispose of all waste at a specific facility. This approach presupposes, however, that the municipality would impose a tax or fee to fund the service provided rather than having the contractor collect a disposal fee directly. When we considered this issue several years ago, the MRC Board did not view this approach as desirable for most MRC communities. At that time, we suggested an alternative approach based on a model ordinance which would direct in-state disposal of waste to PERC but which would exclude from its scope any regulation of interstate waste disposal. While there have been

¹ *United Haulers Ass’n v. Ohieda-Herkimer Solid Waste Mgmt. Auth.*, 550 U.S. 330 (2007).

suggestions in several cases that this approach may pass constitutional muster, it remains largely untested in the courts.

The argument for a public-private distinction in the United Haulers case comes out of the dissent in Carbone. In United Haulers, the Court Supreme Court adopted the dissent's position in Carbone and held that when a flow control ordinance benefits a "clearly public" facility, while treating private companies the same, such an ordinance does not discriminate against interstate commerce. While uncertainty remains as to which forms of joint public-private arrangements will be sufficient to meet this standard, United Haulers lessens the risks that such ordinances will be successfully challenged.

History

Regulation of Solid Waste Disposal, and the Commerce Clause

The supervision of solid waste disposal falls under the governmental authority of the states as a public health, safety, and environmental concern, although Congress acknowledged the need for federal assistance in the Resource Conservation and Recovery Act of 1976 (RCRA). "The Congress finds with respect to solid waste ...that while the collection and disposal of solid wastes should continue to be primarily the function of State, regional, and local agencies, the problems of waste disposal as set forth above have become a matter national in scope." 42 U.S.C. §6901(a)(4).

Congress has the power to "regulate Commerce...among the several States." U.S. Const. art. 1, §8, cl.3. The courts have long interpreted this to mean that Congress is granted the exclusive power to regulate interstate commerce, and that the states are denied that power under the "dormant" aspect of the commerce clause. To determine whether a local activity violates the commerce clause, courts first look at whether the government authority is *regulating* the market or merely *participating* in it. The distinction considers whether government exercises powers that are not available to private entities. Local *regulation* of interstate commerce is prohibited. If the action amounts to regulation, the question becomes whether the activity: a) discriminates outright against out-of-state interests, leading to a strict-scrutiny analysis which will find the action invalid unless there is no other legitimate means by which the local authority can achieve its goal, or b) discriminates even-handedly against both intra- and inter-state interests, in which case the "Pike" balancing test is used, weighing the burden on interstate commerce against the permissible benefits locally.

The Commerce Clause and Flow Control

Private haulers have challenged legislative flow control in court for ninety years, losing consistently until the 1990s. Early arguments against flow control were based on antitrust laws, takings, and interstate commerce discrimination. The early cases on flow control primarily concerned efforts to prohibit out-of-state waste, and held that there could be no simple ban on the importation of out-of-state waste (City of Philadelphia v. New Jersey, 437 U.S. 617 (1978)); no differential tax on waste imports (Chemical Waste Management, Inc. v. Hunt, 504 U.S. 334

(1992)); that county-based waste-import restrictions were a violation of the commerce clause (Fort Gratiot Sanitary Landfill, Inc. v. Michigan Dept. of Nat'l Resources, 504 U.S. 353 (1992)); and that there could be no surcharge on out-of-state waste (Oregon Waste Systems, Inc. v. Dept. of Env'tl Quality of Oregon, 511 U.S. 93 (1994)). In the early 1990s, courts in several states began to apply the strict scrutiny test of the commerce clause to flow control regulations, finding that the goal of funding waste management systems could be achieved by other means, such as local taxation. New York courts rejected this line of analysis and continued to find flow control valid, leading to the petition for certiorari in Carbone.

C&A Carbone, Inc. v. Town of Clarkstown
511 U.S. 383 (1994)

The Supreme Court ruled in 1994 that Clarkstown, New York's flow control law, which required that all solid waste from the town (which included some waste which had come in from out of state) be processed at a local transfer station, violated the dormant commerce clause under a strict-scrutiny analysis because it deprived out-of-state facilities of the opportunity to compete to provide that service. It is noteworthy that in Carbone, the town was also trying to prevent the waste from going out of state. The court found this to be economic protectionism and hoarding, barring importation of an article of commerce, that is, the service of processing and disposing of waste.

In a concurrence, Justice O'Connor found the discrimination to be even-handed because it acted equally against all geographic competitors, both in-state and out-of-state; she therefore would have used the Pike balancing test to determine whether the law imposed an excessive burden on interstate commerce in relation to the benefits it conferred locally. Using that test, she found an excessive burden in that there were other, less discriminatory means available to fund the local transfer station (bonds, taxes, competitive pricing), a strong impact on interstate commerce, and conflicts with the requirements of other jurisdictions, creating confusion. Justice O'Connor said that Congress expects local governments to implement some form of flow control, but she did not find the "explicit" authorization required by the dormant commerce clause line of cases. She emphasized, however, that it remains within Congress' power to authorize complete local imposition of flow control.

The dissent by Souter, Blackmun, and Rehnquist raised the public-private distinction, finding that because the law favored only an agent of government, it did not rise to the level of economic, geographic protectionism envisioned by the dormant commerce clause, in that all other actors were affected in the same way. The burdens were borne locally, not shifted. The dissent also pointed out that the plaintiff could have helped its case with facts showing that out-of-state processors *wanted* to compete for the waste involved, but those facts had not been presented.

United Haulers Assoc., Inc. v. Oneida-Herkimer Solid Waste Mgmt. Authority
261 F.3d 245 (2^d Cir. 2001)
(UNITED HAULERS I)

The year after Carbone, waste haulers in upstate New York sued a county waste management authority. All waste collected in the affected counties was required to be tipped at a designated publicly-owned facility. The first time the case came before the Second Circuit, it was remanded for further development of the record, with the suggestion that, because the waste was directed to a public facility and therefore did not favor a local private business, and because the burden was equal on both in- and out-of-state haulers, it was likely not in violation of the commerce clause. The court found that hoarding is only illegal when it discriminates against out-of-state interests. There was no discussion about whether this practice deprived out-of-state businesses of the opportunity to compete for waste from these municipalities.²

Intervening Cases, Categorized

Non-Discriminatory Flow Control.

These decisions hold that if the process by which local governments select service providers or facilities is non-discriminatory, there is no violation of the commerce clause. Other courts have required a combination of non-discriminatory flow control with market participation.

Harvey & Harvey, Inc. v County of Chester, 68 F.3d 788 (3d Cir. 1995). Here, where the requirement was that waste be disposed of at a certain facility, the court said that if the selection process which determines an exclusive contract is open and competitive and truly offers equal opportunity to both in-and out-of-state businesses, direction of all waste to the selected facility is not a violation.

Southern Waste Systems, LLC v. City of Delray Beach, FL., 420 F.3d 1288 (11th Cir. 2005). Where the exclusive franchise to be awarded was put out to competitive bid, the commerce clause question is not how the services are paid for (here, by citizens, at the direction of the authority), but how the provider is selected.

Houlton Citizens' Coalition v. Town of Houlton, 175 F.3d 178 (1st Cir. 1999). The town's ordinance funneled all waste through a single contractor. The lower court bifurcated the analysis in a manner similar to Babylon (see discussion below), finding the ordinance requiring use of its chosen contractor was a regulation that eliminated the market, and that the town, as market participant, contracted for the services. The First Circuit, however, was reluctant to follow the Babylon "cutting-edge" decision, and based its analysis on the open and fair process by which the contractor was chosen.³

Market Participation

² This appears to be the only case that has used public ownership of a facility as sufficient reason to overcome a commerce clause challenge, although others have found that a town can preempt the entire market by making waste a public function, using private contractors. See Babylon, below.

³ Note that the Sixth Circuit in Huish reached a contrary result. See discussion below.

These decisions hold that if the government entity is a market participant instead of a regulator, the action is subject only to the Pike balancing test, not the strict scrutiny test of Carbone. Some courts use a two-step look at actions taken by the entity as a regulator and those taken as a participant; this is referred to as a “bifurcated” analysis.

USA Recycling v. Town of Babylon, 66 F.3d 1272 (2d Cir. 1995). Babylon contracted for its waste-hauling services as a market participant through a nationwide competitive-bidding process, financing the efforts through an assessment fee paid by waste generators to the town, which then paid the contractors. The town then, acting as a market regulator, required waste producers within its limits to use its chosen contractor, which was required to tip at a town facility. The court found that the town had entirely eliminated the market for waste by substituting uniform municipal services provided by a private contractor. There was no commerce clause discrimination because, although the waste had been eliminated from the commerce stream, there was no discriminatory burden on out-of-state businesses. The court stressed that when a town enters the market as a market participant, it can buy and sell as it chooses.⁴

Huish Detergents, Inc. v. Warren County, 214 F3d 707 (6th Cir. 2000). The Sixth Circuit struck down an ordinance allowing a Kentucky county to provide solid waste collection by granting nonexclusive contracts through a competitive bidding system, with the contractors required to dispose of the waste at certain in-state transfer stations. The court said a county is a market participant only when it is directly purchasing or selling products or services, not merely forcing inhabitants to use a particular provider. This is true even if the contract is awarded on a level playing field, because a private entity could not enforce the requirements imposed in the same way.

Intrastate Flow Control

These decisions consider whether government can regulate in-state waste destined for in-state facilities differently from that destined for facilities out-of-state. Courts generally have suggested that it may be permissible to regulate where the waste stream regulated is purely intrastate and does not cross state lines.

Ben Oehrleins and Sons & Daughters, Inc. v. Hennepin County, 115 F.3d 1372 (8th Cir. 1997). Here, a county hired contractors who were then paid by users for waste collection services. The contracts with the hauling contractors required that all waste be processed at a local incinerator, with the goal of making the incinerator financially viable. As flow control cases were decided, the county chose not to enforce the ordinance against waste destined for out-of-state facilities. The court found that the ordinance, if enforced against waste destined out-of-state, would be a violation of the commerce clause, partly because the incinerator facility was not chosen by a bidding process, and also because the stated goal of the ordinance was to finance the incinerator. However, the Court found that application of the ordinance to intrastate waste would not violate the commerce clause since its effects would

⁴ Note that, despite much subsequent discussion of the merits of market participation, this is the only case where the facts included a town as market participant. Generally, the government entity is not using taxes to fund its waste management system.

not differentiate between in-state and out-of-state interests. The court acknowledged that even a non-discriminatory law can burden interstate commerce; the difference is that it is judged under the less-harsh Pike test.

Maharg, Inc. v. Van Wert Solid Waste Mgmt. District, 249 F.3d 544 (6th Cir. 2001).

The Sixth Circuit upheld a county's plan requiring that waste be disposed of only at facilities, whether in-state or out-of-state, that met county requirements, including a requirement that the facility collect a contract fee for waste generated within the district. The court said that the prohibition on disposal at out-of-state facilities was based on their refusal to collect the mandated fee, not on geographic discrimination, and the fee was justified to assure financing of safety measures.⁵

IESI AR Corp. v. N.W. Ark. Regional Solid Waste, 433 F.3d 600 (8th Cir. 2006).

An ordinance requiring that waste generated within the district must be disposed of in the district, unless it was to be disposed of out-of-state, does not violate the commerce clause.⁶

Economic Flow Control

Often mentioned as an aside in other cases, economic flow control measures allow waste management districts to compete by offering lower prices and favorable tipping fees, offsetting the revenue loss through bonds and taxes. These generally are recognized as free market measures that do not burden commerce.

Legislative Solutions

The U.S. Environmental Protection Agency's Report to Congress on Flow Control and Municipal Solid Waste in 1992 states that although flow control is an administratively efficient tool for local governments to plan and fund solid waste management systems, protection of human health and the environment is directly related to the implementation and enforcement of environmental regulations, and not to the existence of flow control measures.

Congress has the power to grant the states the right to fully implement flow control. Legislation was introduced to Congress every year from 1995 to 2003, looking to enable states to control the amount of out-of-state waste coming into facilities in their states. In 1995, nearly half the nation's governors asked the House Commerce Committee to send a flow control bill to the floor for a vote. "Despite the introduction of 134 bills since 1989, only two have ever been voted upon by either house of Congress, and none have been enacted into law." "Fair Weather Federalism and America's Waste Disposal Crisis," 27 Harv. Env'tl. L. Rev. 71, Murray and Spence, 2003.

⁵ The rationale applied in this decision seems questionable as it seems counter to the accepted principle that states not be allowed to regulate outside of their jurisdiction.

⁶ Note that, although it was not discussed, this case seems to differ from *United Haulers* only in the fact that the facility was not public.

Public vs. Private Ownership—the United Haulers Issue

National Solid Wastes Mgmt. Assoc. v. Daviess County, 434 F. 3d 898 (6th Cir. 2005). Here, as in United Haulers, a county required that all waste be disposed of at a certain publicly-owned facility. The Sixth Circuit specifically rejected the path that the Second Circuit had taken regarding publicly-owned facilities in the 2001 United Haulers case,⁷ asserting that the Second Circuit had placed too much emphasis on the idea that a violation of the commerce clause required finding a favoring of local *private business*, concluding that the public/private distinction was irrelevant to the effect of the ordinance on out-of-state interests. The court also found that the market had not been eliminated, per Babylon and Houlton, because the waste producers, and not the county, were paying the fees.

National Solid Waste Mgmt. Assoc. v. Pine Belt Regional Solid Waste Mgmt. Auth., 389 F.3d 491 (5th Cir. 2004). All waste was to be disposed of at a designated facility chosen by bid. The lower court found no public-private distinction. On appeal, the Fifth Circuit decided the case on procedural grounds, ruling that the plaintiffs had no standing to sue because they did not haul waste to out-of-state facilities (thereby involving themselves in interstate commerce); it indicated, however, that the laws at issue would withstand scrutiny under the Pike balancing test, because the burden did not fall differentially on out-of-state entities.

United Haulers Assoc., Inc. v. Oneida-Herkimer Solid Waste Mgmt. Auth., 438 F.3d 150 (2^d Cir. 2006) (United Haulers II). The United Haulers case came back on appeal to the 2nd Circuit in 2006. As described above, all waste collected in the affected counties, no matter the hauler, was required to be tipped at a designated publicly-owned facility. From there, certain haulers held contracts to carry the waste to other facilities. On remand, the lower court followed the blueprint laid out by the Second Circuit in its earlier decision and held that, because there was no differential burden placed on in and out-of-state private entities, the ordinance was not in violation of the commerce clause.⁸ The court therefore did not apply the Pike test, but it mentioned that, under Pike, even if the requirement at issue *had* burdened interstate commerce, the benefits of a waste management system for the counties outweighed the minor burden to commerce (that the waste wasn't available to the interstate market). The court *also* argued that the financial benefits for the local waste management authority could be argued as a benefit, because, unlike in Carbone, this ordinance was not discriminatory on its face. The Supreme Court granted certiorari, as described below, and affirmed the judgment of the Second Circuit.

The 2007 Supreme Court

⁷ However, it is worth noting that the *reason* they gave for so doing was that there was precedent in Sixth Circuit cases finding publicly-owned facilities in violation of the dormant commerce clause, and the panel of the Sixth Circuit deciding the case did not wish to overrule a prior panel. This rationale presumably has no application outside the 6th Circuit.

⁸ Interestingly, the Court did not discuss the public-private distinction it had used in 2001, except to repeatedly point out that out-of-state entities were not disproportionately burdened.

United Haulers Assoc., Inc. v. Oneida-Herkimer Solid Waste Mgmt. Authority
550 U.S. 330
(UNITED HAULERS II)

The Supreme Court granted certiorari to review the Second Circuit's decision in United Haulers to resolve a dispute between the Second Circuit and the Sixth Circuit on the public-private distinction. In affirming the Second Circuit, the Court distinguished Carbone, holding that Carbone's logic was limited to flow control ordinances that required the disposal of waste at in-state facilities that were privately owned or operated. In the case of the ordinance at issue in United Haulers, "the flow control ordinances...benefit[ed] a clearly public facility"—the municipally owned transfer station.

Analysis for MRC

While establishing definite treatment for flow control ordinances for clearly private and for clearly public facilities, the Court did little to clarify how joint public-private arrangements for waste disposal should be analyzed in light of its ruling. In Carbone, the dissent had argued that the city's ostensibly private transfer station was "essentially a municipal facility," an argument which the majority in Carbone did not address. In United Haulers, the Court characterized the facility at issue as "clearly public" even though private haulers had contracts to dispose of the waste at other private facilities after it was tipped at the public facility. Thus the extent to which joint public-private waste facilities fall squarely within the United Haulers standard is uncertain. In the case of PERC, it is a limited partnership in which the majority owners are private entities and the MRC holds a minority interest. So it is not clear whether PERC itself would be considered a public or private entity.

The Model Flow Control Ordinance prepared for the MRC directs all waste from the town or city enacting the ordinance to PERC, with the exception that waste may otherwise be disposed out of state. While an argument can be made that the ordinance can meet the standard established in United Haulers, the ordinance could still be subject to challenge under Carbone on the ground that it directs the flow of waste to PERC and that PERC is essentially a private entity. The ordinance also continues to contain an exception allowing waste to be disposed of out of state. Again, while there have been suggestions in several cases that an out of state exception could pass constitutional muster, no case has squarely addressed the issue and it remains largely untested. However, taken together the United Haulers ruling and the out of state exception provide a good basis for minimizing the risk of a challenge to the ordinance.

The risk of challenge is further minimized in that the ordinance and the out of state disposal exception substantially lessen the group of potential plaintiffs that would have standing challenge the ordinance in court. The judicial doctrine of standing requires that prospective plaintiffs suffer an actual, concrete injury caused, in this case, by enforcement of the ordinance, which could be redressed by a favorable decision.⁹ The ordinance arguably does not have any

⁹ *E.g.*, Lujan v. Defenders of Wildlife, 504 U.S. 555, 560 (1992)

effect on out-of-state landfills, waste processing centers, or commercial haulers since it does not pertain to waste generated in the state but disposed of out-of-state. It would be particularly difficult for such plaintiffs to demonstrate actual injury. Likewise, it would be difficult for in-state commercial haulers to show that the ordinance was discriminatory while retaining the right to haul waste out-of-state.

