

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday November 21st, 2016

6:30 p.m.

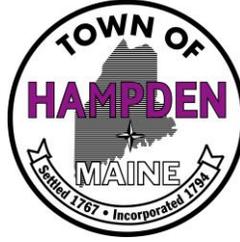
Hampden Town Office

1. Meeting Minutes – None
2. Review & Sign Warrants
3. Old Business
4. New Business
 - a. Contract award and request for authorization of up to \$10,000 in funding from the Recreation Reserve fund for topographic survey of the Lura Hoyt Pool and Municipal Building site
 - b. Contract award and request for authorization of up to \$15,000 in funding from the Emera TIF fund for electrical repairs to Town Center lights
 - c. Request for authorization of \$20,978.40 in funding from the Public Works Equipment reserve fund for the purpose of paying the first of (5) five lease payments – *referral from Infrastructure Committee*
 - d. Request for authorization for up to \$2,975.00 in funding from the IT Reserve account for the purpose of website redesign – *referral from Services Committee*
 - e. Request for Council referral to Public Hearing the proposed repeal of the Town of Hampden Tree Ordinance – *referral from Services Committee*
 - f. Request for Council referral to Public Hearing the proposed repeal of the Town of Hampden Yard Sale Ordinance – *referral from Planning & Development Committee*
5. Public Comment

6. Committee Member Comments

7. Adjournment

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: November 17, 2016

RE: Recommendation of contractors

Lura Hoit Topographic Survey Bid

We received three proposals for this work (attached). Public Works Director Currier is on vacation this week and will return next Monday. Due to the technical nature of the proposals, I am recommending that we table vendor selection until the next Council meeting on Monday, November 21. We have a meeting schedule Monday morning and will make a recommendation that evening.

Upon vendor selection, I am requesting Town Council authorization of up to \$10,000.00 from the Recreation Reserve fund to allow us to execute an agreement and proceed with the work.

Town Center Lighting Bid

We received two proposals for this work (both attached). Public Works Director Currier is on vacation this week and will return next Monday. Due to the technical nature of the proposals, and the fact that both proposals exceed the \$15,000.00 cost we had used for budgeting purposes, I am recommending that we table vendor selection until the next Council meeting on Monday, November 21. We have a meeting schedule Monday morning and will make a recommendation that evening.

November 9, 2016

Angus Jennings
Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

Re: ALTERNATE SCOPE: Topographic Survey of Municipal Building and Pool Site

Dear Mr. Jennings:

CES, Inc. (CES) appreciated the pre-bid meeting on November 8 and offer the following alternate scope that is meant to stay within the budgetary guidelines discussed.

Please see the attached exhibit showing areas where existing LIDAR data will be used and ground survey will be conducted. We will ground truth the LIDAR on the open areas (20 ground points will be captured). We will also use existing information we have on planimetric features for the Town Office Site and the Lura Hoit Pool Site.

We propose conducting a ground survey on the area labeled "Ground Topo" on the attached exhibit. The area is approximately 23 acres. Our survey crew will conduct a survey creating two-foot contours in this area and we will use the LIDAR data to create one-foot contours on the existing Town Office Site and the Hoit Pool site. We propose being on site for 7-8 days.

CES feels this alternate approach will help you meet your goals, as this project is still very much in its "preliminary" stage.

DELIVERABLES

All inclusive of LIDAR (one foot contouring of open areas from available Lidar), a ground survey of 23 acres projected to NAD83 Zone 19N, NAD 83 datum. Two hard copies printed to 24" 36", spatial data provided in both PDF and ArcGIS Shapefile format.

IMPLEMENTATION

CES proposes to start field work on or near November 28, 2016 and complete field work by December 16, 2016. We plan on delivering our product on or before Dec. 21, 2016.

COMPENSATION

CES proposes the above described tasks for a **LUMP SUM FEE of \$9,800.00.**

We look forward to working with you on this project and moving it along in a timely manner for you. If you have any questions concerning this proposal or if additional services are needed, please feel free to contact us at (207) 989-4824. We appreciate this opportunity to be of service to you.

Sincerely,
CES, Inc.

A handwritten signature in blue ink, appearing to read "Jeff Teunisen".

Jeff A. Teunisen
Executive Vice President
Survey Division Director

JAT/jmc
Enc.



GROUND TOPO

LIDAR

LIDAR

ATTACHMENT A

STATEMENT OF BIDDER'S QUALIFICATIONS
(If desired, the Bidder may submit additional information.)

1. Name of Bidder: CES, Inc.

Bidder is: Corporation (X) Partnership () Individual ()

2. Permanent Main Office Address: 465 South Main Street

Brewer, Maine 04412

3. Federal ID Number (Employer's ID No.): 01-0360334

4. If a corporation, where incorporated? Maine

5. How many years have you been engaged in business under your present firm or trade name?

38 years

6. Similar projects completed or in process: Brunswick Airport Topo Survey,

Readfield Transfer Station Topo Survey, Irving Landfill Ashland Topo Survey,

"On The Run" Stores Topo Surveys, Milford & Ellsworth Eastport Airport Topo Survey,

Donation of layout services for soccer field, Town of Hampden

7. A financial statement may be required of the successful bidder prior to award.

The Undersigned hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the Town of Hampden in verification of the recitals comprising this Statement of Bidder's Qualifications.

Name of Bidder: CES, Inc.

Attested By: Jeff A. Teunisen, PLS

Title: Executive VP/Survey Division Director

Date: 11.09.2016

ATTACHMENT B

BID FORM

Deadline: 11:00 a.m. Monday, November 14, 2016

Submit to: Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

Company Name: CES, Inc.

Address: 465 South Main Street
Brewer, Maine 04412

Telephone/Fax: T: 207-989-4824 F: 207-989-4881

Cell Phone: 207-852-9226

E-Mail Address: jteunisen@ces-maine.com

The following bid is submitted in response to the Request for Bid Proposals for the Topographic Survey of Municipal Building and Pool Site at 106 and 146 Western Ave.

The undersigned certifies that the information provided on the Bid Form is correct and that the bid meets or exceeds the specifications.

Have all specifications been met: Yes No
If no, have all deviations been listed on a separate page attached to this Bid Form?
 Yes No

Base Price Bid: \$ 17,000.00

Add/Alternate (if any): \$ See Attached (\$9,800.00)

Signature: 

Printed Name: Jeff Teunisen

Date: 11.09.2016

By affixing my signature I certify that I have the authority to submit this bid and further certify that this bid meets or exceeds all requirements of the bid.

Stanley J. Plisga, Jr.
Richard A. Day
Norris G. Staples
Henry J. Hunter, III

Gusta Ronson
Brian P. Taylor
Timothy F. Cady
Patrick J. Donovan
Jonathan M. Stewart
Clark G. Staples
Adam N. Robinson
Keith E. Blanchard
J. Patrick Pinkham
Isak A. Porter
Julian M. Wiggins

PLISGA & DAY LAND SURVEYORS

72 MAIN STREET
BANGOR, MAINE 04401

TELEPHONE (207) 947-0019
(800) 734-0019
FAX (207) 942-9807

Email: jstewart@wemapit.com

www.WeMapIt.com

LOCATIONS

710 New Limerick Road
Linneus, Maine 04730
(207) 532-2695

dba Good Deeds
109 Main Street
Belfast, Maine 04915
(207) 338-5743

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

November 13, 2016

Town of Hampden
106 Western Avenue
Hampden, ME 04444

RE: RFP – Topographic Mapping of 106 & 146 Western Avenue, Hampden, Maine

Dear Mr. Jennings, Town Manager and Town Staff:

Based on your bid package, our discussion last week, your most recent email with possible planned project, and my site visit, I propose a phased scope of work to map critical ground features prior to snow and leave wooded areas for mapping with possible snow cover and extended budget. Phase 1: Map Pool Area (6.6 acres) ~ \$5,100; Phase 2: Map Town Office/Post Office Area (5.7 acres) ~ \$4,700; Phase 3 map remaining open and wooded areas (25 acres) ~ \$9,900. This service will include establishing temporary benchmarks (NAVD88) at or near each site and we will tie into previous work. A CAD file and SHP (UTM19N, USFT) will be emailed to you or your development associate. Our services will be provided on a time-and-materials basis. That is, we will invoice you for the hours actually worked and charge you for the cost of materials required to complete the survey. My surveyor hourly rate is \$65 and mileage is \$0.54. If necessary, advanced surveying system (RTK GPS or robot) is \$500 per day.

We will not exceed the amount of this estimate without your prior authorization. In the event that information developed during the course of our work indicates a need for revising the estimate, we will contact you immediately with an explanation.

We do not require a deposit. Our bi-monthly invoices are due and payable upon presentation unless you have requested other arrangements. Unless other arrangements have been made, unpaid balances remaining after 30 days from our invoice date will incur a service charge of one percent per month.

The services provided are solely for the benefit of the parties named in this agreement and are not intended to benefit any other person or entity. The limit of our professional liability is the total amount of fees and expenses paid for the services rendered under this agreement. A greater amount of liability coverage is available upon request for an additional fee.

On the basis of information now available, we believe that we can begin Phase 1 within 2 business days and complete all Phases within 25 business days of authorization to proceed, please sign and return copy. We will advise you of any changes necessitated by unanticipated interruptions caused by weather or unavoidable schedule changes.

Sincerely, Plisga & Day, c/o

Jonathan M. Stewart, PLS 2327 (ME)



Reviewed and agreed upon,

Client to sign and return copy.

Date

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

ATTACHMENT A

STATEMENT OF BIDDER'S QUALIFICATIONS
(If desired, the Bidder may submit additional information.)

1. Name of Bidder: PLISGA & DAY, LAND SURVEYORS

Bidder is: Corporation (X) Partnership () Individual ()

2. Permanent Main Office Address: 72 MAIN STREET

BANGOR, ME 04401

3. Federal ID Number (Employer's ID No.): 01-0357434

4. If a corporation, where incorporated? BANGOR, MAINE

5. How many years have you been engaged in business under your present firm or trade name?

42 YEARS

6. Similar projects completed or in process: 2016 TOPO OF 15 ACRES

IN SOLDIERTOWN WITH CONTROL FOR 28 MILE LIDAR FLIGHT.

2016 - 4500' OF TOPO FOR ROAD RECONSTRUCTION ON INDIAN ISLAND

2015-2016 TOPO OF 5 STREETS IN OLD TOWN, MAINE FOR UTILITIES.

7. A financial statement may be required of the successful bidder prior to award.

The Undersigned hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the Town of Hampden in verification of the recitals comprising this Statement of Bidder's Qualifications.

Name of Bidder: PLISGA & DAY, LAND SURVEYORS

Attested By: JONATHAN M. STEWART

Title: OPERATIONS MANAGER

Date: NOVEMBER 13, 2016

ATTACHMENT B

BID FORM

Deadline: 11:00 a.m. Monday, November 14, 2016

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

Submit to: Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

Company Name: PLISGA & DAY, LAND SURVEYORS

Address: 72 MAIN STREET, BANGOR, ME 04401

Telephone/Fax: (207) 947-0019

Cell Phone: (207) 949-2309

E-Mail Address: js@WeMapIt.com

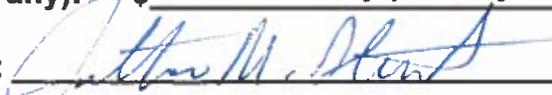
The following bid is submitted in response to the Request for Bid Proposals for the Topographic Survey of Municipal Building and Pool Site at 106 and 146 Western Ave.

The undersigned certifies that the information provided on the Bid Form is correct and that the bid meets or exceeds the specifications.

Have all specifications been met: YES Yes No
If no, have all deviations been listed on a separate page attached to this Bid Form?
 Yes No *SEE EXHIBIT A, LETTER DATED NOV. 13, 2016.

