FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, October 2nd, 2017

6:30 p.m.

Hampden Town Office

1. Meeting Minutes

    a. September 18th, 2017

2. Review & Sign Warrants

3. Old Business

    a. Invitation for the Town of Hampden to participate in the 2020 Census Local Update of Census Addresses (LUCA) Operation

    b. Review of the status of the service charge appeal by Acadia Hospital and discussion regarding FY2018 service charge billing

    c. Review of November Council and Committee meeting schedule

4. New Business

    a. Referral to Council for referral to public hearing a proposed ordinance authorizing the trade-in of the John Deere backhoe and the purchase and financing of a new John Deere backhoe – *referral from Infrastructure Committee*

    b. Notification of the IS 402 ICS required training course for elected officials on October 11th at the Newburgh Town Office

    c. Update regarding 2017 Candidates' Forum

    d. Discussion about Bangor moratorium on forensic psychiatric facilities, potential impact to Hampden, and potential to consider moratorium to study potential impacts and applicable public policy – *requested by Chairman Sirois*

5. Public Comment
6. Committee Member Comments
7. Adjournment

Finance 1-a

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, September 18th, 2017

MINUTES – DRAFT

Hampden Town Office

Attending:

Councilor Greg Sirois, Chair
Mayor David Ryder
Councilor Stephen Wilde
Councilor Terry McAvoy
Councilor Mark Cormier
Councilor Dennis Marble
Councilor Ivan McPike
Town Manager Angus Jennings
Town Attorney Ed Bearor

Chairman Sirois called the meeting to order at 6:00 p.m.

1. **Meeting Minutes**

   a. **September 5th, 2017** – *Motion by Councilor Marble seconded by Councilor McAvoy to approve the minutes as written. Passed 7-0.*

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

3. **Old Business**

   a. Acceptance of Conservation Easement Holder designation for Constitution Avenue – *Continued from September 5th, 2017 – Manager Jennings summarized the changes since the prior draft Conservation Easement, noting that public access would be provided to the trail and any future trails on the property. Mayor Ryder noted that, in his discussion with the developer's representative, he was made aware of the insurance implications if public access were to be provided across the whole property and, in light of this information, he supports the Town holding the easement. There was a motion by Councilor Marble seconded by Councilor Wilde to recommend Council acceptance of the request to hold the Conservation Easement for Constitution Ave., upon receipt of a $250.00 contribution from the developer to offset the Town's responsibilities. Motion passed 7-0.*

4. **New Business**

   a. **Executive Session – Pursuant to 1 M.R.S.A. § 405(6) A – Personnel Matters** – *There was a motion and a second, and unanimous approval by roll call vote, to enter into Executive Session with the Town Manager and the Town Attorney to discuss personnel*

matters pursuant to 1 M.R.S.A. § 405(6) A. The Committee adjourned from Executive Session and returned to open session at 6:30 PM.

b. **Request authorization for the expenditure of an amount not to exceed $2,213 from Municipal Building Reserve (3-702-00) for the purpose of paying Penobscot Temperature Controls to install a replacement propane monitor heater in the town office storage garage – *recommended by Sean Currier, DPW Director*** *– Motion by Councilor Marble seconded by Councilor Wilde to recommend Council authorization for the expenditure of an amount not to exceed $2,213 from Municipal Building Reserve for the purpose of paying Penobscot Temperature Controls to install a replacement propane monitor heater in the town office storage garage. Motion passed 7-0.*

c. **Request authorization for the expenditure of $751.52, plus accrued but unposted interest, up to the remaining balance of the Planning Board Reserve account (3-723-00) for the purpose of interim contract planning services** *– Motion by Councilor Marble seconded by Councilor Wilde to recommend Council authorization for the expenditure of $751.52, plus accrued but unposted interest, up to the remaining balance of the Planning Board Reserve account for the purpose of interim contract planning services. Motion passed 7-0.*

d. **Request authorization for the expenditure of $120.02, plus accrued but unposted interest, up to the remaining balance of the Planning & Development Reserve account (3-721-00) for the purpose of interim contract planning services** *– Motion by Councilor Marble seconded by Councilor Wilde to recommend Council authorization for the expenditure of $120.02, plus accrued but unposted interest, up to the remaining balance of the Planning Board Reserve account for the purpose of interim contract planning services. Motion passed 7-0.*

e. **Request authorization for the expenditure of $13,140.97 out of the Environmental Trust, Income for the purpose of reimbursement of eligible storm water management expenses – *referral from the Environmental Trust Committee*** *– Motion by Councilor Wilde seconded by Councilor Marble to recommend Council authorization for the expenditure of $13,140.97 out of the Environmental Trust, Income for the purpose of reimbursement of eligible stormwater management expenses. Motion passed 7-0.*

f. **Contract award for the Snowplowing, Salting & Removal services at the Skehan Center** – *Manager Jennings summarized the bid results received to plow the Skehan Center for the upcoming winter. He recommended acceptance of the low bid of $14,000 from Wellman Paving for Option A, noting that this was the amount budgeted for this expense. He said that Option B included plowing of the rear unpaved parking lot, but that this is not expected to be needed and, if it is, could be done by DPW since it would not be as time sensitive as the remainder of the property so could be done after the initial time crunch with each storm. There was a motion by Councilor Marble seconded by Councilor McPike to accept the bid from Wellman Paving for up to $16,500 for Option B, but understanding that the anticipated cost would be $14,000 for Option A, with clearing of the unpaved lot by Wellman only if needed. The motion failed 3-4 with Mayor Ryder and Councilors McAvoy, Wilde and Cormier opposed.*

Councilor McPike noted that clearing the unpaved lot could be more costly if it's not done consistently due to buildup of snow and ice through the winter. There was discussion among the Committee regarding whether the cost for DPW to plow the site had been calculated. Manager Jennings said this had been looked at during the FY18 budget process when the decision was made to budget to contract this service out, but that he didn't have those numbers tonight. He said that part of the issue is cost, but it is also an operational issue since the crew clearing the snow at Skehan Center is diverted from plowing public facilities and roads, which results in a decreased level of service for Hampden residents.