Some towns/cities have proposed to adopt a modified version of the ordinance which directs waste disposed of in the state to a publicly owned transfer station for processing, while still retaining the out-of-state disposal exemption. The town/city would then contract with PERC to dispose of the solid waste that the town/city collects. Such an ordinance would lessen the risk of successful challenge even further because the direction of waste to a publicly owned in-state facility is precisely the form of flow control approved in United Haulers. Furthermore, it is arguable that once the waste is collected, the town/city could freely contract for disposal with private parties under the market-participant exception to the dormant commerce clause. Although it is still possible that such an ordinance could be challenged, these additional factors would make the likelihood of successful challenge minimal.

Memorandum

To: DGM
From: MDM
Date: April 13, 2016
Re: Flow Control Update

Issue

Have there been any changes to “flow control” jurisprudence since 2010?

Short Answer

No. The post-*United Haulers* cases addressing this issue have further established, but not altered, the framework for analyzing flow control ordinances under the dormant Commerce Clause that was established in the Supreme Court cases of *Carbone* and *United Haulers*.

Post-*United Haulers* Case Law

Lebanon Farms Disposal, Inc. v. County of Lebanon, 538 F.3d 241 (3rd Cir. 2008)¹: Applying the strict scrutiny test of *Carbone*, the District Court declared two counties’ flow control ordinances, both of which benefitted a public waste disposal site, to be unconstitutional. The Third Circuit Court of Appeals vacated the District Court’s decision and remanded with instructions to instead apply the *Pike* balancing test² to what the parties agreed to be non-discriminatory ordinances. *United Haulers* came down while this appeal was being briefed. The Court acknowledged that the parties should have the benefit of applying its holding and to further develop the record with the *Pike* test factors in mind on remand.

Sandlands C & D LLC v. County of Horry, 737 F.3d 45 (4th Cir. 2013): The District Court determined that a County ordinance prohibiting disposal of waste generated in the County at any site other than a designated, publicly-owned landfill did not violate the Commerce Clause. The Fourth Circuit Court of Appeals affirmed. This case is significant because it is the first Circuit Court of Appeals case since *United Haulers* where a flow control ordinance benefitting publicly owned facilities was upheld. However, the Fourth Circuit did not engage in its own balancing of burdens and benefits under *Pike*, but instead relied on the Supreme Court’s holding

¹ This case is clearly pre-2010, but I have included it because it was not addressed in the previous memorandum to the Municipal Review Committee.

² In *Pike* the Supreme Court held that if a “statute regulates evenhandedly to effectuate a legitimate local public interest, and its effects on interstate commerce are only incidental, it will be upheld unless the burden imposed on such commerce is clearly excessive in relation to the putative local benefits.” 397 U.S. 137, 142.

in *United Haulers* that “flow control ordinances do address a legitimate local public interest” and that “any arguable burden [on interstate commerce] does not exceed the public benefits of the ordinances.” 737 F.3d 45, 53.

Application to New Waste Disposal Center

It is my understanding that the new waste disposal center will be a purely private facility. An ordinance requiring that waste generated within Bangor be taken to such a facility will, accordingly, be subject to the strict scrutiny test provided for in *Carbone*³. This public/private distinction was articulated by the Supreme Court as follows:

In *Carbone*, this Court struck down under the Commerce Clause a flow control ordinance that forced haulers to deliver waste to a particular *private* processing facility. In this case, we face flow control ordinances quite similar to the one invalidated in *Carbone*. The only salient difference is that the laws at issue here require haulers to bring waste to facilities owned and operated by a state-created public benefit corporation. We find this difference constitutionally significant.

United Haulers Ass’n., Inc. v. Oneida-Herkimer Solid Waste Management Authority, 550 U.S. 330, 334 (2007) (internal citation omitted) (emphasis in original).

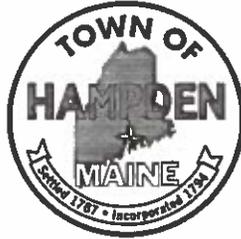
Indeed, the Supreme Court elaborated on its decision in *United Haulers* in a subsequent Dormant Commerce Clause case, *Department of Revenue of Kentucky v. Davis*, 553 U.S. 328 (2008):

[In *United Haulers*] We upheld the government's decision to shut down the old market for trash processing only because it created a new one all by itself, and thereby became a participant in a market with just one supplier of a necessary service. If instead the government had created a monopoly in favor of a private hauler, we would have struck down the law just as we did in *Carbone*.

553 U.S. 328, 346-47 (2008) (internal citation omitted).

³ The municipality must demonstrate “under rigorous scrutiny, that it has no other means to advance a legitimate local interest.” *C & A Carbone, Inc. v. Clarkstown*, 511 U.S. 383, 392 (1994).

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



D-4
Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Town Council

FROM: Angus Jennings, Town Manager

DATE: June 24, 2016

RE: Proposed FY17 Budget and estimated mil rate impacts

At the public hearing on Monday, I will be prepared to present the estimated mil rate impacts of the proposed FY17 Budget, as well as how a mil rate change would affect the property tax burden for properties at various valuations. Although the mil rate will not be established until FY17 taxes are committed in August based on final valuations, as proposed it is estimated that the mil rate impact would exceed \$1.00. The Assessor will attend the hearing and with me will present the relationship between the proposed budget, estimated values, and estimated mil rate impacts under different scenarios.

At Monday's public hearing, I will recommend that the Council consider two potential changes, either or both of which would restrict the estimated increase in the mil rate to \$1.00: one change would be to reduce or eliminate the amount of "sheltered" TIF funds below the level included in the proposed budget; the other change would be to increase the amount of projected non-property tax revenues that would be eligible for allocation from the Environmental Trust toward budgeted FY17 expenses.

In addition, I have enclosed a memo from Chief Joe Rogers recommending restoration of certain expense line items to levels included in the Town Manager referred budget.



Hampden Public Safety

Emergency Services Working Together

106 Western Avenue
Hampden, ME 04444



Phone: 207-862-4000

Email: publicsafety@hampdenmaine.gov

<http://www.hampdenmaine.gov/>

<https://www.facebook.com/hampdenpublicsafety>

Town of Hampden
RECEIVED

JUN 22 2016

Office of the
Town Manager

Police • Fire • EMS
Code Enforcement
Building Inspection
Fire Inspection
Local Health Office

Joseph L. Rogers
Director of Public Safety

Kandy A. McCullough
Administrative Assistant

Police

T. Daniel Stewart
Sergeant/SRO

Scott A. Webber
Sergeant

Christian D. Bailey
Sergeant

Joel Small
Police Officer

Joseph D. Burke
Police Officer/MDEA

Benson G. Eyles
Police Officer

Shawn F. Devine
Police Officer

Marc Egan
Police Officer

William Miller
Police Officer

Jeffrey L. Rice
Police Officer

Fire

Jason Lundstrom
Lieutenant/Fire Inspector

Daniel Pugsley, Jr.
Lieutenant/Paramedic

Matthew St. Pierre
Lieutenant/Paramedic

Myles Block
CEO/Paramedic

Jared LeBarnes
Building Inspector/Paramedic

Joseph Dumton
Paramedic/Chaplain

Matthew Thomas
FF/Paramedic

Shaun McNally
FF/Paramedic

Aaron Jellison
FF/Paramedic

Matthew Roope
FF/Paramedic

TO: Angus Jennings, Town Manager
FROM: Joe Rogers, Public Safety Director
RE: Budget Review
DATE: June 22, 2016

I am requesting that the Hampden Town Council revisit four budget categories that were reduced at their previous meeting. Those categories are:

1. 05-05-10-20 Supplies and Maintenance – Fire

This account funds items that are not specifically budgeted for in other line items. The most expensive items purchased under this account is Class A foam at \$80 per 5 gallons. We last purchased foam in May for a cost of \$4300. This expenditure is determined by the number of fires we respond to.

I would ask that the Council reconsider their vote to cut this account and restore it to the funding level requested (\$4000).

2. 05-05-10-30 Medical Supplies - Fire

This account funds expendable medical supplies. As of 6/20/16, we have expended over \$11,000 without including any outstanding invoices. Medical calls account for over 80% of our calls, with the number increasing annually.

I would ask the Council to reconsider their vote to reduce this account, and restore the funding to the level requested (\$13,000).

3. 05-05-25-05 Safety Equipment - Fire

This line item funds the purchase of firefighter turnout gear. Each set costs approximately \$2000 and has a usable life span of ten years. We recently purchased two sets of gear to outfit the new firefighter and a live-in student. The remaining money will be used to replace aging gear.

To prevent having to replace multiple sets of gear in any one budget year, I would request the Council reconsider their vote to reduce this line item and restore it to the funding level requested (\$6000).

4. 05-10-30-65 Recruitment Expense – Public Safety

This line item funds the expenses associated with recruiting and promoting police/fire personnel (advertising, medical, polygraphs, psychological exams, drug testing). While this line may not be depleted every year, the cost of filling one position is well over \$1000. We are currently processing a firefighter candidate. These costs may be incurred during the new budget year.

I would ask that the Council reconsider their vote to reduce this line item and restore it to the funding level requested (\$4000).



**TOWN OF HAMPDEN
PUBLIC NOTICE**

Notice is hereby given that the Hampden Town Council will hold a public hearing at 7:00 pm on Monday, June 27, 2016 at the Hampden Municipal Building for consideration of the proposed FY 2017 town budget, including the Sewer Fund Budget and the Capital Program.

**PROPOSED 2017
HAMPDEN TOWN BUDGET – GENERAL FUND**

ACCOUNT NUMBER	ACCOUNT NAME	PROPOSED BUDGET 2017
01-01	ADMINISTRATION	\$598,062
01-02	GIS/IT	\$108,031
01-03	COMMUNICATIONS	\$19,483
01-05	TOWN COUNCIL	\$29,717
01-10	MUNICIPAL BUILDING	\$95,561
01-15	TAX COLLECTOR	\$7,350
01-20	ELECTIONS	\$9,514
01-25	PLANNING/ASSESSING	\$274,164
01-30	ECONOMIC DEVELOPMENT	\$2,250
05-01	POLICE	\$1,014,039
05-05	FIRE DEPARTMENT	\$959,605
05-10	PUBLIC SAFETY	\$195,877
06-06	NON-DEPARTMENT UTILITIES	\$544,095
10-01	PUBLIC WORKS	\$1,367,857
10-05	MUNICIPAL GARAGE	\$34,090
10-10	STORMWATER MANAGEMENT	\$123,430
15-10	SOLID WASTE	\$360,028
20-01	RECREATION	\$137,083
20-10	DYER LIBRARY	\$250,008
20-20	LURA HOIT POOL	\$206,024
25-10	THE BUS	\$84,597
30-10	BUILDINGS & GROUNDS	\$196,495
40-10	GENERAL ASSISTANCE	\$6,000
50-10	DEBT SERVICE	\$339,986
67-10	TIF	\$288,513
3-00-00	RESERVES	\$502,019
GROSS	MUNICIPAL BUDGET TOTAL	\$7,753,872
LESS	MUNICIPAL REVENUES	\$3,089,833
= NET	MUNICIPAL BUDGET TOTAL	\$4,664,039
	RSU-22 TAXATION AMOUNT	\$6,308,863
	COUNTY TAXATION AMOUNT	\$792,558

ESTIMATED TOTAL TAXATION REQUIREMENT **\$11,765,459**

SEWER FUND – ENTERPRISE ACCOUNT

Anticipated Revenues	\$955,860
Proposed Expenses	\$987,338
Estimated deficit (to be raised through user fees)	(\$31,478)

CAPITAL PROGRAM

The proposed five-year capital program is an attachment to the proposed FY17 Budget. Capital items proposed for funding in FY17 are included in the General Fund Budget. Revenues and expenses for years FY18 and beyond are preliminary and non-binding.

Proposed FY 2017 budget referred by Town Council on 6/13/16. Copies of the entire proposed FY 2017 Budget, including Sewer Fund and Capital Program, are available for public inspection at the Hampden Town Office between Monday and Thursday from 7:30 AM to 6 PM and at www.hampdenmaine.gov.

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
01-02	GIS/IT						
01-02-01-05	Wages	\$53,548.00	\$49,713.12	\$48,235.00	\$44,024.20	\$48,736.98	1 FTE, limited overtime, COLA.
01-02-05-01	FICA/MED	\$4,097.00	\$3,759.63	\$3,690.00	\$3,379.59	\$3,728.38	7.65% of wages
01-02-05-05	Retirement	\$4,762.00	\$4,489.34	\$4,052.00	\$3,958.56	\$4,332.59	At per-employee terms.
01-02-05-10	W/C	\$245.00	\$142.51	\$200.00	\$141.61	\$202.00	Workers comp increase of 1.5% effective 1/1/16
01-02-05-15	Health Insurance	\$17,634.00	\$12,446.44	\$7,118.00	\$6,571.05	\$7,846.65	Health insurance up 9.85% effective 1/1/16. Budgeting
01-02-05-20	Life	\$134.00	\$113.04	\$134.00	\$103.62	\$134.00	
01-02-05-25	Dental	\$150.00	\$150.00	\$150.00	\$134.13	\$150.00	
01-02-10-01	Supplies	\$1,000.00	\$1,457.80	\$1,000.00	\$1,013.89	\$1,000.00	Computer accessories, ink etc.
01-02-10-05	Postage/Shipping	\$300.00	\$44.31	\$300.00	\$99.00	\$300.00	Postage.
01-02-20-01	Equipment Replace	\$35,135.00	\$33,438.14	\$39,244.00	\$10,370.75	\$11,500.00	Costs of hardware, licenses.
01-02-20-05	Equipment Maint.				\$13,708.90	\$13,300.00	Software and licenses.
01-02-20-10	Equipment Svcs.				\$13,986.66	\$15,000.00	Service contracts/leases.
01-02-30-60	Dues	\$300.00	\$141.00	\$300.00	\$217.00	\$300.00	Maine GIS Users/Certification.
01-02-30-80	Train/Travel	\$1,500.00	\$1,450.68	\$1,500.00	\$1,009.92	\$1,500.00	Seminars, workshops.
01-01-35-01	Legal	\$500.00	\$0.00	\$500.00	\$0.00	\$0.00	Legal costs moved to Administration.
	Total 01-02	\$119,305.00	\$107,346.01	\$106,423.00	\$98,718.88	\$108,030.60	
<i>Analysis of relative affect of personnel and non-personnel changes on overall Town Council</i>		Personnel Expenses		Non-Personnel Expenses			
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$63,579.00	\$65,130.60	\$42,844.00	\$42,900.00		
		<i>Proposed percent change:</i>		2.4%	0.1%		

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
01-15	TAX COLLECTOR						
01-15-30-15	Computer Services	\$3,200.00	\$1,612.54	\$3,200.00	\$1,536.62	\$3,200.00	Annual software cost (\$300); Annual Tax Billing (\$1,000); Postage - tax bills (\$1,500); Postage - foreclosure notices (\$400)
01-15-30-40	Liens & Transfers	\$2,800.00	\$3,762.00	\$2,800.00	\$4,389.00	\$4,150.00	Cost of lien and discharge increased to \$19.
	Total 01-15	\$6,000.00	\$5,379.78	\$6,000.00	\$5,930.73	\$7,350.00	
				Total Expenses			
				FY16	FY17 Proposed		
				\$6,000.00	\$7,350.00		
				<i>Proposed percent change:</i>	22.5%		

Percent change based on overall Town Council



Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015 Budget	2014/2015 Actual	2015/16 Budget Adopted	2015/16 Expended 6/13/2016	2016/17 Proposed (Council)	Notes
01-25	PLANNING/ASSESSING						
01-25-01-01	Salaries	\$171,461.00	\$175,490.63	\$113,328.00	\$106,306.53	\$183,441.36	3 FTEs (increase from 2 FTEs in FY16; offset by reduction in Econ Dev Dept), COLA.
01-25-01-05	Wages	\$3,000.00	\$3,242.50	\$3,000.00	\$875.00	\$4,200.00	Scanning/indexing
01-25-01-25	Vehicle Expenses	\$2,000.00	\$1,312.08	\$2,000.00	\$858.13	\$2,000.00	Mileage for use of personal vehicles for site visits, meetings.
01-25-05-01	FICA/Medicare	\$13,345.00	\$13,622.16	\$8,669.00	\$8,144.51	\$14,033.26	7.65% of wages
01-25-05-05	Retirement	\$11,788.00	\$13,104.34	\$9,520.00	\$9,371.34	\$16,306.78	At per-employee terms.
01-25-05-10	Workers' Comp	\$1,900.00	\$1,719.45	\$1,400.00	\$1,708.52	\$1,723.00	Workers comp increase of 1.5% effective 1/1/16. (Includes amount prior in Econ Dev).
01-25-05-15	Health Insurance	\$29,030.00	\$28,296.77	\$14,236.00	\$13,142.10	\$30,368.27	Health insurance up 9.85% effective 1/1/16. Budgeting for 5% increase in FY17.
01-25-05-20	Life Insurance	\$333.00	\$273.18	\$266.00	\$207.24	\$266.00	
01-25-05-25	Dental Insurance	\$375.00	\$362.50	\$300.00	\$275.00	\$450.00	
01-25-10-01	Office Supplies	\$1,500.00	\$1,710.80	\$2,500.00	\$2,328.42	\$2,500.00	Supplies for Code, GIS/IT, Planning, Econ Dev, Ambulance billing
01-25-10-05	Postage/Shipping	\$1,500.00	\$827.20	\$2,500.00	\$635.33	\$1,250.00	Mailings and notifications for PB activities; postage for Code, Ambulance, Econ Dev and GIS/IT.
01-25-10-15	Books/Publications	\$750.00	\$643.83	\$750.00	\$964.15	\$950.00	Resource materials. Reduced to offset increase in DPW books budget. Marshall & Swift pricing manuals (assessing).
01-25-10-17	Tree Planting	\$750.00	\$0.00	\$750.00	\$0.00	\$0.00	Budgeting for trees required for Tree City USA. Suspended FY16.
01-25-15-01	Telephone	\$750.00	\$1,107.71	\$1,200.00	\$1,100.00	\$1,200.00	Phone for Assessor, Admin Asst, Planner, CEO, GIS/IT.
01-25-20-01	Software Contracts	\$4,400.00	\$4,159.55	\$6,025.00	\$5,692.52	\$4,725.00	Trio licensing for Assessing, GIS/IT, Admin. (Reduction due to one-time cost of sketching component in FY16).
01-25-30-60	Dues	\$350.00	\$277.00	\$350.00	\$256.00	\$350.00	Maine Chapter Int'l Assn Assessing Officers
01-25-30-80	Travel/Training	\$1,000.00	\$889.72	\$1,000.00	\$1,015.82	\$1,200.00	Maine certification & education
01-25-30-85	Zoning	\$4,800.00	\$1,978.00	\$4,800.00	\$1,196.00	\$3,200.00	Public hearing costs, notices, plan review
01-25-35-01	Legal	\$6,000.00	\$8,865.50	\$6,000.00	\$4,829.58	\$6,000.00	Legal review of deeds/agreements/contracts and ordinances. Also covers CEO/Bldg Inspector legal.
	Total 01-25	\$255,032.00	\$257,882.92	\$178,594.00	\$158,906.19	\$274,163.67	
Analysis of relative affect of personnel and non-personnel changes on overall Town Council		Personnel Expenses		Non-Personnel Expenses			
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$150,719.00	\$250,788.67	\$27,875.00	\$23,375.00		
		<i>Proposed percent change:</i>	66.4%		-16.1%		

