

Town of Hampden

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday December 3, 2018

6:00 P.M.

Hampden Town Office

AGENDA

1. Approval of Minutes
 - a. November 19th, 2018
2. Review & Sign Warrants
3. Unfinished Business
 - a. Council rules review – *standing item*
4. New Business
 - a. Recommendation to Council regarding re-appointment of Gerry Ouellette to the Personnel Appeals Board
 - b. Recommend Council authorization for the expenditure of \$1,152 from Matching Grant Reserve account (3-780-00) for the Town's share of the MMA Safety Enhancement Grant – *requested by Lt. Lundstrom*
 - c. Recommend Council adoption of Order 2018-04 Establishing Procedures for the Receipt of Gifts, Donations and Funds from Outside Sources – *pursuant to MRSA 30-A § 5652-5655*
 - d. Recommend Council acceptance of \$250 donation from the Hampden Cub Scouts Pack 41 to the Recreation Reserve account (3-767-00) – *requested by Rec Director Shelley Abbott*
 - e. Recommend Council acceptance of \$966.00 in forfeiture from State v. Rike Guerrier to the police equipment replacement account (05-01-20-01) – *requested by Chief Rogers*
 - f. Recommend Council abatement for uncollectable taxes – *referral from Finance & Administration Committee*

Town of Hampden

g. Review of BLS Penalty Decision

5. Manager's Items
6. Public Comment
7. Committee Member Comments
8. Adjournment

Town of Hampden**FINANCE & ADMINISTRATION COMMITTEE MEETING**

Monday November 19th, 2018

6:00 P.M.

Hampden Town Office

MINUTES*Attending:**Chairman McAvoy**Mayor McPike**Councilor Cormier**Councilor Wilde**Councilor Marble**Councilor Wright**Councilor Ryder**Town Manager Chandler**Town Clerk, Paula Scott**CEO, Myles Block**Resident Avery Caldwell*

1. Approval of Minutes
 - a. October 1st, 2018 – *Councilor Marble made a motion, seconded by Councilor Wright, to approve the 10/01/18 minutes. Unanimous, 7-0.*
 - b. October 15th, 2018 – *Councilor Wright made a motion, seconded by Councilor Marble, to approve the 10/15/2018 minutes. Unanimous, 7-0.*
2. Review & Sign Warrants – *Committee members reviewed and signed the disbursement warrants.*
3. Unfinished Business
 - a. Council rules review – *standing item*
4. New Business
 - a. Recommendation to Council regarding re-appointment of Avery Caldwell to the Board of Assessment Review – *Committee members spoke with Mr. Caldwell about this appointment and his past tenure. Councilor Wilde made a motion, seconded by Councilor Cormier, to recommend Council appointment of Avery Caldwell to the Board of Assessment Review. Unanimous, 7-0.*
 - b. Recommendation to Council regarding appointment of Kristie Foster to the Personnel Appeals Board – *Councilor Marble made a motion, seconded by Councilor Wilde, to recommend Council appointment of Kristie Foster to the Personnel Appeals Board. Unanimous, 7-0.*
 - c. Recommend Council authorization for the expenditure of \$525 from Computer IT Reserve account 3-711-00 for the postage meter lease -

Town of Hampden

Councilor Wilde made a motion, seconded by Mayor McPike, to recommend Council authorization for the IT Computer reserve account expenditure for the postage meter. Unanimous, 7-0.

- d. Recommend Council ratification of the affirmative vote of August 6th for the authorization for the expenditure of \$1,863 from Matching Grant Reserve account 3-780-00 for the Town's share of the Assistance to Firefighters Grant for fitness equipment – *Councilor Marble made a motion, seconded by Councilor McAvoy to recommend Council ratification of the affirmative vote of August 6th for the Matching Grant reserve expenditure for the fitness equipment. Unanimous, 7-0.*
 - e. Recommend Council authorization for the expenditure of \$21,000 from Equipment Reserve account 3-71700 for the purchase of the public works (cemetery) pickup truck #57 – *referral from Infrastructure Committee – Councilor McAvoy made a motion, seconded by Councilor Cormier, to recommend authorization for the expenditure from Equipment reserve account for the public works truck. Unanimous, 7-0.*
5. *Manager's Items – Manager Chandler reported that two public works trucks were broken down and the crew had to utilize the cemetery vehicle for back up. He noted that the new Deputy Treasurer, Sherry Murray is doing a great job and that it was a good hire.*
 6. *Public Comment - None*
 7. *Committee Member Comments – Chairman McAvoy noted that the recent Maine Town & City magazine reported on the new law regarding tax lien foreclosures. Mayor McPike informed Councilors that the Manager's 6-month evaluation is coming up on December 3. He will be getting evaluation forms to Councilors to complete prior to that meeting.*
 8. *Adjournment – With no other business, the meeting adjourned at 6:55 p.m.*

Respectfully Submitted,



*Paula A. Scott, CCM
Town Clerk*

HAMPDEN TOWN COUNCIL RULES

Introduction & Statement of Purpose - Public Service, even at the local level, can be challenging. As elected officials' sphere of influence and relationship with citizens ebbs and flows according to issues and policy topics, it is sometimes challenging for said officials to be even-handed and broad minded in the sense of the whole community. This is why government service at all levels is guided by core values and ethical standards. In keeping with that idea, the following defines the way in which Hampden elected officials shall approach the matters that come before them: *(Added 2/1/2016)*

A Simple Three Way Test

Is it the truth?

Is it fair to all concerned?

Will it be beneficial for the Town?

The Hampden Councilor...

Will not act out of spite, bias, or favoritism

Will contribute to a climate of mutual trust and respect

Has the courage of his/her convictions

Never forgets that he/she is working for the people – all of the people

Will understand and demonstrate the elements of teams and teamwork

Will clearly define roles and relationships

Will establish and abide by a Council-staff partnership

And will allocate Council time and energy appropriately.