There was a motion by Councilor McPike seconded by Councilor Marble to accept the bid from Wellman Paving for $14,000 for Option A. The motion failed 3-4 with Mayor Ryder and Councilors McAvoy, Wilde and Cormier opposed.

There was brief discussion about how to proceed, and Manager Jennings said this may be placed on next Monday's Infrastructure Committee agenda if there is time this week to assemble additional backup information for that meeting packet.

g. **Invitation for the Town of Hampden to participate in the 2020 Census Local Update of Census Addresses (LUCA) Operation** – *Due to time constraints this item was tabled.*

h. **Review of the status of the service charge appeal by Acadia Hospital and discussion regarding FY2018 service charge billing** – *Due to time constraints this item was tabled.*

i. **Review of October and November Council and Committee meetings** – *The Committee agreed that it would hold the October 2 Finance and Council meetings with Councilor Sirois serving as Acting Chair of Council in Mayor Ryder's absence. The Committee agreed that it would hold the October 4 Planning & Development Committee meeting with Councilor McAvoy serving as Acting Chair of Council in Chairman McPike's absence. Due to time constraints the Committee tabled the question regarding the November 6 Finance and Council meetings.*

5. **Public Comment** – *None.*

6. **Committee Member Comments** – *None.*

7. **Adjournment**

There being no further business, the meeting was adjourned at 7:02 PM.

Respectfully submitted –
Angus Jennings, Town Manager

07166

D-2060
(6-2017)

UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
Washington, DC 20233-0001
OFFICE OF THE DIRECTOR

Finance 3-a

MC2301930795
Hampden town
354546

July 17, 2017

The Honorable David L Ryder
Mayor
106 Western Ave
Hampden ME 4444-1436

FROM THE ASSOCIATE DIRECTOR FOR
DECENNIAL CENSUS PROGRAMS

The U.S. Census Bureau invites your government to participate in the 2020 Census Local Update of Census Addresses Operation (LUCA), as mandated by the Census Address List Improvement Act of 1994 (Public Law 103-430). This is the only opportunity offered to tribal, state, and local governments to review and update the Census Bureau's residential address list prior to the 2020 Census. The Census Bureau relies on a complete and accurate address list to reach every living quarters and associated population for inclusion in the census. Participation in LUCA can help ensure an accurate count for your jurisdiction.

Enclosed with this letter are:

2020 Census Local Update of Census Addresses Operation (LUCA) Information Guide
Use this guide to answer questions about participation in LUCA.

Confidentiality and Security Guidelines
All LUCA liaisons, reviewers, and anyone with access to the Census Bureau's Title 13 materials must read, understand, and agree to abide by these guidelines.

Please respond to the LUCA invitation by completing the ***Registration Form***. We appreciate a response, even if you decline to participate. If your government plans to participate, then also complete and return the following forms:

- *Self-Assessment Checklist;*
- *Confidentiality Agreement; and*
- *Product Preference Form.*

For your convenience, enclosed is a postage-paid envelope for your response. As an alternative, you may also scan your completed forms, including forms with signatures, and email them to GEO.2020.LUCA@census.gov.

We will offer LUCA training workshops, both as classroom training and via online webinars, to provide participation instructions for completing your address review. If you are interested in attending a workshop, check our LUCA Web site at *<www.census.gov/geo/partnerships/luca.html>*. We will update the site continuously as classes are scheduled.

If you have any questions regarding LUCA, please contact us via email at GEO.2020.LUCA@census.gov, by phone at 1–844–344–0169, or you can visit us on the Web site at *<www.census.gov/geo/partnerships/luca.html>*.

Per the Federal Cybersecurity Enhancement Act of 2015, your data are protected from cybersecurity risks through screening of the systems that transmit your data.

Sincerely,

Lisa M. Blumerman
Associate Director for
Decennial Census Programs

Enclosures

cc: David L Ryder
Gretchen Heldmann
Kelly J Karter
Kyle Severance

Entity Name: Hampden town **Entity_ID:** MC2301930795 **Contact ID:** 354546

SEQ001-07166

The Honorable David L Ryder
Mayor
106 Western Ave
Hampden ME 4444-1436

PAPERWORK REDUCTION ACT BURDEN STATEMENT

This information collection is authorized by OMB control #0607-0994.

The public reporting burden for this collection of information is estimated to average 21 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Commerce, United States Census Bureau, 4600 Silver Hill Road, Room 4H177, Washington, DC 20233. Or you may e-mail comments to paperwork@census.gov; use "Paperwork Project 0607-0994" as the subject. Please include a copy of your message addressed to GEO.2020.LUCA@geo.census.gov. You may also contact us by phone at 1-844-344-0169. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid "OMB control number.

The control number assigned to this collection is OMB 0607-0994.

Town of Hampden
RECEIVED
AUG 01 2017
Office of the
Town Manager

Finance 3-b

STATE OF MAINE
PENOBSCOT, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO AP 17-014

ACADIA HOSPITAL CORP.,

Plaintiff,

v.

ORDER

TOWN OF HAMPDEN,

Defendant,

and

ACADIA HEALTHCARE, INC.

Party-in-Interest

In this 80B appeal, Acadia Hospital appeals from a ruling of the Town of Hampden Board of Assessment Review upholding the Town's assessment of a service charge imposed upon Acadia.

Acadia owns certain tax-exempt property in Hampden, Maine which it leases to an unrelated third party, Sweetser. According to the lease that has been made a part of the record, Sweetser is to use the premises as a mental health residential treatment facility. A town ordinance establishes an annual service charge to be levied against all residential property that is otherwise exempt from state or municipal taxation and is used to provide rental income. The service charge does not apply to student housing however.