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
01-30	Economic Development						
01-30-01-01	Salaries	\$66,766.00	\$69,894.68	\$70,594.00	\$67,619.92	\$0.00	} Reduced from 1FTE in FY16.
01-30-05-01	Fica/Medicare	\$5,107.00	\$5,082.32	\$5,400.00	\$5,005.64	\$0.00	
01-30-05-05	Retirement	\$5,608.00	\$5,948.32	\$5,930.00	\$5,751.37	\$0.00	
01-30-05-10	Workers' Comp	\$306.00	\$177.99	\$306.00	\$176.85	\$0.00	
01-30-05-15	Health Insurance	\$18,498.00	\$19,253.11	\$13,312.00	\$12,289.33	\$0.00	
01-30-05-20	Life Insurance	\$150.00	\$113.04	\$133.00	\$103.62	\$0.00	
01-30-05-25	Dental Insurance	\$150.00	\$150.00	\$150.00	\$137.50	\$0.00	
01-30-30-01	Advertising	\$2,000.00	\$1,460.00	\$2,000.00	\$2,000.00	\$2,000.00	Discover Maine (Penobscot Edition), Bangor Chamber, Maine Biz (only municipal sponsor).
01-30-30-45	Marketing	\$3,500.00	\$3,765.00	\$3,500.00	\$3,275.00	\$0.00	Maine Biz sponsorship of Fact Book.
01-30-30-60	Dues	\$235.00	\$430.00	\$250.00	\$0.00	\$250.00	Econ Dev Council of Maine
01-30-30-80	Training/Travel	\$3,000.00	\$2,202.21	\$3,000.00	\$1,229.41	\$0.00	Expense reimbursement for attendance and registration at strategically beneficial events such as municipal planning/development related training, trade shows, meetings with potential developers. Reduced by Town Council 6-13-16
01-30-35-01	Legal	\$8,000.00	\$7,855.50	\$7,000.00	\$941.30	\$0.00	Costs proposed within Administration legal budget.
	Total 01-30	\$113,320.00	\$116,335.42	\$111,575.00	\$98,529.94	\$2,250.00	
Analysis of relative affect of personnel and non-personnel changes on overall Town Council		Personnel Expenses		Non-Personnel Expenses			
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$95,825.00	\$0.00	\$15,750.00	\$2,250.00		
		<i>Proposed percent change:</i>	-100.0%		-85.7%		

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Amended*	6/13/2016		
05-01	Police						
05-01-01-05	Wages	\$673,051.00	\$675,657.60	\$687,962.00	\$626,714.01	\$677,348.00	10 FTEs, overtime, reserve, COLA.
05-01-01-15	Clothing	\$4,000.00	\$3,226.07	\$5,000.00	\$1,958.45	\$5,000.00	
05-01-05-01	FICA/Medicare	\$51,488.00	\$50,212.14	\$52,630.00	\$47,259.83	\$51,818.00	7.65% of wages
05-01-05-05	Retirement	\$65,225.00	\$80,270.58	\$65,880.00	\$77,780.47	\$75,508.00	At per-employee terms.
05-01-05-10	Workers' Comp	\$16,300.00	\$12,393.30	\$14,000.00	\$12,314.45	\$14,140.00	Workers comp increase of 1.5% effective 1/1/16
05-01-05-15	Health	\$117,966.00	\$150,941.04	\$104,375.00	\$100,603.11	\$115,694.00	Health insurance up 9.85% effective 1/1/16. Budgeting for 5% increase in FY17.
05-01-05-20	Life	\$1,400.00	\$1,130.40	\$1,400.00	\$1,036.20	\$1,131.00	
05-01-05-25	Dental	\$900.00	\$900.00	\$900.00	\$825.00	\$900.00	
05-01-10-20	Supply/Materials	\$7,500.00	\$9,997.21	\$7,500.00	\$7,711.83	\$8,000.00	Ammunition for firearms and tasers for qualifications for all sworn personnel, repair of equipment, bullet resistant vests, and consumable supplies
05-01-10-25	Gas/Oil/Lube	\$27,000.00	\$25,060.23	\$27,000.00	\$16,190.72	\$25,000.00	Fuel for all police vehicles and regular oil changes
05-01-15-01	Telephone	\$2,800.00	\$3,686.11	\$2,800.00	\$4,315.45	\$4,000.00	Telephone expense for line charges and 3 cellular telephones
05-01-20-01	Equipment Replacement	\$15,000.00	\$0.00	\$47,000.00	\$47,000.00	\$0.00	Zeroed out; funds formerly budgeted in this line for cruiser replacement are now included in proposed reserve fund.
05-01-20-01	Equip. Maintenance	\$1,000.00	\$45.96	\$1,000.00	\$0.00	\$1,000.00	Maintenance of police equipment
05-01-20-20	Communication Maint.	\$2,000.00	\$132.00	\$1,500.00	\$689.52	\$1,500.00	Maintenance and reprogramming costs for portable and mobile radios
05-01-20-25	Vehicle Maintenance	\$13,500.00	\$12,563.94	\$13,500.00	\$17,784.56	\$16,000.00	Repairs for police vehicles. Some very high mileage cars.
05-01-30-50	Pet Control	\$6,200.00	\$6,879.79	\$8,000.00	\$7,238.13	\$9,000.00	Kennel fees and vet expenses
05-01-30-80	Travel/Training	\$6,000.00	\$7,546.44	\$8,000.00	\$6,932.93	\$8,000.00	Basic and specialized training for 10 full-time officers and college tuition reimbursement
	Total 05-01	\$1,011,330.00	\$1,040,642.81	\$1,048,447.00	\$974,306.85	\$1,014,039.00	
	* Reflects approved budget increase of \$30,000 to Cruiser Replacement						
Analysis of relative affect of personnel and non-personnel changes on overall Town Council	Personnel Expenses		Non-Personnel Expenses				
	FY16	FY17 Proposed	FY16	FY17 Proposed			
	\$927,147.00	\$936,539.00	\$121,300.00	\$77,500.00			
	Proposed percent change:		1.0%		-36.1%		

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
06-06	Non-Dept. Utilities						
06-06-15-05	Streetlight Electricity	\$49,000.00	\$54,494.71	\$52,000.00	\$57,026.84	\$54,000.00	Streetlight electrical costs. Est. based on cost trends.
06-06-20-30	Streetlight Repair	\$2,500.00	\$245.55	\$2,500.00	\$748.00	\$1,500.00	Repairs to street lights.
06-06-30-35	Hydrant Rental	\$413,000.00	\$413,008.04	\$413,000.00	\$413,391.80	\$413,595.00	Requirement that Hampden pay 30% of Hampden Water District annual budget. HWD number confirmed. Also includes 4.5% increase from Bangor Water
06-06-30-76	Crosswalk/Sidewalk	\$3,900.00	\$1,225.00	\$3,900.00	\$0.00	\$0.00	Proposed in DPW Street/Crosswalk striping budget.
06-06-05-15	HRA - Health Insurance	\$0.00	\$0.00	\$75,000.00	\$75,000.00	\$75,000.00	Per Carl McNally 4/27. Showing 48 empl, 70 dependents (118). 118 x 12 x \$42.02. So far this year haven't had a claim over \$3,000. 93 people haven't sent a claim in. (Across their whole client base, 68-70% of beneficiaries don't make claims).
	Total	\$468,400.00	\$468,973.30	\$546,400.00	\$546,166.64	\$544,095.00	
				Total Expenses			
				FY16	FY17 Proposed		
				\$546,400.00	\$544,095.00		
				<i>Proposed percent change:</i>	-0.4%		

Percent change based on overall Town Council budget proposal



Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
10-01	Public Works						
10-01-01-05	Wages	\$582,660.00	\$599,658.18	\$567,173.00	\$476,160.08	\$550,798.48	9 FTEs, 3/4 Admin, Part-time, Overtime, COLA
10-01-01-15	Clothing Allowance	\$7,100.00	\$7,348.73	\$6,500.00	\$7,833.70	\$6,420.00	Boots, uniforms, gloves/liners, etc. (9 each)
10-01-01-25	Vehicle Expense	\$4,004.00	\$3,978.83	\$4,000.00	\$2,328.09	\$3,500.00	Mileage for use of personal vehicle on town business (Director or auth. by Director)
10-01-05-01	FICA/Medicare	\$44,688.00	\$46,567.44	\$43,389.00	\$34,882.45	\$42,136.08	At 7.65%
10-01-05-05	Retirement	\$48,840.00	\$55,867.77	\$47,642.00	\$46,993.36	\$47,121.25	At per-employee terms.
10-01-05-10	Workers' Comp	\$38,450.00	\$24,661.53	\$35,000.00	\$24,504.60	\$35,350.00	Workers comp increase of 1.5% effective 1/1/16
10-01-05-15	Health Insurance	\$190,592.00	\$183,261.53	\$127,850.00	\$118,327.45	\$125,766.30	Health insurance up 9.85% effective 1/1/16. Budgeting for 5% increase in FY17.
10-01-05-20	Life Insurance	\$1,596.00	\$1,121.88	\$1,463.00	\$1,029.54	\$1,463.00	
10-01-05-25	Dental Insurance	\$1,050.00	\$662.50	\$750.00	\$575.00	\$712.50	
10-01-10-01	Office Supplies	\$600.00	\$939.94	\$700.00	\$608.22	\$700.00	Supplies for DPW office.
10-01-10-05	Postage/Shipping	\$150.00	\$0.00	\$300.00	\$0.49	\$200.00	Postage for road closures, etc.
10-01-10-15	Books/Publications					\$500.00	Maine Standards of Construction. Other reference books. Increase is offset by decrease in Planning books budget.
10-01-10-17	Tree Planting/Removal	\$2,500.00	\$175.00	\$2,500.00	\$2,420.00	\$3,000.00	Tree service by outside contractors, various locations. Reduced by Council 6-13-16.
10-01-10-20	Supply/Materials	\$2,800.00	\$3,644.86	\$3,000.00	\$3,988.46	\$7,875.00	Hand tools, power tools, cleaning supplies, trash bags, Confined Space Rescue Retrieval Device (CS Entry Tripod), harness, etc.
10-01-10-25	Gas/Oil/Lube	\$73,000.00	\$73,096.89	\$73,000.00	\$39,498.59	\$60,000.00	Fuel, gas, oil, transmission fluid, hydraulic fluid, antifreeze, grease etc.
10-01-10-40	Salt	\$69,000.00	\$60,965.59	\$69,000.00	\$69,023.85	\$67,428.00	1200 tons at \$56.19/ton, reduced from prior budgeted amount \$58.50/ton
10-01-10-45	Culverts	\$3,000.00	\$4,317.40	\$3,000.00	\$0.00	\$0.00	Included in proposed Stormwater budget.
10-01-10-50	Tar Patching	\$3,000.00	\$5,657.94	\$3,000.00	\$1,964.50	\$3,000.00	Asphalt paving patch for potholes, trench repair for utility replacement.
10-01-10-55	Street Signs	\$3,000.00	\$1,750.06	\$3,000.00	\$2,114.14	\$2,500.00	Regulatory signage (stop/yield/speed etc), street signs, misc. road signs and hardware. Reduced by Council 6-13-16.
10-01-10-60	Calcium Chloride	\$2,500.00	\$2,839.20	\$2,900.00	\$0.00	\$2,000.00	Snow/ice removal, dust control (gravel roads), fertilizer for ditches
10-01-10-65	Steel Plows	\$22,500.00	\$24,880.12	\$22,500.00	\$10,376.57	\$22,500.00	Cutting edges - trucks and equipment, bed chains, plow bolts/misc. parts, teeth for digging bucket, plow hydraulic cylinder seal kits, etc.
10-01-10-70	Resurfacing Roads	\$75,000.00	\$75,513.70	\$75,000.00	\$38,149.65	\$265,000.00	See Capital Budget. Partially offset by \$100k reduction to Streets/Roads reserve from FY16. Revised by Council; net reduction of \$35k due to increase in \$65k LRAP revenues, 6-13-16.
10-01-10-85	Memorial Day					\$700.00	Memorial Day flowers, wreaths, flags etc.
10-01-15-01	Telephone	\$4,000.00	\$6,353.88	\$4,000.00	\$6,830.58	\$7,936.00	Office phone, office TDS, office OTT, cell phones, GPS in trucks - units and cell service, pager service (quarterly critical alert test).

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
10-01	Public Works						
10-01-20-01	Equipment Replace					\$6,200.00	Cab for 2520 John Deere Tractor.
10-01-20-05	Equipment Maint.	\$60,000.00	\$69,813.65	\$62,000.00	\$75,922.80	\$75,000.00	Maintenance and repair, all DPW vehicles and equipment. Increased by Council 6-13-16.
10-01-20-15	Copier					\$300.00	Maintenance on DPW copier
TBD (10-1-20-26)	Tires					\$12,000.00	Tires: Grader, 1-tons (2), 1 1/2 tons (3), plow trucks (5); 4 each: Backhoe, Loader, JD 5101, Trailers (2); tire chains. In past have paid for tires out of maint. Budget. Not doing maintenance because we're overspent. Reduced by Council 6-13-16.
10-01-20-55	Mowing					\$400.00	Misc. flail blades, parts and bolts.
10-01-25-05	Safety	\$1,600.00	\$1,320.04	\$1,600.00	\$1,732.75	\$2,950.00	Safety vests, safety glasses, hearing protection, hard hats, sign bases, signage, gloves.
10-01-25-10	Rental	\$15,000.00	\$19,243.51	\$15,000.00	\$14,760.00	\$0.00	Proposed expenses included in proposed Reserve budget
TBD (10-01-30-20)	Contracted Services					\$5,000.00	Street sweeping (\$4,200), hang holiday decorations/lights (\$800)
TBD (10-01-30-21)	DOT Drug & Alcohol screening					\$800.00	Drug and alcohol tests; MDOT required AHS random screening mgmt.
10-01-30-75	Street Construction	\$19,500.00	\$19,223.79	\$19,500.00	\$2,149.45	\$0.00	Proposed work included in Capital Planning Workbook.
TBD (10-01-30-76)	Street/Crosswalk Painting					\$4,000.00	Crosswalk striping (\$4,000). Includes 06-06-30-76 (budgeted at \$3,900 in FY16). Does not include center line striping (\$9,600), which is moved to 2-year cycle.
10-01-30-80	Travel/Training	\$1,200.00	\$1,102.37	\$1,200.00	\$2,575.48	\$4,600.00	Snow Conference (\$2000), memberships (MBTA, NEWEA, APWA), Chainsaw Safety, SPCC, Work Zone Safety, Bloodborne Pathogen, Fire Extinguisher, Hearing Conservation, LOTO, Sexual Harassment, Haz Com, Emergency Action Plans, PPE, Dig Safe, Trenching & Excavation
	10-01 Total	\$1,277,330.00	\$1,294,234.82	\$1,194,967.00	\$1,027,283.80	\$1,367,856.61	
<i>Analysis of relative affect of personnel and non-personnel changes on overall Town Council</i>		Personnel Expenses		Non-Personnel Expenses			
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$823,267.00	\$803,347.61	\$371,700.00	\$564,509.00		
		<i>Proposed percent change:</i>		-2.4%		51.9%	

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Amended*	6/13/2016		
10-10	Stormwater Management						
10-10-22-01	Maintenance/Repair	\$0.00		\$5,000.00	\$4,709.68	\$8,280.00	Culverts/pipes: Patterson Road, Canoe Club Rd, Constitution Ave; Precast concrete catch basins (Coldbrook, Frances, Ruth, Lindsey, Spare); Frames/Grates.
10-10-22-05	Compliance Documentation (DEP)	\$0.00		\$4,000.00	\$5,710.40	\$12,850.00	DEP compliance consultant; BASWG membership; IDDE testing.
TBD (10-10-2)	Supplies	\$0.00		\$0.00		\$800.00	IDDE testing supplies; iPad for field inspections
TBD (10-10-2)	Contracted Services	\$0.00		\$0.00		\$100,000.00	Clean catch basins (80 @ \$50/each); repairs to storm sewer system (North Road Culvert in-house cost offset \$7,000; Old County Road Culverts \$35,000; Sidney Blvd \$54,000).
10-10-30-80	Prof. Services, Travel, Training	\$0.00		\$1,000.00	\$0.00	\$1,500.00	Stormwater pollution training
	10-10 Total	\$0.00		\$10,000.00	\$10,420.08	\$123,430.00	
	* Reflects approved budget increase with \$10,000 of savings from The Bus.						
				Total Expenses			
				FY16	FY17 Proposed		
				\$10,000.00	\$123,430.00		
				<i>Proposed percent change:</i>			
				1134.3%			

