

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, May 5, 2014

6:00 p.m.

Hampden Town Office

1. Meeting Minutes
 - a. April 22, 2014
2. Review & Sign Warrants
3. Old Business
 - a. Route 1A Sewer Project Bids & Award
 - b. Historic Map – Councilor Shakespeare
4. New Business
 - a. Grant Application – Police Department
 - b. Charter Review – Article III Administrative Officials and Employees
5. Public Comment
6. Committee Member Comments

FINANCE & ADMINISTRATION COMMITTEE MEETING

Tuesday, April 22, 2014

Attending:

Mayor Carol Duprey	Councilor Greg Sirois
Councilor Ivan McPike	Councilor David Ryder
Councilor William Shakespeare	Town Manager Susan Lessard
Councilor Tom Brann	Residents

The meeting was opened at 6:04 p.m. by Mayor Duprey.

1. Meeting Minutes
 - a. April 7, 2014 – The minutes of the April 7, 2014 meeting were reviewed and approved with no corrections or changes.
2. Review & Sign Warrants – The Committee reviewed and signed the warrants for payment of bills.
3. Old Business
 - a. Bangor Humane Society Contract 2014-2015 – This item was postponed until the next meeting for additional information.
 - b. Codification of Charter & Ordinances – The Town Manager presented information on what is involved with the codification process for all the Town ordinances. It includes not only the organization of all ordinances into one code; it also includes a review of the ordinances for consistency in definition and practice between ordinances and for consistency with State Statutes. It is a lengthy process and could take from 6-9 months. The estimated cost from General Code is \$14,900 with annual costs of \$1195 for maintenance of an electronic on-line code as well as \$2-\$3,000 for updating the code to include any new ordinances passed or amendments to existing ordinances. A funding source for initial codification was identified as four long-unused reserve accounts related to Planning and Town record preservation. There was considerable discussion about the necessity of doing this as well as concern over the ongoing annual cost. Resident Terry McAvoy objected to the project and indicated that the Town attorney and staff should make sure that ordinances and state law are consistent. Motion by Councilor Brann, seconded by Councilor Shakespeare to recommend to the full council to move forward with the codification process and to fund the project from the reserve accounts identified. Unanimous vote in favor.
 - c. Legal Issues re Charter & Citizens Petitions – The Town Manager presented a proposed schedule for review of the Town Charter at Finance & Administration Committee meetings from May through August with any proposed changes then being converted to ordinance so that as many noncompliant or out of date provisions as possible could be addressed at the November 2014 election. Also recommended was that the Finance & Administration Committee move

forward to the Council consideration of an ordinance to correct the charter items related to charter amendments and citizen petitions that have already been identified as noncompliant. Motion by Councilor Brann, seconded by Councilor McPike to recommend to the full council to move forward with a charter amendment ordinance to address the items already identified as noncompliant with State law regarding citizen petitions and charter amendments. Unanimous vote in favor. The consensus of the committee was to do the charter review as outlined in the memo from the Town Manager.

4. New Business - None
5. Public Comment - None
6. Committee Member Comments – None

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

3a



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 28, 2014

To: Sue Lessard
From: Chip Swan
Subject: RTE 1A Sewer Project Bids

Bids were Opened 4.24.14 for the sewer and pump station replacement project. There were four bidders:

	<u>TOTAL BID</u>
T. BUCK CONSTRUCTION	\$811,124.00
MAINE EARTH	\$823,370.00
FEDERAL PROGRAM INTEGRATORS	\$881,841.62
SARGENT CORP	\$942,850.00

Attached is a letter from Woodard & Curran.