1. The Town Council shall only act by ordinance, order, or resolve. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title. All orders and resolves shall be dated, numbered, and signed by the Town Clerk and the Town Councilors will receive a copy. No action of the Council shall be binding or valid unless adopted by the majority vote of those present. *(Amended 9/19/2016)*
2. In all motions of command, the form of expression shall be 'ordered' and in all motions concerning principles, facts, or purposes, the form shall be 'resolved'.
3. The name of the Council member or other person, persons, or group requesting an item on the agenda will be indicated on the agenda with the said item.
4. As a matter of courtesy, conduct for all Council and Committee meetings shall be as follows:
 - a. Cell phones shall be silenced during Council & Committee meetings by Town Councilors, staff, and the general public.
 - b. Councilors and staff shall refrain from texting or emailing during all Council or Committee meetings.

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

Introduction & Statement of Purpose - Public Service, even at the local level, can be challenging. As elected officials' sphere of influence and relationship with citizens ebbs and flows according to issues and policy topics, it is sometimes challenging for said officials to be even-handed and broad minded in the sense of the whole community. This is why government service at all levels is guided by core values and ethical standards. In keeping with that idea, the following defines the way in which Hampden elected officials shall approach the matters that come before them:

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Will understand and demonstrate the elements of teams and teamwork

Will clearly define roles and relationships

Will establish and abide by a Council-staff partnership

And will allocate Council time and energy appropriately.

ARTICLE 1 Mayor/Deputy Mayor

1. At the commencement of the Calendar year, and pursuant to Section 204 of the Town Charter, the town's attorney shall preside over the town council's election of one of its members as Mayor for the ensuing year. The Mayor shall preside over all meetings of the Council at which he or she is present.
2. After the election of the Mayor, he or she shall preside over the election of Deputy Mayor. The Deputy Mayor shall serve as the presiding officer at any meeting at which the Mayor is absent and shall assume all duties of the Mayor until the Mayor is present. In the absence of the Deputy Mayor, the Mayor shall appoint, in advance, another Councilor to chair the meeting.
3. The Mayor shall recognize any Councilor who wishes to speak, shall state all motions that are before the assembly, rule on questions of parliamentary procedure and carry out all duties incumbent upon him under the laws of the State, the Town Charter, Town Ordinances, and the Rules of Procedure.

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

4. The Mayor shall take the chair at the appointed time for the meeting, call the members to order, and proceed with the order of business.

ARTICLE 2 Council

1. The Town Council shall only act by ordinance, order, or resolve. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title. All orders and resolves shall be dated, numbered, and signed by the Town Clerk and the Town Councilors will receive a copy. No action of the Council shall be binding or valid unless adopted by the majority vote of those present.
2. In all motions of command, the form of expression shall be 'ordered' and in all motions concerning principles, facts, or purposes, the form shall be 'resolved'.
3. Town Councilors shall, pursuant to 1 MRSA § 412, participate in Freedom of Access Act training through the Maine Municipal Association's Elected Officials Course within 120 days of being sworn in as a Town Councilor. Documentation of that training shall be filed with the Town Clerk.
4. A New Councilor orientation packet shall be provided to all Councilors at the time they are sworn in.

ARTICLE 3 Agenda

1. The Town Council meetings shall be guided by a written agenda in the order of the following items:
 - A. Pledge of Allegiance
 - B. Approval of Agenda
 - C. Consent Agenda
 1. Signatures – Treasurer's Warrants, etc.
 2. Secretary's ~~Report~~ Minutes
 3. Communications
 4. ~~Reports~~ Committee minutes
 - D. Public Comments
 - E. Policy Agenda
 1. News, Presentations & Awards
 2. Public Hearings
 3. Nominations-Appointments – Elections
 4. ~~Old~~ Unfinished Business
 5. New Business
 - F. Committee Reports
 - G. Manager's Report
 - H. Councilor Comments

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

I. Adjournment

5. Any subject may be placed on the agenda for a council meeting by a councilor, the town manager or at the request of any citizen. Any subject presented by a citizen must be received at the town office at least 5 calendar days prior to the council meeting. The agenda shall be prepared and posted in the town office at least one business day prior to a scheduled council meeting. The name of the Council member or other person, persons, or group requesting an item on the agenda will be indicated on the agenda with the item.
- ~~2.~~ An item on the agenda may be taken up out of order by ~~unanimous consent.~~ a majority of those present.
3. A non-agenda item may be added to the agenda on the night of the meeting by unanimous consent of all Councilors present.
4. Any item on the consent agenda can be set aside for discussion at the request of any Councilor, prior to a motion on the remainder of the consent agenda.
5. Special Town Council meetings, as defined under Article 4, shall be guided by a written agenda in the order of the following items:
 - a. Call to Order
 - b. Topic(s) of the Meeting
 - c. Adjourn

ARTICLE 4 Meetings and Decorum

1. The first and third Mondays of each month are designated as 'regular' Council meetings with the provision that a unanimous vote of the Councilors present would cancel or reschedule a meeting. Whenever a regular meeting falls on a legal holiday, such meeting will take place the following day except upon unanimous vote of the Councilors present to cancel or reschedule the meeting.
2. Special meetings of the Town Council may be scheduled for other dates for special purposes. The agendas for such meetings shall be posted at the Post Office, Town Office, Town Sign Board, and on the Town website, no less than 72 hours in advance of the meeting (unless an emergency meeting is needed for the purpose of dealing with an unanticipated Town emergency, in which case posting shall be to all normal posting locations and via email to local print media as soon as it is identified that a meeting will be held).