Percent change based on overall Town Council budget proposal

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Amended*	6/13/2016		
15-10	Solid Waste						
15-10-01-05	Wages	\$65,375.00	\$62,983.46	\$66,491.00	\$54,755.62	\$67,116.64	2 FTEs, overtime, COLA
15-10-01-15	Clothing Allowance	\$1,100.00	\$1,261.95	\$1,200.00	\$1,201.15	\$1,520.00	Boots, uniforms, rain gear.
15-10-05-01	FICA/Medicare	\$5,002.00	\$4,668.45	\$5,087.00	\$4,095.88	\$5,134.42	7.65% of wages
15-10-05-05	Retirement	\$5,493.00	\$6,076.46	\$5,585.00	\$5,749.75	\$5,993.21	At per-employee terms.
15-10-05-10	Workers' Comp	\$4,400.00	\$2,744.95	\$4,000.00	\$2,727.50	\$4,040.00	Workers comp increase of 1.5% effective 1/1/16
15-10-05-15	Health Insurance	\$27,062.00	\$29,547.77	\$20,429.00	\$18,860.38	\$22,521.62	1 family, 1 single. Health insurance up 9.85% effective 1/1/16. Budgeting for 5% increase in FY17.
15-10-05-20	Life Insurance	\$267.00	\$226.08	\$267.00	\$207.24	\$267.00	2 FTEs
15-10-05-25	Dental	\$0.00	\$0.00	\$0.00		\$150.00	
15-10-10-20	Supply/Materials	\$1,000.00	\$314.80	\$1,000.00	\$3,614.57	\$2,730.00	Transfer station decals; transfer station signage; misc. hand tools; speedi-dry; compost bins.
15-10-15-05	Electricity	\$2,200.00	\$2,732.42	\$2,825.00	\$2,158.41	\$2,675.00	Reduced based on current year's usage
15-10-20-01	Equipment Replace					\$0.00	Proposed expenses included in Capital Program (subject to funding).
15-10-20-05	Equipment Maint.	\$1,000.00	\$1,954.58	\$7,620.00	\$7,519.50	\$0.00	Proposed expense could be paid from current Reserve balance (3-777-00)
15-10-25-10	Rental	\$1,500.00	\$0.00	\$500.00	\$0.00	\$1,000.00	Casella rental equipment - ash containers.
TBD (15-10-3	Solid Waste License Fees					\$1,880.00	Annual DEP license fee; permit modification.
15-10-30-53	Solid Waste Removal	\$260,444.00	\$268,003.69	\$245,000.00	\$224,753.86	\$245,000.00	Hauling; tipping fees; recycling; ash tesing; C&D disposal; etc.
	15-10 Total	\$374,843.00	\$380,514.61	\$360,004.00	\$325,643.86	\$360,027.89	
* Reflects approved budget transfer of \$6,260 from Personnel Reserve for compactor cylinder.							
Analysis of relative affect of personnel and non-personnel changes on overall Town Council	Personnel Expenses		Non-Personnel Expenses				
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$101,859.00	\$105,222.89	\$258,145.00	\$254,805.00		
		<i>Proposed percent change:</i>		3.3%	-1.3%		

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
20-01	Recreation						See section backup attachment
20-01-01-05	Wages	\$91,164.00	\$94,375.00	\$92,726.00	\$89,431.29	\$96,217.30	2 FTEs, overtime, COLA
20-01-05-01	FICA/Medicare	\$6,975.00	\$7,148.44	\$7,094.00	\$6,533.11	\$7,360.62	
20-01-05-05	Retirement	\$7,908.00	\$8,637.49	\$8,252.00	\$7,820.65	\$8,344.46	
20-01-05-10	Workers' Comp	\$3,000.00	\$1,383.24	\$2,200.00	\$1,374.44	\$2,222.00	
20-01-05-15	Health Insurance	\$29,880.00	\$29,547.77	\$20,429.00	\$18,860.38	\$22,521.62	Health insurance up 9.85% effective 1/1/16. Budgeting for 5% increase in FY17.
20-01-05-20	Life Insurance	\$240.00	\$226.08	\$266.00	\$207.24	\$266.00	
20-01-05-25	Dental Insurance	\$150.00	\$150.00	\$150.00	\$137.50	\$150.00	
	20-01 Total	\$139,317.00	\$141,468.02	\$131,117.00	\$124,364.61	\$137,082.00	
<i>Analysis of relative affect of personnel and non-personnel changes on overall Town Council</i>		Personnel Expenses		Non-Personnel Expenses			
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$131,117.00	\$137,082.00	\$0.00	\$0.00		
		<i>Proposed percent change:</i>		4.5%	n/a		

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
20-10	Dyer Library						
20-10-01-05	Wages	\$148,461.00	\$160,285.47	\$152,998.00	\$142,156.92	\$154,905.61	3 FTEs, part-time, overtime, COLA
20-10-05-01	FICA/Medicare	\$11,357.00	\$12,028.45	\$11,704.00	\$11,189.56	\$11,850.28	7.65% of wages
20-10-05-05	Retirement	\$10,562.00	\$13,410.88	\$10,945.00	\$11,239.60	\$11,394.98	At per-employee terms.
20-10-05-10	Workers' Comp	\$518.00	\$301.31	\$500.00	\$299.39	\$505.00	Workers comp increase of 1.5% effective 1/1/16
20-10-05-15	Health Insurance	\$24,725.00	\$25,976.48	\$21,745.00	\$16,692.25	\$19,616.63	Health insurance up 9.85% effective 1/1/16. Budgeting for 5% increase in FY17.
20-10-05-20	Life Insurance	\$420.00	\$339.12	\$400.00	\$310.86	\$400.00	
20-10-05-25	Dental	\$300.00	\$300.00	\$300.00	\$275.00	\$300.00	
20-10-10-01	Office Supplies	\$500.00	\$1,171.58	\$500.00	\$244.04	\$400.00	Office supplies which are not specific to library operations, i.e.: copy paper, paperclips file folders, envelopes, etc.
20-10-10-03	Interlibrary Loan	\$1,665.00	\$1,665.00	\$1,760.00	\$1,760.00	\$2,160.00	Shipping pays for the Statewide Delivery Service that picks up and delivers items each weekday at the Edythe Dyer Library. Five days per week at \$15.00 per stop, however, the cost is reduced because MINERVA and the Penobscot County Commissioners each subsidize one day per week. RSU#22 is no longer paying for 1 day per week during the school year. For comparison, library rate to send one item through the USPS averages \$2.91. In FY 2015-16 we sent 15,800 items through the delivery, at \$2.91 each that would have cost \$45,978.00.
20-10-10-05	Postage/Shipping	\$568.00	\$482.86	\$362.00	\$183.79	\$362.00	Postage pays for mailing notices to patrons and books which cannot be sent through the Statewide Delivery Service.
20-10-10-15	Books/Publications	\$15,450.00	\$15,897.38	\$15,450.00	\$15,460.99	\$15,914.00	Used to purchase books, audio and video materials. Eight years ago the council approved a 3% increase per year increased. The Endowment Fund supplements this line.
20-10-10-16	Periodicals	\$1,500.00	\$1,500.00	\$1,500.00	\$1,498.96	\$1,500.00	This line pays for journal and magazine subscriptions. The Library's Endowment Fund supplements this line.
20-10-10-20	Supplies/Materials	\$1,400.00	\$1,277.32	\$1,344.00	\$1,342.00	\$1,600.00	This line pays for supplies specific to Library work i.e.: processing materials, book covers, barcodes, audio and DVD cases, labels, etc.
20-10-15-01	Telephone	\$1,039.00	\$1,150.11	\$978.00	\$1,048.02	\$1,164.00	OTT averages \$42.00 per month (\$504.00 per year). TDS maintains two copper lines at the Library, one for the fax machine and one for the fire panel at \$55.00 average per month (\$660.00 per year). From February, 2015 to February, 2016 we collected \$388.00 in fees for public faxing that is deposited in 60/R-20-01.

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
20-10	Dyer Library						
20-10-15-05	Electricity	\$4,548.00	\$5,285.97	\$4,548.00	\$4,757.63	\$3,600.00	LED lighting to be installed 5/2016. Line is reduced; electricity still heats 2nd floor & powers computers/copiers
20-10-15-10	Fuel	\$5,820.00	\$5,896.52	\$3,642.00	\$3,644.76	\$2,947.00	Est. savings based on 1665 gallons budgeted in FY16
20-10-15-15	Water	\$326.00	\$326.05	\$326.00	\$330.55	\$326.00	Water bills are generally \$81.33 per quarter.
20-10-15-20	Sewer	\$170.00	\$188.04	\$181.00	\$209.44	\$362.00	Reflects changed rates
20-10-20-35	Building Repair	\$5,500.00	\$5,209.13	\$13,340.00	\$11,574.99	\$13,340.00	This line pays for annual ant control (\$340.00), annual contract with Seacoast Security (\$396.00), annual air conditioning service (\$150.00), fire extinguisher inspections, boiler inspections, electrical work and simple building maintenance, \$675 per month for cleaning of the building.
20-10-30-15	Computer Service	\$4,275.00	\$4,200.00	\$4,275.00	\$4,200.00	\$4,550.00	This pays the annual \$4200.00 cost of software and operational support for MINERVA the Library's Library Automation system and \$75.00 annual maintenance for the router and \$275.00 annual fee for MSLN (this is new in 2016).
20-10-30-60	Dues	\$266.00	\$179.99	\$256.00	\$256.00	\$256.00	Five staff members' dues to the Maine Library Association, and two professional journals.
20-10-30-80	Travel/Training	\$554.00	\$460.00	\$554.00	\$553.20	\$554.00	Pays for registration to various meetings, in-state conferences, software training, library workshops and professional development seminars.
20-10-40-98	Library Programs	\$2,000.00	\$1,838.01	\$2,000.00	\$1,472.44	\$2,000.00	This line pays for materials needed for regularly scheduled monthly children's story programs and a dozen or more special programs held throughout the year usually during the summer and school vacations. It also pays for performers such as storytellers, magicians, puppeteers, and the occasional adult program. The Library's Endowment Fund and occasional grants supplement this line. This line has not increased since 1998.
	20-10 Totals	\$241,924.00	\$259,369.67	\$249,608.00	\$273,234.39	\$250,007.50	
Analysis of relative affect of personnel and non-personnel changes on overall Town Council	Personnel Expenses		Non-Personnel Expenses				
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$198,592.00	\$198,972.50	\$51,016.00	\$51,035.00		
		<i>Proposed percent change:</i>		0.2%	0.0%		

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
20-20	Lura Hoit Pool						See section backup attachment
20-20-01-05	Wages	\$182,966.00	\$187,027.08	\$182,833.00	\$171,159.45	\$184,658.46	
20-20-05-01	FICA/Medicare	\$13,997.00	\$14,384.58	\$13,987.00	\$13,129.93	\$14,126.37	
20-20-05-05	Retirement	\$7,273.00	\$7,793.26	\$6,887.00	\$6,901.57	\$7,238.27	
20-20-05-10	Workers' Comp	\$0.00	\$2,900.85	\$0.00	\$2,882.36		
20-20-05-15	Health Insurance	\$0.00	\$15,355.34	\$0.00	\$6,676.65		
20-20-05-20	Life Insurance	\$0.00	\$226.08	\$0.00	\$207.24		
20-20-05-25	Dental Insurance	\$0.00	\$225.00	\$0.00	\$137.50		
	20-20- Total	\$204,236.00	\$229,023.66	\$203,707.00	\$282,197.77	\$206,023.11	
<i>Analysis of relative affect of personnel and non-personnel changes on overall Town Council</i>		Personnel Expenses		Non-Personnel Expenses			
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$203,707.00	\$206,023.11	\$0.00	\$0.00		
		<i>Proposed percent change:</i>	1.1%		n/a		

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
20-25	Marina						
20-25-10-10	General Expense	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Harbor Master recommends for supplies. TM not recommending due to available reserve funds.
	20-25-Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Amended*	6/13/2016		
25-10	The Bus						
25-10-55-15	Expense	\$91,544.00	\$90,735.09	\$82,000.00	\$61,039.71	\$84,597.00	Overhead cost 5% of the cost to operate. Including, telephone, uniforms, lights, water, sewer, heat, office supplies, printing, admin, ADA, auditing, advertising, spare buses, rent, building maintenance & supplies etc... You also so pay the cost of the bus drivers salaries and fringes on the Hampden bus, the insurance for Hampden bus, fuel, maintenance (parts & labor & bus washes).
	25-10 Total	\$91,544.00	\$90,735.09	\$82,000.00	\$61,039.71	\$84,597.00	
* Reflects approved budget transfer of \$10,000 to Stormwater Management.							

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
30-10	Building/Grounds						
30-10-01-05	Wages	\$67,226.00	\$60,519.68	\$68,373.00	\$78,719.65	\$124,711.05	2 FTEs (from 1 formerly in DPW), part-time, overtime, COLA.
30-10-01-15	Clothing					\$1,600.00	Boots, uniforms, gloves/liners, raingear, etc (2 each)
30-10-05-01	FICA/Medicare	\$5,143.00	\$4,694.03	\$5,231.00	\$6,002.18	\$9,540.40	7.65% of wages
30-10-05-05	Retirement	\$0.00	\$0.00	\$0.00	\$0.00	\$10,475.73	At per-employee terms.
30-10-05-10	Workers' Comp	\$2,900.00	\$1,738.63	\$1,800.00	\$1,727.58	\$ 1,818.00	Workers comp increase of 1.5% effective 1/1/16
30-10-05-15	Health Insurance					\$ 30,813.17	Health insurance up 9.85% effective 1/1/16. Budgeting for 5% increase in FY17.
30-10-10-01	Office					\$300.00	Pens, paper, printing, etc.
30-10-10-18	Flowers	\$1,500.00	\$1,408.00	\$1,500.00	\$0.00	\$1,000.00	Landscape flowers and plantings, incl. at Locust Grove Cemetery for dedicated burial lots.
30-10-10-20	Supplies/Materials	\$1,000.00	\$865.84	\$1,000.00	\$0.00	\$3,000.00	Flags, hand tools (rakes, shovels etc.), signage, garbage bags.
30-10-10-75	Maps/Markers	\$500.00	\$0.00	\$500.00	\$0.00	\$2,500.00	Markers for Veterans' graves. Surveyed maps of cemeteries.
30-10-10-85	Memorial Day	\$330.00	\$0.00	\$330.00	\$0.00	\$0.00	Provided for in other line items.
30-10-15-15	Water	\$330.00	\$332.44	\$330.00	\$305.62	\$300.00	Water service at Lakeview Cemetery. (Locust Grove Cemetery?)
30-10-20-01	Maint.Repair	\$0.00	\$118.13	\$0.00	\$296.00	\$5,040.00	Mower replacement (\$3,800), 4 trimmers.
30-10-20-05	Equipment Maint.	\$1,500.00	\$2,649.10	\$1,500.00	\$1,768.13	\$1,450.00	Fix cemetery trailer ramp; trimmer tune-ups; mower blades, plugs, parts etc.
30-10-20-35	Building Repair	\$1,000.00	\$912.93	\$1,000.00	\$237.50	\$800.00	Fix cemetery bldg - Locust Grove roof/trim/door.
30-10-20-50	Grounds Improvement	\$500.00	\$1,388.92	\$500.00	\$835.64	\$1,500.00	Flower beds and curbing at Municipal Bldg; or plantings for cemeteries. Reduced by Council 6-13-16.
30-10-25-05	Safety	\$600.00	\$426.98	\$600.00	\$2,638.61	\$500.00	Barriers for voting.
30-10-25-10	Equipment Rental	\$0.00	\$0.00	\$0.00		\$1,146.00	Port-a-potty rental and cleaning
	30-10 Total	\$82,529.00	\$75,054.68	\$82,664.00	\$92,530.91	\$196,494.34	
Analysis of relative affect of personnel and non-personnel changes on overall Town Council		Personnel Expenses		Non-Personnel Expenses			
		FY16	FY17 Proposed	FY16	FY17 Proposed		
		\$75,404.00	\$177,358.34	\$7,260.00	\$19,136.00		
		<i>Proposed percent change:</i>		135.2%		163.6%	

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016		
38-00	Outside Agencies						
38-00-00-01	Hammond St. Sr. Ctr.	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-04	Eastern Area Agency	\$0.00	\$0.00	\$0.00	\$0.00		
38-00-00-05	UCP	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-05	Hampden Historical	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-06	Com.Health & Counsel	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-07	Bangor STD Clinic	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-08	Penquis Cap	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-09	American Folk Fest.	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-03	Hampden Kiwanis	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-10	Red Cross	\$0.00	\$0.00	\$0.00	\$0.00		
38-10-04-13	Snowmobile Club	\$0.00	\$1,000.00	\$0.00	\$0.00		
	38-00 Totals	\$0.00	\$1,000.00	\$0.00	\$0.00	\$0.00	
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016	<u>Total</u>	
40-10	General Assistance						
40-10-43-01	Expenses	\$10,000.00	\$2,534.45	\$10,000.00	\$487.50	\$6,000.00	If oversubscribed in FY17 would seek reserve funding.
	40-10 Totals	\$10,000.00	\$2,534.45	\$10,000.00	\$487.50	\$6,000.00	
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016	<u>Total</u>	
45-10	County Tax						
45-10-55-10	Tax	\$751,929.00	\$751,928.19	\$768,555.00	\$768,555.41	\$792,557.54	Memo from Penobscot County 2/2/16
	45-10 Totals	\$751,929.00	\$751,928.19	\$768,555.00	\$768,555.41	\$792,557.54	

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016	Total	
50-10	Debt Service						
50-10-50-04	Mayo Road Rebuild (2010F	\$124,859.00	\$126,758.55	\$123,821.00	\$125,539.35	\$124,235.88	Higher (\$1677.85) due to Federal sequestration
50-10-50-15	Mun. Bldg. Addition (2001D	\$112,308.00	\$97,186.25	\$111,970.00	\$111,970.34	\$107,653.27	
50-10-50-20	LL Bean Purchase (2000D)	\$37,292.00	\$124,177.20	\$0.00		\$108,096.74	Debt service has been paid from Host Community Benefits Fund beginning FY12.
50-10-50-25	Road Paving-Gravel	\$86,938.00	\$0.00	\$84,167.00	\$84,167.34	\$0.00	Paid off in FY16.
	50-10 Total	\$361,397.00	\$363,243.32	\$319,958.00	\$321,677.03	\$339,985.89	
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Amended	6/13/2016	Total	
67-01-55-25	TIF REIMBURSEMENT						
G 1-397-00 (?)	TIF - University Club CEA				\$9,003.61	\$9,003.61	Estimated payment to company through CEA.
TBD	TIF - Emera CEA				\$86,198.00	\$135,880.50	Estimated payment to Emera through CEA.
TBD	TIF - HEC Hampden				\$5,058.50	\$5,058.50	Estimated payment to Dennis Paper through CEA.
TBD	TIF Expenses, Univ. Club				\$2,689.39	\$2,689.39	Allocation to eligible TIF expenses.
TBD	TIF Expenses, Emera				\$86,198.00	\$135,880.50	Allocation to eligible TIF expenses.
67-01-55-25	TIF REIMBURSEMENT	\$18,415.00	\$18,415.76	\$189,148.00	\$189,147.50	\$288,512.50	Based on Assessor calculation 5/2/16. (Excludes \$5,058.50 part of Tax Commitment)
	<i>* Reflects approved budget amendments to properly fund Credit Enhancement Agreements.</i>						
						\$ 138,569.89	
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Adopted	6/13/2016	Total	
65-10-55-20	RSU 22 Assessment	\$6,033,040.00	\$6,033,040.28	\$6,130,574.00	\$5,619,692.54	\$6,308,862.26	Hampden share of proposed RSU-22 budget recommended by School Board 5/11/16.
Account Number	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Amended*		Total	
66-01-55-01	Overlay	\$149,810.00		\$303,289.00			TBD based on FY17 mil rate. (NTE 5% "Net to be raised.")
Budget Totals							
	<i>* Reflects approved budget amendments to properly fund Credit Enhancement Agreements.</i>						