I recommend awarding the bid to T. Buck Construction for the amount of \$811,124.00

Yours truly,

Chip Swan, PWD

TOWN OF HAMPDEN
ROUTE 1A SEWER REPLACEMENT PROJECT

BID SHEET

April 23, 2014
1:00 PM

BIDDER	TOTAL BID PRICE
Federal Program Integrators	881,841.62
Sargent Corp.	942,850.00
Maine Earth	823,370.50
T Buck Construction	811,124.00

COMMITMENT & INTEGRITY
DRIVE RESULTS

One Merchants Plaza | Suite 501
Bangor, Maine 04401
www.woodardcurran.com

T 800.564.2333
T 207.945.5105
F 207.945.5492

April 25, 2014



Chip Swan
Public Works Director
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: Main Road North Sewer Main Replacement Project – Bid Recommendation

Dear Chip:

As you know, bids were opened on 4/24/2014 for the Hampden Main Road North Sewer Main Replacement Project. There were four responsive bidders which included T. Buck Construction, Maine Earth, Sargent, and Federal Program Integrators. I have attached a bid tabulation with this letter.

The apparent low bid was received from T. Buck Construction, with a bid of \$811,124. The second low bid was \$823,320.50 from Maine Earth, which is \$12,196.50 more than the low bid. Total bids ranged to a high of \$942,850. The apparent low bid is within the estimate we prepared for the project.

During our review of the bids, we discussed T. Buck's bid with Travis Saucier of to confirm T. Buck's bid price. Travis was comfortable with T. Buck's bid price and stated that T. Buck is ready to enter into an agreement at the Town's convenience. In addition, T. Buck has submitted all of the required paperwork for the bid to be considered complete. Based on this, and our prior experience working with T. Buck, it is our belief that the Town should award the project to T. Buck Construction for \$811,124.

Please let me know if you have any questions. Otherwise, we will wait for your approval to issue a Notice of Intent to Award and organize a contract signing.

Sincerely,

Woodard & Curran

A handwritten signature in black ink that reads "James D. Wilson". The signature is fluid and cursive.

James D. Wilson, PE
Senior Vice President

JDW/ces
213302.11

Enclosure(s)

cc: Charlie Smith



**Maine Municipal Association
Risk Management Services
Safety Enhancement Grant Application**

4a

Name: Scott Webber Title: Police Sergeant
 Entity (City/Town etc.) Town of Hampden Department: Public Safety
 Address: 106 Western Ave City: Hampden ME Zip: 04444
 Phone: 862-3310 Cell Phone: 270-2102



If you have not read all of the instructions, please do so now!

Please describe the safety equipment/services you are considering purchasing. Include the intended purchase, installation or completion date for your project.

High visibility traffic attire, lighted batons, trafficcones and portable signs.

Why is this safety equipment/service needed? (You are welcome to attach additional sheets).

See "Statement of Need" Attached

How will this safety equipment/service help to reduce workplace injuries and provide your entity with a safer work environment?

See "statement of Need" Attached

Cost (or quote) of equipment/service. (Attach to application). Total \$2954.13

Have you committed funds for your portion of this activity? Yes No

Have you applied for or received grants or funding from other sources for this endeavor? Yes No

If Yes, from whom:

Amount (\$):

Scott Webber 4-15-14
Applicant Signature Date

[Signature] 04/15/14
Key Official Signature Date
(City/Town Mgr., Selectperson, Director)

Scott Webber
Print Name

Joseph Rogers
Print Name

Police Sergeant
Title

Director of Public Safety
Title

For further information regarding this program, please contact our:
Loss Control Technician at 1-800-590-5583

Please mail or fax the completed application and supporting documents. (Keep a copy for your records).

To:

**Maine Municipal Association
Risk Management Services
Attn: Loss Control Dept.
60 Community Drive
PO Box 9109
Augusta, ME 04332-9109
Fax: 207-624-0127**

(We will accept applications by Fax, but illegible or incomplete applications will not be considered.)



Denise Hodsdon <clerk@hampdenmaine.gov>

4b

Article III-Town Charter

1 message

Thomas A. Russell <tar@frrlegal.com>

Thu, May 1, 2014 at 9:22 AM

To: Susan Lessard <manager@hampdenmaine.gov>

Cc: Denise <clerk@hampdenmaine.gov>

Susan: I have reviewed the provisions of Article III of the Town Charter, and did not find any provisions therein that are inconsistent with state law. Tom Russell

later time as it may specify. Every emergency ordinance except one authorizing the issuance of emergency notes shall automatically stand repealed as of the 61st day following the date on which it was adopted, but this shall not prevent re-enactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