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

3. As a matter of courtesy, conduct for all Council and Committee meetings shall be as follows:
 - i. Cell phones shall be silenced during Council & Committee meetings by Town Councilors, staff, and the public.
 - ii. Councilors and staff shall refrain from texting or emailing during all Council or Committee meetings.
 - iii. Cell phone use, texting, and email may be done during breaks in regular or special Council meetings or committee meetings.
4. In all cases where the parliamentary proceedings are not determined by the foregoing rules and orders, "Roberts Rules of Order" shall be taken as authority to decide the course of proceedings
5. When any Councilor is about to speak, they shall respectfully address the Mayor, confine themselves to the question under debate, and avoid personalities. No member speaking shall be interrupted by another but by a call to order, or to correct a mistake. [**discussion ended here on 9/17](#)
6. When any Councilor speaks to staff, consultants, or to members of the public who are in attendance, they shall do so in a respectful and professional manner, shall confine themselves to the question under debate, and avoid conduct unbecoming an elected representative of the Town.
7. Every member present, when a question is put, shall give their vote, unless the Council, for special reasons, shall excuse them. Application to be recused must be made before debate on the issue and the decision on the application shall be made by a majority vote of the council without debate.
8. The rules cannot be dispensed with or suspended if one or more members of the council shall object. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.
9. Council Meetings shall not extend beyond 10 p.m. without an affirmative vote of the Town Council.
10. The Councilor Comment section of the agenda is reserved for any Council member to discuss matters not previously mentioned on the agenda. No official Council action can be taken during this portion of the meeting.

ARTICLE 5 Motions

1. The following motions do not require a second:

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

- a. Nominations
 - b. Point of information
 - c. Point of order
 - d. Questions of privilege
 - e. Leave to withdraw a motion
2. The following motions are non-debatable:
- a. Adjourn
 - b. Lay on the table
 - c. Filling in the blank
 - d. Point of information
 - e. Point of order
 - f. Question of privilege
 - g. Leave to withdraw a motion
3. When a question is under debate, the only motions that the Mayor shall entertain will be a motion to adjourn, or a motion to lay on the table the previous question, or to postpone the previous question to a date certain, or to refer the previous question to a committee or some administrative official or to amend, or a motion to postpone the previous question indefinitely. Motions shall have precedence in order in which they are introduced.
4. When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered.

ARTICLE 6 Public Participation

1. Any person wishing to address the Town Council will be given the opportunity to do so in accordance with the following procedure:
 - a. Persons wishing to address the Council on an item which appears on the agenda shall wait until the Mayor announces the consideration of such item, at which time they may address the Council on that particular item. There shall be a five-minute limit on such comments per person, per item. In the event that a large number of persons wish to speak on an issue, this limit may be changed to ensure that all who wish to speak have the opportunity to do so. Once public comment on an item has closed and a motion

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

and second has been made by members of the Town Council, further public comment is only allowed if approved by a unanimous vote of the Town Council.

- b. Any person wishing to address the Council on an item not appearing on the agenda shall be allowed to do so only in that section of the agenda referred to as "Public Comments". There shall be a five-minute limit on such comments per person per subject raised. Items heard during Public Comment may be agendaed for a subsequent meeting or referred to a Committee or staff member for discussion/action. No votes may be taken by the Council on a subject raised during Public Comment without a vote by the Council to set aside the rules and add it to the regular agenda for consideration.
- c. Any person wishing to address the Council shall signify their desire by raising their hand and, when recognized by the Mayor, such person shall thereupon request permission to address the Council, giving their name and the name of the road on which they live and then designating the subject matter on which they desire to address the Council.
- d. The general public shall be allowed to comment on subjects at Special meetings in the same manner as for Regular Council meetings. There shall be no general Public Comment section for items not contained on the agenda for Special Council meetings

ARTICLE 7 Council Committees

1. At the commencement of the Calendar year, or as soon thereafter as possible, there shall be chosen the following Committees, each Committee to consist of three (3) or four (4) members of the Council as the Mayor may designate, or, upon a motion, the Council may ballot.
 - a. Finance & Administration – The purpose of this Committee shall be to review all items related to their fiscal impact on the Town as well as all matters that pertain to items of administrative procedures. This committee will also have the responsibility for the review and signature of all payment warrants.
 - b. Services Committee – The purpose of this Committee shall be to review all matters related to services provided by the Town related to recreation, parks, trails, the library, the pool, communications and other items related to non-emergency or public works services provided in the community.
 - c. Infrastructure – The purpose of this Committee shall be to review all matters pertaining to public infrastructure including buildings, roads, and all town capital equipment.

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

- d. Planning & Development – The purpose of this Committee shall be to review all matters related to all ordinances of the Town and all proposals for economic & community development.
2. Committee procedure shall be governed as follows:
 - a. All Committees will be required to post an agenda at least 48 hours prior to the meeting
 - b. It shall be the responsibility of the Committee Chair to discuss the development of the meeting agenda with the assigned staff person at least 24 hours before the meeting is required to be posted.
 - c. The assigned staff member shall prepare and post the agenda.
 - d. Draft minutes of each meeting will be prepared by the staff member supporting the committee within a reasonable time.
 - e. Committee meeting minutes shall be posted on the Town website following their approval by the Committee.
 - f. Non-committee Council members attending a Committee meeting will have voting rights if they have been present for the entire discussion of an issue, providing that at least two of the three appointed members of the committee are present. Voting rights shall encompass the ability to make a motion or to second any motion.
 - g. Two appointed members of the Committee shall constitute a quorum.
 - h. The Mayor shall serve as a member of all Committees for quorum purposes.
 - i. The Mayor may appoint members of the Council and/or citizens of the Town to special committees as authorized by the Council.

ARTICLE 8 Sanctions

1. Council members who intentionally and repeatedly do not follow council rules, or whose conduct is that unbecoming an elected official, may be reprimanded or formally censured by the Council. Serious infractions of Council Rules could lead to other sanctions as deemed appropriate by the Town Council.

This policy replaces the Council Rules last updated September 19, 2016.