Base Price Bid: \$ 9,800 for topo of pool and municipal building sites*

Add/Alternate (if any): \$ 1,450 / day per day for 2' contour mapping (3.5 acres/day)

Signature: 

Printed Name: Jonathan M. Stewart

Date: November 13, 2016



By affixing my signature I certify that I have the authority to submit this bid and further certify that this bid meets or exceeds all requirements of the bid.



6 State Street, Suite 301 / Bangor, ME 04401
207-942-5200 / 866-836-8834 toll free

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

November 11, 2016

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

Re: Bid Form Deviations

Dear Mr. Jennings:

The letter lists our deviations and assumptions for our alternate bid form. Our proposal consists of the following:

1. We will use the fall 2008 Hampden Academy photos for the 1' and 2' contouring for the majority of the site. Based on our previous conversation with the Town, we have determined that this imagery will be suitable since not much has changed from 2008 until now. The north side of Western Avenue is **assumed to be** the same as it was in 2008.
2. We will also use the stereopairs (6" ground sample distance) from the 2014 Maine Ortho imagery program to fill-out the northerly remainder of the 2' contour area that is not covered by the 2008 photos.
3. Based on the mapping limits provided in the RFP, and Google Earth, the two 1' contour areas enclose about 6 acres each. The 2' contour area encloses about 28 acres. The total mapped area will be about 40 acres.
4. Six new photo control points will be surveyed by Shyka, Sheppard & Garster Surveyors to supplement the older photo control.

KAPPA will provide 50' mapping for the entire site. The two 6 acre sites will have 1' contours, and the remaining 28 acres will have 2' contours. The fee for this mapping will be **\$9150** including the six additional photo control points. The mapping will be delivered in electronic PDF and ArcGIS shapefile formats. No orthophoto is included in this price. **This estimate and our Base Bid Price does not include field verification, nor obscured area fill-in. Nor does it include any additional on-the-ground surveying services such as pipe line easement location.**

We can see from Google Earth and the ME Ortho imagery that there will be scattered obscured areas. We will attempt to fill some of these areas in with publically available LiDAR data. These filled in areas will be labeled as such. However, up to 30% of the 40 acres could be obscured. Shyka, Sheppard & Garster (SS&G) Surveyors are available for field fill-in work if needed. Their rates are \$3500 for two days of field work and associated office work. Additional field days would be charged at \$1200/day. KAPPA



6 State Street, Suite 301 / Bangor, ME 04401
207-942-5200 / 866-836-8834 toll free

and SS&G can better determine the additional surveying charge once KAPPA maps the area using existing 2008 and 2014 imagery, and the publically available LiDAR.

The projection will be UTM Zone 19N (NAD83), with units of US Survey Feet. Elevations will be in NAVD88.

We agree to the Town's General Information for Bidders. Please note that we can start this project right away.

As of 11/11, we have another project this fall where we are acquiring LiDAR in the greater Bangor area. It is possible that we could add this project to the initial project, leading to a cost-effective alternative for contour generation. Let us know if you would like us to pursue this avenue further.

We appreciate this opportunity to provide the Town with our Bid and Qualifications.

Sincerely,

Claire Kiedrowski
Certified Photogrammetrist
KAPPA Mapping, Inc.
6 State Street, Suite 301
Bangor ME 04401
Vx: 207-942-5200
Fx: 207-942-5201

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

ATTACHMENT A

STATEMENT OF BIDDER'S QUALIFICATIONS
(If desired, the Bidder may submit additional information.)

1. Name of Bidder: KAPPA Mapping, Inc.

Bidder is: Corporation Partnership () Individual ()

2. Permanent Main Office Address: 6 State Street
Suite 301
Bangor, ME 04401

3. Federal ID Number (Employer's ID No.): 20-0440747

4. If a corporation, where incorporated? Maine

5. How many years have you been engaged in business under your present firm or trade name?

13

6. Similar projects completed or in process: _____

• Maine DOT - Hampden Bridges I-95, Peter Belanger (207) 624-3499

• Hoyle Tanner - Jackman Airport. Evan McDougal (603) 669-5555 x 14E

7. A financial statement may be required of the successful bidder prior to award.

The Undersigned hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the Town of Hampden in verification of the recitals comprising this Statement of Bidder's Qualifications.

Name of Bidder: Claire Kiedrowski

Attested By: Claire Kiedrowski

Title: President

Date: 11/11/16

ATTACHMENT B

BID FORM

Deadline: 11:00 a.m. Monday, November 14, 2016

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

Submit to: Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

Company Name: KAPPA Mapping, Inc.

Address: 6 State St., Suite 301
Bangor, ME 04444

Telephone/Fax: (207) 942-5200 / (207) 942-5201

Cell Phone: (207) 266-7087

E-Mail Address: claire@kappamap.com

The following bid is submitted in response to the Request for Bid Proposals for the Topographic Survey of Municipal Building and Pool Site at 106 and 146 Western Ave.

The undersigned certifies that the information provided on the Bid Form is correct and that the bid meets or exceeds the specifications.

Have all specifications been met: Yes No
If no, have all deviations been listed on a separate page attached to this Bid Form?
 Yes No

Base Price Bid: \$ —

Add/Alternate (if any): \$ 9,150.00

Signature: Claire Kiedrowski

Printed Name: Claire Kiedrowski

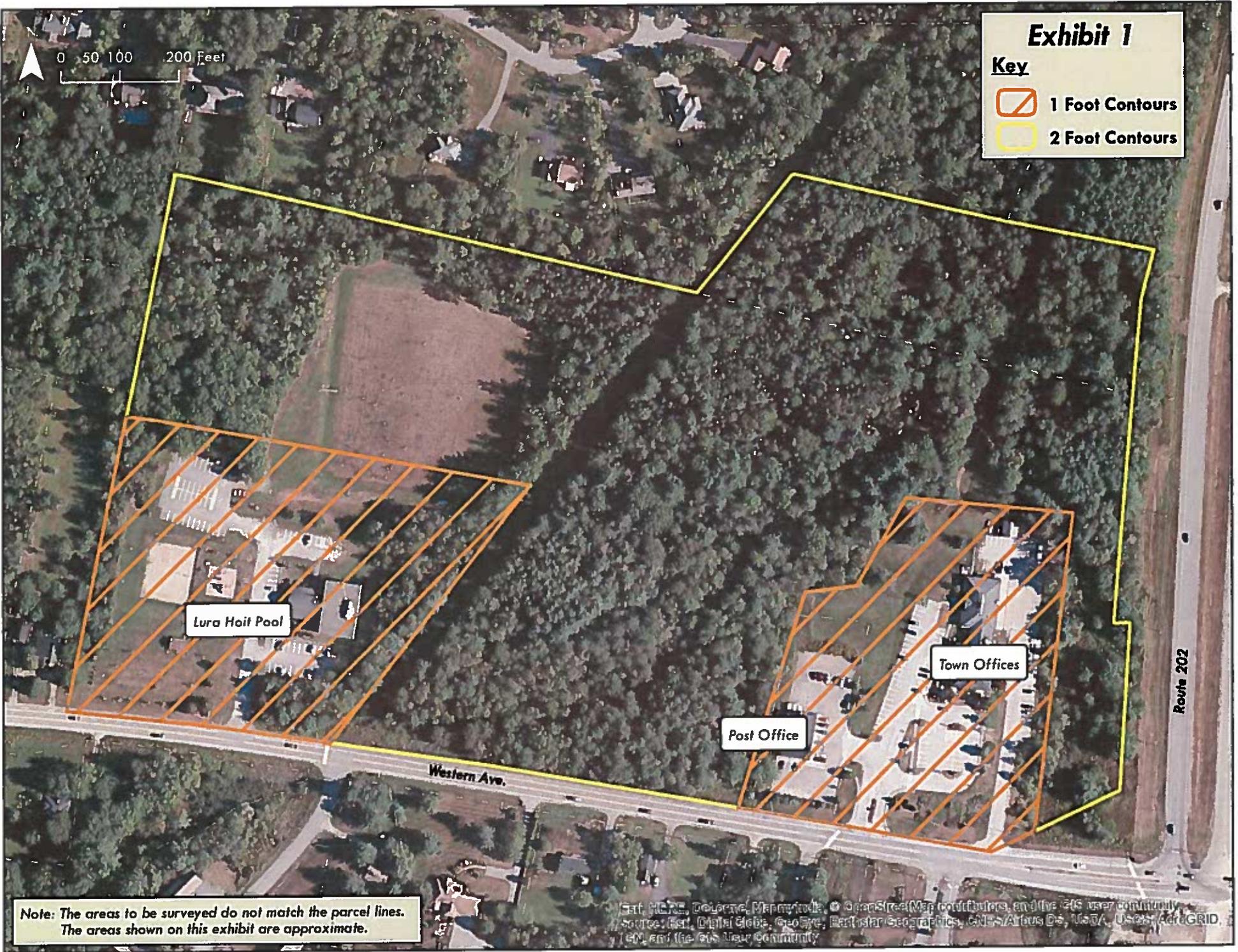
Date: 11/11/16

By affixing my signature I certify that I have the authority to submit this bid and further certify that this bid meets or exceeds all requirements of the bid.

Exhibit 1

Key

-  1 Foot Contours
-  2 Foot Contours



Note: The areas to be surveyed do not match the parcel lines.
The areas shown on this exhibit are approximate.

Map data © OpenStreetMap contributors, and the GIS user community
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, AeroGRID, IGN, and the GIS User Community

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Town Council and Hampden Residents
FROM: Angus Jennings, Town Manager
DATE: October 17, 2016
RE: Statement regarding due diligence for potential fields at Lura Hoyt Pool site

Following the vote of the Town Council at its October 3 meeting, my office plans to undertake or oversee the following next steps:

1. Prepare work scope and solicit bids for topographic survey of Lura Hoyt Pool site.
2. Based on review of applicable regulations of MaineDEP, Army Corps of Engineers, and others (as applicable), prepare work scope and solicit bids for engineering support as needed for the preparation of documents needed for permitting.

Both of these steps will be needed in order to get permitted to add any impervious surface (i.e. parking) to the site.

Upon completion of these processes, I anticipate bringing forward recommendation of specific vendors along with requests for Council allocation of reserve funding consistent with purposes authorized in the approved budget. Due to the time it will take to complete this work, as well as the competing demands on staff time, I expect that completing these bid processes may take two months or more. Once an engineering firm is retained and the DEP permitting process is underway, DEP has advised that their permitting process could take six months or more.

No site work will take place until specifically authorized and funded, and until my office signs a contract for work.

We will continue to provide periodic updates on this initiative and, in the upcoming Town Manager newsletter, will share information regarding what is under consideration and how Hampden residents can share their opinions, ideas and concerns.

This statement is intended to clarify for Hampden residents that no changes to the site are imminent, and that any future changes, if any, would follow deliberation and votes within public meetings.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

Request for Bid Proposals

Topographic Survey of Municipal Building and Pool Site

The Town of Hampden is seeking bid proposals for topographic survey of the Town-owned site at 106 and 146 Western Avenue which includes the Municipal Building, the Lura Hoyt Pool, athletic fields and undeveloped land. The Scope of Services including a layout plan of the site is attached to this Request for Bid Proposals.

Prospective bidders who wish to view the project prior to bidding are invited to attend an optional **pre-bid meeting** on Tuesday, November 8, 2016 at 11:30 AM at the Municipal Building Conference Room, 106 Western Avenue, Hampden, ME.

Prospective bidders may submit written questions regarding this Request for Bid Proposals to the Town Manager on or before Wednesday, November 9 at noon. Questions may be submitted at the Municipal Building, Monday through Thursday from 7:30 AM until 6 PM, or via email to townmanager@hampdenmaine.gov. The Town will prepare written responses to all questions received, and will provide responses in an Addenda to all prospective bidders that participate in the pre-bid meeting, or who notify the Town Manager in writing that they wish to be considered a prospective bidder.