The record on appeal is sparse. Although the parties discuss certain relevant facts in their briefs, the record does not contain many of the facts upon which they base their arguments. From the lease, which is part of the record, the Court can conclude that the premises were used as a residential treatment facility, but little more. From that proposition, the Court can also infer that the clients spend the night there, but no

additional detail is present in the record. Although it is the plaintiff's responsibility to provide the Court with an adequate record for review, M.R. Civ. P 80B(e), the municipality must assure that a sufficient record is created to permit judicial review. *Sanborn v. Town of Elliot*, 425 A.2d 629, 630-3 (Me. 1981). It is not clear to the Court whether a record of testimony at the hearing before the Board exists, or whether the plaintiff, or perhaps both parties, decided that it was not necessary to include testimony in the record on appeal.

In its Decision of May 4, 2017, the Board stated: "The issue presented in this appeal is whether the property in question, being owned by Acadia Hospital Corp., and leased to Sweetser which provides housing for its students/clients who are transported daily to the Sweetser school in Belfast qualifies for exemption from the Town of Hampden Service Charge Ordinance." Although the parties seem to interpret this as a finding that what is described as an issue is actually a fact, it isn't particularly clear to the Court because the issue of whether the property's use satisfied the exception was then ignored in the remainder of the Decision. The only analysis contained in the Decision is the conclusion that the property is subject to the service charge because "although it is a residential property owned by a tax exempt organization it is used to provide rental income to that organization." This states the obvious and in no way addresses the issue that the Board described as being presented. Did the Board ignore the student housing exception or did it decide the issue without providing any analysis whatsoever? Although the Court is aware of the principle that if the appealing party does not request additional findings the reviewing court should infer that the tribunal found all facts necessary to support its decision, the sparse record and inadequate Decision in this appeal form an inadequate basis for appellate review.

As a result, the Board's Order is vacated and the matter is remanded for further proceedings, which could include the creation or preparation[1] of a suitable record and a Decision that includes a statement of findings and conclusions, as well as the reasons or basis for the findings and conclusions, in conformity with M.R.S. 30-A § 2691(3)(E).

Dated: August 17, 2017

WILLIAM ANDERSON
JUSTICE, SUPERIOR COURT

ORDER/JUDGMENT ENTERED IN THE COURT DOCKET ON: 9-7-17

[1] The parties can also proceed by submitting stipulations pursuant to M.R. Civ. P. 80B(c)(2).

Finance 3-c

Memorandum

TO: Town Council
FROM: Paula Scott, Town Clerk
DATE: September 27, 2017
RE: Council & Committee Meetings in November

Due to the need to finalize preparations for the November 7th election, I respectfully request that the Council consider rescheduling or cancelling the November 6th Finance and Council meetings.

Finance 4-a

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: September 28, 2017
RE: Proposed ordinance to authorize trade-in and lease-purchase for DPW Backhoe

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You'll find in both packets for the October 2 meetings a proposed ordinance to authorize the trade-in of the backhoe (which was financed through a five year lease-purchase in 2012) and the lease-purchase, financed over five years, of a new backhoe.

This is proposed because the Town Charter at Sec. 212(5) requires an ordinance in order to "authorize the borrowing of money other than tax anticipation notes." Because the lease-purchase would commit the Town to spending in future fiscal years, I view this as analogous to borrowing that, per Charter, requires authorization by ordinance.

The Council is requested to refer the proposed ordinance to public hearing, to be held on October 16, to consider authorizing the execution of financing documents that would commit the Town to five annual payments of $14,258 with the first payment due in September 2018. The decision regarding whether to authorize this financing would be made following the hearing.

At its September 25 meeting the Infrastructure Committee voted 4-2 (upon reconsideration, following an initial 3-3 vote) to refer the proposed 5-year lease purchase (terms enclosed) to the Finance Committee.

This question was actively debated, and there were questions about why the proposed trade-in and lease-purchase would be better than simply purchasing the current machine for $1. The attached financial analysis is intended to summarize the rationale provided by staff at the September 25 meeting.

For four primary reasons, the trade-in and new lease-purchase is strongly recommended:

1. It will take advantage of the $48,800 guaranteed buy-back which was provided in the 2012 lease-purchase financing, with this amount credited toward a new backhoe;
2. It will guarantee a $53,000 buy-back after five years;
3. The vendor will cover maintenance costs during the 5-year term, including providing a loaner vehicle if the vehicle is out of service due to needed repairs, thereby both reducing Town maintenance costs and guaranteeing the reliable availability of this critical piece of equipment; and
4. The DPW Equipment Reserve has not been adequately funded over a period of many years (see related memo in June Infrastructure packet), meaning that we'd be starting from scratch if we propose reserve funding in future years' budgeting for a future backhoe purchase. This also means that there is no financial "safety net" in the event there is a major equipment failure that affects DPW's ability to perform tasks that are fundamental to its mission and required responsibilities.

The purchase of the current backhoe, along with future budgeting necessary for future replacement is estimated to cost an additional $110,000, plus maintenance, over 6 years.

Scenario 1: Purchase Current Backhoe and Budget for Future Replacement

	Cost	Offsetting Rev. (Trade-in)	Maintenance costs	Other Considerations
Year 1	$ 1	$ -	Town	Increased maintenance costs as vehicle ages and faces continued salt exposure.
Year 2	$ 25,671	$ -	Town	
Year 3	$ 25,671	$ -	Town	
Year 4	$ 25,671	$ -	Town	
Year 5	$ 25,671	$ -	Town	
Year 6	$ 25,671	$ 10,000	Town	
Year 7	$ 28,902	$ -	Town	

Net cost over 7 years: $ 147,256 plus maintenance costs

Net cost over 6 years (excl. FY18): $ 147,255 plus maintenance costs

Assumptions:

- Replacement after 5 years
- Purchase price est. to increase by 2.4% annually (same rate of increase from 2012 price of $101,000 to 2017 price of $114,000).
- Est. Year 6 purchase price of $128,353 based on 2.4% annual inflation.
- Assumed trade-in value of $10,000 for 2012 backhoe in Year 6 (2022).
- Assumed DPW Equip. Reserve budgeting for outright backhoe purchase in Year 6.