Adopted by Town Council: May 21, 2012

Amended: January 21, 2014
 April 7, 2014
 May 19, 2014
 February 1, 2016
 September 19, 2016
 Date 2018

- c. Cell phone use, texting, and email may be done during breaks in regular or special Council meetings or committee meetings.
5. Town Councilors shall participate in Freedom of Access Act training within 120 days of being sworn in as a Town Councilor and documentation of that training shall be filed with the Town Clerk.
6. Town Councilors shall participate in Elected Officials training offered by the Maine Municipal Association within the first year of office. If a Councilor is unable to complete this training within the first year, the deadline may be extended upon petition by the Councilor and assent of a majority of the Council. *(Amended 2/1/2016)*
7. A New Councilor orientation packet shall be provided to all Councilors at the time they are sworn in.
8. The Mayor shall take the chair at the appointed time for the meeting, call the members to order, and proceed to the following order of business:
(Amended 1/21/2014; 4/7/2014; 5/19/14)
 - A. Pledge of Allegiance
 - B. Consent Agenda
 1. Signatures – Treasurer's Warrants, etc
 2. Secretary's Report
 3. Communications
 4. Reports
 - C. Public Comments
 - D. Policy Agenda
 1. News, Presentations & Awards
 2. Public Hearings
 3. Nominations-Appointments – Elections
 4. Unfinished Business
 5. New Business
 - E. Committee Reports
 - F. Manager's Report
 - G. Councilor Comments
 - H. Adjournment
9. In the absence of the Mayor, the Deputy Mayor shall preside over the Town Council meeting. In the absence of the Deputy Mayor, the Mayor shall appoint, in advance, another Councilor to chair the meeting. *(Amended 9/19/2016)*
10. When a question is under debate, the only motions that the Mayor shall entertain will be a motion to adjourn, or a motion to lay on the table the previous question, or to postpone the previous question to a day certain, or to refer the previous question to a committee or some administrative official or to amend, or a motion to postpone the previous question indefinitely. Motions shall have precedence in order in which they are introduced. *(Amended 9/19/2016)*
11. When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and

when a motion of reconsideration is decided, that vote shall not be reconsidered.

12. When any member is about to speak, they shall respectfully address the Mayor, confine themselves to the question under debate, and avoid personalities. No member speaking shall be interrupted by another but by a call to order, or to correct a mistake.
13. Every member present, when a question is put, shall give their vote, unless the Council, for special reasons, shall excuse them. Application to be so excused must be made before debate on the issue and the decision on the application shall be made by a majority vote of the council without debate.
14. The rules cannot be dispensed with or suspended if one or more members of the council shall object. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.
15. Any person wishing to address the Town Council will be given the opportunity to do so in accordance with the following procedure:
 - a. Persons wishing to address the Council on an item which appears on the agenda shall wait until the Mayor announces the consideration of such item, at which time they may address the Council on that particular item. There shall be a five minute limit on such comments per person, per item. In the event that a large number of persons wish to speak on an issue, this limit may be changed to insure that all who wish to speak have the opportunity to do so. Once public comment on an item has closed and a motion and second has been made by members of the Town Council, further public comment is only allowed if approved by a unanimous vote of the Town Council.
 - b. Any person wishing to address the Council on an item not appearing on the agenda shall be allowed to do so only in that section of the agenda referred to as "Public Comments". There shall be a five minute limit on such comments per person per subject raised. Items heard during Public Comment may be agendaed for a subsequent meeting or referred to a Committee or staff member for discussion/action. No votes may be taken by the Council on a subject raised during Public Comment without a vote by the Council to set aside the rules and add it to the regular agenda for consideration.
 - c. Any person wishing to address the Council shall signify their desire by raising their hand and, when recognized by the Mayor, such person shall thereupon request permission to address the Council, giving their name and the name of the road on which they live and then designating the subject matter on which they desire to address the Council. *(Amended 2/1/2016)*
16. At the commencement of the Calendar year, or as soon thereafter as possible, there shall be chosen the following Committees, each Committee to consist of three (3) or four (4) members of the Council as the Mayor may designate, or, upon a motion, the Council may ballot. *(Amended 2/1/2016)*

- a. Finance & Administration – The purpose of this Committee shall be to review all items related to their fiscal impact on the Town as well as all matters that pertain to items of administrative procedures. This committee will also have the responsibility for the review and signature of all payment warrants. *(Amended 9/19/2016)*
 - b. Services Committee – The purpose of this Committee shall be to review all matters related to services provided by the Town related to recreation, parks, trails, the library, the pool, communications and other items related to non-emergency or public works services provided in the community. *(Amended 2/1/2016, 9/19/2016)*
 - c. Infrastructure – The purpose of this Committee shall be to review all matters pertaining to public infrastructure including buildings, roads, and all town capital equipment.
 - d. Planning & Development – The purpose of this Committee shall be to review all matters related to all ordinances of the Town and all proposals for economic & community development.
17. Committee procedure shall be governed as follows:
- a. All Committees will be required to post an agenda at least 48 hours prior to the meeting and no issue may be voted on unless it is agendaed.
 - b. It shall be the responsibility of the Committee Chair to discuss the development of the meeting agenda with the assigned staff person at least 24 hours before the meeting is required to be posted.
 - c. The assigned staff member shall prepare and post the agenda.
 - d. Draft minutes of each meeting will be prepared by the staff member supporting the committee within three business days.
 - e. Committee meeting minutes shall be posted on the Town website following their voted approval by the Committee.
 - f. Non-committee Council members attending a Committee meeting will have voting rights if they have been present for the entire discussion of an issue, providing that at least two of the three appointed members of the committee are present.
 - g. Two appointed members of the Committee shall constitute a quorum.
 - h. The Mayor shall serve as a member of all Committees for quorum purposes. *(Amended 2/1/2016)*
18. The Mayor may appoint members of the Council and/or citizens of the Town to special committees as authorized by the Council. *(Amended 2/1/2016)*
19. In all cases where the parliamentary proceedings are not determined by the foregoing rules and orders, “Roberts Rules of Order” shall be taken as authority to decide the course of proceedings.
20. The first and third Mondays of each month are designated as ‘regular’ Council meetings with the provision that a unanimous vote of the Councilors present would cancel or reschedule a meeting. Whenever a regular meeting falls on a legal holiday, such meeting will take place the following day except upon unanimous vote of the Councilors present to cancel or reschedule the meeting. *(Amended 9/19/2016)*

21. Special meetings of the Town Council may be scheduled for other dates for special purposes. The agendas for such meetings shall be posted at the Post Office, Town Office, Town Bulletin Board, on the Town website, no less than 72 hours in advance of the meeting (unless an emergency meeting is needed for the purpose of dealing with an unanticipated Town emergency, in which case posting shall be to all normal posting locations and via email to local print media as soon as it is identified that a meeting will be held). The agenda for a Special Meeting shall be prepared as follows;

- A. Call to order
- B. Subject(s) for meeting
- C. Adjourn

The general public shall be allowed to comment on subjects at Special meetings in the same manner as for Regular Council meetings. There shall be no general Public Comment section for items not contained on the agenda for Special Council meetings.