Sealed bids, clearly marked "Bid Proposal: Topographic Survey" must be received no later than Monday, November 14 at 8 AM addressed to:

Town Clerk
Town of Hampden
106 Western Avenue
Hampden, ME 04444

A Statement of Bidders Qualifications (Attachment A) must be submitted with the Bid Proposal. All bids shall be submitted on the bid form supplied by the Town (Attachment B). Any bid received after the date and time of opening will be rejected and returned unopened to the bidder. Bids may not be submitted by email.

Bidders shall adhere to items specified in General information to bidders, attached.

Bids will be publicly opened at the Hampden Municipal Building Conference Room at 8 AM on Monday, November 14, 2016. Bids shall include a statement of proposed price to complete the work including sufficient detail for the Town to understand the basis of the costs, as well as any assumptions or limitations. Exceptions to the specifications are to be listed separately, attached to and submitted with Bidder's proposal.

The Town Manager shall recommend a vendor and budget to the Finance Committee and the Town Council. Upon Council authorization of budgeted Reserve Funds, to be proposed at the meeting on November 14 at 7 PM, the Town Manager will execute a contract with the selected vendor and will schedule the work.

Prior to execution of a contract, the contractor must provide proof of workers compensation insurance, and of liability insurance with a \$400,000 minimum coverage, and shall provide a certificate naming the Town of Hampden as additionally insured.

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

Project Scope of Work

Topographic Survey of Municipal Building and Pool Site

The subject property is Hampden Assessors Parcel 09-0-018 located at 106 and 146 Western Ave. (Online GIS mapping at <http://www.axisgis.com/hampdenme/>). A map of the project locus is attached as Exhibit 1.

Project Deliverables:

- Survey location and dimensions of all site features including but not limited to, buildings, pavement, striping, utility poles, manholes, catch basins, hydrants, obscured area boundary, playground features, athletic equipment, continuous tree lines, individual trees over 2" in diameter not associated with tree lines, pipe line easement, etc.
- Provide 2' contours for the portion of the site indicated in Exhibit 1 (approx. 25.8 acres).
- Provide 1' contours for the portion of the site indicated in Exhibit 1 (approx. 6.6 acres for Pool area; approx. 5.7 acres for Town Offices/Post Office area).
- Spatial data collected to be provided electronically in PDF and ArcGIS shapefile format, in addition to two (2) hard copies printed to 24" x 36". Projection: NAD83 Zone 19N. Datum: UTM.

For aerial survey, proposal must specify number of photo control points. Also, field verification and obscured area fill-in to obtain 2' contours shall be included in bid price.

Project Timeline:

The Town wishes to initiate this work as soon as practicable, with the goal of completing survey work prior to first snow and delivery of project deliverables soon after. If completion this fall proves impossible due to weather, work will be completed as soon as practicable thereafter.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

Addendum #1 to Request for Bid Proposals

Topographic Survey of Municipal Building and Pool Site

An optional pre-bid meeting was held on Tuesday, November 8, 2016 at 11:30 AM at the Municipal Building Conference Room, 106 Western Avenue, Hampden, ME. The following is a list of questions asked at the meeting, and responses from the Town:

Q. Is a survey of the property boundary part of the Scope of Work?

A. No.

Q. Why is the Town seeking topographic survey rather than relying on 2010 LIDAR data?

A. The Town is at the conceptual planning stage for potential additional development (parking and possible recreational fields) on the site. Looking ahead to DEP permitting and the need to ensure compliance with stormwater regulations (through installation of BMPs, etc.), and to potential site design and development, it will be important to have accurate topographic survey in order to measure cuts and fills, etc.

Q. What is the budget for the project?

A. Funding will be provided from the Recreational Reserve account, which was budgeted for this purpose. Although there is no established budget for this phase of work, our goal is to award a contract for not more than \$10,000.00. Proposals should specify whether the complete scope can be completed for this budget. If a proposal states that the entire scope is not achievable within the budget, the proposal should propose what portion of the scope can be completed for this budget, and what changes to scope are proposed to maintain budget (such as reduced geographic extent of survey; supplement of some portions of survey with existing LIDAR data instead of survey; postponing a portion of the scope until a later phase, including specifying which portion is proposed to be postponed, etc.

The Town will respond to any additional questions if they are received in writing by noon today, November 9, 2016. Questions may be submitted at the Municipal Building, Monday through Thursday from 7:30 AM until 6 PM, or via email to townmanager@hampdenmaine.gov. The Town will prepare written responses to all questions received, and will provide responses in an Addenda to all prospective bidders that participate in the pre-bid meeting, or who notify the Town Manager in writing that they wish to be considered a prospective bidder.



TOWN OF HAMPDEN

PUBLIC NOTICE

TOWN OF HAMPDEN NOTICE OF PUBLIC BID

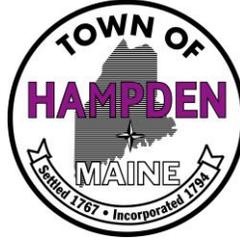
The Town of Hampden, Maine will receive sealed proposals for Holiday Lighting Electrical Repairs. Proposals are required to be submitted to the Hampden Town Office, located at 106 Western Avenue, Hampden, Maine 04444, on or before November 9, 2016 at 1:15pm, at which time all bids will be publicly opened. A bid tab will be documented and presented at the next regularly scheduled Council meeting, on November 14, 2016, at which time the winning bid will be awarded.

Request for Proposals, Specifications and the Contract Documents, are available at the Hampden Town Office at 106 Western Avenue, Hampden Maine 04444. Questions regarding this RFP may be directed to Sean Carrier, Director of Public Works by calling 862-3337.

Paula A. Scott, CCM
Town Clerk

11/01/2016

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: November 17, 2016

RE: Recommendation of contractors

Lura Hoit Topographic Survey Bid

We received three proposals for this work (attached). Public Works Director Currier is on vacation this week and will return next Monday. Due to the technical nature of the proposals, I am recommending that we table vendor selection until the next Council meeting on Monday, November 21. We have a meeting schedule Monday morning and will make a recommendation that evening.

Upon vendor selection, I am requesting Town Council authorization of up to \$10,000.00 from the Recreation Reserve fund to allow us to execute an agreement and proceed with the work.

Town Center Lighting Bid

We received two proposals for this work (both attached). Public Works Director Currier is on vacation this week and will return next Monday. Due to the technical nature of the proposals, and the fact that both proposals exceed the \$15,000.00 cost we had used for budgeting purposes, I am recommending that we table vendor selection until the next Council meeting on Monday, November 21. We have a meeting schedule Monday morning and will make a recommendation that evening.

**TOWN OF HAMPDEN
HOLIDAY LIGHTING BID SHEET**

BIDDER	MOBILIZATION	REMOVAL OF EXISTING ELECTRICAL SERVICE AND MOUNTING BRACKETS	INSTALL NEW GFCI	TOTAL PRICE
Carmel Electric				18,100. ⁰⁰
Ross Electric				
ELCO Electric				32,987. ⁰⁰
Duffy's Electric				
Hampden Electrical				

CARMEL ELECTRIC, INC.

16 Lexington Dr.
Hermon Me 04401

207 848-3499
Fax 207 848-7293

DATE: 11/14/16

JOB REF: Holiday Lighting Electrical Repairs, Hampden Maine

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

PROPOSAL

We are pleased to provide the following quotation for the above reference project. If in agreement please sign where indicated below and return to Carmel Electric, Inc. Please call if you have any questions.

Description of work to be performed: See below for job breakdown for what is included in the price.

Install 18 lights
Install 18 light brackets
Demo 18 existing electrical services
Install 18 new electrical services per Appendix B drawing

RECEIVED NO ADDENDUMS

EXCLUSIONS:

All cutting, patching, painting by others
All construction debris disposal cost by others
All utility charges paid by others
All HVAC control is by others
All concrete light pole bases are by others
All concrete if needed in trenches is by others
All allowances paid by others
Lights and brackets provided by others

Proposal based on Carmel doing the install if Emera has to do any of the install there may be added cost to this proposal. *COMPLETION DATE NOT SURE AT THIS TIME UP TO EMERA*

PRICE: \$18,100.00
EIGHTEEN THOUSAND ONE HUNDRED DOLLARS

BY: CARMEL ELECTRIC INC.

ACCEPTED BY:



Authorized Signature

Authorized Signature

LUCAS WADEMAN

Printed Name

Printed Name

PROPOSAL VALID FOR FORTY FIVE DAYS

311 Perry Road, Bangor, ME 04401

Town of Hampden
106 Western Avenue
Hampden, ME 04444

November 14, 2016

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

Att: Sean Currier, Public Works Director

Re: Holiday Lighting Electrical Repairs - Extended Bid Due Date: November 14th, at 9:00AM
Bidder's Qualifications, and Preliminary Work Schedule

Dear Sean:

This letter is to outline ELCO Electric's qualifications to perform the above project, and to briefly discuss the work schedule, as requested by the bidding instructions included with the above Request for Proposals.

Qualifications - ELCO Electric has been in the electrical construction and electrical contracting business for 35 years, all of those years headquartered in Bangor, Maine. We have completed many large and small commercial and industrial electrical related projects for customers throughout the State of Maine. The largest of these electrical projects was a new USAF hospital and dental clinic at Loring AFB, with an electrical subcontract value of \$3.2 million dollars (1987 completion). The most recent major electrical project performed by ELCO was the new Corinth Elementary School, with an electrical subcontract value of \$1.85 million dollars (2016 completion). Also in 2016, ELCO Electric completed an LED lighting retrofit project at the Edith Dyer Library for the Town of Hampden, with a contract value of \$19,267.00. ELCO Electric is operating under State of Maine Electrician's license #MS60018961 (Irving Crocker), as electrical companies are no longer licensed as Master Electrician Companies.

Work Schedule - Based upon the coordination required for ELCO to perform the proposed work on the utility owned poles, and the requirement for Emera crews to de-energize and re-energize the municipal street lighting circuits each day (to allow ELCO crews to safely tap the proposed new Christmas decoration wiring to the existing municipal street lighting circuit), the entire work schedule is subject to the availability of Emera crews to respond in a timely way to our daily requests for street lighting circuit outages each day. Assuming there are no delays caused by lack of availability of Emera crews due to weather, or other circumstances, we offer the following tentative schedule for your consideration:

(continued)

November 14, 2016

Re: Town of Hampden
Holiday Lighting Electrical Repairs

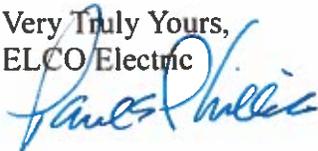
Work Schedule:

<u>Date</u>	<u>Activity</u>
11/14	Bids received by Town of Hampden
11/15	Contractor is awarded project and issued Notice to Proceed
11/15	Electrical parts are ordered by Contractor. Estimating parts delivery by 11/21/16
11/21	Meet & discuss pole placement and bracket height. Measure poles for mast lengths
11/21-29	Pre-fabricate conduit mast assemblies, including custom length conduit masts, pull wire into conduit mast, attach disconnect switch, and WP GFI to mast
11/28-12/2	Remove existing conduit masts and receptacles from poles, install new pre-fabricated assemblies on poles, and reinstall existing decoration brackets on utility poles, while the municipal street lighting circuit has been de-energized daily. Power outages on the street lighting circuit coordinated with Emera crews, weather permitting.
12/5-12/9	Continue with installation of prefabricated assemblies on utility poles
12/12-16	Make-up days lost to inclement weather during previous 2 weeks (if necessary), and Install decorations once all new wiring on poles is complete

Please call if you have any questions, concerns, or if you require additional information.

We look forward to your favorable consideration.