Scenario 2: Trade Current Backhoe and Enter 5-year Lease-Purchase Agreement

	Cost	Offsetting Rev. (Trade-in)	Maintenance costs	Other Considerations
Year 1	$ -	$ 48,800	Vendor	Reliability. Newer vehicle. If vehicle out of service due to needed repairs, loaner provided by dealer at no cost.
Year 2	$ 14,258	$ -	Vendor	
Year 3	$ 14,258	$ -	Vendor	
Year 4	$ 14,258	$ -	Vendor	
Year 5	$ 14,258	$ -	Vendor	
Year 6	$ 14,258	$ -	Vendor	
Year 7	$ 18,302	$ 53,000	Vendor	

Net cost over 7 years: $ (12,208)

Net cost over 6 years (excl. FY18): $ 36,592 *Note: Excluding FY18 because FY18 trade value offsets costs incurred from FY13 to FY18.*

Assumptions:

- New lease-purchase (incl. guaranteed buy-back of $53,000) after 5 years
- Year 7 lease-purchase cost based on est. 2.4% annual increase.
- Assumed budgeting for annual lease-purchase costs, and assumed no DPW Equip. Reserve budgeting for eventual outright purchase of backhoe.

Change in Cost, Actual		**Change in Cost, Est.**	
2012 to 2017		2017 to 2022	2022 to 2027
	per year: 2.4%		
Year 1	$ 101,000	$ 114,000	$ 128,353
Year 2	$ 103,424	$ 116,736	$ 131,433
Year 3	$ 105,906	$ 119,538	$ 134,587
Year 4	$ 108,448	$ 122,407	$ 137,818
Year 5	$ 111,051	$ 125,344	$ 141,125
Year 6	$ 113,716	$ 128,353	$ 144,512

Town of Hampden
106 Western Avenue
Hampden, Maine 04444

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

TO: Infrastructure Committee
FROM: Angus Jennings, Town Manager
DATE: September 21, 2017
RE: Replacement options for John Deere backhoe

In 2012 the Town entered a 5-year lease-purchase agreement for a John Deere 310SK Backhoe Loader. The fifth (of 5) payments ($13,449) was a budgeted FY18 operating expense and will be sent this month.

At that time, under the terms of the initial financing the Town has two options: purchase the backhoe for $1; or exchange the backhoe for a new backhoe with a guaranteed buy-back of $48,800 toward a purchase price of $114,000, for a net cost of $65,200. We have received a five year financing proposal of $14,258/year with the first payment due September 2018, including a guaranteed buy-back of the vehicle for $53,000 at the end of 5 years. The financing offer would include repair costs for non-wear items during the 5 year term.

The Capital Program reviewed during the FY17 budget process (prior to receiving a specific financing proposal) carried $14,564 for the next five years (beginning in FY19) in anticipation of backhoe replacement, so the proposal is in line with (and slightly favorable to) estimates.

It is recommended that we proceed with an exchange of the current backhoe for a new machine, to be financed over 5 years. This would leverage the value of the current machine, ensure a reliable machine for the term of the financing, with repair costs included, and would include a guaranteed buy-back after 5 years. This lease also includes a loaner machine if the maintenance item cannot be fixed within 48 hours.

The proposed financing is enclosed for review.

Quote Id: 16100027

Prepared For:

HAMPDEN PUBLIC WORKS DIRECTOR

Prepared By: **MIKE MCHUGH**

Nortrax, Inc.
34 Page Rd W
Hermon, ME 044017219

Tel: 207-947-6786
Mobile Phone: 207-478-8471
Fax: 207-947-1529
Email: mike.mchugh@nortrax.com

Date: 21 September 2017

Offer Expires: 27 October 2017

JOHN DEERE

NORTRAX

Quote Id: 16100027

21 September 2017

HAMPDEN PUBLIC WORKS DIRECTOR
106 Western Ave
Hampden, ME 04444

5 year total repair cost

Nortrax will garauntee that after 5 years and under 4000 hrs of usage that we will provide $53,000 for the quoted 2017- 310SL.

No travel time and milage charges during the 5 years

No repair cost during the 5 years

Machine must be properly maintained and no damage or excessive wear or rust to honor the buy back number

5 year lease
$114,000 less $48,800 trade / $65,200 . annual lease payment $14,257.82

MIKE MCHUGH
207-947-6786
Nortrax, Inc.

JOHN DEERE

NORTRAX

Quote Summary

Prepared For:
HAMPDEN PUBLIC WORKS DIRECTOR
106 Western Ave
Hampden, ME 04444

Prepared By:
MIKE MCHUGH
Nortrax, Inc.
34 Page Rd W
Hermon, ME 044017219
Phone: 207-947-6786
Mobile: 207-478-8471
mike.mchugh@nortrax.com

Quote Id: 16100027
Created On: 21 September 2017
Last Modified On: 22 September 2017
Expiration Date: 27 October 2017

Equipment Summary	Selling Price		Qty		Extended
2017 JOHN DEERE 310SL BACKHOE LOADER - 1T0310SLHHF309713	$ 114,000.00	X	1	=	$ 114,000.00
Equipment Total					**$ 114,000.00**

Trade In Summary	Qty	Each	Extended
JOHN DEERE 310SK LOADER BACKHOE	1	$ 48,800.00	$ 48,800.00
PayOff			$ 0.00
Total Trade Allowance			$ 48,800.00
Trade In Total			**$ 48,800.00**