22. Any item on the consent agenda can be set aside for discussion at the request of any Councilor, prior to a motion on the remainder of the consent agenda.
23. Council Meetings shall not extend beyond 10 p.m. without an affirmative vote of the Town Council.
24. The Councilor Comment section of the agenda is reserved for the purpose of enabling any Council member to discuss matters not previously mentioned on the agenda. No official Council action can be taken at this time.
25. Sanctions – Council members who intentionally and repeatedly do not follow council rules may be reprimanded or formally censured by the Council. Serious infractions of Council Rules could lead to other sanctions as deemed appropriate by the Town Council. *(Added 2/1/2016)*

This policy replaces the Council Rules last updated February 1, 2016.

Adopted by Town Council: May 21, 2012

Amended: January 21, 2014
April 7, 2014
May 19, 2014
February 1, 2016
September 19, 2016



Check One:

4-a

Reappointment Application

TOWN OF HAMPDEN

APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Ouellette LAST Conry FIRST J MI

ADDRESS: 477 Back Winterport Road STREET Hampden TOWN ME 04444 ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: _____ HOME _____ WORK _____

EMAIL: _____

OCCUPATION: Human Resources Safety Manager

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Personnel Board of Appeals

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? 30 plus years As A Senior Human Resources Manager in The local Area. Also I have been on This Board For The last 12 years or so.

Are there any issues you feel this board or committee should address, or should continue to address? no

3 YEAR

BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA E. HOIT MEMORIAL POOL
HARBOR COMMITTEE

EDYTHE L. DYER LIBRARY
RECREATION COMMITTEE
BOARD OF APPEALS
HISTORIC PRESERVATION COMMISSION

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>11/20/18</u>
COUNCIL COMMITTEE ACTION: <u>F + A</u>	DATE: <u>12/3/18</u>	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

Hampden Public Safety Fire Department

To: Hampden Town Council
From: Jason Lundstrom
Date: November 20, 2018
Re: Maine Municipal Association Safety Enhancement Grant- Award Notification

Maine Municipal Association Safety Enhancement Grant- Award notification and request to use grant matching funds to purchase awarded equipment.

The Hampden Fire Department has been notified by Maine Municipal Association that we have successfully secured grant funding for (4) Safe Life Defense First Response Enhanced Multi Threat Vests Level iii+ (Body Armor) and (4) Sec Pro PASGT Ballistic Level iii Helmets. **The total cost of this project is \$3,152.00 MMA's share is \$2,000.00. The Town of Hampdens share is \$1,152.00.** If approved by the council, the \$1152.00 would be funded from the matching grant account. The personal protective equipment specified above will greatly increase responder safety when responding to active threat emergencies. The Fire Department is looking for council approval to move forward with this project.

Ivan P. McPike (Mayor, A/L)
Stephen L. Wilde (1)
Dennis R. Marble (2)

TOWN OF HAMPDEN
IN THE TOWN COUNCIL

Terry McAvoy (3)
David I. Ryder (4)
Mark S. Cormier (A/L)
Shelby Wright (A/L)

Order 2018-04
Adoption: December 3rd, 2018

**ORDER ESTABLISHING PROCEDURES FOR THE RECEIPT OF GIFTS, DONATIONS
AND FUNDS FROM OUTSIDE SOURCES**

ORDERED, The Hampden Town Council hereby establishes procedures for the receipt and acceptance of monetary gifts, donations and funds to the Town of Hampden from outside sources.

IT IS FURTHER ORDERED, the Town Council directs the Treasurer, pursuant to Title 30-A MRSA § 5652-5655, to accept gifts from sources identified as citizens, estates and trusts, organizations, grantors, the State of Maine, and the United States and that these gifts shall be unconditional;

IT IS FURTHER ORDERED, that the Town Council authorizes the Treasurer to appropriate any funds received to specified or appropriate accounts or funds for public purposes and to disburse those funds as such.

This Order to be filed with the Municipal Clerk and the Municipal Treasurer and renewed annually by vote of the Town Council.

This order is adopted on December 3, 2018 for fiscal year 2019.

Town Clerk:

Paula Scott

ORDERED by a majority of the Town Council:

COPY



memo

4-d

Town of Hampden-Recreation Department

To: Hampden Town Council
From: Shelley Abbott; Recreation Director
CC: Jim Chandler; Town Manager, Paula Scott; Town Clerk; Tammy Ewing; Finance Director
Date: 11/27/2018
Re: Donation Acceptance Request-Reserve Account 3-767-00

Comments:

Hampden Scouts Pack 41 would like to make a \$250 donation to the Hampden Recreation Department Recreation Reserve Account (3-767-00) for use of the Skehan Recreation Center for the annual organization overnight held at the center. Scouts arrive on Saturday AM for troop programming, fitness activities, meals, and a tent out in the gym. Over 100 people attended this year's event. Staff supports the Pack in opening the building and closing the building on Sunday AM, along with deep facility cleaning upon departure. The Recreation Department has been working with the Pack to host this event for 4 years now.

We appreciate the support of Scout Pack 41 and would like to accept their donation to support future needs for the Hampden Recreation Department.