Town of Hampden Proposed FY17 Budget - Town Council							
June 13, 2016							
Reserve Acct.	Account Name	2014/2015	2014/2015	2015/16 Budget	2015/16 Expended	2016/17 Proposed (Council)	Notes
Number		Budget	Actual	Amended*	6/13/2016	Total	
03-700	RESERVES						
03-702-00	Municipal Building	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	Completion of Public Safety flooring
03-711-00	Computer Reserve	\$14,925.00	\$14,925.00	\$15,000.00	\$15,000.00		
03-717-00	Public Works Equip.	\$100,000.00	\$100,000.00	\$150,000.00	\$150,000.00	\$137,774.00	Balance due on Trackless (\$43,004); 544K Front End Loader (lease, \$21,322); 310SK Backhoe Loader (lease, \$13,448); Excavator for ditching (\$8,000); Plow truck to replace #17 (\$185,000) financed over five years.; new Flail Mower for Large JD (\$15,000).
03-727-00	Economic Devel.	\$0.00	\$0.00			\$0.00	Holiday light repairs (\$15k) not funded in anticipation of TIF funding.
03-729-00	Town Property Survey	\$0.00	\$0.00				Funding for survey of Pool site
03-731-00	GIS Mapping	\$0.00	\$0.00				
03-733-00	Salary/Benefits Res.	\$0.00	\$0.00	\$33,780.00	\$33,780.00	\$40,000.00	Contingency for FY17 personnel changes; including retiring employee amounts due.
03-737-00	Ambulance	\$0.00	\$0.00			\$77,244.70	\$30k toward \$200k ambulance anticipated FY26; \$47,244.70 needed to bring account balance to zero. (Account has negative balance).
03-741-00	Fire Truck	\$0.00	\$0.00			\$50,000.00	Toward purchase est. cost \$400,000 in FY23
03-743-00	Fire Truck Refurbishing	\$0.00	\$0.00				
03-753-00	Police Cruiser	\$0.00	\$0.00			\$34,000.00	Replace vehicle and change over expenses. On every 2 year cycle.
03-761-00	Streets/Roads	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$0.00	Baker Road (\$12k toward est. \$35k cost). Reduced by Council 6-13-16.
03-763-00	Library Reserve	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$0.00	
03-767-00	Recreation Reserve	\$0.00	\$0.00			\$80,000.00	Add'l field space (\$50k), soft costs for Pool site wetlands delineation and DEP permitting (\$30k).
03-771-00	Pool Reserve	\$0.00	\$0.00			\$5,000.00	Half of est. cost of painting of inside of pool area (anticipated FY18).
03-739-00	EMS Reserve	\$0.00	\$0.00				
03-768-00	Playground	\$0.00	\$0.00				
03-777-00	Garage/Solid Waste	\$0.00	\$0.00			\$58,000.00	DPW garage roof (\$38k); Sucker Brook culvert (\$20k).
03-778-00	Matching Grant Res.	\$0.00	\$0.00				
	Total Reserves	\$239,925.00	\$239,925.00	\$323,780.00	\$323,780.00	\$502,018.70	
	<i>* Reflects approved budget amendment from Personnel Reserve to Transfer Station compactor cylinder.</i>						

Town of Hampden Proposed FY17 Budget - Town Council						
June 13, 2016						
TOTALS (excluding Overlay)						
		\$13,742,783.00	\$13,783,592.09	\$13,941,709.00	\$13,030,368.50	\$14,855,291.37
TOTALS BY ENTITY:		<u>2014/15</u>		<u>2015/16 Amended</u>		<u>2016/2017 Proposed</u>
School		\$6,033,040.00		\$6,130,574.00		\$6,308,863.00 2.9%
County		\$751,929.00		\$768,555.00		\$792,558.00 3.1%
Municipal (excl. Overlay)		\$6,957,814.00		\$7,042,580.00		\$7,753,871.57 10.1%
Total		\$13,742,783.00		\$13,941,709.00		\$14,855,292.57 6.6%

Revenue Accounts, Proposed FY17 and Budgeted / Actual FY15 and FY16 YTD							
June 13, 2016							
Account		2014/2015	2014/15	2015/16	2015/16	2016/2017	2016/2017
Number	Account Name	Adopted	Received	Adopted	Received 6/12/16	Projected	Notes
01-03	Tax Interest	\$ 9,000.00	\$12,859.57	\$ 9,000.00	\$ 11,143.24	\$11,000.00	
01-05	Lien Interest	\$ 23,000.00	\$21,910.14	\$ 23,000.00	\$ 23,345.20	\$23,500.00	
01-15	MV Excise Tax	\$ 1,550,000.00	\$1,776,652.32	\$ 1,600,000.00	\$ 1,782,638.97	\$1,780,000.00	
01-17	Boat Excise	\$ 9,000.00	\$10,588.20	\$ 9,000.00	\$ 9,345.40	\$10,000.00	
01-18	Agent Fees	\$ 21,000.00	\$20,981.00	\$ 20,000.00	\$ 22,004.00	\$20,500.00	
01-19	Clerk Fees	\$ 12,500.00	\$10,929.10	\$ 12,500.00	\$ 11,149.95	\$14,500.00	Estimate based on improved collections dog registrations.
01-23	Interest	\$ 10,000.00	\$15,248.97	\$ 10,000.00	\$ 8,537.80	\$10,000.00	
01-25	Rental Income	\$ 2,000.00	\$1,100.00	\$ 2,000.00	\$ 6,250.00	\$2,000.00	Post Office (FY16 includes prior year revs).
01-27	Plumbing Fees	\$ 6,500.00	(\$2,476.25)	\$ 6,500.00	\$ 8,662.50	\$8,500.00	Projected receipts \$8,600 net of 25% to State
01-29	CEO Fees	\$ 15,000.00	\$14,010.80	\$ 15,000.00	\$ 20,389.40	\$20,500.00	Proposed Fees Ordinance amendments would increase
01-31	Planning Bd. Fees	\$ 2,500.00	\$685.00	\$ 2,500.00	\$ 2,335.00	\$2,500.00	
01-89	401 Forfeiture - from ICMA			\$ 50,000.00	\$ 50,000.00	\$6,192.51	One-time revenues.
01-35	Cable TV Fee	\$ 40,000.00	\$35,582.17	\$ 40,000.00	\$ 38,892.71	\$39,000.00	
01-37	Fees/Permits	\$ 1,000.00	\$310.00	\$ 1,000.00	\$ 1,447.00	\$1,000.00	
01-41	HCB Revenue	\$ -	\$97.50	\$ -	\$ -	\$0.00	
01-45	Service Fees	\$ 15,000.00	\$10,575.81	\$ 15,000.00	\$ 8,644.14	\$13,540.00	Actual FY16 plus collection dba Hampden Meadows
01-47	Business Pk. Rev.	\$ -	\$0.00	\$ -	\$ 20,000.00	\$0.00	
01-78	Sewer Income	\$ 60,000.00	\$60,000.00	\$ 60,000.00	\$ -	\$160,000.00	\$60k for staff offset; \$100k for partial interfund transfer payable
01-79	Miscellaneous	\$ 2,000.00	\$1,126.90	\$ 2,000.00	\$ 521.02		
01-81	Tree Growth	\$ 2,000.00	\$3,483.23	\$ 2,000.00	\$ 175.32	\$3,400.00	rec'd in Nov '15 for FY 15
01-82	Vet's Reimburse.	\$ 6,500.00	\$6,809.00	\$ 6,500.00	\$ -	\$6,700.00	rec'd in Aug '15 for FY 15
01-86	GA Reimburse.	\$ 5,000.00	\$3,940.48	\$ 5,000.00	\$ 261.25	\$3,000.00	Half budgeted GA expense
01-87	Snowmobile Reimb.	\$ -	\$2,654.62		\$ 687.72	\$2,654.00	FY16 receipts net out payment to Goodwill Riders
01-88	State Rev. Sharing	\$ 333,785.00	\$333,785.00	\$ 348,000.00	\$ 330,699.04	\$377,135.18	State Treasurer, 2/29/16
01-99	Fund Balance	\$ 400,000.00	\$0.00	\$ 200,000.00	\$ -	\$0.00	TM not recommending use of Fund Balance
05-01	Animal Control Fee	\$ 1,000.00	\$1,926.00	\$ 1,000.00	\$ 3,274.00	\$3,000.00	
05-05	Ambulance Fees	\$ 190,000.00	\$232,929.13	\$ 200,000.00	\$ 192,025.80	\$200,000.00	
05-15	Police Receipts	\$ 2,500.00	\$4,483.96	\$ 2,500.00	\$ 3,219.68	\$2,500.00	
05-16	Fire Receipts				\$ 3,000.00	\$2,000.00	Est. based on FY16 revs
05-17	Public Safety - Underage	\$ -	\$2,177.44	\$ -	\$ 2,177.44	\$0.00	
05-20	DEA/School Reim.	\$ 120,000.00	\$123,584.67	\$ 160,000.00	\$ 146,446.71	\$160,000.00	MDEA reimb., RSU for SRO, witness fees.
10-01	Cemetery Fees	\$ 5,000.00	\$1,100.00	\$ 5,000.00	\$ 6,175.00	\$6,100.00	Est. based on FY16 revs
10-05	Cemetery Lots (sale)	\$ 4,000.00	\$1,350.00	\$ 4,000.00	\$ 2,350.00	\$2,500.00	Est. based on FY16 revs
10-07	Cemetery Res Use	\$ 5,000.00	\$5,000.00	\$ 5,000.00	\$ -	\$5,000.00	Cemetery reserve, \$13,675
15-01	Transfer Sta. Perm	\$ 60,000.00	\$27,490.00	\$ 45,000.00	\$ 31,795.00	\$31,795.00	Est. based on FY16 revs
15-05	Recycling Income	\$ 10,000.00	\$12,184.87	\$ 12,000.00	\$ 3,954.04	\$4,500.00	
15-10	PERC Revenue	\$ 90,000.00	\$71,841.57	\$ 85,000.00	\$ 61,129.68	\$65,000.00	used to pay MRC dues
20-01	Library Fees	\$ 7,000.00	\$6,591.30	\$ 7,000.00	\$ 6,724.18	\$6,500.00	
25-01	Reserve Funds	\$ 20,000.00		\$ 20,000.00	\$ -	\$0.00	
25-02	Transit Bonus	\$ -		\$ -	\$ -	\$0.00	
TBD	ME Local Road Assistance Program					\$65,316.00	Maine Community Svcs Division, June 6, 2016
TBD	Environmental Trust - Income Fund					\$20,000.00	Funds to offset budgeted reserve funds for Sucker Brook culvert
01-33	Carried Balances	\$ 100,000.00		\$ 100,000.00	\$ -	\$0.00	Per Auditor, this is another label for Fund Balance
	Totals	\$ 3,140,285.00	\$ 2,831,512.50	\$ 3,085,500.00	\$ 2,819,401.19	\$3,089,832.69	
Note: Year to Date Revenues Received as of June 12, 2016 (94.8% through FY16).							

Quasi-Enterprise Accounts							
Recreation "Enterprise" - with Skehan Center							
Account Number	Account Name	2015/16 Budget	2015/16 Expended	Net	2016/17 Proposed		
20-05			6/2/2016		Expense	Revenue	Net per Pgm
20-05-01-05	Comp./Wages	\$ -	\$ 77,255.12		\$ 109,977.69		
20-05-05-01	Insurance/FICA	\$ -	\$ 5,974.44		\$ 8,413.29		
20-05-10-01	Supplies/Office	\$ -	\$ 140.70		\$ 645.00		
20-05-10-05	Postage/Shipping	\$ -	\$ 117.68		\$ 150.00		
20-05-15-01	Telephone	\$ -	\$ 1,446.27		\$ 2,280.00		
20-05-15-05	Electricity	\$ -	\$ 1,036.94		\$ 1,800.00		
20-05-30-01	Prof Svcs/Ads	\$ -	\$ 1,174.00		\$ 1,600.00		
20-05-30-80	Training/Travel	\$ -	\$ 865.22		\$ 2,175.00		
20-05-40-04	Special Pgms/Softball	\$ -		\$3,738.00	\$ 685.00	\$ 4,800.00	\$4,115.00
20-05-40-16	Cheering				\$ 150.00	\$ 600.00	\$450.00
20-05-40-23	Sp. Prog/Dorothea Dix	\$ -		(\$420.96)	\$ 689.66	\$ -	(\$689.66)
20-05-40-24	Field Hockey	\$ -		\$421.45	\$ 162.50	\$ 480.00	\$317.50
20-05-40-26	Flag Football	\$ -		\$1,025.28	\$ 217.50	\$ 1,040.00	\$822.50
20-05-40-28	Running	\$ -		\$66.40	\$ 202.50	\$ 600.00	\$397.50
20-05-40-30	Gardening	\$ -		\$0.00	\$ -	\$ -	\$0.00
20-05-40-34	Horseback Riding	\$ -		\$90.00	\$ 600.00	\$ 750.00	\$150.00
20-05-40-38	Jr Golf				\$ 100.00	\$ 240.00	\$140.00
20-05-40-44	Kids Kamp	\$ -		\$42,824.12	\$ 8,890.00	\$ 41,300.00	\$32,410.00
20-05-40-46	Kids Korner	\$ -		\$117,090.25	\$ 10,320.00	\$ 169,400.00	\$159,080.00
20-05-40-47	Late Fees	\$ -		\$410.00	\$ -	\$ 250.00	\$250.00
20-05-40-48	Little League	\$ -		(\$975.00)	\$ -	\$ -	\$0.00
20-05-40-50	Parks	\$ -		(\$257.50)	\$ 679.55	\$ -	(\$679.55)
20-05-40-54	Senior Activities	\$ -		(\$1,476.00)	\$ 900.00	\$ -	(\$900.00)
20-05-40-56	Skiing	\$ -		\$545.00	\$ 2,500.00	\$ 2,750.00	\$250.00
20-05-40-58	Snowmobile				\$ 1,000.00	\$ -	(\$1,000.00)
20-05-40-60	Special Event	\$ -		\$45.50	\$ 700.00	\$ 720.00	\$20.00
20-05-40-62	Soccer Camp	\$ -		\$11,878.82	\$ 10,383.00	\$ 21,200.00	\$10,817.00
20-05-40-68	Summer Program	\$ -		\$100.00	\$ -	\$ -	\$0.00
20-05-40-70	T-Ball	\$ -		(\$574.00)	\$ 747.50	\$ 3,200.00	\$2,452.50
20-05-40-74	Tennis	\$ -		\$190.00	\$ 410.00	\$ 480.00	\$70.00
20-05-40-76	Track/Field	\$ -		(\$78.69)	\$ 1,268.00	\$ 2,800.00	\$1,532.00
20-05-40-80	Youth Soccer	\$ -		\$5,532.61	\$ 3,050.00	\$ 7,600.00	\$4,550.00
20-05-40-81	Facilities Maint.	\$ -		(\$351.34)	\$ 12,420.00	\$ -	(\$12,420.00)
TBD	Online Registration				\$ 8,300.00	\$ -	(\$8,300.00)
	20-05 Totals	\$0.00	\$88,010.37	\$179,823.94	\$ 191,416.19	\$ 258,210.00	

Quasi-Enterprise Accounts							
Recreation "Enterprise / Skehan Center" - with Skehan Center							
Account Number	Account Name	2015/16 Budget	2015/16 Expended	Net	2016/17 Proposed		
20-07			6/2/2016		Expense	Revenue	Net per Program
20-07-01-05	Comp/Wages	\$ -	\$ 21,578.32		\$ 37,666.00		
20-07-05-01	Ins./FICA	\$ -	\$ 1,672.00		\$ 2,881.45		
20-07-10-20	Supplies/Materials	\$ -	\$ 7,728.48		\$ 8,700.00		
20-07-15-05	Utilities/Electricity	\$ -	\$ 11,743.65		\$ 18,200.00		
20-07-15-10	Utilities/Fuel	\$ -	\$ 14,895.27		\$ 12,942.50		
20-07-15-15	Utilities/Water	\$ -	\$ 3,240.60		\$ 5,700.00		
20-07-15-20	Lease expenses				\$ 1,432.00		
20-07-20-35	Bldg. Maint.	\$ -	\$ 10,285.65		\$ 14,480.00		
20-07-40-10	Art Lessons	\$ -		\$688.00	\$ 2,160.00	\$ 2,700.00	\$ 540.00
20-07-40-15	Spec. Pgms./Concessions	\$ -		\$2,284.96	\$ 1,700.00	\$ 2,620.00	\$ 920.00
20-07-40-17	Baseball Clinic	\$ -		\$307.00	\$ 374.40	\$ 624.00	\$ 249.60
20-07-40-21	Drop In	\$ -		\$8,223.40	\$ 2,415.00	\$ 15,434.00	\$ 13,019.00
20-07-40-22	Dance	\$ -		\$0.00	\$ -	\$ -	\$ -
20-07-40-24	Field Hockey	\$ -		\$405.00	\$ -	\$ 400.00	\$ 400.00
20-07-40-25	Ads, Donations	\$ -		\$1,909.86	\$ 180.00	\$ 4,320.00	\$ 4,140.00
20-07-40-27	Gate/Admissions	\$ -		\$5,459.85	\$ 25.00	\$ 4,300.00	\$ 4,275.00
20-07-40-36	Indoor Soccer	\$ -		\$925.00	\$ -	\$ 1,760.00	\$ 1,760.00
20-07-40-40	Jr. Pro Basketball	\$ -		\$6,488.65	\$ 3,142.50	\$ 6,400.00	\$ 3,257.50
20-07-40-54	Senior Activities	\$ -		\$0.00	\$ -	\$ -	\$ -
20-07-40-60	Special Events	\$ -		\$18,210.00	\$ -	\$ 14,400.00	\$ 14,400.00
20-07-40-61	Special Programs	\$ -		\$1,327.37	\$ 540.00	\$ 1,175.00	\$ 635.00
20-07-40-74	Tennis	\$ -		\$0.00	\$ -	\$ -	\$ -
	20-07 Totals	\$0.00	\$ 71,143.97	\$ 46,229.09	\$ 112,538.85	\$ 54,133.00	