Very Truly Yours,
ELCO Electric



Paul E. Philbrick, President

**Request for Proposals
Holiday Lighting Electrical Repairs**

Appendix A

Bid Form

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

Request for Proposals Holiday Lighting Electrical Repairs

Note:

Proposals shall include this form as well as items listed on page 3. Failure to submit all requested materials may result in disqualification of proposal. The costs listed below will be used to calculate value for the completed work. The deadline for submittal of proposals is 1:15 PM, Wednesday, November 9, 2016.

<u>Item #.</u>	<u>Estimated Qty.</u>	<u>Pay item/units</u>	<u>Total Price</u>
1.	1 LS	Mobilization	\$ <u>3,035.00</u> /LS

Per lump sum (\$ 3,035.00)/LS

-Includes but not limited to the cost of initiating the contract, general contract admin., procuring insurance and bonds, permits or fees, moving equipment, equipment rental/usage, supplies, materials to the site, utility coordination, and all incidentals.

2.	18 EA.	Remove existing electrical service and mounting bracket for holiday lights	\$ <u>6,012.00</u>
----	--------	--	--------------------

Per Each Pole (\$ 334.00)/EACH

- Includes but not limited to removal of existing mounting bracket, conduit, weatherhead, wire, outlet, and all hardware associated with existing electrical service and mounting bracket for holiday lights.

3.	18 EA.	Install new GFCI receptacle, mounting bracket and associated hardware to supply 120V power including mounting the Holiday Lights.	\$ <u>23,940.00</u>
----	--------	---	---------------------

Per Each Pole (\$ 1,330.00)/EACH

- Includes but not limited to reinstalling existing mounting bracket, new mc rigid conduit, weatherhead, wire, GFCI outlet, weatherproof box, and all hardware associated with the installation of a new electrical service for holiday lights. Refer to drawing #2719 in Appendix B for details.

All unit amounts and totals shall be shown above. Total project bid amount to be shown below and should be checked against individual totals.

Total Project Bid \$ 32,987.00



**Holiday Lighting Electrical Repairs
Bidder's Addendum Acknowledgement Form**

I hereby acknowledge by my signature that each numbered addendum has been received:

Addendum #1. _____
Contractor's Signature

Addendum #2. _____
Contractor's Signature

Addendum #3. _____
Contractor's Signature

Addendum #4. _____
Contractor's Signature

Note: Signature required to acknowledge receipt of each addendum issued.



The Hanover Insurance Company
Citizens Insurance Company of America
Massachusetts Bay Insurance Company

BID BOND

CONTRACTOR:

(Name, legal status and address)

Elco Electric Co.

311 Perry Rd

Bangor, ME 04401

SURETY:

(Name, legal status and principal place of business)

The Hanover Insurance Company

440 Lincoln Street

Worcester, MA 01653

Town of Hampden
RECEIVED

NOV 14 2016

Office of the
Town Manager

OWNER:

(Name, legal status and address)

Town of Hampden

106 Western Ave

Hampden, ME 04444

BOND AMOUNT: \$ 5% of attached bid

PROJECT:

(Name, location or address, and Project Number, if any)

Holiday Lighting Electrical Repairs
Hampden, ME 04444

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 14th day of November 20 16

Witness

By: Victoria-Lyn Southard
Name: Victoria-Lyn Southard

ELCO ELECTRIC
(Contractor as Principal)

By: Paul Philbrick (Seal)
Name: Paul Philbrick

Title: Owner

Witness

By: Lacy Berry
Name: Lacy Berry

The Hanover Insurance Company

By: Mark Rosborough
Name: Mark Rosborough

Title: Attorney-in-fact



THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint
Mark N. Rosborough and/or Richard B. Jordan

of J.T. Rosborough, Inc. of Ellsworth, ME and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, knowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

Any such obligations in the United States, not to exceed Five Million and No/100 (\$5,000,000) in any single instance

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 15th day of December 2014.



THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA.

Robert Thomas, Vice President

Joe Brenstrom, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 15th day of December 2014 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



Barbara A. Garlick, Notary Public
My Commission Expires September 21, 2018

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 14th day of November 20 16.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

J. Michael Pete, Vice President



Town of Hampden
106 Western Avenue
Hampden, Maine 04444

HOLIDAY LIGHTING ELECTRICAL REPAIRS

REQUEST FOR PROPOSAL

October 28, 2016

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3337
Fax: (207) 862-5067
email: Publicworks@hampdenmaine.gov

Request for Proposals Holiday Lighting Electrical Repairs

Introduction:

The Town of Hampden, Maine invites sealed proposals from qualified, Maine licensed electricians to provide services for the replacement of approximately 18 weatherproof GFCI electrical outlets on existing utility poles along Western Avenue and Main Road South in Hampden. Refer to the "Scope of Services" for additional information.

All work must be completed by December 2, 2016.

Submission of Proposals:

Please submit one (1) original copy of the proposal in the sealed submission.

To be considered, return the sealed proposal, including all pertinent items listed in Scope of Services, in an envelope CLEARLY marked "Holiday Lighting Electrical Repairs" by 1:15 PM, Wednesday, November 9, 2016 to the Hampden Town Office located at 106 Western Avenue, Hampden Maine 04444. Contractor shall include license and qualifications for the work.

General Information:

By submitting a response to this solicitation, the bidder acknowledges the responsibility for adhering to the Town of Hampden's "General Information to Bidders" available at the Hampden Town Office (also supplied with this bid package).

Questions:

All questions shall be written and directed to Sean Carrier, publicworks@hampdenmaine.gov no later than Friday, November 4, 2016. The Town will issue addenda if necessary in response to any questions or inquiries for clarification of the project. All addenda will be issued to bidders receiving a Request for Proposal packet. Acknowledgement of addenda received will be required as part of the proposal (enclosed in the sealed envelope) by the CONTRACTOR. A copy of the Bidder's Addendum Acknowledgement Form is included in Appendix A, Bid Form.

Background:

The Town is soliciting a Maine licensed electrical CONTRACTOR to replace and install new metal conduit and weatherproof GFCI electrical outlets on approximately 18 existing utility poles in Hampden. Each outlet shall have a separate disconnect and be placed at the same height above ground (if possible) on all poles. All wiring, materials and installation must meet all applicable State, Local and Federal electrical codes as well as current EMERA standards of construction.

Scope of Services:

- Contractors shall submit the bid form included as Appendix A. Plans and details are attached in Appendix B. Individual pole numbers will be given to Contractor awarded bid. Site location map is included in Appendix B.

The CONTRACTOR may visit the project site with Town personnel to confirm the locations of proposed work and to discuss the specific scope of work required. In addition, the scope of services includes, but is not limited to:

- Provide a designated project manager and contact person.
- Provide for approval by the Public Works Director, all submittals on materials to be supplied and/or installed on the project.
- Obtain all necessary permits and permissions of pole owners.
- Coordinate all work with respective utility companies with services on the existing poles.
- Confirm location of all existing utilities in the field and provide any conflicts (elevation or otherwise) to the Public Works Director upon discovery.
- Coordinate with Emera for disconnect / reconnect of power to all respective utility poles.
- Coordinate with any utility pole owners if not owned by Emera.
- Remove all existing electrical conduit, outlets, weatherheads etc. that are in place for lighting holiday fixtures.
- Remove and reinstall 18 brackets for holiday light fixtures at similar elevations.
- Install new mc rigid conduit, wire, weatherhead, brackets, service disconnect and GFCI receptacle in a weatherproof enclosure. All installation of materials shall follow Emera detail drawing #2719 attached in Appendix B.
- Install 18 Holiday Light fixtures on brackets and plug in to new GFI outlet with the assistance of Hampden Department of Public Works (DPW). Light fixtures shall be provided and delivered to site by DPW, installed by CONTRACTOR.

All work within project limits must be completed by December 1, 2016.

Instructions to bidders

The following provides a general description of information required in the proposals and the format to be followed. Proposers must furnish all information requested and follow the instructions as noted herein. Proposers shall ensure that all information required herein be

submitted with the proposal. Additional useful information pertaining to the Scope of Services or Contract Terms and Conditions is appreciated and should be included in the bid.

Proposal Organization:

1. Work Schedule:

The proposal shall include a work schedule and a brief description of the methods and resources bidder will employ to accomplish the project.

2. Additional Items:

In addition to the Contractor General Qualifications, the following must be provided:

- a. **Bid Security:** Each bidder must submit with the bid a certified check, bid bond or cash in the amount of 5% of his/her total bid price as his/her guarantee that the bidder will enter into the Contract, if awarded. Said check, bid bond or cash will be returned to all except the two (2) lowest bidders immediately following the opening of the bids, and the remaining sureties will be returned after the Owner and Contractor have executed the Contract. If the Contract has not been awarded within thirty (30) days of the bid opening, the surety will be returned at any time thereafter to any bidder requesting, so long as they have not been notified of the acceptance of the bid.

Incurring Costs:

All costs incurred in the preparation and submission of a proposal will be borne by the Bidder.

Preparation:

Before submitting a proposal, all prospective bidders are encouraged to review the proposal documents, specifications, visit the site of the project and review any site complications that may exist.

The Town, its employees, or agents shall not be held responsible for information received.

All items submitted in support of the proposal will become part of the contract.

Modification, Amendments or Withdrawal of Proposals:

Proposals may be modified or withdrawn in person or by written notice at any time prior to the specified closing date and time. Proposals may be withdrawn in person only by an authorized representative of the Bidder. If a Bidder desires to change a proposal already submitted, the change may be made by a signed letter that refers to the solicitation by title and must be received at the place designated prior to the date and time specified for the bid opening.

In the event an amendment to this solicitation is issued, all stated terms and conditions will remain in effect unless they are specifically changed by the amendment. Proposals shall include acknowledgment of all amendments or be subject to rejection.

All signatures on proposals, amendments or related correspondence must be by persons who are authorized to contractually bind the Proposer/Bidder.

Proposal Acceptance:

The Town will select the proposal which is most appropriate, beneficial and advantageous to the Town.

Selection:

Selection Criteria: Each proposal will be evaluated according to the following criteria:

1. The qualifications and experience of the individual(s) who will be performing the work.
2. The availability and capacity of the proposer to perform the services required.
3. The cost of the services offered.
4. The ability to meet the schedule.
5. The availability of materials, supplies or items solicited.

Rejection of Proposals:

The Town of Hampden reserves the right to reject any and all proposals received and to waive any informality, technical defect or clerical error in any proposal as the interest of the Town may require.

Award of Contract:

The contract will be awarded by the Town to the Bidder best able to perform the services requested. All proposals shall remain firm for sixty (60) calendar days after the bid opening.

Warranty Period:

All work must be guaranteed by the CONTRACTOR for a period of one (1) year from the date of substantial completion, or the date that the utilities are placed in service.