Thank you,
Shelley Abbott
Recreation Director

Sgt. T.D. Stewart
Sgt. Chris Bailey
Ofc. J.D. Burke
Ofc. Shawn Devine
Ofc. Wm. Miller
Ofc. Tony Lorenz

Sgt. Scott Webber
Inv. Joel Small
Ofc. Ben Eyles
Ofc. Marc Egan
Ofc. David Mushrall
Ofc. Jeff Rice



Lt. Dan Pugsley
Lt. Jason Lundstrom
FF Jared LeBarnes
FF Shaun McNally
FF Matt Roope
FF Gavin Webb
FF Larry Hayward
FF Ken Roy
FF Oliver Bianchi

4-e

CH. Joe Dunton
FF Matt Thomas
CEO Myles Block
FF Chris Liepold
FF Ed Gardella
FF Dani Green
FF Chad Sparr
FF Wm. Auger

Kandy McCullough, Office Manager
Chief Joseph L. Rogers, Director of Public Safety

POLICE

FIRE

EMS

CODE ENFORCEMENT

LOCAL HEALTH OFFICE

TO: Jim Chandler, Town Manager
FROM: Joe Rogers, Public Safety Director
RE: Forfeiture Money
DATE: November 29, 2018

I am asking that the Town Council accept \$966 in forfeiture money regarding State v. Rike Guerrier. Please designate these funds to the police equipment replacement account (05-01-20-01).

JANET T. MILLS
ATTORNEY GENERAL



REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301
PORTLAND, MAINE 04101
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

November 13, 2018

Chief Joseph L. Rogers
Hampden Police Department
106 Western Ave.
Hampden, ME 04444

RE: State v. Rike Guerrier and \$966.00 US currency
Town of Hampden Approval

Dear Chief:

Enclosed please find a Town of Hampden Approval form for the forfeiture of the money seized in this case. As you can see, the City/Town Council, or a representative thereof, needs to sign this form (after appropriate vote therefor if necessary) and return it to me so that the criminal forfeiture may be finalized and a court order that will transfer the money that was seized to the City/Town may be provided.

Despite the letterhead, please return this form to the following:

Office of the District Attorney
Attn: Janice S. Stuver, AAG
97 Hammond St.
Bangor, ME 04401

I do not work out of an office maintained by the Office of the Attorney General; rather I am physically located at District Attorney Christopher Almay's office.

Please let me know if you have any questions for me.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads 'Janice S. Stuver'.

Janice S. Stuver
Assistant Attorney General
Bar Reg. # 8033

STATE OF MAINE
Penobscot, ss

State of Maine

UNIFIED CRIMINAL DOCKET
Criminal Action
Docket No. CR-17-4781

v.

Rike Guerrier,
Defendant

City/Town Of Bangor
Approval Of Transfer
15 M.R.S.A. §5824(3)
and §5826(6)

AND
\$966.00 US CURRENCY
DEFENDANT IN REM

NOW COMES the Town of Hampden, Maine, by and through its legislative body, the Town Council, and does hereby grant approval pursuant to Section 5824(3) and Section 5826(6) of Title 15 of the Maine Revised Statutes Annotated, to the transfer of any portion of the above captioned Defendant(s) *In Rem* \$966.00 US Currency, **namely \$966.00 US Currency**, on grounds that the Town of Hampden Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the Town of Hampden Town Council does hereby approve of the transfer of the Defendant(s) *In Rem* to the Town of Hampden, Maine pursuant to 15 M.R.S.A. §5824(3) and §5826(6).

Dated: _____

Chairperson/Mayor/Selectman/Clerk

(Impress Legislative Body Seal Here)



Item 4. f.

MEMORANDUM

106 Western Avenue
Hampden, Maine 04444
Office: 207-862-3034
Facsimile: 207-862-5067

TO: Finance & Administration Committee
FROM: Jim Chandler, Town Manager-Treasurer
COPY: Barbara Geaghan, Tax Collector
Kelly Karter, Assessor
DATE: December 3, 2018
RE: Abatement of Uncollectible Taxes

This memorandum conveys the attached documentation submitted from the Tax Collector recommending the discharge of certain uncollectible taxes.

Background

In the course of reviewing the status of delinquent tax accounts, the Tax Collector determined that a mobile home owner located at 681 Main Road North, Lot 44 had not paid property taxes for 2017 or 2018. Upon further research, the Assessor determined that the home had been demolished in June of 2017. No demolition permit was issued, so the action was discovered by Town staff after the fact.

Attempts to locate and contact the previous owner of record, Shawna Buenrostro, regarding collection of the outstanding taxes have not been successful. In accordance with State Statute, M.R.S.A. Title 36, Chapter 105 §841(3) included below, staff has determined these taxes to be uncollectible.

3. Inability to pay after 2 years. If after 2 years from the date of assessment a collector is satisfied that a tax upon real or personal property committed to him for collection cannot be collected by reason of the death, absence, poverty, insolvency, bankruptcy or other inability of the person assessed to pay, he shall notify the municipal officers thereof in writing, under oath, stating the reason why that tax cannot be collected. The municipal officers, after due inquiry, may abate that tax or any part thereof. [1979, c. 73, (RPR) .]

Fiscal Impacts

By abating the delinquent taxes for both 2017 and 2018, the Town is relinquishing its interest in the amount of \$ 246.37.

Staff Recommendation

Staff recommends, the Finance Committee refer this matter to Council for a formal action.

Recommended Motion

“Move to refer to Council, that Council release the Tax Collector from further responsibility to collect taxes owed for the mobile home previously located on Map 20, Lot 51-44, per her attached affidavit indicating these taxes are no longer collectible.”

Memo

To: Jim Chandler, Town Manager & Treasurer
From: Barbara Geaghan, Tax Collector
Date: November 29, 2018
Re: Tax Write-Off

Jim,

It has come to my attention that a mobile home, taxed in years 2017 and 2018, is gone.

I believe that the outstanding tax for tax years 2017 and 2018 should be written off. The property was a mobile home located at 681 Main Road North, Lot 44. I believe the taxes are uncollectable because the mobile home has been demolished.

I have confirmed with Heather Magan, Manager/ Accounting Assistant for Maine Real Estate, that the lot is vacant. Maine Real Estate is the owner of the mobile home park. Ms. Magan also reports that they have no record of Shawna Buenrostro, last known owner.

The 2017 tax will foreclose on in February of 2019.