Quote Summary	
Equipment Total	$ 114,000.00
Trade In	$ (48,800.00)
SubTotal	$ 65,200.00
Total	$ 65,200.00
Balance Due	**$ 65,200.00**

Salesperson : X _____

Accepted By : X _____

JOHN DEERE NORTRAX

Selling Equipment

Quote Id: 16100027 **Customer:** HAMPDEN PUBLIC WORKS DIRECTOR

2017 JOHN DEERE 310SL BACKHOE LOADER - 1T0310SLHHF309713

Hours: 7
Stock Number: 109412

Code	Description	Qty
0A70T	CAB,FT4,EXT,19.5L-24,PILOT,AUX HYD1.3 CY BKT,24" BKT	1
	Standard Options - Per Unit	
0A70T1065	ENGINE FT4	1
0A70T1710	JD LINK ULT 850 5YR.	1
0A70T2035	CAB STANDARD	1
0A70T2401	DECAL ENG W/ENG PACKET	1
0A70T3065	AXLE MFWD W/LIMITED SLIP	1
0A70T4464	TIRE GAL 19.5L24 12.5/80-18	1
0A70T5285	CONTROL PILOT	1
0A70T5400	COUPLER LESS	1
0A70T5658	BUCKET 24" SEVERE DUTY 7.5CF	1
0A70T6020	DIPPER EXTENDABLE	1
0A70T6230	HYD,AUX W/2WAY FLOW, THUMB	1
0A70T7025	LDR SINGLE LEVER NO AUX	1
0A70T7645	LDR BKT 1.3CY LG LIP BKT 92"	1
0A70T8485	COUNTERWEIGHT 1250LB.	1
0A70T8675	BATTERY DUAL	1
0A70T9045	CHROME EXHAUST	1
0A70T9080	HEATER ENGINE COOLANT 110V	1
0A70T9110	RIDE CONTROL	1
0A70T9140	BUCKET CYLINDER HEAVY DUTY	1
0A70T9505	GUARD FULL MFWD	1
0A70T9515	FLUID SAMPLING	1
0A70T9917	RADIO BASIC PACKAGE	1
0A70T9965	SEAT CLOTH AIR SUSPENSION	1
	Dealer Attachments	
	wain roy wrist with clean up and dig bucket	1
	12" wain roy digging bucket	1
	front fenders	1
	strobe	1
	outside mirrors	1
	fire extinguisher	1
	hyd thumb with diverter valve	1
	full machine coverage for 5 years	1

Selling Equipment

Quote Id: 16100027 **Customer:** HAMPDEN PUBLIC WORKS DIRECTOR

	replacement machine provided as required	1
	spare tire and rim, front and rear	1

Finance 4-6

---------- Original Message ----------
Subject: IS 402- ICS for Elected Officials Class
From: "Michelle Tanguay"
Date: Wed, September 6, 2017 12:47 pm

Good Afternoon,

Penobscot County EMA is offering an **IS 402- ICS for Elected Officials class, on Wednesday October 11, 2017, from 6 p.m. -8 p.m. and will be held at the Newburgh Town Office**. The purpose of the course is to provide an orientation of the ICS system to Elected/Senior Officials including Elected Officials, Town/City Managers and agency administrators.

This is a requirement of your community being NIMS compliant (eligibility for federal and state grants). If any of your selectmen have not had the 402 in the past, and your community receives grant funding (public safety trainings as well as homeland security grants) then they should attend.

Please RSVP to me no later than Wednesday, October 4th, if you plan to attend so we can assure we have enough materials for everyone.

Thank you.

Michelle Tanguay, CEM-ME
Director, Penobscot County Emergency Management Agency

---------- Forwarded message ----------
From: **Denise Molinaro**
Date: Thu, Sep 28, 2017 at 10:31 AM
Subject: RE: NIMS-ICS Matrix
To: Angus Jennings

Good Morning Angus,
I spoke with Michelle this morning and she said that yes in fact all council/selectmen are required to be certified in ICS 402, once they are certified they do not need to take it again. As far as your fire department is concerned your chief should have the most current tally on staff training records. Our website www.penobscotema.squarespace.com is a very helpful tool, look in the header you will see a Training link and a FEMA ICS Resource link. Note...Before you can submit a FEMA application to take an Independent Study (IS) class you must register for a SID ID number, you will find instruction on their Independent Study page. Once the FEMA ICS Resource Center page open, click on the home link at the bottom left of the page. FEMA homepage will open, click on the Independent Study tab at the top. I feel you will find these links helpful in getting you started. If you have questions please do not hesitate to call or email.

Regards,

Denise Molinaro
Administrative Assistant
Penobscot EMA

Finance 4-b

NIMS/ICS Training Requirements for Maine

Discipline	IS 800	IS 700/100	IS 200	ICS 300	ICS 400	*IS 701*	*IS 702*	*IS 703*		Notes
Senior Local/County Appointed/Elected Officials (note 1)										**G402/191**
Local Emergency Management Director	X	X	X			X		X		**8**
County Emergency Management Director	X	X	X			X		X		**8**
Public Works Director		X	X							
Public Works/Road Commissioner		X								
School/Campus Emergency Team Leaders	X	X	X							2&7
School/Campus Emergency Team		X								
Public Utilities Management		X	X							3
Public Utilities Worker		X								
Hospital Emergency Response Team HERT		X	X							4
EMS Dept Heads/Deputies		X	X	X	X			X		**8**
EMS Supervisors		X	X							
EMS Technicians/Operators		X								
State/County/Local Law Enforcement Dept Heads/Deputies		X	X	X	X			X		**8**
State/County/Local Law Enforcement Supervisors		X	X							
State/County/Local Law Enforcement Officers		X								
Fire Service Dept Heads/Deputies		X	X	X	X			X		**8**
Fire Service Supervisors		X	X							
Fire Service Firefighters		X								
DST/RRT HAZMAT Technicians		X	X	X						**5**
DST/RRT HAZMAT Operations/ Responders		X	X							
MACC/EOC Management	X	X				X				**706/775/191**
MACC/EOC Staff		X								
IMAT Level III/IV	X	X	X	X	X	X		X		**Position Specific**
Public Information Officers/Designees		X					X			**6**
Communication Center Supervisor and Deputy Supervisor		X								