**Request for Proposals
Holiday Lighting Electrical Repairs**

Appendix A

Bid Form

**Holiday Lighting Electrical Repairs
Bidder's Addendum Acknowledgement Form**

I hereby acknowledge by my signature that each numbered addendum has been received:

Addendum #1. _____
Contractor's Signature

Addendum #2. _____
Contractor's Signature

Addendum #3. _____
Contractor's Signature

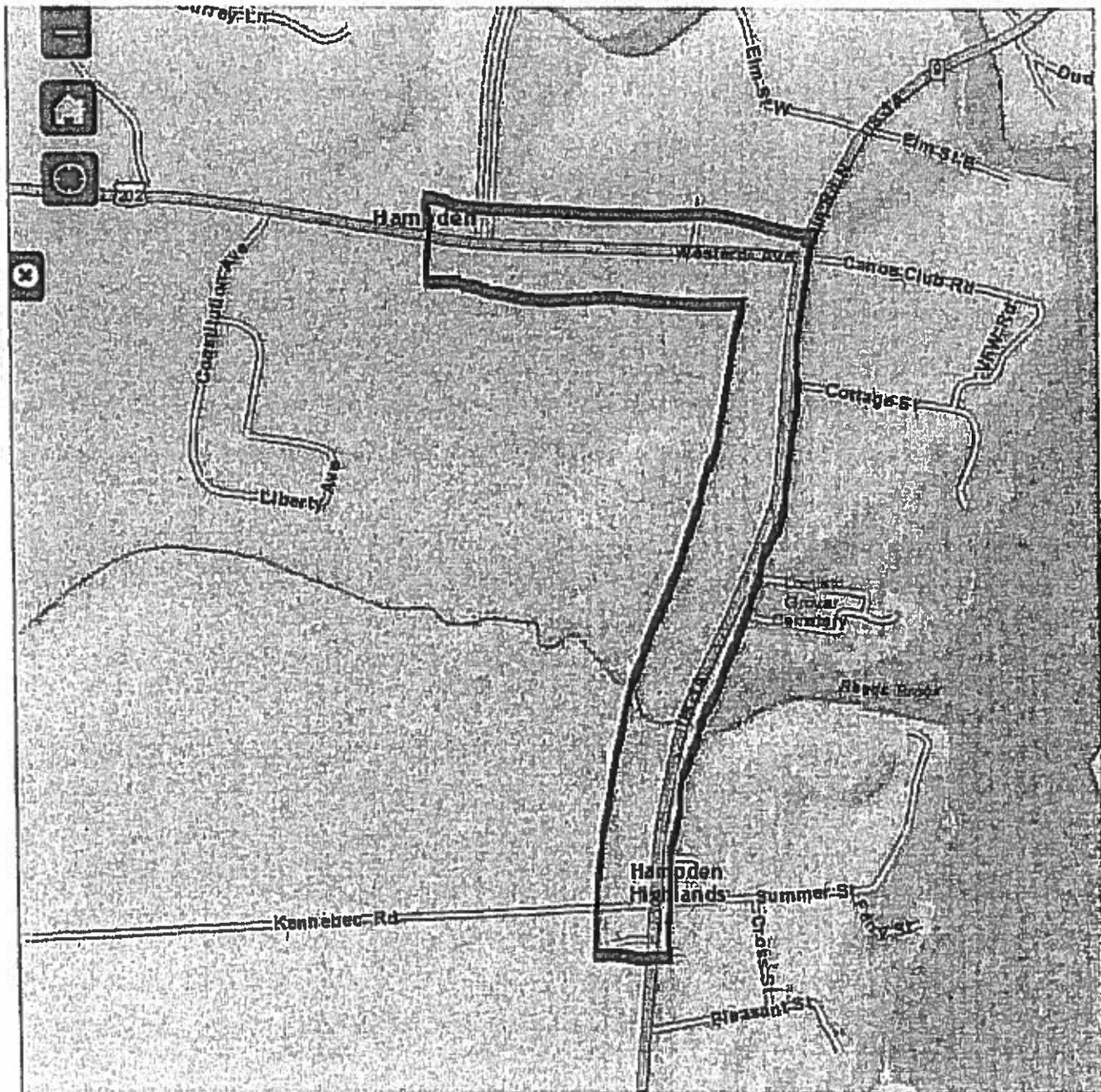
Addendum #4. _____
Contractor's Signature

Note: Signature required to acknowledge receipt of each addendum issued.

**Request for Proposals
Holiday Lighting Electrical Repairs**

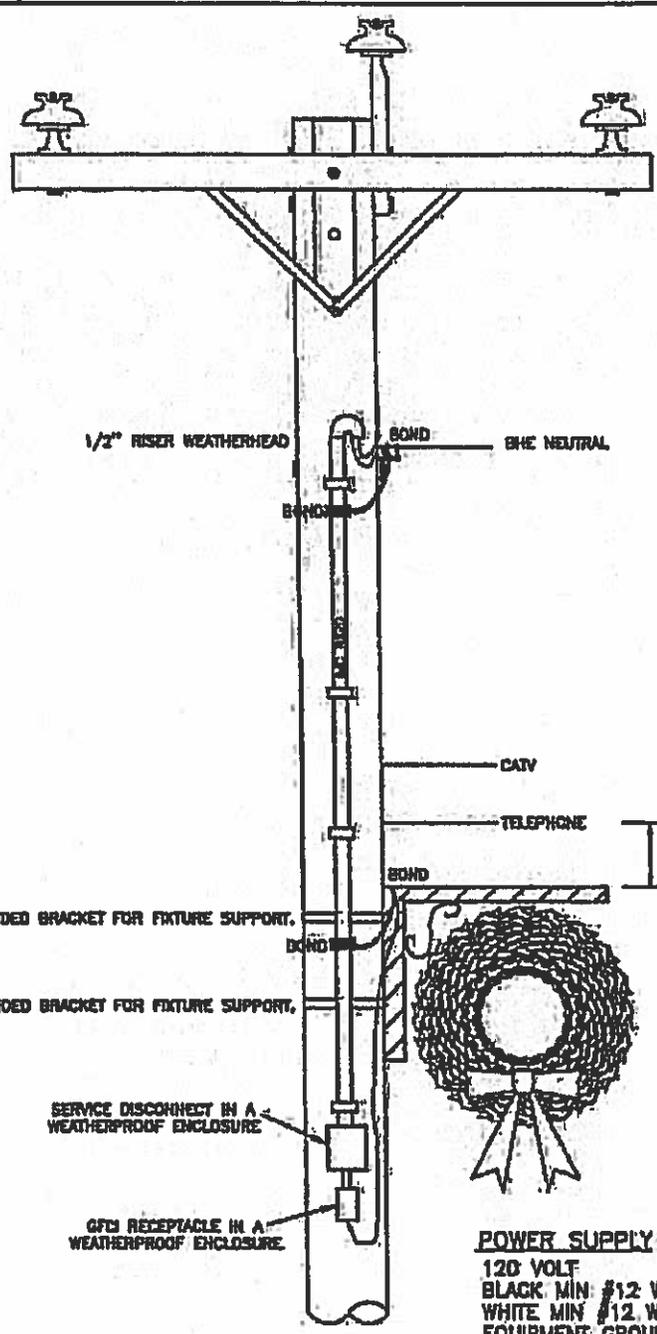
**Appendix B
Plans and Details**

SITE LOCATION MAP



NO.	REVISION	DATE	CK

NO.	REVISION	DATE	CK
	2009 REVISIONS & REFORMAT	12-21-09	CAN



1/2" RISER WEATHERHEAD

BOND

BHE NEUTRAL

BOND

CATV

TELEPHONE

BOND

BONDED BRACKET FOR FIXTURE SUPPORT.

BONDED BRACKET FOR FIXTURE SUPPORT.

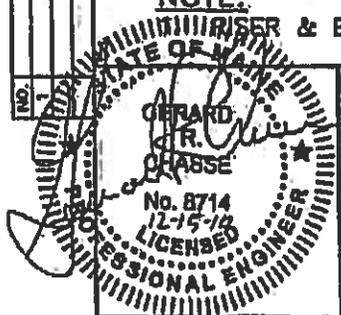
SERVICE DISCONNECT IN A WEATHERPROOF ENCLOSURE

GFCI RECEPTACLE IN A WEATHERPROOF ENCLOSURE

POWER SUPPLY
120 VOLT
BLACK MIN #12 WIRE
WHITE MIN #12 WIRE
EQUIPMENT GROUND #8 CU WIRE.

DISTANCE TO BE DETERMINED BY TELEPHONE COMPANY

NOTE: RISER & BANDED BRACKET TO REMAIN ON POLE.



DISTRIBUTION CONSTRUCTION STANDARDS	SEASONAL LIGHTING & ORNAMENTS ON B.H.E. Co. OWNED POLES OPERATED BY MUNICIPALITIES
	BANGOR HYDRO ELECTRIC Co.
DRAWING 2719	

Current Account Status

G 1-141-00 GENERAL FUND / TIF Emera

-86,198.00 = Beg Bal
0.00 = Adjust

1,425.00 = YTD Net
0.00 = YTD Enc

-84,773.00 = Balance

Per	Jrnl	Check	Date	Vendor-----	Description-----	RCB / Type		Debits	Credits
08	0131	500186	08/17/16	00000 ESRI	ARCGIS FOR DESKTOP BASIC	R	AP	1,425.00	0.00
Totals-								1,425.00	0.00

Monthly Summary

Month	--Regular Entries--		--Balance Entries--	
	Debits	Credits	Debits	Credits
August	1,425.00	0.00	0.00	0.00
Totals	1,425.00	0.00	0.00	0.00



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

October 18, 2016

To: Angus Jennings
From: Sean Currier
Subject: 544K Front End Loader Payment from Reserve Request

As discussed in FY16 with the Infrastructure Committee, the lease for the existing John Deere 544K loader was at the end of the contract. It was determined that replacing the existing JD Loader with a new leased machine was the best option since it is the most important and widely used piece of equipment in the Public Works fleet.

A new JD 544K loader lease agreement was entered in to with Nortrax in May 2016 with the funds budgeted in FY17 from the Public Works Equipment reserve fund (03-171-00). This equipment is under factory warranty for 5 years.

I would like to recommend payment to Nortrax in the amount of \$20,978.40 for the first of (5) five lease payments.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "S Currier", is written over the "Sincerely," text.

Sean Currier

INFRASTRUCTURE COMMITTEE MEETING

Wednesday, February 17, 2016

MEETING MINUTES

Attending:

*Councilor Dennis Marble, Chair
Mayor David Ryder
Councilor Terry McAvoy
Councilor Greg Sirois (arrived 6:15)*

*Councilor Stephen Wilde
Councilor Ivan McPike
Councilor Mark Cormier
Town Manager Angus Jennings
Rich Armstrong, Goodwill Riders
Snowmobile Club*

Chairman Marble called the meeting to order at 6 PM.

1. **MINUTES – 1/13/2016 Meeting – Motion by Councilor McAvoy, seconded by Councilor McPike to approve the January 13, 2016 minutes. Unanimous (6-0) vote in favor.**

2. **OLD BUSINESS**

- a. **Penobscot HVAC proposal for Redlink thermostat – Manager Jennings provided background regarding the bids provided to allow for remote control of the Town Building HVAC systems in coordination with work, previously approved, to improve the air handling system. Councilor McPike asked about staffing responsibility to manage the system. Manager Jennings said that the DPW Director is the Facilities Manager, and that other staff who will be trained on the system will include the Manager, the IT Specialist, and Rozemary Bezanson. Manager Jennings reported that this work would be funded out of the Municipal Building Reserve Account. Motion by Councilor Wilde, seconded by Mayor Ryder to refer the proposal to Finance Committee with a recommendation for approval. Approved 6-0.**

Councilor McPike said he'd like to see an operational list showing staffing responsibility for HVAC operations.

3. **NEW BUSINESS**

- a. **Goodwill Riders Snowmobile Club request for increased funding – Rich Armstrong made a request that the Town provide more funding to support their work to maintain and improve the Town's snowmobile trails. He noted that the Town receives \$6.63 per snowmobile registration, and over time has provided \$1,000 to the Club annually. He'd like to see a greater share of that revenue in order to offset their costs, noting that**

they've built 5 bridges, put a roof on an out building, and completed regular trails maintenance. Councilor Marble asked whether the Town incurs costs associated with snowmobile registration. Manager Jennings said that the amount of fees retained by the Town would offset the costs of staff time to process registrations. The total amount received in FY15 was \$2,654 of which \$1,000 was paid to the Club.

(Councilor Sirois arrived).

Councilor Marble suggested that an increase to \$2,000 this year may be appropriate. Motion by Councilor Wilde, seconded by Councilor McAvoy to recommend that the Finance Committee increase this year's payment to \$2,000. Approved 7-0. Mayor Ryder suggested that this expense should be included in the Town's Buildings and Grounds budget.