Sec. 215 Authentication and Recording; Codification; and Printing

- (a) *Authentication* - All ordinances and resolutions adopted by the council shall be authenticated by the signature of the secretary of the council and recorded in full by the town clerk in a properly indexed book kept for that purpose.
- (b) *Codification* - Within three years after adoption of this charter and at least every ten years thereafter, the council shall provide for the preparation of a general codification of all ordinances and resolutions having the force and effect of law. The general codification shall be adopted by the council by ordinance and shall be printed promptly in bound or loose-leaf form, together with this charter and any amendments thereto, pertinent provisions of the Constitution and other laws of the State of Maine and such codes of technical regulations and other rules and regulations as the council may specify. Any codification ordinance may be published by title. This compilation shall be known as the Hampden Code. Copies of the code shall be furnished to officials, placed in libraries and public offices for free public reference and made available for purchase by the public at a reasonable price fixed by the council.
- (c) *Printing of Ordinances and Resolutions* - The council shall cause each ordinance and resolution having the force and effect of law and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances, resolutions and charter amendments shall be distributed or sold to the public at reasonable prices to be fixed by the council. Following publication of the first Hampden Code and at all times thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein. The council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the Constitution and other laws of the State of Maine, or the codes of technical regulations and other rules and regulations included in the code.

ARTICLE III
ADMINISTRATIVE OFFICIALS AND EMPLOYEES

Sec. 301 Titles and Appointment - The following officials and boards shall be appointed by a majority vote of the members of the town council: Town Manager, board of assessment review, planning board, board of appeals and other boards or officials when such appointment is required by state statute or municipal ordinance. The council may, where appropriate, and where not prohibited by law, vest in the town manager all or part of the duties of any office. *(Amended: November 6, 2007)*

The town manager shall appoint the town clerk, treasurer, tax collector, town assessor and department heads subject to the confirmation of the town council, and shall have the power to remove such appointees when necessary. The town manager shall appoint and remove when necessary all other administrative officials and town employees, except as the manager may authorize the head of a department or office and except as otherwise provided in this charter. *(Amended: November 6, 1990)*

Sec. 302 Creation of Department - The town council, by ordinance, may establish, change and abolish town departments, offices or agencies other than those created by this charter and may prescribe the functions of all departments, offices and agencies, except that no functions assigned by this charter to a

particular department, office or agency may be discontinued or, unless specifically provided by this charter, assigned to any other.

Sec. 303 Merit Principle - All appointments and promotions of town officials and employees, subject to the direction and supervision of the manager, shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.

Personnel Appeals Board

There shall be a personnel appeals board consisting of three members appointed by the town council from among the qualified voters of the town. The first appointments to this board shall be made in the following manner: One member for three years, one member for two years and one member for one year. All succeeding appointments shall be made for terms of three years.

Personnel Rules

The town manager, or the manager's appointee, shall prepare personnel rules. The town manager shall submit such rules to the council which council shall adopt by ordinance with or without amendment. These rules shall provide: *(Amended: November 6, 1990)*

- (a) The classification of all town positions, based on the duties, authority and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by changed circumstances;
- (b) A pay plan for all town positions;
- (c) Methods for determining the merit and fitness of candidates for appointment or promotion, demonstration or dismissal;
- (d) The policies and procedures regulating reduction in force and removal of employees;
- (e) A retention and retirement plan for town employees;
- (f) The hours of work, attendance regulations and provisions for sick and vacation leave;
- (g) The policies and procedures governing persons holding provisional appointments;
- (h) The policies and procedures governing relationships with employee organizations;
- (i) Policies regarding in-service training program;
- (j) Grievance procedure, including procedures for the hearing of grievances by the personnel appeals board, which may render recommendations based on its findings to the town council with a copy to the town manager and to the aggrieved employee;
- (k) Other practices and procedures necessary to the administration of the town personnel system.

ARTICLE IV
TOWN MANAGER

Sec. 401 Town Manager; Qualifications - The town council shall appoint a town manager for a definite term and fix the amount of compensation. The manager shall be appointed on the basis of executive and administrative qualifications. The manager need not be a resident of the town or state at the time of