December 1, 2015

Note 1: All elected/appointed officials charged with general policy development

Note 2: Includes at a minimum the Principal and Assistant Principal

Note 3: Includes water and sewer districts

Note 4: Recommended by the Regional Resource Centers

Note 5: Technicians not expected to fill a Command Staff or General Staff position are not required to take ICS 300

Note 6: IMAT personnel are required to take additional courses (ICS all hazard position specific) depending on their Type and level of Incident Management responsibility

Note 7: School/Campus EM personnel with a **critical/leadership role** in facility emergency response although it is recommended **leadership personnel that may act *in absence of first responders*** should additionally complete ICS 300 & ICS 400.

Note 8: EMA Directors, MACC/EOC Management and Staff, IMAT Level III/IV Staff, Public Works Directors, Chiefs/Deputies of **full-time** Fire Departments, Chiefs/Deputies of County level law enforcement agencies and **full-time police departments with 15 or more full-time officers, EMS Agencies with more than 15 full-time personnel.**

The information provided below, comes directly from the National Integration Center (NIC) and is included to provide additional clarification for the requirements outlined above and to assist in making any training related decisions that have not been addressed.

Target Audience Guidance from the NIMS Five-Year Training Plan

IS-700: National Incident Management System (NIMS), An Introduction
Audience All personnel with a direct role in emergency management/response must complete NIMS IS-700, including: ***Executive level*** – political and government leaders; agency and organization administrators and department heads; personnel that fill ICS roles as unified commanders, Command Staff, or General Staff in either area command or single incidents; senior MACS personnel; senior emergency managers; and emergency operations center Command or General Staff. ***Managerial level*** – agency and organization management between the executive level and first-level supervision; personnel who fill ICS roles as Branch Directors, Division/Group Supervisors, Unit Leaders, technical specialists, strike team and task force leaders, single resource leaders, and field supervisors; midlevel MACS personnel; EOC Section Chiefs, Branch Directors, Unit Leaders, and other emergency management/response personnel who require a higher level of ICS/NIMS training. ***Responder level*** – emergency response providers and disaster workers, entry level to managerial level, including emergency medical service personnel; firefighters; medical personnel; police officers; public health personnel; public work/utility personnel; and other emergency management response personnel.

IS-800: National Response Framework (NRF, An Introduction

Audience

All Federal, State, Tribal and local emergency management/response personnel whose primary responsibility is emergency management must complete this training. Specifically, officials who must take the course include:

Personnel in Federal departments and agencies with emergency management and incident response responsibilities under the NRF.

Officials in State and Territorial governments with emergency management and incident response responsibilities, personnel from emergency management agencies, and personnel from agencies who support and interact with the NRF's 15 Emergency Support Functions and Support Annexes.

Officials in tribal entities and local jurisdictions with overall emergency management responsibilities as dictated by law or ordinance, officials with overall emergency management responsibilities through delegation, and officials primarily involved in emergency planning.

ICS-100: Introduction to the Incident Command System

Audience

It is incumbent upon Federal, State, tribal, and local emergency management/response personnel who within their organizations requires ICS-100 training, based on local incident management organizational planning.

Responder level – emergency response providers and disaster workers, entry level to managerial level, including emergency medical service personnel; firefighters; medical personnel; police officers; public health personnel; public work/utility personnel; and other emergency management response personnel.

Typically, all Federal, State, tribal, local, private-sector, and non-governmental personnel at the following levels of responsibility in emergency management and incident response operations: first-line supervisor, mid-level management and command and general staff.

ICS-200: ICS for Single Resources and Initial Action Incidents
Audience It is incumbent upon Federal, State, tribal, and local emergency management/response personnel to determine who within their organization requires ICS-200 training, based on local incident management organizational planning. Typically, all Federal, State, tribal, local, private-sector, and non-governmental personnel at the following levels of responsibility in emergency management and incident response operations: first-line supervisor, mid-level management and command and general staff.
ICS-300: Intermediate ICS
Audience Federal, State, tribal and local emergency management/response personnel determine who within their organizations requires ICS-300 training, based on local incident management organizational planning. Typically, required personnel include all mid-level management, Federal, State, tribal, local, private-sector, and non-governmental personnel including persons serving as command staff, section chiefs, strike team leaders, task force leaders, unit leaders, division/group supervisors, branch directors, and multi-agency coordination system/emergency operations center staff. It is recommended that ICS-300 participants utilize their skills in an operational environment before taking ICS-400. This will provide necessary context and understanding of the skills they will develop when they take ICS-400.
ICS-400: Advanced ICS
Audience Federal, State, tribal and local emergency management/response personnel determine who within their organizations requires ICS-400 training, based on local incident management organizational planning. Typically, required personnel include all Federal, State, tribal, local, private-sector, and non-governmental personnel including persons serving as Command and General Staff in an ICS organization, select department heads with multi-agency coordination system responsibilities, area managers, emergency managers, and multi-agency coordination system/emergency operations center managers. It is recommended that ICS-300 participants utilize their skills in an operational environment before taking ICS-400. This will provide necessary context and understanding of the skills they will develop when they take ICS-400.

Finance 4-d

BANGOR DAILY NEWS

Bangor

LePage threatens to sue Bangor over psychiatric facility

By Nok-Noi Ricker, BDN Staff • September 27, 2017 5:47 pm
Updated: September 28, 2017 11:39 am

Ashley L. Conti | BDN

Maine Governor Paul LePage is threatening to sue Bangor over a new psychiatric residence facing resistance from city officials.