- b. DEP memo, MS4 Plan Year 2 Annual Report; update on Town response (due 3/1)** – *Manager Jennings summarized the work by the Town's Stormwater Working Group to prepare the response to DEP's questions regarding the Town's Year 2 MS4 (stormwater management) Annual Report.*
- c. Update on condition of sewer lines at Ammo Park, meetings with Maine Ground Developers** – *Manager Jennings reported on the results of recent inspections and test borings which showed that a privately installed sewer line at Ammo Park was not built to specification and would need to be replaced in order to be considered for public acceptance. DPW is continuing to work with the landowner toward resolution of this issue.*
- d. Inclusion of industrial flows toward Hampden's purchased capacity of 1.5 MGD at Bangor WWTP** – *Manager Jennings reported that DPW Director Currier has received an opinion from the Bangor Wastewater Treatment Plant that the flows generated by industrial uses such as what is proposed by MRC/Fiberight will count toward the Town's purchased capacity of 1.5 million gallons per day under the terms of the Interlocal Agreement. Infiltration and inflow into the sewer system also contributes to the overall sewer flows that are recorded at the municipal boundary, which factors into the treatment charges the Sewer Fund is responsible for. DPW will continue to track sewer flows on an ongoing basis.*
- e. DPW front-end loader, request to purchase vehicle at end of current lease** – *The Committee discussed the DPW Director's recommendation, included in the meeting packet, to sign a lease for a new front-end loader and to include a grapple bucket to expand capacity to manage construction debris at the Transfer Station. There was discussion about the configuration of the Transfer Station, and how this could assist with internal circulation. Councilor Cormier asked if the same equipment could*

be leased for less money. Mayor Ryder said that the same quality John Deere machine would have comparable costs elsewhere. Motion by Councilor Wilde, seconded by Councilor Sirois, to support the lease and to include these payments and the cost of the grapple bucket in future budgeting.

4. PUBLIC COMMENTS – None.

- 5. COMMITTEE MEMBER COMMENTS –** *Councilor Wilde asked whether estimates were available for the cost of culvert replacements at Sucker Brook in the vicinity of Triangle Road and Old County Road. He said they have rusted through, and Mayor Ryder agreed that DPW will look at what needs to be done.*

There being no further business, the meeting was adjourned at 7:28 PM.

Respectfully submitted –
Angus Jennings, Town Manager



Finance 4-d

MEMO

To: Angus Jennings
From: Kyle Severance
Date: 11/8/16
Re: IT Reserve Purchase Request – Website Refresh – 03-711-00

Message:

The purpose of this memo is to request approval to fund a refresh of the current Town of Hampden website – www.hampdenmaine.gov. A website refresh is done to give the site a more modern look, easier functionality, provide better mobile device compatibility, and to make sure all the information is correct. The last time our website was refreshed was in 2007. According to GovOffice (our webhosting provider), most local governments do a refresh every 5 or 6 years.

So far, in preparation for a refresh, I have met with GovOffice twice at the two previous MMA Technology Conferences. After reviewing various sites and pulling in staff members responsible for updating the website we selected a design we would recommend following for the new site – please see FIGURE 1 for a screenshot of the site. I also gathered pictures of Hampden from a local professional photographer. Please find examples of the pictures in FIGURE 2. I'm currently going through the complete site map to determine who is responsible for each section of the website.

Staying with GovOffice is recommended due to the staff familiarity with administrating the site, ease of use, and included unlimited support.

The one time cost for the favored redesign would normally be \$6395, but GovOffice has a 3-year payment plan option that I feel is a much better deal. We currently budget \$1800 per year in the communications budget for GovOffice annual web hosting. The cost per year for the payment plan would be \$2975 and includes the web hosting. We also get a refresh for no additional cost at the end of the three years if renewing the contract.

\$2,975 is being requested from the IT Reserve budget 03-711-00 to be used for the first year payment to refresh the www.hampdenmaine.gov website through the hosting company GovOffice.

Questions and/or suggestions are welcomed. Thank you for your consideration,

Kyle Severance
GIS/IT Specialist, Town of Hampden

New Richmond Wisconsin

THE CITY BEAUFIELD

Figure 1

Home Departments Living in New Richmond Doing Business I Want To

Advertisements for Public Government Municipal Court New Richmond Centers Agendas & Minutes Sign Up for eAlerts Fall Festivals Site Map Streets & Utility Projects Community Self-Guided Employee Portal Comprehensive Plan Update 2015-2017

Welcome to New Richmond

Welcome to the City Beautiful, population 8,715. Whether you are a long time resident, business owner, or are new to our area, we welcome you to our community. Beyond the bricks and mortar, streets and open spaces, the City of New Richmond is made up of inspiring natural areas, amazing schools, eclectic businesses and community.

Our Mission
The City of New Richmond's primary mission is to provide its citizens with reliable, efficient and economic public services.

City Calendar **City News**

November 2016						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
6	7 City Council Special Session of Mayor Proclamation	8 City Council Proclamation	9	10	11	12
13	14 City Council Proclamation	15 City Council Proclamation	16	17 Saint Proclamation Proclamation	18	19
20	21	22	23	24 Saint Proclamation	25	26

2015 Budget Book
2016 Address District
2015 Audit
2016 Program Services
October Council Minutes
How to Find Us

Figure 2



Current Account Status

G 3-711-00 RESERVE ACCT / COMPUTER

-68,101.36 = Beg Bal
0.00 = Adjust

1,558.14 = YTD Net
0.00 = YTD Enc

-66,543.22 = Balance

Per	Jrnl	Check	Date	Vendor-----	Description-----	RCB / Type	Debits	Credits
07	0002		07/05/16		07/05/2016 C/R	R CR	0.00	1.00
07	0011		07/06/16		07/06/2016 C/R	R CR	0.00	3.75
07	0016		07/07/16		07/07/2016 C/R	R CR	0.00	4.25
07	0022		07/11/16		07/11/2016 C/R	R CR	0.00	8.00
07	0028		07/12/16		07/12/2016 C/R	R CR	0.00	2.00
07	0035		07/13/16		07/13/2016 C/R	R CR	0.00	1.50
07	0039		07/14/16		07/14/2016 C/R	R CR	0.00	39.75
07	0040		07/18/16		07/18/2016 C/R	R CR	0.00	2.25
07	0051		07/19/16		07/19/2016 C/R	R CR	0.00	4.00
07	0059		07/21/16		07/21/2016 C/R	R CR	0.00	4.00
07	0062		07/25/16		07/25/2016 C/R	R CR	0.00	1.00
07	0067		07/26/16		07/26/2016 C/R	R CR	0.00	4.00
07	0079		07/28/16		07/28/2016 C/R	R CR	0.00	30.00
08	0082		08/01/16		08/01/2016 C/R	R CR	0.00	1.00
08	0091		08/04/16		08/04/2016 C/R	R CR	0.00	25.75
08	0100		08/08/16		08/08/2016 C/R	R CR	0.00	8.25
08	0109		08/09/16		08/09/2016 C/R	R CR	0.00	6.00
08	0115		08/11/16		08/11/2016 C/R	R CR	0.00	15.25
08	0122		08/15/16		08/15/2016 C/R	R CR	0.00	30.00
08	0123		08/16/16		08/16/2016 C/R	R CR	0.00	1.00
08	0132		08/17/16		08/17/2016 C/R	R CR	0.00	4.00
08	0129	1815	08/17/16	00329 MAINE SAVING	PHOTOSHOP/MOUSE/MOUSEPAD	R AP	85.82	0.00
08	0129	1815	08/17/16	00329 MAINE SAVING	POWER SUPPLY	R AP	57.34	0.00
08	0129	1814	08/17/16	00811 CDW GOVERNME	ACER WIDE LED	R AP	115.43	0.00
08	0129	1814	08/17/16	00811 CDW GOVERNME	HP 800 16GB	R AP	1,564.56	0.00
08	0129	1814	08/17/16	00811 CDW GOVERNME	ACER WIDE LED, MOUNT, ETC	R AP	250.74	0.00
08	0133		08/18/16		08/18/2016 C/R	R CR	0.00	7.50
08	0143		08/22/16		08/22/2016 C/R	R CR	0.00	2.00
08	0152		08/24/16		08/24/2016 C/R	R CR	0.00	1.00
08	0154		08/25/16		08/25/2016 C/R	R CR	0.00	15.25
08	0159		08/29/16		08/29/2016 C/R	R CR	0.00	8.50
08	0166		08/30/16		08/30/2016 C/R	R CR	0.00	1.00
08	0180		08/31/16		08/31/2016 C/R	R CR	0.00	30.50
09	0183		09/01/16		09/01/2016 C/R	R CR	0.00	4.00
09	0187		09/06/16		09/06/2016 C/R	R CR	0.00	1.00
09	0192		09/07/16		09/07/2016 C/R	R CR	0.00	1.00
09	0197		09/08/16		09/08/2016 C/R	R CR	0.00	11.25
09	0213		09/13/16		09/13/2016 C/R	R CR	0.00	3.00
09	0219		09/14/16		09/14/2016 C/R	R CR	0.00	2.00
09	0229		09/15/16		09/15/2016 C/R	R CR	0.00	27.00
09	0230		09/15/16		09/15/2016 C/R	R CR	0.00	2.00
09	0239		09/19/16		09/19/2016 C/R	R CR	0.00	9.00
09	0244		09/20/16		09/20/2016 C/R	R CR	0.00	7.00
09	0249		09/21/16		09/21/2016 C/R	R CR	0.00	7.00
09	0255		09/22/16		09/22/2016 C/R	R CR	0.00	3.50
09	0260		09/26/16		09/26/2016 C/R	R CR	0.00	1.00
09	0273		09/29/16		09/29/2016 C/R	R CR	0.00	6.25

Current Account Status

G 3-711-00 RESERVE ACCT / COMPUTER

-68,101.36 = Beg Bal
0.00 = Adjust

1,558.14 = YTD Net
0.00 = YTD Enc

-66,543.22 = Balance

Per	Jrnl	Check	Date	Vendor-----	Description-----	RCB / Type	Debits	Credits
10	0277		10/03/16		10/03/2016 C/R	R CR	0.00	5.00
10	0298		10/06/16		10/06/2016 C/R	R CR	0.00	72.00
10	0304		10/11/16		10/11/2016 C/R	R CR	0.00	5.25
10	0318		10/13/16		10/13/2016 C/R	R CR	0.00	13.75
10	0321		10/17/16		10/17/2016 C/R	R CR	0.00	3.00
10	0329		10/18/16		10/18/2016 C/R	R CR	0.00	7.00
10	0332		10/19/16		10/19/2016 C/R	R CR	0.00	10.00
10	0334		10/20/16		10/20/2016 C/R	R CR	0.00	17.00
10	0345		10/25/16		10/25/2016 C/R	R CR	0.00	1.00
10	0353		10/27/16		10/27/2016 C/R	R CR	0.00	9.75
10	0361		10/31/16		10/31/2016 C/R	R CR	0.00	6.25
11	0369		11/01/16		11/01/2016 C/R	R CR	0.00	3.00
11	0375		11/03/16		11/03/2016 C/R	R CR	0.00	2.00
11	0383		11/07/16		11/07/2016 C/R	R CR	0.00	13.25
Totals-							2,073.89	515.75

Monthly Summary

Month	--Regular Entries--		--Balance Entries--	
	Debits	Credits	Debits	Credits
July	0.00	105.50	0.00	0.00
August	2,073.89	157.00	0.00	0.00
September	0.00	85.00	0.00	0.00
October	0.00	150.00	0.00	0.00
November	0.00	18.25	0.00	0.00
Totals	2,073.89	515.75	0.00	0.00

Finance 4-e

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: November 17, 2016
RE: Tree Ordinance

At their meeting on November 15, 2016, the Services Committee recommended that the Town Council refer the repeal of the Tree Ordinance to public hearing.