REC - SUMMARY (incl. "Quasi-Enterprise")							
		FY16		FY17			
<u>Sources</u>		<u>Budgeted</u>		<u>Budgeted</u>			
Taxation Budget		\$131,117.00		\$ 137,082.00	Budgeted tax revenues		
Rec "Enterprise"		\$255,845.00		\$ 258,210.00	Projected (program fees, concessions, sponsorships etc)		
Skehan "Enterprise"		\$ 60,315.00		\$ 54,133.00	Projected (program fees, concessions, sponsorships etc)		
		<u>\$447,277.00</u>		<u>\$ 449,425.00</u>			
<u>Uses</u>		<u>Budgeted</u>		<u>Budgeted</u>			
Taxation Budget		\$131,117.00		\$ 137,082.00	Budgeted expenses		
Rec "Enterprise"		\$167,671.00		\$ 191,416.19	Estimated and authorized		
Skehan "Enterprise"		\$125,411.00		\$ 112,538.85	Estimated and authorized		
		<u>\$424,199.00</u>		<u>\$ 441,037.04</u>			
Estimated Net Surplus		\$ 23,078.00		\$ 8,387.96	<i>The \$8,388 would be added to the Recreation Clearing Account which is the accumulated balances left at year end after all Recreation Enterprise & Skehan Center income and expenses are posted. This account is available for use in funding recreation-related purposes such as playground equipment, facility repairs, etc.</i>		

Quasi-Enterprise Accounts							
Dept/Div: 20-20 REC/CULTURE / L HOIT POOL							
INSURANCE							
	05-10 W/C	\$ 4,700.00	\$ 2,882.36	61%	\$ 4,700.00	\$ 4,700.00	
	05-15 HEALTH	\$ 17,959.00	\$ 6,676.65	37%	\$ 12,445.00	\$ 12,445.00	Health insurance up 9.85% effective 1/1/16. Budgeting for 5% increase in FY17.
	05-20 LIFE	\$ 226.00	\$ 207.24	92%	\$ 226.00	\$ 226.00	
	05-25 DENTAL	\$ 150.00	\$ 137.50	92%	\$ 150.00	\$ 150.00	
SUPPLIES							
	10-01 OFFICE	\$ 913.00	\$ 903.40	99%	\$ 994.00	\$ 994.00	Time Warner Cable Internet (\$25/month); printer ink; notebooks, pens, batteries, dividers, paper; staff immunizations Hep B shot series.
	10-05 POSTAGE/SHIP	\$ 450.00	\$ 510.50	113%	\$ 450.00	\$ 450.00	
	10-10 GENERAL EXP						
	10-15 BOOKS/PUBL						
	10-20 SUPPLY/MATRL	\$ 1,050.00	\$ 1,481.60	141%	\$ 1,050.00	\$ 1,050.00	Rescue equipment, life lines, buoys, vacuum supplies, pool toys, noodles, swim lesson supplies, first aid supplies, aqua fitness supplies.
	10-80 CHEMICALS	\$ 7,033.00	\$ 4,310.07	61%	\$ 7,200.00	\$ 7,200.00	See attached.
	10-82 LANDSCAPING						
	10-99 MISC.						
UTILITIES							
	15-01 TELEPHONE	\$ 1,039.00	\$ 1,062.81	102%	\$ 1,176.00	\$ 1,176.00	OTT (\$36/month); TDS (\$62/month)
	15-05 ELECTRICITY	\$ 22,000.00	\$ 21,570.77	98%	\$ 22,000.00	\$ 22,000.00	
	15-10 FUEL	\$ 48,000.00	\$ 26,570.84	55%	\$ 23,240.00	\$ 23,240.00	Est. 14,000 gallons @ \$1.66
	15-15 WATER	\$ 3,250.00	\$ 3,224.58	99%	\$ 3,500.00	\$ 3,500.00	
	15-20 SEWER	\$ 3,000.00	\$ 2,319.64	77%	\$ 6,000.00	\$ 6,000.00	Reflects new rates.
MAINT/REPAIR							
	20-01 EQUIP.REPLAC						
	20-05 EQUIP.MAINT.	\$ 14,000.00	\$ 21,343.09	152%	\$ 14,000.00	\$ 14,000.00	See attached.
	20-25 VEHICLE MAIN						
	20-35 BLDG MAINT.	\$ 4,500.00	\$ 3,618.30	80%	\$ 4,500.00	\$ 4,500.00	Paint, Mops, Brushes, Toilet paper, Cleaning Chemicals, Vacuum, Gloves, Trash Bags, Hardware, Shower Curtains, Tools.
	20-45 STATION #2						
PROF.SERVICE							
	30-01 ADS	\$ 800.00	\$ 335.00	42%	\$ 800.00	\$ 800.00	Advertising for pool events, schedules and employment
	30-80 TRAIN/TRAVEL	\$ 1,500.00	\$ 1,509.63	101%	\$ 1,500.00	\$ 1,500.00	
	TBD	\$ -	\$ -	n/a		\$ 2,900.00	Fees for MyRec.com and debit/credit card acceptance
	Total	\$ 130,570.00	\$98,663.98	76%	\$ 103,931.00	\$106,831.00	
	Estimated Revenue Budget	\$ 155,000.00			\$ 155,000.00	\$155,000.00	

Sewer Expense Budget		June 13, 2016		
	Expended	Expended	Budget	Budget Notes
	2014/2015	2015/2016	2016/2017	FY17
		6/13/2016		
60 - SEWER				
10 - FUND 2				
01 - COMPENSATION				
05 - WAGES	\$60,000.00	\$0.00	\$60,000.00	Appropriation for contribution to public works/admin salary offset.
10 - SUPPLIES				
01 - SUPPLIES/OFFICE	\$5.00			
05 - POSTAGE/SHIPPING	\$6,388.95	\$7,370.41	\$6,000.00	Cost of sewer billing printing & postage 4 times per year.
20 - SUPPLIES/MATERIALS	\$6,752.22	\$4,234.12	\$10,000.00	Cost of quarterly water readings; pump station or line repair supplies.
99 - MISC.	\$0.00		\$2,400.00	
15 - UTILITIES				
05 - ELECTRICITY	\$33,811.47	\$36,212.29	\$36,000.00	Electric charges for pump stations.
10 - FUEL	\$7,602.19	\$8,078.02	\$7,000.00	Fuel costs for pump stations.
20 - MAINTENANCE/REPAIRS				
53 - Repair	\$0.00	\$21,629.00	\$52,000.00	Repair costs for pump stations and sewer lines.
30 - PROFESSIONAL SERVICES				
40 - LIENS/TRANSFERS	\$3,972.00	\$6,089.70	\$5,600.00	Cost of lien placement and discharge for sewer liens.
60 - SEWER EXPENSES				
02 - TREATMENT SERVICE CHARGE	\$318,745.73	\$96,557.87	\$262,494.00	Cost of projected FY17 sewer treatment by the City of Bangor. Prior years' spending includes overdue charges. Bangor Sewer anticipates 5% rate increase in FY17
04 - MAIN PUMP STATION CONTRACT	\$73,795.57	\$137,384.79	\$43,878.00	Cost of the contract with Bangor for pump station maintenance. Prior years' spending includes overdue charges.
10 - O&M CONTINGENCY		\$2,509.12		Debt service obligations for sewer lines/projects.
16 - PRINC/INT FMHA	\$91,701.56	\$387,091.78	\$ 381,465.35	Small projects that are above and beyond the routine repair costs.
22 - SPECIAL PROJ	\$0.00	\$13,636.69	\$15,500.00	Repairs to the flusher truck(\$10,500); GIS mapping for MS4 permit (\$5000).
24 - SEWER FLUSHER REPAIRS	\$0.00			
2-211-01 DUE TO GENERAL FUND			\$100,000.00	First year of multi-year payback.
2-220-00 CAPITAL COST RESERVE			\$5,000.00	Token amount toward capital reserve.
	\$602,774.69	\$720,793.79	\$987,337.35	
Sewer Revenue Budget				
June 13, 2016				
	2014/2015	2015/2016	2016/2017	
Account	Received	Received	Budget	
		6/12/2016		
60 - SEWER				
01 - SEWER BILLS	\$546,375.68	\$542,517.80	\$ 943,844.96	Projected revenues, Feb. 2016 sewer rate hearing.
03 - INTEREST ON SEWER BILLS	\$1,923.80	\$1,666.60	\$1,735.00	
05 - INTEREST/COSTS ON SEWER LIENS	\$9,696.57	\$869.38	\$9,050.00	
08 - ABATEMENTS	(\$14,003.43)	(\$382.92)		
23 - INTEREST EARNED ON INVESTMENTS	\$1,234.30		\$1,230.00	
24 - CONSTRUCTION INTEREST	\$541.40		\$0.00	
60 - SEWER - DEBIT CARD	\$4.00	(\$128.66)	\$0.00	
79 - MISC SEWER INCOME	\$0.00	\$44.96	\$0.00	
Final Totals	\$545,772.32	\$544,587.16	\$ 955,859.96	
Prior Surplus / (Deficit)	(\$57,002.37)	(\$176,206.63)		
Projected Surplus / (Deficit)			(\$31,477.39)	
Will require add'l revenue of:			\$31,477.39	

Hampden Capital Program Planning Budget Worksheet									
June 13, 2016									
Sources of Funds	Total	FY16	FY17	FY18	FY19	FY20	Future	(FY21 +)	Notes
Equity - Town appropriation	\$ 905,000	\$ -	\$ 200,000	\$ 235,000	\$ 235,000	\$ 235,000			Subject to annual budgeting. (Includes road resurfacing program, below).
Equity - Town appropriation			\$ 123,275	\$ 4,000	\$ 4,000	\$ 4,000			Included in DPW Budget for Garage LED lighting; Sidney Blvd, North Rd and Old County Rd culverts; and catch basin cleaning. (Post-FY17 amounts for catch basin cleaning: 80 @ \$50)
Equity - Town Reserve Funds (accrued)	\$ 425,406								Est. balance to be available (on paper) July 1 2016. Subject to reconciliation of Interfund Transfers.
Principal - Environmental Trust	\$ 2,983,517	\$ -	\$ -	\$ -	\$ -	\$ -	<i>earliest date of unrestricted use.</i>		Air and Water Quality Protection, as that term is defined in the Hampden Environmental Trust, with expenditures subject to approval of Trustees and Town Council. Amount reflects Book Value of 4/20/16 source Bangor Savings Bank.
Interest Income - Environmental Trust	\$ 1,117,318	\$ -	\$ 20,000						Town-wide. Eligible for use "to preserve and protect the environment in the Town of Hampden, including funding such environmental study, testing, protection, preservation, and remediation measures as the Individual Trustees, in their discretion, direct." Amount reflects Book Value of 4/20/16 source Bangor Savings Bank.
Proceeds from Bond Issues	\$ -								
Host Community Benefit fund balance	\$ 236,587								HCB balance of 5/14/16. (Availability contingent on reimbursement from Sewer Fund).
Mayo Road General Ledger Balance (1-373-00)	\$ 109,881								Available per Auditor 5/11/16. Confirm eligible uses.
TIF Revenues	\$ 15,000		\$ 15,000						Limited to allowed uses specified in each TIF agreement. The large majority of funds projected to result from Emera TIF.
Conservation / Recreation Reserve Account	\$ 69,365	\$ 69,365							Funds authorized for specific uses by vote of the Town Council, spring 2016. Some spending may carry over to FY17.
State Appropriation	\$ -								
Federal Appropriation	\$ -								
Grant proceeds	\$ 50,000	\$ 50,000							Stephen King grant for Library, FY15-16.
Connector Bus Reserve Account	\$ 60,898								As of May 9, 2016. Held in Trust/Agency account by Bangor. Reserving for future use. Running old fleet, maintenance costs skyrocket. Adding \$283/month to our reserve from what we pay.
Federal match for Bus purchase (@ 5%)	\$ 6,300								Per Laurie Linscott. Federal match estimated based on purchase price (\$126,600) for refurbished bus.
Maine Local Road Assistance Program	\$ 325,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000			
Proceeds from Impact Fee Ordinance (if enacted)	\$ -								
Proceeds from Stormwater Utility (if enacted)	\$ -								
Private Development Funding	\$ -								
Total Project Sources:	\$ 6,304,271	\$ 184,365	\$ 423,275	\$ 304,000	\$ 304,000	\$ 304,000	\$ -		
Uses of Funds	Total	FY16	FY17	FY18	FY19	FY20	Future	(FY21 +)	Notes
Municipal									
Debt service payments on bonds issued	\$ -								Unknown
M-1 Municipal Building roof replacement (front)	\$ 55,000								Est. based on 2008-09 CIP.
M-2 Municipal Building (complete Public Safety flooring started in FY15)	\$ 20,000		\$ 20,000						Est. based on FY16 approved Reserve Funding (reallocated for other costs). Added for FY17 based on recommendation at 5/24/16 budget meeting.
M-3 LED lighting for Municipal Building									Seeking cost estimate
Revaluation (town-wide)	\$ 350,000								\$350-400k. K. Karter, 2/9/16. Outgoing TM recommended budgeting for this over a period of years. Per KK, the last official Reval was done in 1980. Would take 18+ months. Includes listing, measuring, inspection, photographs, sketching.
Sub-Total:	\$ 425,000	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ -		
Uses of Funds	Total	FY16	FY17	FY18	FY19	FY20	Future	(FY21 +)	Notes
Playgrounds/Parks/Recreation									
R-1 Additional Field Space (multipurpose)	\$ 50,000		\$ 50,000						Location TBD; reserve funding for future additional field(s).
R-2 Additional parking lot for Lura Hoit Complex (50 add'l spots needed) - <u>soft costs only</u>	\$ 30,000		\$ 30,000						Cost of wetlands delineation and DEP permitting for Pool site.
R-3 Resurfacing/Repair of Tennis Courts at VFW	\$ 15,296	\$ 15,296							Vermont Tennis, Ray Greenleaf. 10/7/15. Cost is for Guardian Membrane Repair method. Replacement costs for 2 tennis courts to rebuild est. at \$95-110,000. See Services Committee meeting packet 1/11/16.

Hampden Capital Program Planning Budget Worksheet									
June 13, 2016									
R-4	Crack fill, Basketball Courts at VFW	\$ 2,980	\$ 2,980					Vermont Tennis, Ray Greenleaf. 10/7/15. Cost for Guardian Membrane Repair method is \$18,901. Replacement costs for 3 basketball courts to rebuild est. at \$130-150,000. See Services Committee meeting packet 1/11/16.	
R-5	Addition of permanent bathroom and concession space at Outdoor Field Space, Lura Hoyt Pool site	\$ -						Waiting for wetlands delineation to determine if additional fields could be accommodated and, if so, whether/where facilities could be added.	
R-6	Addition of outside storage space at Outdoor Field Space, Lura Hoyt Pool site	\$ -						Waiting for wetlands delineation to determine if additional fields could be accommodated and, if so, whether/where facilities could be added.	
R-7	Facility Signage	\$ -							
R-8	New facility, Recreation Center.	\$ -						Sized appropriately with needed parking, energy efficient, designed to meet program needs running concurrently, with service areas located at building entrance, meeting space, concessions, and exterior restrooms, ideally located within same complex as field space.	
R-9	Marina Ramp.	\$ 22,311	\$ 22,311					Grinding butt joints. Paving 15,332 SF. Pave 600 SF with 4" of binder. Pave with 2' of modified mix. Excludes permitting. Estimate from Wellman Paving 3/14/16. Will bid project spring 2016 as part of town paving bid.	
Skehan Center Items									
R-10	(Skehan Center) Additional parking, 60-70 additional spots needed	\$ -							
R-11	(Skehan Center) permanent secure lobby office space	\$ -							
R-12	(Skehan Center) Energy efficiency upgrades to building heating	\$ -							
R-13	(Skehan Center) Upgrades for locker room water heating	\$ -							
R-14	(Skehan Center) Facility Signage	\$ -							
		\$ -							
	<i>Sub-Total:</i>	\$ 120,587	\$ 40,587	\$ 80,000	\$ -	\$ -	\$ -	\$ -	
Uses of Funds									
		Total	FY16	FY17	FY18	FY19	FY20	Future (FY21 +)	Notes
Library									
L-1	One flat roof surface needs to be replaced.	\$ 2,000							Grants are available to libraries—they are competitive and some not available every year. Have used grant funds to renovate circulation room and move children's room, added central air conditioning, installed System 2000 furnace and had exterior trim repaired, recaulked and repainted, painted interior of building and replaced all lighting with efficient LED bulbs. However, cannot depend only on grants for upkeep of facility. May be partially or fully funded by proceeds from King Grant. Estimates include \$7k for vestibule door. Based on \$210/sq. ft. for 45'x25' room (1125 sq. ft.) for seating of up to 100 people \$236,250.00. This item duplicates potential new Community Center identified above.
L-2	Installation of LED lighting (King Grant supported)	\$ 19,267	\$ 19,267						
L-3	Heating in the far ends of the building (Community Room & Children's Room) is not ideal. These rooms have large blowers which are loud and not very efficient.	\$ -							
L-4	All windows should be replaced as they are not efficient.	\$ -							
L-5	Replacement of library doors.	\$ 25,000							
L-6	Town needs a good sized meeting space and I believe the Library is the logical place for that to be. There is space for the addition of a meeting room which, while attached to the library can be closed off, so people could use it without having access to the library.	\$ 236,250							
	<i>Sub-Total:</i>	\$ 282,517	\$ 19,267	\$ -	\$ -	\$ -	\$ -	\$ -	