Gov. Paul LePage on Wednesday threatened to sue Bangor over his proposed psychiatric facility, which he said could be built in a neighboring community.

Two days after the **Bangor City Council voted to enact a six-month moratorium** to delay the Hogan Road project, the governor said he plans to sue

the city under the federal Americans with Disabilities Act, **according to WLBZ-TV**.

LePage also told the station his administration is considering putting the facility in a neighboring town, which a spokesman reiterated.

"The governor said the facility can be built anywhere," Peter Steele, director of communications for LePage, said Wednesday. "If Bangor doesn't want it, then it can be built in one of the surrounding communities. But it would be best to build the facility close to the Bangor area so it is accessible to northern Maine."

Joe Baldacci, Bangor City Council chairman, said the city will keep in place the moratorium, which officials plan to use to study the issue.

SPONSORED CONTENT

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By **Hum by Verizon**

"We are sticking with our original plan," he said. "But I hold out hope that the governor is slowly getting our message and will follow up with his now twice repeated statement of looking at other communities."

City officials have not received notice of a lawsuit from the governor, he added.

LePage's plan is to build a 21-bed "step-down" **forensic psychiatric facility** near Dorothea Dix Psychiatric Center and would house patients found not responsible for crimes they have committed or who are unfit to stand trial. The patients would have permission to leave the facility on occasion.

The state, meanwhile, continues to move forward on the project and has received a proposal from a Nashville, Tennessee, company to run the facility.

Correct Care Recovery Solutions, which was the only bidder, provides health care to U.S. prisons in 38 different states, including in Maine. CCS began providing health care services to the Maine Department of Corrections in July of 2012.

SPONSORED CONTENT

Meet Josef and #The2Team

By **Hum by Verizon**

The Department of Health and Human Services will decide if CCS will be hired to operate the facility.

In August, the **state selected Cianbro Corp. of Pittsfield to build** the 8,300-square-foot rehabilitation facility on state-owned property on Hogan Road beside the Elizabeth Levinson Center.

The new psych center would serve patients who have been in Augusta's Riverview Psychiatric Center or Dorothea Dix patients but who "no longer meet medical necessity for acute psychiatric hospitalization" and who already have permission from the court to leave the hospitals on occasion, according to the **request for proposals for operators** that has a Sept. 13 deadline.

The LePage administration has said the new facility would alleviate overcrowding at Augusta's troubled Riverview Psychiatric Center, which lost its **federal accreditation in 2013** because of overcrowding and inadequate staffing and for using handcuffs and stun guns to subdue violent patients. State officials were recently notified that the federal Centers for Medicare and Medicaid Services **is recalling $51 million in payments made to Maine since decertification**.

Correction: *An earlier version of this story incorrectly characterized the status of Correct Care Recovery Solutions' bid. The state has received its proposal but has not decided who will operate the facility.*

Have feedback? Want to know more? Send us ideas for follow-up stories.

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CITY COUNCIL ORDINANCE

Date: September 25, 2017

Assigned to Councilor: Tremble

ORDINANCE, Enacting a Moratorium on Secure Psychiatric Facilities

WHEREAS, the State of Maine has expressed interest in placing a secure forensic rehabilitation facility in Bangor:

WHEREAS, as proposed, the facility would be used to house patients found not criminally responsible for crimes or unfit to stand trial;

WHEREAS, there are legitimate concerns about how the proposal will affect the public health, safety, and welfare of Bangor and its citizens;

WHEREAS, such patients, while not necessarily criminally culpable for their actions, could potentially be dangerous to the health, safety, and welfare of those around them;

WHEREAS, the facility may represent a significant burden on the City's public safety departments;

WHEREAS, the State has stated in a letter to the City that the proposed facility is neither a hospital or a prison, raising questions as to the function of this facility and where the facility fits under the City's Land Development Code;

WHEREAS, the City needs time to understand the State's proposal and the effects the facility may have on Bangor;

WHEREAS, a temporary prohibition on forensic psychiatric facilities is therefore appropriate in order to determine what regulation, if any, is necessary;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT

A moratorium on forensic psychiatric facilities is enacted as follows:

§ 1. Necessity.

Municipalities are authorized by 30-A M.R.S. § 4356(1) to enact moratoria:

A) to prevent a shortage or an overburden of public facilities that would otherwise occur during the effective period of the moratorium or that is reasonably foreseeable as a result of any proposed or anticipated development, or

B) because the application of existing comprehensive plans, land use ordinances or regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographic area.

In accordance with 30-A M.R.S. § 4356(1), the Bangor City Council finds that a moratorium on forensic psychiatric facilities is necessary and warranted.

§ 2. Moratorium.

Forensic psychiatric facilities, including but not limited to secure forensic rehabilitation facilities, "step-down" facilities, secure assisted housing facilities, and similar facilities, are prohibited in the City of Bangor. Furthermore, no building permit, certificate of occupancy, or other permit shall be issued for any such use.

§ 3. Term.

This moratorium shall continue for 180 days from the date of passage. It may be extended for additional 180 day periods in accordance with 30-A M.R.S. § 4356(2) upon a finding by the Bangor City Council that the problem giving rise to this moratorium continues to exist and reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium.

§ 4. Applicability.

Notwithstanding the provisions of 1 M.R.S. § 302, this moratorium shall apply retroactively to all actions and proceedings pending on September 19, 2017 or thereafter.

CITY COUNCIL ACTION

Council Meeting Date: September 25, 2017

Item No: 17-338

Responsible Dept: Legal

Action Requested: Ordinance

Map/Lot: N/A

Title, Ordinance

Enacting a Moratorium on Secure Psychiatric Facilities

Summary

This ordinance would enact a moratorium on forensic psychiatric facilities, including the facility the State is considering having built on Hogan Road.