**TOWN OF HAMPDEN, MAINE
TREE ORDINANCE**

ENACTED DATE: November 5, 2007
EFFECTIVE DATE: December 5, 2007

CERTIFIED BY: Denise R. Hodsdon
Denise R. Hodsdon

Town Clerk

Title Affix Seal

**TOWN OF HAMPDEN, MAINE
TREE ORDINANCE
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The Town of Hampden hereby ordains that the following Tree Ordinance be enacted.

**ARTICLE I.
PURPOSE**

1.1. Purpose. It is the purpose of this ordinance to promote and protect the rural character and ecological health of the Town of Hampden's landscape and further protect the health, safety and general welfare of its residents, by providing guidance for, and where appropriate, the regulation of the planting, maintenance, and removal of trees, shrubs, and other plants within the Town.

**ARTICLE II.
AUTHORITY**

2.1. Authority. Pursuant to the provision Title 30-A M.R.S. Sections 3001 and 3280-3281 and the Charter of the Town of Hampden, Article II, Section 212, and Article III, Section 302, there is hereby established a tree ordinance to be organized, administered and governed in accordance with the following provisions.

**ARTICLE III.
APPLICABILITY**

3.1. Applicability. This ordinance provides full power and authority over all trees, shrubs and other plants within street rights-of-way, parks and public places of the Town; and to trees, shrubs and other plants located on private property that constitute a hazard or threat as defined herein.

**ARTICLE IV.
DEFINITIONS**

4.1. Definitions. Unless specifically defined below, words and phrases used in this Ordinance shall have the same meaning as they have at common law and to give this Ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

Abutter- One whose property touches or adjoins along a border of another person's property as defined herein.

Drip Line- An imaginary, vertical line that extends from the outermost tips of the tree branches to the ground.

Person- Any individual, firm, partnership, association, corporation, company, organization, or entity of any kind.

Property Owner- The person owning such property as shown by the Town of Hampden's tax assessor records, unless proof to the contrary is available.

Public Property- Includes all property owned, leased, or occupied by the Town of Hampden or any of its administrative agencies or departments, or any property on which the Town is the holder of a conservation easement.

Public tree, shrub, or other plant- All trees, shrubs, or other plants now or hereinafter growing in any street or road right-of-way, park, town forest, or other public property.

Right of way - The strip of public or private land subject to a right to traverse and on which facilities such as streets, utilities and drainage conveyances are built.

Street or Road- The entire width of every public way or right-of-way when part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular or pedestrian traffic.

Street Tree- Any tree located or planted within the right-of-way of a street or road.

Threat or hazard- A threat or hazard is that which constitutes an infringement on public health or safety by a tree, shrub, or other plant that is located on public property or rights-of-way or located on private property that is adjacent to a public area or right-of-way.

Topping- The severe cutting back of limbs to stubs larger than three inches in diameter within a tree's crown to such a degree as to remove the normal canopy and disfigure the tree.

Town Forester- The designated official of the Town assigned to carry out the enforcement of this ordinance.

Treelawn- That part of a street or highway right-of-way, not covered by sidewalk or other paving, lying between the property line and that portion of the street or highway usually used for vehicular traffic.

Large Trees- are those tree species that habitually attain a height of forty-five feet or more.

Medium Trees- are those tree species that habitually attain a height of thirty to forty-five feet.

Small Trees- those tree species that habitually attain a height of less than thirty feet.

ARTICLE V. HAMPDEN TREE BOARD AUTHORITY AND POWER

5.1. Authority and Power. The Hampden Tree Board is hereby created and established. The Board shall consist of a minimum of five members, appointed by the Town Council. It is preferred that members be residents of the town, that one member be a licensed professional forester or have education/experience in forest resources, that one member be a licensed arborist or have education/experience in arboriculture, and that one be a member of the Town of Hampden Conservation Commission. The Town Forester shall serve as an ex-officio member of the board.

ARTICLE VI. TERM OF OFFICE

6.1. Term of Office. The term of the members shall be for three years, except that the term of the members approved to the first Board shall be as follows: three members shall be appointed for two years, and two members shall be appointed for three years. In the event that a vacancy shall occur during the term of any member, a successor shall be appointed for the unexpired portion of the term. Members may renew their membership upon re-appointment by the Town Council.

ARTICLE VII. DUTIES AND RESPONSIBILITIES

7.1. Public Area Tree Plan. It shall be the responsibility of the Board to study, develop, update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets within the public right of way, and in other public areas.

7.2. General Forest Plan. The Board shall similarly study, develop, and update annually a general forest plan with non-regulatory guidelines and recommendations for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs on private lands with the intent of preserving the rural character and ecological health of the Town. These documents will be presented annually to the Town Council and upon their acceptance and approval shall constitute the official comprehensive tree plan for the Town of Hampden, Maine.

7.3. Research and Education. When requested by the Town Council, the Board shall investigate and report upon any matter coming within the scope of its work. The Board also may initiate such actions itself, as it deems appropriate. The Board shall promote and assist in the dissemination of information, for the purpose of public education related to the Town's comprehensive tree plan and the standards and guidelines therein. The Board shall be involved in the selection of the Town Forester.

ARTICLE VIII. OPERATION

8.1. Operation. The Board shall choose its own officers, develop its own bylaws, and maintain a public record of its proceedings. A majority of the members shall be a quorum for the transaction of business. Members shall serve without compensation.

ARTICLE IX. LANDSCAPING

9.1. Landscaping. The Board will assist with the development of new ordinance sections relating to landscaping and in new subdivisions or other new developments, which shall be included in the Town Subdivision Ordinance and Zoning Ordinance. As part of the review process for site plan and subdivision proposals, the Tree Board shall review landscaping plans for pending applications and may make written comments and/or suggestions to the planning board concerning the adequacy of the plans under this ordinance and the comprehensive tree plan and program.

ARTICLE X. TOWN FORESTER

10.1. Town Forester Established. The position of Town Forester is hereby created. The Town Forester shall be appointed by the Town Manager and be a person skilled and trained in municipal arboriculture, and shall hold a college degree or its equivalent in arboriculture/ornamental or landscape horticulture, urban forestry, or other closely related field. The Town Forester shall hold a current license from the State of Maine in either arboriculture or forestry. The Town Manager initially may delegate the duties and responsibilities to qualified existing staff and/or contract with qualified professionals to provide services in a timely and professional manner.

10.2. Oversight Responsibilities. The Town Forester shall, in concert with the Tree Board, oversee all forest management and urban tree care for the Town. It shall be the duty of the Town Forester to ensure compliance of all contractual agreements entered into by the town for work done in accordance with the terms of this ordinance. The Town Forester shall ensure that a current management plan is on file for all town forest parcels, and that an inventory and care plan of all street trees is created and maintained. At the discretion of the Town Forester and the Tree Board, additional inventory and management plans of trees, shrubs, or other plants may be conducted. The Town Forester shall provide administrative support to the Tree Board as requested.

10.3. Enforcement Responsibilities. The Town Forester shall also enforce the rules and regulations of this ordinance and the annual plans as developed by members of the Tree Board and approved by the Town Council.

10.4. Ex-officio Member of Tree Board. The Town Forester will serve on the Tree Board as an ex-officio member.

ARTICLE XI. UTILITIES

11.1. Utilities. Street Trees shall be planted in a manner so as to not create conflict with overhead utility wires, or any underground water line, sewer line, transmission line or other utility. These guidelines may be modified dependent upon specific circumstances, subject to approval of the Town Forester,

ARTICLE XII. PUBLIC TREE, SHRUB, AND OTHER PLANT CARE

12.1. Planting, Maintenance and Removal of Public Trees. The Town shall have the right to plant, prune, maintain and remove trees, shrubs and other plants within the right-of-way of all roads, streets, alleys, avenues, lanes and squares, as well as all parks, town forests, and other public property grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

12.2. Removal of Public Trees in Unsafe Condition. The Tree Board or Town Forester may remove, cause or order to be removed, any public tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewer, electric power lines, gas lines, water lines, or other public improvements, or is affected by an injurious disease, insect or other pest. This section does not prohibit the planting of Street Trees by adjacent property owners providing that the selection and location of said trees is in accordance with the approved comprehensive town tree plan.

12.3. Protection of Public Trees During Construction Activities. Persons working construction in the Town of Hampden shall provide protection for public trees by erecting a temporary snow fence on the drip line of any such trees on the site of or that could be negatively affected by any excavation, construction or street work and care shall be taken that injury does not occur either above ground to trunk or limbs or compaction or smothering of roots occur below ground. No person shall deposit or store any machinery, stone, brick, soil, metal, concrete or similar materials which may compact soil or impede the free passage of water and air to the roots within the area of the drip line. The Town Forester may waive these requirements in extenuating circumstances.

12.4. Protection of Public Trees From Excavation Activities. No person shall excavate any ditches, tunnels, trenches, or lay any drive within the dripline of any public tree without first obtaining written permission from the Town Forester. This rule may be superseded if the project is approved and permitted by the State Department of Transportation.

12.5. Protection of Public Trees From Alteration, Removal and Injury. Under no circumstance shall any person cut, carve, transplant, top, tip or remove any public tree, shrub or other plant; attach any rope, wire, nails, advertising posters, or other contrivance to any such tree; allow any gas, liquid or solid substance which is harmful to trees, shrubs or other plants to come in contact with them; or to set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree, shrub or other plant.

**ARTICLE XIII.
REMOVAL OF STUMPS**

13.1. Removal of Public Stumps. All stumps of street and park trees and shrubs shall be removed below the surface of the ground so that the top of the stump shall not project above ground level.

Notwithstanding this requirement stump removal in rural forested areas of the Town is at the discretion of the Town Forester and Tree Board.

**ARTICLE XIV.
DISTANCES FROM CURB, SIDEWALK, AND DRIVEWAYS ON PUBLIC PROPERTY**

14.1. Separation Between Trees and Public Ways. The distance trees may be planted from curbs or curblines, driveways and sidewalks shall be enough so as not to create damage to infrastructure or impede the health of the tree as determined by the Town Forester.

**ARTICLE XV.
DISTANCES FROM STREET CORNERS AND HYDRANTS**

15.1. Separation Between Trees and Corners No tree, shrub or other plant shall be within 30 feet of any road intersection or street corner, measured from the point of nearest intersecting curbs or curblines, if it constitutes a safety hazard. The purpose of this restriction is to ensure public safety by prohibiting the planting of vegetation that may impede or obstruct sightlines.

15.2. Separation Between Trees and Fire Hydrants. No tree, shrub or other plant shall be planted closer than ten feet of any fire hydrant.

**ARTICLE XVI.
PRIVATE PROPERTY OWNER RESPONSIBILITIES**

16.1. Maintenance Required. Every property owner shall maintain trees, shrubs or other plants on the owner's property so as to prevent a threat or hazard as defined herein.

16.2. Threat or Hazard. A tree, shrub or other plant located on privately owned property shall be deemed a threat or hazard if it, or any part of it, by reason of its condition and in the professional judgment of the Town Forester: is likely to fall onto adjacent public ways or public property; or is not pruned to a height of 14 feet above the traveled portions of the public ways and eight feet above public sidewalks.

**ARTICLE XVII.
PRUNING FOR VISIBILITY/ REMOVING OBSTRUCTIONS**

17.1. Pruning. The Town shall have the right to prune or remove any tree, shrub or other plant if and when, in the opinion of the Town Forester, Public Works Department, or Public Safety Director, it interferes with visibility of any traffic control device or intersection, or interferes with pedestrian or vehicular traffic, or impedes or obstructs sightlines. A clearance of fourteen feet above street surface or eight feet above the sidewalk surface shall be maintained.