Hampden Capital Program Planning Budget Worksheet										
June 13, 2016										
Uses of Funds		Total	FY16	FY17	FY18	FY19	FY20	Future	(FY21 +)	Notes
Lura Hoit Pool										
P-1	Pool Sand Filter (replaced 2006)	\$ 20,000						\$ 20,000		Est. needed in FY26
P-2	Plaster Re-surface (replaced 2006)	\$ 32,000						\$ 32,000		Est. needed in FY21
P-3	Boilers (replaced 2009)	\$ 42,710						\$ 42,710		Est. needed in FY24
P-4	Pool Pump (replaced 2007)	\$ 2,600						\$ 2,600		Est. needed in FY22
P-5	Air Handler (replaced 2012)	\$ 172,000						\$ 172,000		Est. needed in FY27
P-6	Metal Roof (replaced 2014)	\$ 24,000						\$ 24,000		Est. needed in 2039
P-7	Painting inside of pool area	\$ 10,000		\$ 5,000	\$ 5,000					Est. needed soon. Put it out to bid about 4 years ago. Part of the reason for the high cost is the height of ceiling and scaffolding required and the one week time frame to get it done. Project has been postponed because of other more crucial projects. Would like to schedule the painting project for FY18 if possible. Hopefully enough in Pool reserve account to help cover the cost.
P-8	Replace and repair asphalt sidewalk and curbing around the pool	\$ 6,500			\$ 6,500					
		\$ -								
	<i>Sub-Total:</i>	\$ 309,810	\$ -	\$ 5,000	\$ 11,500	\$ -	\$ -	\$ 293,310		
Uses of Funds		Total	FY16	FY17	FY18	FY19	FY20	Future	(FY21 +)	Notes
Police & Fire										
PS-1	Fire Engine	\$ 400,000		\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 200,000		Est. needed in FY23. Recommended for multi-year funding through reserve fund allocations and/or bond financing.
PS-2	Air Bottles	\$ 10,000					\$ 10,000			Est. needed in FY20
PS-3	Ambulance	\$ 210,000		\$ 30,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 120,000		Est. needed in FY26. Recommended for multi-year funding through reserve fund allocations and/or bond financing.
PS-4	Thermal Imaging Camera	\$ 10,000			\$ 10,000					Est. needed FY16-18.
PS-5	Handguns	\$ 6,000				\$ 6,000				Est. needed FY19-20.
PS-6	Cardiac Monitor (2)	\$ 80,000						\$ 80,000		Est. needed in FY28
PS-7	Pickup Truck	\$ 40,000			\$ 40,000					Est. needed FY18-20.
	<i>Sub-Total:</i>	\$ 756,000	\$ -	\$ 80,000	\$ 120,000	\$ 76,000	\$ 80,000	\$ 400,000		
Uses of Funds		Total	FY16	FY17	FY18	FY19	FY20	Future	(FY21 +)	Notes
Public Works (non Sewer)										
Facilities										
PW-1	Repair holiday light power supply on utility poles	\$ 15,000		\$ 15,000						Quote received winter 2015; would bid work. Cost driven by need to shut down electrical during repairs. May be able to be combined with change to LED street lighting if that goes forward.
PW-2	New salt shed	\$ 75,000								If Transfer Station goes away could serve as half foundation for salt shed. If not, would recommend new building, combined salt shed and equipment garage, out back.
PW-3	Equipment garage	\$ 70,000								If Transfer Station goes away. If not would recommend new building, combined salt shed and equipment garage, out back.
PW-4	Roof repair at DPW Garage	\$ 38,000		\$ 38,000						Would include repairs to leaky roof, insulation, and help with heating costs.
PW-5	New DPW office in location of existing garage (swap shop)	\$ 60,000								Would replace swap shop, and is contingent on Transfer Station going away. Would allow for an Admin support person to have a place to work.
PW-6	Transfer Station reconfiguration	\$ 17,920								Rework Transfer Station layout and fence (\$9,620); New gate/fence for brush to back pit (\$2,900); new Swap Shop building (\$5,400).
Stormwater										
SW-1	Stormwater - catch basins repair and maintenance. (423 within regulated urbanized area, including local and MDOT).	\$ 12,000			\$ 4,000	\$ 4,000	\$ 4,000			Amount included in DPW FY17 Budget, 80 per year at \$50 per.
SW-2	Stormwater - outfalls repair and maintenance. (93 within regulated urbanized area).									
SW-3	Stormwater - impaired watershed management plan, Shaw Brook (EPA potentially impaired)	\$ 40,000								This cost estimate assumes that Bangor will also contribute to cost. Potential funding source: Environmental Trust.
SW-4	Stormwater - impaired watershed management plan, Sucker Brook (EPA impaired)	\$ 40,000								This cost estimate assumes that Bangor will also contribute to cost. Potential funding source: Environmental Trust.

Hampden Capital Program Planning Budget Worksheet									
June 13, 2016									
Transportation									
T-1	Annual Road Resurfacing Program (8-year rotation)	\$ 940,000		\$ 235,000	\$ 235,000	\$ 235,000	\$ 235,000	\$ 235,000 per year	Amount included in DPW FY17 Proposed Budget. \$40k/mile (per 20' width) x 60 miles = \$2.4M / 8 years = \$300k/year (offset by \$65k/year in Maine Local Road Assistance). (Included in proposed FY17 Reserve budget).
T-2	Baker Road (275' of road reconstruction)	\$ 35,000		\$ 12,000	\$ 12,000	\$ 12,000			
T-3	Western Ave. Sidewalk to Mayo Road	\$ 38,336		\$ 38,336					Federal Project: AC-STP-1940(100)X (1/26/16 Amendment #3). Total project cost: \$191,680. Met with MDOT and W&C to review project on 1/22/16. Prior project payments (for engineering) have been paid from HCB account. Funds allocated 7/17/12.
T-4	Repaving Western Ave from Rte 1A to Mayo Road (BACTS project - Pres 12 - 10% local match)	\$ 119,459		\$ 119,459					BACTS TIP v.2 for 2016-2019 estimates total project cost at \$1,194,588. <u>Expected to be included in bond referendum for November 2016.</u>
T-5	Repaving Western Ave from Mayo Road to Railroad (Pres 6)	\$ 123,441			\$ 123,441				BACTS TIP v.2 for 2016-2019 estimates total project cost at \$1,234,407. <u>Expected to be included in bond referendum for November 2016.</u>
T-6	Rebuild Schoolhouse Lane between Old County and 1A	\$ 310,000							Project is estimated (by Sargent Corp) at \$275,000 construction plus some engineering and inspection for a total budget figure of \$310,000. Specs in email from SC to AJ 4/11/16. <u>Expected to be included in bond referendum for November 2016.</u>
T-7	Main Road North, 1.73 miles from Mountainview to Town Center. Reconstruction (complete reconstruction and removing the concrete base; or widening, closed drainage, sidewalk).	\$ 465,000			\$ 465,000				MaineDOT project #65291. Total project cost \$4.65M. Town responsible for 10% local match. Anticipated to go to local referendum in November 2016. <u>Expected to be included in bond referendum for November 2016.</u>
T-8	Paving Main Road from Western Avenue to Kennebec Road	\$ 56,673							Timeframe to be confirmed with MDOT.
T-9	New Bus	\$ 126,000							Hampden hasn't bought a bus in last 19-20+ years. New bus is \$414,000. If we buy a used bus, have contract with MMA for ten, "like new" end of life overhaul, \$126,000. Laurie Linscott also pursuing Federal grant; if successful would be 85/15% match for new Bus. Our reserves would almost cover.
Bridges and Culverts									
PW-11	Manning Bridge #3366. Center pier is undermined. Girders are delaminating with thick rust flaking evident.	\$ -							Letter from MDOT May 11, 2015. Considered by MDOT a Low Use or Redundant Bridge. If Town committed to funding 50% of project, and if compelling circumstances, can pursue State financial assistance.
PW-12	Sawyer Bridge #0863. SW wing is tipping and has broken the corner weld. NE wing is also starting to fail. Floor plates are buckling and bouncing. Water is running under full length of structure.	\$ -							Letter from MDOT May 11, 2015. Considered by MDOT a Low Use or Redundant Bridge. If Town committed to funding 50% of project, and if compelling circumstances, can pursue State financial assistance.
PW-13	Sucker Brook culvert	\$ 20,000		\$ 20,000					
<i>Sub-Total:</i>		\$ 2,601,829	\$ -	\$ 477,795	\$ 839,441	\$ 251,000	\$ 239,000	\$ -	
Town Project Cost Sub-Total:		\$ 4,495,743	\$ 59,854	\$ 662,795	\$ 970,941	\$ 327,000	\$ 319,000	\$ 693,310	

Town of Hampden Capital Program Planning



Lura Hoit Pool	
P-1	Pool Sand Filter (replaced 2006)
P-2	Plaster Re-surface (replaced 2006)
P-3	Boilers (replaced 2009)
P-4	Pool Pump (replaced 2007)
P-5	Air Handler (replaced 2012)
P-6	Metal Roof (replaced 2014)
P-7	Painting inside of pool area
P-8	Sidewalk, curbing

Municipal	
M-1	Debt service payments on bonds issued
M-1	Municipal Building roof replacement (front)
M-2	Municipal Building (complete Public Safety flooring started in FY15)
M-3	LED lighting (municipal building)

PW-9 Old County Rd culvert replacements

T-6 Rebuild Schoolhouse Lane

R-9 Marina Ramp

T-7 Main Road North, 1.73 Miles from Mountainview to Town Center. Reconstruction (complete reconstruction and removing concrete base; or widening, closed drainage, sidewalk).

Library	
L-1	One flat roof surface needs to be replaced. Cost unknown.
L-2	Installation of LED lighting (King Grant supported)
L-3	Heating in the far ends of the building (Community Room & Children's Room) is not ideal. These rooms have large blowers which are loud and not very efficient.
L-4	All windows should be replaced as they are not efficient.

VFW	
R-3	Resurfacing/Repair of Tennis Courts
R-4	Resurfacing/Repair of Basketball Courts
R-5	Addition of permanent bathroom and concession space at Outdoor Field Space
R-6	Additional of outside storage space at Outdoor Field Space
R-7	Facility Signage

Skehan Center Items	
R-10	Additional parking, 60-70 additional spots needed
R-11	permanent secure lobby office space
R-12	Energy efficiency upgrades to building heating
R-13	Upgrades for locker room water heating

Public Works (non Sewer)	
Facilities	
PW-2	New salt shed
PW-3	Equipment garage
PW-4	Roof repair at DPW Garage
PW-5	New DPW office in location of existing garage (swap shop)
PW-6	Transfer Station reconfiguration

PW-11 Manning Bridge #3366. Center pier is undermined. Girders are delaminating with thick rust flaking evident

PW-8 Sidney Blvd failed culvert

R-2 Additional parking for Lura Hoit Pool Complex (50 add'l spots needed - survey costs only)

T-3 Western Ave. Sidewalk to Mayo Rd

T-5 Repaving Western Ave from Mayo Road to Railroad (pres 6)

PW-1 Repair holiday light power supplies on utility poles Western Ave and Main Road South

T-8 Paving Main Road South from Western Ave to Kennebec Road

T-2 Baker Road (275' of road reconstruction)

Town Wide
T-9 New Bus Revaluation

Location TBD	
R-1	Additional Field Space
R-8	New Facility, Recreation Center

T-1 Annual Road Resurfacing Program (8-year rotation)

Stormwater	
SW-1	Catch basins repair and maintenance. (423 within regulated urbanized area, including local and MDOT).
SW-2	Outfalls repair and maintenance. (93 within regulated urbanized area).
SW-3	Impaired watershed management plan, Shaw Brook
SW-4	Impaired watershed management plan, Sucker Brook

0 0.5 1 2 Miles

Notes:
Map Prepared by: Kyle Severance
Date of preparation: 5/18/2016
Datum / Projection: NAD 83 Zone 19
Data Sources: Town of Hampden, MEGIS, USGS, MDOT
Parcel Layer last updated August 2015
Disclaimer:
This map was created to graphically represent the locations of items prepared under the Town of Hampden Capital Program Planning Budget Worksheets. The projects presented here are for discussion only and may or may not have been approved or funded.



D-5-a

**Hampden Public Safety
Fire Department**

To: Hampden Town Council
From: Jason Lundstrom- Lieutenant Hampden Fire Department
Date: June 21, 2016
Re: 2015 Assistance to Firefighters Grant Award

**Town of Hampden
RECEIVED**

JUN 21 2016

**Office of the
Town Manager**

2015 Assistance to Firefighters Grant Award Notification

The Hampden Fire Department has been notified by FEMA that we have successfully secured grant funding for a turnout gear extractor and drying system. This equipment will extract all of the carcinogenic chemicals from our firefighting gear reducing the risk of our firefighters developing cancer. The drying system will dry our turnout gear properly without degrading the protective properties of the material. **The total cost of this project is \$17196. The federal share is \$16,378. The Town of Hampdens share is \$818.** If approved by the council, the \$818 would be funded from the matching grant account. The Fire Department is looking for council approval to move forward with this project as it will be a huge asset to our operation.

D-5-b

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Finance Committee and Town Council
FROM: Angus Jennings, Town Manager
DATE: June 23, 2016
RE: Request for authorization of expenditure from Municipal Building Reserve

As you know, we locked in reduced pricing for heating oil and diesel last December through Maine Power Options. The term of the current agreement runs from May 1, 2016 to April 30, 2017. The new pricing was based on estimates of usage for town facilities based on amounts used in prior years.

Unfortunately, the previous agreement (for the term 7/16/15 to 4/30/16), executed in February 2015, over-estimated usage during this term. The terms of the contract provide that "If the participant's actual usage is less than 90% of the estimated usage a penalty may apply."

We were recently notified that a penalty would be levied, and we were provided two options: we would be charged a one-time penalty equal to the number of unused gallons times the price differential between prior pricing and current pricing (\$0.53 per gallon for heating oil; \$1.40 per gallon for diesel); or we would be charged the higher pricing going forward until we use the amount estimated in the Feb. 2015 agreement.

The financial cost of the penalty is the same either way; the difference is whether to pay this at once or to incur higher prices over time into the future. Because proposed FY17 budgets are based on the new, lower prices, I recommend that we pay the one-time penalty in the amount of \$6,983 (heating oil) and \$2,068 (diesel), invoices attached.

If this cost were allocated to departments that use these commodities on a proportional basis to use, it would cost as follows:

Facility	Approx. Percent of Town Use	Est. Penalty
Library	5.5%	\$383.92
Town Bldg	30.7%	\$2,142.05
Pool	36.9%	\$2,578.07
Skehan	26.9%	\$1,879.19
DPW (diesel)	100%	\$2,068.00

Because these costs were not budgeted, and because the Fuel lines in each account are already overspent for FY16, I recommend that the total amount of the penalties be absorbed by the Municipal Building Reserve. If the Council agrees, this can be approved on Monday. If not, I can develop an alternate proposal for consideration on July 5, and we will still have time to pay the invoices before they are due.

INVOICE

Customer #:	22950
Payment Terms:	NET 30
Invoice #:	126869
Invoice Date:	2016-06-14
Total Due:	\$6,983.00

207-989-4367
 www.cnbrown.com

TOWN OF HAMPDEN
 106 WESTERN AVE
 HAMPDEN, ME 04444

Make Check Payable to: CN Brown Company

Amount Enclosed: \$ _____

Remit To:
 CN Brown Company
 PO Box 200
 South Paris, ME 04281

00000229500000126869000069830000006983009

Customer Name		Delivery/Service Address		Cust #	Invoice #	Inv Date
TOWN OF HAMPDEN				22950	126869	2016-06-14
Quantity	Item Number	Description		Unit Price	TOTAL	
		Contract Buyout		\$6,983.0000	\$6,983.00	

RECEIVED

JUN 21 2016

BY:

Acct. No. _____

 DEPARTMENT HEAD SIGNATURE
 DATE _____

Sub Total	\$6,983.00
Charges	\$0.00
Tax Total	\$0.00

ACCOUNT BALANCE	\$10,154.45	TOTAL DUE	\$6,983.00
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CN Brown Company
 PO Box 200
 South Paris, ME 04281
 207-989-4367
 www.cnbrown.com

INVOICE

Customer #:	22950
Payment Terms:	NET 30
Invoice #:	126871
Invoice Date:	2016-06-14
Total Due	\$2,068.00

207-989-4367
www.cnbrown.com

Make Check Payable to: CN Brown Company

TOWN OF HAMPDEN
106 WESTERN AVE
HAMPDEN, ME 04444

Amount Enclosed: \$ _____
Remit To:
CN Brown Company
PO Box 200
South Paris, ME 04281

00000229500000126871000020680000002068003

Customer Name		Delivery/Service Address		Cust #	Invoice #	Inv Date
TOWN OF HAMPDEN				22950	126871	2016-06-14
Quantity	Item Number	Description		Unit Price	TOTAL	
		Contract Buyout		\$2,068.0000	\$2,068.00	

RECEIVED
JUN 21 2016

BY:.....

Acct. No. _____

DEPARTMENT HEAD SIGNATURE _____

DATE _____

Sub Total	\$2,068.00
Charges	\$0.00
Tax Total	\$0.00

ACCOUNT BALANCE	\$10,154.45	TOTAL DUE	\$2,068.00
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CN Brown Company
PO Box 200
South Paris, ME 04281
207-989-4367
www.cnbrown.com

D-5-c

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Finance Committee and Town Council

FROM: Angus Jennings, Town Manager

DATE: June 23, 2016

RE: Request for authorization of expenditures from Personnel Reserve

Two categories of unbudgeted expenses have been incurred as a result of personnel changes this spring: funds have been committed toward a separation agreement with the Community & Economic Development Director, who resigned his position effective June 30; and, the former Town Clerk Denise Hodsdon has worked (and will work during the last week of June) select shifts in order to provide office coverage during gaps that have resulted from short-staffing in the Planning and Economic Development Offices during the period of time that the CEDD has been on paid administrative leave. This request is to authorize Personnel Reserve funding up to \$17,000.00. This amount is inclusive of the payout of accrued vacation, comp and 25% sick time to the CEDD, as required for departing employees in good standing pursuant to our Personnel Rules and Policies Ordinance. It also provides for additional office support to assist in the financial closeout of the fiscal year.