The State has expressed interest in placing an 8,300 foot, 21-bed "step-down" facility on Hogan Road in Bangor, intended to house patients who are found not criminally responsible for crimes or are unfit to stand trial. The City has concerns about this proposal, including its burden on City facilities and the harm to the public, particularly neighboring residents, that could result.

This ordinance would prohibit forensic psychiatric facilities, including the secure forensic rehabilitation facility the State is considering, for a period of six months. This will allow the Council the opportunity to gain additional information about such facilities and to see what regulations may be appropriate for such a use.

Committee Action

Committee: N/A

Meeting Date:

Action: N/A

For:

Against:

Staff Comments & Approvals

The proposed facility was discussed at a Council workshop on September 29, 2017.

If the Council wishes to enact this moratorium immediately, the ordinance requirement of two readings must be waived by a two-thirds vote of the Council.

City Manager

City Solicitor

Finance Director

Introduced for: First Reading

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR

Executive Summary: The Order would authorize the City Engineer to begin the process to discontinue a portion of Summer Street. Several years ago the City of Bangor made significant improvements to the intersection of Cedar Street and Main Street in anticipation of closing Summer Street. The purpose was to reroute heavy vehicular traffic and trucks traveling to Routes 9 and 1A away from Railroad Street, which serves as the main gateway to the waterfront.

Recently, Bangor Savings Bank purchased a majority of the property adjacent to Summer Street and are in the planning process for developing a campus plan to serve as the Bank's main headquarters. The discontinuance of this portion of Summer Street provides Bangor Savings Bank with more flexibility in developing their Campus Plan while also promoting Railroad Street as a more pedestrian friendly corridor to serve as the major entrance to the City's waterfront.

Staff recommends approval as this discontinuance will provide a much-needed separation between traffic intending to utilize Route 9 and Route 1A and pedestrian and vehicular traffic destined for the City waterfront.

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.			ASSIGNED TO COUNCILOR
17-337	**ORDINANCE**	**Amending Chapter 165, Land Development Code, by Changing the Zone of 416 Stillwater Avenue from Contract Shopping and Personal Service District to Contract Shopping and Personal Service District (amended conditions) (First Reading and Referral to Planning Board Meeting of October 3, 2017)**	**NEALLEY**

Executive Summary: This Ordinance change will amend the zoning for 1.8 acres of land located at 416 Stillwater Avenue from Contract Shopping and Personal Service District (S&PS) to Shopping and Personal Service District (S&PS, amended Contract Conditions). The revised conditions expand the allowable uses from Office and Day care to allow for retail and service businesses. The conditions prohibit drive–in businesses, auto repair and uses which would include a large amount of outdoor storage.

17-338	**ORDINANCE**	**Enacting a Moratorium on Secure Psychiatric Facilities (First Reading)**	**TREMBLE**

Executive Summary: This ordinance would enact a moratorium on forensic psychiatric facilities, including the facility the State is considering having built on Hogan Road.

The State has expressed interest in placing an 8,300 foot, 21-bed "step-down" facility on Hogan Road in Bangor, intended to house patients who are found not criminally responsible for crimes or are unfit to stand trial. The City has concerns about this proposal, including its burden on City facilities and the harm to the public, particularly neighboring residents, that could result.

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.			ASSIGNED TO COUNCILOR

This ordinance would prohibit forensic psychiatric facilities, including the secure forensic rehabilitation facility the State is considering, for a period of six months. This will allow the Council the opportunity to gain additional information about such facilities and to see what regulations may be appropriate for such a use.

17-339	**RESOLVE**	**Supporting Question 2 on the November 7, 2017 ballot - An Act To Enhance Access to Affordable Health Care (First Reading and Referral to Government Operations Committee Meeting of October 2, 2017)**	**FAIRCLOTH**

Executive Summary: This Resolve will support the passage of a Question 2, a citizens' initiative on the November 7, 2017 ballot, entitled "An Act To Enhance Access to Affordable Health Care." The State of Maine has declined to expand Medicaid coverage, a decision that has cost the City of Bangor and Bangor residents and businesses federal aid. According to the Bangor Daily News, Maine has a 106,000 uninsured residents or (8%) of the total population. Currently, hospitals, charitable organizations and the City have been responsible for providing care to the uninsured people of Bangor. For those reasons and others stated in the Resolve the Bangor City Council is in support of Question 2, An Act to Enhance Access to Affordable Health Care," and encourage a yes vote on November 7, 2017.

UNFINISHED BUSINESS ITEM NO.			ASSIGNED TO COUNCILOR
17-325	**ORDINANCE**	**Amending Chapter 291, Vehicles and Traffic, of the Code of the City of Bangor, By Adjusting the Starting Date for Wintertime Parking**	**SPRAGUE**

Executive Summary: This ordinance would move the start date of wintertime parking from November 1 to the first storm of the winter. Currently, outside of the downtown area, people may not park on City roads at night after November 1. During the day, alternate side parking is enforced. In the downtown area and in City-owned off-street parking lots, people are allowed to park unless a parking ban is in effect. These rules are presently in effect from November 1 to March 31. If approved, wintertime parking regulations outside of downtown will begin when the City declares the first parking ban of the winter.

17-326	**RESOLVE**	**Authorizing the City Manager to Accept and Appropriate $2,545,661 in Grant Funds from the Maine Department of Health and Human Services - WIC Nutrition Program**	**PERRY**

Executive Summary: This resolve will accept and appropriate $2,545,661.00 in grant funds for the Women, Infant and Children Supplemental Nutrition Program (WIC). The Public Health and Community Services WIC Nutrition Program currently services a monthly average of 2,900 participants at their Bangor, Dexter, Dover, Corinth, Lincoln, Millinocket, Milo, Newport and Greenville sites. The proposed agreement provides $2,511,682.00 for WIC Services; $25,624 for Breastfeeding Peer Counseling Services; and $8355 for Farmers' Market Administration. The grant covers the period from October 1, 2017 through September 30, 2018.