17.2. Modification of Guideline. This guideline may be modified dependent upon specific circumstances, subject to approval of the Town Forester.

ARTICLE XVIII.
INTERFERENCE WITH TREE BOARD AND TOWN FORESTER

18.1. Interference Prohibited. No person shall hinder, prevent, delay, or interfere with the Tree Board or Town Forester or any other town agent, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street tree, shrub or other plant, park tree, town forest tree, tree on other public property, or tree on private property, as authorized in this ordinance; provided, however, that nothing herein shall be construed as an attempt to prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the town.

18.2. The Town Forester can, if informed of a threat or hazard, approach a private landowner and request correction of the situation. If informal contact does not resolve the threat or hazard, The Town Forester may provide written notification thereof to the property owner, along with an order to abate the threat or hazard. The notification shall also advise the property owner of the owner's rights of appeal under this ordinance. If the threat or hazard is not adequately abated by the landowner, the owner may be subject to further action by the Town as provided elsewhere in this ordinance.

ARTICLE XIX.
PENALTIES, CLAIMS, AND APPEALS

19.1. Civil Penalty. Any person who violates any provision of this ordinance or who fails to comply with any notice issued pursuant to any provision of this ordinance, upon being found guilty of violation, shall be subject to a civil penalty not to exceed \$500 for each separate offense. Each day during which any violation of the provisions of this ordinance shall occur or continue shall be a separate offense.

19.2. Repair and Replacement Costs. If, as the result of the violation of any provision of this ordinance, the injury, mutilation, or death of a tree, shrub, or other plant located on public property is caused, the cost of repair or replacement, or the appraised dollar value of such tree, shrub, or other plant, shall be borne by the party in violation. The value of trees and shrubs shall be determined in accordance with the latest revision of *A Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs, and Evergreens*, as published by the International Society of Arboriculture.

19.3. Abatement Costs. In the event that a threat or hazard is not abated by the date specified in the notice, the Town Forester is authorized to cause the abatement of said threat or hazard. The reasonable cost of such abatement shall be reimbursed to the Town by the property owner. Failure to reimburse the Town within thirty (30) days of the issuance of an invoice by Town shall be a violation of this ordinance. In addition, the owner of the property on which the threat or hazard was located shall be subject to prosecution.

19.4. Compliance With Board of Appeals Ordinance. All appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance including but not limited to filing deadlines, application requirements, fees, appeal procedures, decisions of the Board of Appeals and subsequent appeals to Superior Court. The property owner or any other aggrieved person may appeal to the Town of Hampden Board of Appeals, from a decision of the Town Forester and/or Tree Board refusing to grant a modification to the provisions of this ordinance covering maintenance and removal of trees, shrubs and plants. Such appeal shall be commenced within 30 days of the decision.

19.5. Appellate Review. The Board of Appeals may conduct an appellate review of the refusal to grant a modification to the provisions of this ordinance covering maintenance and removal of trees, shrubs and plants.

19.6. Basis of the Appeal. The appellant must demonstrate that the decision of the Town Forester/Tree Board having jurisdiction: (1) failed to correctly interpret the provisions of this ordinance or the rules, and regulations established pursuant to this ordinance, (2) the provisions of this ordinance do not fully apply, or (3) failed to consider that an equivalent form of maintenance and removal of trees, shrubs and plants can be used.

19.7. Modification or Reversal of the Decision. The Board of Appeals may modify or reverse the decision of the Town Forester/Tree Board upon making a determination that (1) the provisions of this ordinance or the rules and regulations established pursuant to this ordinance have been incorrectly interpreted, (2) the provisions of this ordinance do not fully apply, or (3) an equivalent form of tree, shrub or plant care can be used.

ARTICLE XX. ENFORCEMENT

20.1. Enforcement. This ordinance shall be effectively enforced and administered by the Town Forester, with the assistance of all town departments, as necessary to accomplish the spirit and letter of this ordinance and annual tree plan. When any violation of any provision of this ordinance is found to exist, the Town Forester is hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, that the Town Forester may deem appropriate or necessary to enforce the provisions of this ordinance.

ARTICLE XXI. REVIEW BY TOWN COUNCIL

21.1. Town Council Review Authority. The Town Council shall have the right to review the conduct, acts and decisions of the Tree Board and Town Forester.

ARTICLE XXII. SEVERABILITY

22.1. Severability. Should any section, clause, or provision of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

Finance 4-f

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Finance Committee and Town Council
FROM: Angus Jennings, Town Manager
DATE: November 17, 2016
RE: Yard Sale Ordinance

At their meeting on November 16, 2016, the Planning & Development Committee recommended that the Town Council refer the repeal of the Yard Sale Ordinance to public hearing.

**TOWN OF HAMPDEN, MAINE
YARD SALE ORDINANCE**

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ADOPTED: Hampden Town Council October 4, 1982
Effective: November 3, 1982

AMENDED: Hampden Town Council November 17, 2003
Effective: December 17, 2003

**TOWN OF HAMPDEN, MAINE
YARD SALE ORDINANCE**

The Town of Hampden hereby ordains:

A. *Permit Required.* No person, firm, corporation or other entity shall conduct a yard sale in the Town of Hampden without first obtaining a yard sale permit from the Code Enforcement Officer or designee.

1. **Permit Fee.** The fee for such a permit shall be paid in accordance with the Town of Hampden Fees Ordinance. Civic groups, school groups, church groups, charitable or fraternal organizations shall be issued a yard sale permit free of charge. *(Amended: 11-17-03)*
2. **Permit to be Posted.** Yard sale permits issued under this ordinance shall be posted at the yard sale in a location which is easily visible from the street.

B. *Definitions.*

1. **Words and terms not defined in this ordinance shall have the meanings given them in the Zoning Ordinance of the Town of Hampden, or in the absence of definitions in said ordinance such words and terms shall have their customary dictionary definition.**
2. **Yard Sale.** The sale of goods from a residential premises, whether advertised in local media, by signs, or otherwise as a yard sale, barn sale, garage sale, household sale, moving sale, or other sale, whether accomplished by direct sale or auction; or the sale, at the seller's place of residence, of all or part of the household goods, whether accomplished by direct sale or auction; or sales conducted by civic groups, school groups, church groups, charitable or fraternal organizations and other non-profit organizations if such sale is held on the organization's premises or within the Town Business Districts.
 - 2A. The sale of new or used goods purchased or consigned specifically for yard sales is prohibited.
3. **Residential premises.** A building or structure having at least one dwelling unit and the lot of land associated therewith.

C. *Requirements.*

1. No yard sale may be conducted for more than three (3) consecutive days.
2. No person, firm, corporation or other entity shall conduct more than two (2) yard sales from any residential premises or location in any one (1) calendar year.
3. In the event that a hardship situation develops which may cause cancellation of a sale, the Code Enforcement Officer may issue another permit upon application from the person

conducting the sale, setting forth the reason for such cancellation. A fee as prescribed shall not be required in such cases.

4. All such sales from non-residential properties shall comply with the Zoning Ordinance of the Town of Hampden except yard sales conducted by civic groups, school groups, church groups, charitable or fraternal organizations and other nonprofit organizations which shall be governed by this ordinance.
5. Signs designating yard sales shall not exceed four (4) square feet and shall bear the name of the permittee. Signs shall not obstruct traffic views and shall be removed immediately after the sale has ended.

D. Enforcement. This ordinance shall be enforced by the Code Enforcement Officer and/or the Hampden Police Department.

E. Violation. Any person who violates any provision of this section, or fails to comply with any of its requirements, shall, upon conviction thereof, be fined not less than ten dollars (\$10.00) or more than one hundred dollars (\$100.00). Each day such violation continues shall constitute a separate offense.

4. Old Business:

- A. Draft Private Ways Ordinance Review
CEDD stated he felt the initial draft of a Private Ways Ordinance would be ready at the August 19, 2015 Meeting.
- B. Home Occupation Final Draft
CEDD presented the revised Final Draft of the modification to Section 4.10 Home Occupation Permits within the Zoning Ordinance.

Committee Action: The Committee moved and seconded to approve the revisions to Section 4.10 Home Occupation Permits and forward to the Town Council to send to the Planning Board for review and comment. Vote 6-0.

5. New Business

- A. Community Board(s) Membership Needs
 - 1. Appeals Board (7 Member/ 2 Associates)
 - 2. Historic Preservation Commission (5 Member/ 2 Associates)
 - 3. Conservation Commission (7 Member)

CEDD reminded the Committee Members that there is an ongoing shortage of volunteers to serve on various town committees. The primary concern is the requirement of a full and engaged Appeals Board and Historic Conservation Commission due to obligations and requirements of State and Federal Laws.

Committee discussed potential committee members who could be solicited based on potential interest, expertise and past service. CEDD was asked to request that the web page more prominently express the need for committee members.

6. Zoning Considerations/Discussion:

- 1. Yard Sale Ordinance
In support of the philosophical change in creating and modifying land use regulations to reflect minimum standards and regulations, the CEDD posed the question as to whether the purposes for the creation of a Yard Sale Ordinance still existed or if in fact a repeal should be considered. CEDD stated approximate revenue from the permits is \$200 to \$300 dollars per year. His discussion with the Code Enforcement Officer suggests

that there are adequate provisions within the Ordinance to address issues resulting from extended yard sales acting as Home Occupations or Retail Establishments.

The CEDD supports the repeal of the Yard Sale Ordinance if in fact the Committee should elect to do so, providing the misuse of Yard Sales can be addressed in the absence of the specific Ordinance.

Committee directed the CEDD to advise at the next meeting the process for repealing the Yard Sale Permit Ordinance.

2. Building Height Definitions

The Code Enforcement Officer requested this item for consideration due to the inconsistency of the definition of Building Height in the MUBEC Code and in the present Zoning Ordinance. He requested the Zoning Ordinance be amended to reflect Building Height to be defined with reference to the currently adopted Building Code.

Committee Action: The Committee moved and seconded to forward the requested change, provided by the Code Enforcement Officer to the Town Council to send to the Planning Board for review and Comment.

7. Citizens Initiatives:
8. Public Comments
9. Committee Member Comments: None
10. Adjourn: The meeting was adjourned at 7:45pm.

4. Old Business:

- A. **Draft Private Ways Ordinance**
CEDD provided copies of the previously drafted Private Ways Ordinance along with standards from Windham's Zoning and Subdivision Regulations for review and consideration moving forward. Committee to undertake review of drafted at next meeting.

- B. **Yard Sale Ordinance Repeal Process**
CEDD was asked to research and present process for repealing the Yard Sale Ordinance. The suggestion for the repeal was initiated by CEDD. Upon reflection, CEDD requested the item be tabled until such time the administration of the permits was reviewed, further stating his request was initially made in haste.

5. New Business

- A. **Zone Change Discussion – Dennis Melvin
(Coldbrook/Emerson Drive)**

Dennis and Debbie Melvin indicated their interest in adding an additional apartment to the two-unit dwelling located at the corner of Emerson Drive and Coldbrook Road. The desired preservation of and investment in the family home is their expressed intent. In order to move forward, a zoning change is necessary. An extension of the Business District to include their property is necessary as the currently designated Residential A does not allow their intended change in use.

In consideration of their intended residential use, the adjacent Business District, and the location in proximity to the Coldbrook Road, the Committee asked the CEDD to prepare the necessary paperwork to begin the initiation of the change. The Committee acknowledged that the nature of the area, being a residential subdivision, may require the Melvin's to explain to the neighborhood their intent with the zone change. Committee felt the Planning Board public hearing and subsequent recommendation would be helpful to the Council's ultimate decision.

**Committee Action: Motion made by Dave Ryder, seconded by Greg Sirois, to ask Community and Economic Development Director to prepare necessary documentation to initiate the process and present to the Committee at the next meeting
Vote: 5-0**