Daniel S. Pittman
dpittman@eatonpeabody.com

Eaton Peabody
Attorneys at Law

D-5-d
80 Exchange Street, P.O. Box 1210
Bangor, Maine 04402-1210
Phone 207-947-0111 Fax 207-942-3040
www.eatonpeabody.com

May 19, 2016

**Town of Hampden
RECEIVED**

MAY 24 2016

**Office of the
Town Manager**

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

Re: 2016 \$2,000,000 Tax Anticipation Note

Dear Mr. Jennings:

Thank you for choosing me and Eaton Peabody to act as bond counsel in connection with this public financing transaction. This is to confirm our agreement with regard to the terms and conditions of this representation, including our fees and the associated costs.

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financing; (ii) the duties we will undertake pursuant to this letter; (iii) the time we anticipate devoting to the financing; and (iv) the responsibilities we assume, we have agreed to perform the responsibilities described below for a price of \$2,250. That fee may vary: (i) if the principal amount of the Note actually issued differs significantly from the amount stated above; (ii) if material changes in the structure of the financing occur; or (iii) if unusual or unforeseen circumstances arise which require a significant increase in our time or responsibility. If, at any time, we believe that circumstances require an adjustment of our original fee as estimated, we will consult with you. In addition, we will expect to be reimbursed for all out-of-pocket expenses, including travel costs, photocopying, deliveries, long distance telephone charges, filing fees, and other necessary office disbursements.

Let me describe the role we will serve and responsibilities we will assume as bond counsel in connection with the issuance of the Note ("Note").

Bond counsel is engaged as a recognized expert whose primary responsibility is to render an objective legal opinion with respect to the authorization and issuance of the Note. As bond counsel, we will: examine applicable law; prepare bid requests for lenders if you ask us to; prepare authorizing and operative documents; consult with the parties to the transaction prior to the issuance of the Note; review certified proceedings; and undertake such additional duties as we deem necessary to render the opinion.

Subject to the completion of proceedings to our satisfaction, we will render our opinion that:

1. The Note when authenticated by the Bank will be a valid and binding general obligation of the Issuer.

2. The interest on the Note is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations; it should be noted, however, that for the purpose of computing the alternative minimum tax imposed on corporations (as defined for federal income tax purposes), such interest is taken into account in determining adjusted net book income (adjusted current earnings for taxable years beginning after December 31, 1989). The opinions set forth in the preceding sentence are subject to the condition that the Issuer comply with all requirements of the Internal Revenue Code of 1986 (the "Code") that must be satisfied subsequent to the issuance of the Note in order that interest thereon be, or continue to be, excluded from gross income for federal income tax purposes. The Issuer has covenanted to comply with each such requirement. Failure to comply with certain of such requirements may cause the inclusion of interest on the Note in gross income for federal income tax purposes to be retroactive to the date of issuance of the Note.

3. The Note is a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code, and, in the case of certain financial institutions (within the meaning of Section 265(b)(5) of the Code), a deduction is allowed for 80 percent of that portion of such financial institutions' interest expense allocable to interest on the Bonds.

The opinion will be executed and delivered by us in written form on the date the Note is exchanged for its purchase price and will be based on facts and law existing as of its date. Upon delivery of the opinion, our responsibilities as bond counsel will be concluded with respect to this financing; we do not undertake (unless separately engaged) to provide continuing advice to you or any other party concerning any actions necessary to assure that interest paid on the Note will continue to be excluded from gross income for federal income tax purposes.

In rendering the opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to certify the same by independent investigation.

As bond counsel, we do not advocate the interests of the issuer of the Note or any other party to the transaction. We assume that the issuer will be represented by its counsel and that other parties to the transaction will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction.

As bond counsel, we will not assume or undertake responsibility for the preparation of an official statement or any other disclosure document with respect to the Note, nor are we

responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document.

We anticipate the following schedule for this bond closing:

- July 20 EP prepares bid letters requesting bids no later than August 8. EP sends bid letters to Town for review.
- July 25 Town comments; EP forwards bid letters to banks via e-mail. Town forwards signed bid letters via regular mail.
- July 28 EP prepares draft Notice of Meeting for publication and posting, forwards to Town for review and comment.
- August 1 Town comments on draft Notice; EP arranges for August 8th publication in the *Bangor Daily News*.
- August 5 EP forwards draft documents to Town for review and comment.
- August 8 Notice published in the *Bangor Daily News*.
- August 8 Town posts Notice of Meeting in two public places.
- August 8 Bids due; Town informs EP of winning bidder, comments on draft documents.
- August 10 EP sends final documents to Selectmen for execution.
- August 15 Selectmen meet, sign documents, return to EP.
- August 22 Closing; funds available.

If, for any reason, the financing is not consummated or is completed without the rendition of our opinion as bond counsel, we will expect to be compensated at our normal blended hourly rates for time actually spent by lawyers and paralegals, plus out-of-pocket expenses. Our fee is usually paid at closing, unless there is a substantial delay in completing the financing, in which case we will render progress invoices based on the estimated percentage of work completed.

Ordinarily we will not commence representation until we have received a signed copy of this letter. However in the event that we have commenced our work due to the exigencies of the case in reliance on your agreement to engage us, you are responsible to pay all fees and expenses earned and incurred on your behalf prior to signing this letter. All such work, all fees and expenses incurred will be subject to this engagement letter.

Town of Hampden

May 19, 2016

Page 4

Please review this letter and if you understand and agree with the terms of engagement, please return a copy of the signature page signed by an authorized person via e-mail, facsimile or mail. Please keep the original of this letter in your file as a permanent record of our agreement.

Sincerely,

Dan S. Pittman

DSP/kd

Enc.

I have read and understand this letter and agree to engage Eaton Peabody on the terms and conditions set forth therein.

Town of Hampden

DATE: _____

By: _____

Its _____, duly authorized



STANDARD TERMS AND CONDITIONS

1. SCOPE OF ENGAGEMENT

You have engaged Eaton Peabody (the "Firm") to represent you and perform the services listed in the engagement letter accompanying these Terms. One of the purposes of the engagement letter and these Terms is to provide you and this office with a clear and understandable statement of the scope and terms of your engagement of us and to foster a cooperative and professional relationship between attorney and client. These terms will apply except to the extent specifically modified in the engagement letter or other writing.

2. RATES AND CHARGES

Eaton Peabody strives to provide all legal services in an efficient and cost effective manner, and we will bill you in an amount which, in our judgment, reflects the fair value of the services rendered. Where appropriate we will bill a fixed fee amount for a discrete task. In the performance of drafting and negotiation of complex instruments and transactions it is often impossible to fix a fee for that service and we will bill based upon time and other relevant factors. All attorneys and certain other Firm personnel record their time. Each is assigned an hourly rate for a particular project. Rates may vary depending on the person working on the project and on the nature of the services required. Often, fees are based primarily on time devoted to a matter. Current hourly rates for those actively working on your project are available upon request. Rates are subject to periodic adjustment without notice. In addition to hours devoted to a matter, we may also consider, where appropriate, such factors as the nature of the services performed, any special expertise required, the size of the project, the level of responsibility assumed, special time deadlines imposed for completion of work, the result obtained and other relevant circumstances. Time charges include all work performed on a project such as conferences, telephone calls, email and other correspondence, and review and preparation of documents and travel.

In addition to fees for services, you also are responsible for payment of costs incurred by the Firm in connection with the services performed including travel expenses, photocopy and facsimile charges, filing fees and telephone charges. We reserve the right to request advance payment of any significant disbursements.

3. FIXED FEES AND ESTIMATES

Certain routine services, such as certain business entity formation, annual corporate maintenance and filings, are billed on a fixed fee basis. If applicable, those fees will be explained to you at the time of our engagement. Fixed fees normally are payable in advance.

Our engagement letter may set forth an estimate of charges to be incurred in connection with the matter described in the letter. While our estimate is a good faith projection of the range of fees likely to be incurred in rendering the described services, unforeseen contingencies may arise in connection with any matter, and there can be no assurance that our estimate will prove

accurate. The final cost may be more or less than the estimate. If at any time it appears that we will substantially exceed our fee estimate, we will consult with you and will provide a revised estimate before proceeding.

4. ADVANCES

It is our general practice to require that a retainer be paid before services are performed. The amount of the retainer required will vary from case to case but generally represents an estimate of fees likely to be incurred in the first billing period, which normally is monthly. We also reserve the right to require direct payment in advance of significant disbursements such as for engagement of outside consultants or for travel expenses. Amounts on retainer are credited against disbursements and services as they are incurred. Unless you have expressly agreed that your retainer is to be nonrefundable, any amount remaining on retainer at the conclusion of a matter will be refunded to you or credited to your account on any other pending matter as to which you have engaged us. The requirement of a retainer may be waived for existing clients with a good credit history or in other unusual circumstances.

5. ACCOUNTANT AND EXPERTS

If, in our opinion, it is advisable for you to engage an accountant, consultant or other expert, and you have not engaged such an expert we will recommend such an expert to you. If we are to engage the services of the expert on your behalf we will obtain your consent prior to engaging his or her services. You will be independently responsible for his or her charges unless other specific arrangements are made.

6. BILLING

Unless other arrangements have been made, we bill on a monthly basis. Retainer payments are applied against monthly billings. We request payment for all services and expenses within thirty days from the date of our monthly statement and reserve the right to charge a late fee for balances not paid within thirty days. While we will work diligently to perform the services as to which we have been engaged, we cannot guarantee results. Accordingly, unless your engagement letter expressly states otherwise, payment for our services is not contingent on the successful conclusion of any transaction or other matter.

7. INSURANCE

It is possible that you may have insurance policies relating to the subject of our engagement. You should provide us with copies of all applicable insurance policies and, if coverage may be available, we will, either notify the insurance company about the matter as soon as possible or urge you to do so. We do not undertake any responsibility to advise you on the existence, applicability, or availability of insurance coverage for any of the matters handled by us unless you have provided us with copies of your policies of insurance and expressly requested our advice on potential coverage under those policies. If an insurance company undertakes the payment of any portion of our statements, you will still remain responsible for any amounts not paid by the insurance company.

8. WITHDRAWAL

We reserve the right to withdraw from representing you at any time and for any reason. In addition, while we endeavor to identify conflicts of interest at the outset of an engagement, in the event a conflict is discovered or arises after our engagement, we may be required to withdraw from representing you as a matter of professional responsibility. You will remain responsible for payment of our fees up to the date of our withdrawal. In the event we withdraw, we will provide you with sufficient notice so that you will have the opportunity to employ other counsel.

9. CONFIDENTIALITY AND ATTORNEY-CLIENT PRIVILEGE

In instances in which Eaton Peabody undertakes to represent a corporation or other business entity, its professional obligations are owed to that entity and not to its shareholders, officers, directors, managers or members in their individual capacities. Any such person who feels the need for separate individual counsel is encouraged to seek such counsel from other sources.

Communications between our clients and representatives of the Firm are regarded as strictly confidential. Any such communications made in the context of the attorney-client relationship may also be legally privileged. You should be aware, however, that communications between you and this Firm, including but not limited to email communications, which are shared or otherwise made available to third parties are not privileged, and we may later be legally required to divulge such communications. In addition, conversations between us and shareholders, officers, directors, managers, members or employees of a client are not privileged as to, and may be disclosed to, other shareholders, officers, directors, managers, members or employees of that client.

10. INQUIRIES

Any attorney-client relationship is one of mutual trust and confidence. We do our best to see that our clients are satisfied not only with our services but also with the reasonableness of the fees and disbursements charged for those services. Whenever you have any questions or comments regarding our services, or the status of your file(s), or whenever any new facts or considerations come to your attention, you should contact the attorney who is principally responsible for your matter. We also encourage you to inquire about any matter relating to our fee arrangements or monthly statements that are in any way unclear or appear unsatisfactory.

11. FILE RETENTION AND DESTRUCTION

At the completion of the case or matter, we may return your file to you for safekeeping. Otherwise, your file will be retained for a reasonable time period established by Firm policy after which it will be destroyed. If you want us to keep your file for a longer period of time or if you are at all concerned that the documents and materials in your file might be destroyed over time, please request your file at the completion of the case or matter.

12. OTHER SERVICES AND FUTURE ENGAGEMENTS

We look forward to representing you in this matter and others. We are a full service law firm and offer an array of legal services. We also offer legislative, economic development and other services through our affiliate, Eaton Peabody Consulting Group. We would be happy to discuss with you how we might serve your other legal needs. Please note that although our engagement letter may apply to your representation on a particular matter, if you engage us in any other matter, the letter and these Terms will apply unless specifically modified.

13. EMAIL COMMUNICATIONS

E-mail communication is common, efficient, convenient, and cost-effective. However, the security and confidentiality of e-mail is difficult to assess and can be compromised. If you send us e-mail messages, we will assume that you have investigated and are satisfied with the security and confidentiality of the e-mail address(es) and system(s) from which you send them and that you accept the risks of harm resulting from unintended or unwanted disclosure of messages that you send to us or that we send to you using such e-mail address(es) and system(s). Therefore you and we agree that, by sending e-mail message(s) to us, you are authorizing and directing us to communicate with you by e-mail to the address(es) used by you on all matters related to the representation, including sensitive and private information and opinions.

James W. Wadman

CERTIFIED PUBLIC ACCOUNTANT

James W. Wadman, C.P.A.
Ronald C. Bean, C.P.A.
Kellie M. Bowden, C.P.A.
Wanese L. Lynch, C.P.A.
Amy E. Atherton, C.P.A.

June 15, 2016

Town of Hampden
106 Western Avenue
Hampden, ME 04444

Town of Hampden
RECEIVED
JUN 20 2016
Office of the
Town Manager

We are pleased to confirm our understanding of the services we are to provide the **Town of Hampden** for the fiscal year ended June 30, 2016. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the **Town of Hampden** as of and for the fiscal year ended June 30, 2016. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the **Town of Hampden's** basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedure to **Town of Hampden's** RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Required Supplementary Information.

We have also been engaged to report on supplementary information that accompanies **Town of Hampden's** financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

- 1) Schedule of expenditures of federal awards (if applicable).

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph above when considered in relation to the financial statements as a whole. The objective also includes reporting on (if applicable) —

- Internal control related to the financial statements and compliance with the provisions laws, regulations, contracts and grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with Government Auditing Standards.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 (Uniform Guidance).

The Government Auditing Standards report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with generally accepted auditing standards generally accepted in the United States of America; the standards for financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States (if applicable); the Uniform Guidance (if applicable), and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to **Town of Hampden**. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements or the Uniform Guidance compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue reports, or may withdraw from this engagement.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, Government Auditing Standards do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and Governmental Auditing Standards. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal awards programs; compliance with laws, regulations, contracts and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to Government Auditing Standards.

As required by the Uniform Guidance (if applicable), we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, Government Auditing Standards, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the **Town of Hampden's** compliance with provisions of applicable laws, regulations, contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to Government Auditing Standards.

The Uniform Guidance (if applicable) requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the Uniform Guidance Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the **Town of Hampden's** major programs. The purpose of these procedures will be to express an opinion on the **Town of Hampden's** compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also prepare or assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of **Town of Hampden** in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under Governmental Auditing Standards and such services will not be conducted in accordance with Governmental Auditing Standards.

Management Responsibilities

Management is responsible for (1) establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review on June 30, 2016.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed,

the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Audit Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We understand that for audit procedures performed at your offices, financial personnel will be present during the entire duration of our fieldwork.

At the conclusion of the engagement, we will complete (if applicable) the appropriate sections of the Data Collection Form that summarizes our audit findings. We will provide copies of our reports to management; however, it is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to the Town; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of the audit firm and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to town or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of the audit firm personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by the entity. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. The audit fee is based on anticipated continued employment and cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the **Town of Hampden** and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

James W. Wadman, CPA

James W. Wadman, C.P.A.

RESPONSE:

This letter correctly sets forth the understanding of the **Town of Hampden**.

By: _____
Title: _____
Date: _____

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



D-5-f
Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Finance Committee and Town Council
FROM: Angus Jennings, Town Manager
DATE: June 24, 2016
RE: Request for authorization to fund costs for insurance for Children's Day

We have been working with the leadership of the Children's Day non-profit to determine the best approach to provide insurance coverage for the August 20 event. The Parade will be covered by our insurance (see attached), but additional commercial insurance coverage will be needed. A representative for Children's Day will attend Monday's meeting to review options for coverage. It is my understanding that out-of-pocket costs to the organization are not expected to exceed about \$2,500.00. It will be my recommendation that the Council authorize reimbursement for an agreed expense out of the Host Community Benefit fund. Though the fund is substantially depleted, there is more than enough money to cover this expense, and it is the type of expense contemplated when the HCB was established.

Alternatively, because this cost will be incurred in FY17, an amount could be added to the proposed FY17 expense budget.



Memorandum

TO: Angus Jennings, Town Manager
FROM: Paula Scott, Town Clerk
DATE: June 23, 2016
RE: Insurance coverage for Parades

In speaking with Marcus Balou, senior underwriter at MMA Risk Management regarding insurance coverage for the Children's Day, or any other parade, I was told that there are no exclusions for parade coverage under our general liability policy. Risk Management does, however, caution that in order to minimize liability exposure, there should be a broad scope of decision making by the policy holder which in this case would be the Town of Hampden.

The first thing to do is to establish rules. Suggested rules to follow (based on industry wide claims history) are as follows:

- Establish a cut off for signing up for the parade. This is important when you have to manage the rules that are implemented for parade participation.
- Route selection should be as straight and as flat as possible. This alleviates the possibility of antique vehicles rolling from stops on hills and also minimizes the potential for large floats to upturn on curves.
- Industry standards for vehicles in a parade are to follow "rules of the road". All persons riding in a parade vehicle should be seat belted. All motorized vehicles in the parade, whether pulling a float, an antique car, tractor, 4 wheeler, motorcycle, etc should provide proof of insurance. (Many homeowner policies will allow an endorsement for this type of activity if not covered under a vehicle policy.)
- No candy should be thrown from motorized vehicles or floats being pulled by vehicles *at all*. The accepted practice now is to have "walk along" participants that will walk beside the float and pass out candy. There should be no person sitting on the side of a flat bed with their legs hanging over as there have been instances of feet getting caught in wheel wells.
- Location in the line-up is very important. You do not want to put loud vehicles or bands behind animals that may spook. Crowd control is very important when it comes to animals as well, and often walkers will be near the animals to prevent anyone from coming out of the crowd to touch an animal.
- Document your rules for parade participation and make sure that all entrants receive a copy.

Finally, remember that risk management is exactly that; simply an effort to reduce the risk of exposure and that a simple, common sense approach can help to accomplish that. While you are at it, though, don't forget to have fun! After all, who doesn't love a parade?