The request is based on M.R.S.A. Title 36, §841 (3).

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

November 29, 2018

Property tax for account # 1801, assessed to Shawna Buenrostro, cannot be collected in accordance with 36 M.R.S.A. §841(3). Please see attached.

The property in question was a mobile home located at 681 Main Road North, Lot # 44.

Heather Magan, Manager/Accounting Assistant for Maine Real Estate has confirmed that the lot is vacant. Ms. Magan also states that she has no record of Ms. Buenrostro.

I believe that the mobile home has been demoed. I have no knowledge of where Shawna Buenrostro, last known owner of the mobile home, is.

I, Barbara A. Geaghan, do solemnly swear that the above statements are true to the best of my knowledge.

Date: 11-29-18

Signature: Barbara A Geaghan

Printed name: Barbara A. Geaghan

State of Maine, Penobscot County

The above, Barbara A. Geaghan, appeared before me on, 11/29/18, and signed of her own free will.

Paula A Scott
Paula Scott-Notary Public

Expiration: 02/22/2021

**Town of Hampden
Tax Information Sheet
As of: 11/15/2018**

Account: 1801 **Name:** BUENROSTRO, SHAWNA

Location: 681 MAIN RD NO

Map and Lot: 20-0-051-44

Sale Date: 06/12/2015

Deed Reference:

Sale Price: \$700

Land:	0	Total Acres:	0
Building:	0	Tree Growth:	Soft : 0 Mixed : 0 Hard : 0
Exempt	0	Farmland:	
Total:	0	Open Space:	
		Zoning:	33 - CommercialServic
		SFLA:	0

	Amount	Mill Rate
Last Billed : 2019-1	00.00	19.600
Previous Billed : 2018-1	62.56	18.400

Outstanding Taxes					
Year	Per Diem	Principal	Interest	Costs	Total
2018-1	0.0120	62.56	3.80	60.70	127.06
2017-1	0.0105	54.60	7.12	57.59	119.31
	0.0225	117.16	10.92	118.29	246.37

Information Given By: _____

Title: _____ 11/15/2018

Tax year July 1 - June 30. Sewer acct # _____

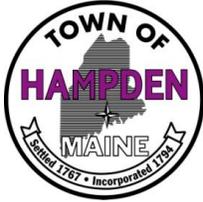
All calculations are as of: 11/15/2018

		PROPERTY DATA		ASSESSMENT RECORD				
		NEIGHBORHOOD CODE		YEAR	LAND	BUILDINGS	EXEMPT	TOTAL
BLACKMER, BRUCE & SANDRA RFD 2 BOX 530	20-0 -051 -44							
E. HOLDEN,, ME 04429 B P	001801	STREET CODE		1990/89	0	5,940	0	5,940
		X-COORDINATE		1990/91	0	3,200	0	3,200
		Y-COORDINATE		91/92	0	3,200	0	3,200
BOULIER, BRIAN A. 687 MAIN ROAD NORTH	20-0 -051 -44	ZONING		92/93	0	3,500	0	3,500
		11. RA 24. INT		93/94	0	3,200	0	3,200
HAMPDEN ME 04444 B P	-20-0-051- 001801	12. RB 31. IA		94/95	0	3,200	0	3,200
		13. Rural 32. IB		95/96	0	3,200	0	3,200
BLACKMER, BRUCE R. RR 3 BOX 530	20-0 051- 44	14. Season 33. IC		96/97	0	3,200	0	3,200
		21. B 34. 12		97/98	0	3,200	0	3,200
E. HOLDEN ME 04429		22. BB		98/99	0	3,200	0	3,200
		23. BR		99/00	0	3,200	0	3,200
TAYLOR, JAMES E. & BRENDA G. TAYLOR, JAMES E. & BRENDA G.	20-0 20-0	SECONDARY ZONE		00/01	0	3,200	0	3,200
		TOPOGRAPHY		01/02	0	3,200	0	3,200
		1. Level 5. Low		02/03	0	3,200	0	3,200
		2. Rolling 6. Swampy		03/04	0	3,500	0	3,500
WHEELER, VERNON & HOLLY	20-0	3. Above St. 7.		04/05	0	3,500	0	3,500
		4. Below St. 8.		05/06	0	0	0	0
BROWN, CHARLES	20-0	UTILITIES		06/07	0	3,400	0	3,400
		1. All Public 5. Dup Well		07/08	0	3,400	0	3,400
		2. Public Water 6. Septic		08/09	0	3,400	0	3,400
		3. Public Sewer 7. Cess Pool		09/10	0	3,400	0	3,400
		4. Drilled Well 9. No Utilities		11/12	0	3,400	0	3,400
BROWN, CHARLES	1801	STREET						
		1. Paved 4. Proposed						
		2. Semi-Improved						
		3. Gravel 9. No Street						
EWRJ LIMITED PARTNERSHIP EMMONS FAMILY LTD PARTNERSHI	1801	SALE DATA						
		DATE(MM/YY)	3/8 105					
		PRICE	3,000					
		SALE TYPE						
		1. Land 4. Mobile						
		2. Land & Bldg. Home						
		3. Building Only 5. Other						
		FINANCING						
		1. Conv. 5. Private						
		2. FHA/VA 6. Cash						
		3. Assumed 9. Unknown						
		4. Seller						
		VERIFIED						
		1. Buyer 6. MLS						
		2. Seller 7. Family						
		3. Lender 8. Other						
		4. Agent 9. Confid.						
		5. Record						
		VALIDITY						
		1. Valid 5. Partial						
		2. Related 6. Exempt						
		3. Distress 7. Changed						
		4. Split 8. Other						
681 MAIN ROAD NORTH, LOT 26 HAMPDEN ME 04444	0 051							
DOREY, KARLENE	1801							
LONG, RONALD, SR.	1801							
SMITH, LARRY	1801							
681 MAIN ROAD NORTH LOT 44	20 0							
BUENROSTRO, SHAWNA 681 MAIN ROAD NORTH LOT 44 HAMPDEN ME 04444	1801 20 0 051 44							

FRACT. ACRE	ACREAGE/SITES		
21. Homesite		%	
22. Basclot		%	
23.		%	
ACRES		%	
24. Homesite		%	
25. Basclot		%	
26. Frontage 1		%	
27. Frontage 2		%	
28. Rear 1		%	
29. Rear 2		%	
30. Rear 3		%	
31. Tillable 1		%	
32. Tillable 2		%	
33. Tillable 3		%	
Total		%	

- 34. Pasture 1
- 35. Pasture 2
- 36. Pasture 3
- 37. Softwood
- 38. Mixed Wood
- 39. Hardwood
- 40. Waste
- 41.
- SITE
- 42. Moho Site
- 43. Condo Site
- 44.
- 45.
- 46. River Frontage

ACCT: 1801-1 Map/Lot: 20-0-051-44



4-g

106 Western Avenue
Hampden, Maine 04444
Office: 207-862-3034
Facsimile: 207-862-5067

MEMORANDUM

TO: Finance & Administration Committee
FROM: Jim Chandler, Town Manager-Treasurer
COPY: Sean Currier, Public Works Director
Shelley Abbott, Recreation Director
DATE: December 3, 2018
RE: Final Determination & Penalties from June 2018 Bureau of Labor Standards Inspections and Deficiency Citations

This memorandum is informational and does not require formal action by Council. It conveys the attached letter from the Maine State Bureau of Labor Standards, Workplace Safety and Health Division regarding the final disposition of the surprise safety inspections conducted at Town offices and facilities on 27 June 2018; and it provides information related to subsequent actions taken by staff.

Background

The Maine State Bureau of Labor Standards, Workplace Safety and Health Division (BLS) conducted a surprise safety inspection of select Town offices and facilities in June of this year. The inspector conducted facility inspections and reviewed safety plans, procedures, training practices and related records at the following locations, with the noted findings:

- Police Department – No Violations Found
- Lura Hoit Pool – No Violations Found
- Town Administration / Municipal Offices – Minor Record Keeping Citation, No Penalties Charged
- Fire Department – Minor Record Keeping Citation, No Penalties Charged
- Public Works Garage – Two Safety Plans Out-of-Date, Penalties totaled \$ 1,400.00
- Transfer Station – Two Safety Plans Out-of-Date, Penalties totaled \$ 1,400.00
- Recreation Department – One Safety Plan Out-of-Date, Penalty totaled \$ 700.00

Staff Remedies

All Departments impacted by the findings responded immediately and worked with the State Inspector and with Maine Municipal Association (MMA) Risk Management Division staff to address updating all outdated plans, conduct numerous safety trainings; DPW contracted with Hammond Tractor to conduct specialized chipper training and sent numerous employees for Hep B shot series; and all other Departments satisfied the incomplete training and record-keeping requirements.

The Town will be applying for participation in the State's Safety Works SHAPE Program in 2019 to ensure the safety of our staff (and visitors to our facilities) is never neglected in the future. This is a voluntary program where the State inspects our facilities and safety programs/procedures/practices and determines that they meet or exceed the standards, and are no longer subject to unscheduled inspections.

Fiscal Impacts

By demonstrating to the State that the Town worked to immediately rectify all the identified issues of concern, and expended funds to complete the aforementioned remedies, the BLS reduced the penalties owed to the State by 90%.

The following penalties will be paid accordingly:

- Public Works Department – \$ 280.00; from Safety Account # 10-01-25-05
- Recreation Department – \$ 70.00; from Training Account # 20-05-30-80

And the matter will be resolved.

It's worth noting the Town will be working to review and update/develop appropriate Safety Training Programs, improve its record-keeping and Hazard Communications Plans, initiating Human Resource efforts to ensure new staff are adequately trained as part of the onboarding process, and is taking additional minor steps during the remainder of FY2019 to maintain the safety and security of our staff and any visitors to our facilities. A more robust Safety Program will be part of the FY2020 Budget recommendation, to support the efforts required to become a State certified SHAPE community. More information will be provided in the coming months as the budget process gets underway.



STATE OF MAINE
 DEPARTMENT OF LABOR
 BUREAU OF LABOR STANDARDS
 WORKPLACE SAFETY AND HEALTH DIVISION
 45 STATE HOUSE STATION
 AUGUSTA, MAINE 04333-0045

JOHN BUTERA
 COMMISSIONER

PAUL R. LEPAGE
 GOVERNOR

DANIEL BOLDUC
 DIRECTOR

November 16, 2018

**Town of Hampden
 RECEIVED**

NOV 26 2018

**Office of the
 Town Manager**

James Chandler, Town Manager
 Town of Hampden
 106 Western Avenue
 Hampden, ME 04444

Inspection No. 1333193 &
 1334023, 1332471

Dear James Chandler:

The Bureau of Labor Standards completed an inspection on 06/27/2018 and workplace conditions were found which violate Occupational Safety and Health rules. SEE: Title 26 MRSA Chapter 6; 29 CFR sections 1910 and 1926. At your request, a discussion pertaining to the proposed penalty(s) was held on November 15, 2018 with a representative of the Workplace Safety and Health Division. On the basis of that discussion, I have determined all citations have been corrected. *Final amount due is \$350.00.* Checks should be made payable to "Treasurer, State of Maine" and sent to the Bureau of Labor Standards at the above address. This letter serves as a final order and the remaining amount due to become effective fifteen business days from the date received. During that time you still reserve the right to file for a formal appeal as regards the citation(s), penalty, and/or abatement dates.

Through our combined efforts, we continue the safety and health in Maine workplaces. As always, **SafetyWorks!** is available to assist you with safety and health education and/or consultation services. If you wish to request **SafetyWorks!**, please call 1-877-723-3345 toll free. For additional information, you can go to our website at www.safetyworksmaine.gov.

If you have any questions, please feel free to contact Steven Greeley, Director, Workplace Safety & Health at 207-623-7916 or at steven.l.greeley@maine.gov.

Sincerely,

Daniel Bolduc, Director
 Bureau of Labor Standards