

INFRASTRUCTURE COMMITTEE MEETING

Monday, May 22, 2017

6:00 P.M.

HAMPDEN TOWN OFFICE

AGENDA

1. MINUTES – April 24, 2017 Meeting
2. OLD BUSINESS
 - a. Review of May 18, 2017 report from MaineDEP regarding their inspection of Hampden’s Combined Sewer Overflow (CSO) on May 3, 2017
 - b. Preliminary review by Drumlin, LLC of 2016 Pine Tree Landfill Post-Closure Annual Report
3. NEW BUSINESS
 - a. Update on Environmental Trust Committee actions at their May 18 meeting, and referral of expenses for Town Council authorization of payment from Environmental Trust Principal and Income
 - b. Review and determine Committee position on proposed LD 1588, An Act to Maintain Mail Routes and Access to Residential Structures
 - c. Review and determine Committee position on proposed LD 1565, An Act to Ensure the Effectiveness of Tax Increment Financing
 - d. Discussion of FY18 Infrastructure Committee priorities
4. PUBLIC AND STAFF COMMENTS
5. COMMITTEE MEMBER COMMENTS
6. ADJOURN

INFRASTRUCTURE COMMITTEE MEETING

Monday, April 24, 2017

MINUTES – DRAFT*Attending:*

*Councilor Greg Sirois
Mayor David Ryder
Councilor Terry McAvoy
Councilor Ivan McPike
Councilor Mark Cormier*

*Councilor Stephen Wilde
Councilor Dennis Marble
Town Manager Angus Jennings
DPW Director Sean Currier
Assessor Kelly Karter*

Chairman Sirois called the meeting to order at 6 PM.

1. **MINUTES – March 27, 2017 Meeting** – *Motion by Councilor McPike seconded by Councilor Wilde to approve the minutes. 7-0 vote in favor.*

Because Assessor Karter was in attendance for the discussion of LD 1479, it was proposed to consider New Business Item 3.e. out of order. There were no objections.

3. NEW BUSINESS

- a. **Committee discussion and position on LD 1479, An Act To Modernize and Improve Maine’s Property Tax System** – *Assessor Karter provided a summary of the proposed LD. Councilor Wilde noted that this is another example of a trend toward state legislation proposing to reduce local revenues. All Councilors supported opposing the legislation. Staff will submit testimony on the Town’s behalf.*

2. OLD BUSINESS

- a. **Update on Grant Application for Old County Culvert** – *Manager Jennings reported that the grant funds had not been awarded but that the application was strong and would be slightly revised for resubmittal during the next grant round expected fall 2017.*
- b. **Review of draft FY18 Sewer expenses and revenues, and draft Sewer Capital Program; and potential referral of Fees Ordinance to Town Council for public hearing regarding sewer rates** – *Manager Jennings summarized the changes in projected FY18 sewer expenses from the FY17 budget, including the additional debt service requirements and the proposed addition of dedicated personnel to attend to and be paid from the sewer. Chairman Sirois said we need to dedicate resources toward the sewer. Councilor McAvoy asked if the*

proposed shift of a DPW employee from Highway to Sewer would reduce DPW staff and Manager Jennings said the proposal would be to replace the DPW personnel. Councilor Marble asked if this would allow us to be more proactive on sewer operations & maintenance and Director Currier said it would allow for dedicated staff time toward fixing sewer structures, field inspections for new sewer connections, help prepare reports including the CSO Annual Report, and the person would be trained in the collection system certification program. Director Currier reported that Hampden's responsibility for 8.33% of certain capital improvements to the Bangor WWTP was expected to result in additional costs in the coming years as Bangor is anticipating the need for major investments. Manager Jennings noted that referring the rate change to public hearing did not pre-commit the Councilors to voting a certain way, only that the matter should be considered in public hearing. There was a motion by Councilor Wilde seconded by Councilor McAvoy to refer the proposed rate structure to the Council to hold a public hearing. Motion passed 7-0.

3. NEW BUSINESS

- a. **Review of Interest Rate Bids for 2017 Sewer Revenue Obligation Bond in the amount of \$262,936** – recommendation to Town Council – Chairman Sirois abstained from this matter due to his employer having submitted an interest rate bid. Manager Jennings summarized the bids and recommended the Camden National rate of 2.47% over 7 years. There was a motion by Councilor Marble seconded by Councilor McAvoy to recommend Council acceptance of the interest rate bid from Camden National Bank for 2.47% over 7 years. Motion passed 6-0-1.
- b. **2016 CSO (Combined Sewer Overflow) Annual Report to DEP (informational)** – This informational matter was summarized by staff.
- c. **2016 Transfer Station Annual Report to DEP (informational)** – This informational matter was summarized by staff.
- d. **Correspondence from MRC regarding April 26 MRC Board meeting and proposed revisions to funding of Joinder Agreement Reserve Funds, and proposed revisions to the Master Waste Supply Agreement and Site Lease** – This informational matter was summarized by staff.

- e. **Committee discussion and position on LD 1479, An Act To Modernize and Improve Maine's Property Tax System** – *This matter was addressed earlier in the meeting.*
- f. **Request for Town support of LD 1444 – An Act Regarding Large-Scale Community Solar Procurement** – *This matter failed for lack of a motion.*

4. PUBLIC AND STAFF COMMENTS – *None.*

- 5. COMMITTEE MEMBER COMMENTS** – *Mayor Ryder noted that he had received positive feedback from a contractor recently regarding their interactions with the Town's Public Works and Code staff. Councilor McPike provided an update on potential industrial development on the riverfront. He noted that testing would be done adjacent to the Hughes Bros. site and that there may be an opportunity to extend the testing further down the river.*

6. ADJOURN

There being no further business, the meeting was adjourned at 7:23 PM.

Respectfully submitted –
Angus Jennings
Town Manager



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

May 18, 2017

Sean Currier
Public Works Director
Town Hampden Combined Sewer Overflow
106 Western Avenue
Hampden, ME 04444

Dear Sean,

Enclosed please find the inspection report for my inspection of the Hampden Combined Sewer Overflow on Wednesday May 3, 2017. Thank you for taking the time to answer my questions and give me a tour of the town's sewer system. Please extend a thank you to the staff who took time to meet with me.

As a result of this inspection I have no recommendations or corrective actions. Thank you for your dedication to public health and community wellness.

If you have any questions or concerns please feel free to contact me.

A handwritten signature in black ink, appearing to read "Nina Caputo".

Nina Caputo
Environmental Specialist II
Department of Environmental Protection
Eastern Maine Regional Office
Bureau of Water Quality
106 Hogan Road
Bangor, ME 04401

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143



**Maine Department of Environmental Protection
Wastewater Facility Inspection Report**



Facility: Town of Hampden Combined Sewer Overflow

Location: 139 Main Rd N, Hampden, ME 04444

MEPDES: ME0102512

Inspection Date, Start and End Times: May 3, 2017 9:00AM-11:15AM

Inspection Type: Routine

Inspector: Nina Caputo, ESII-Wastewater Compliance, Maine DEP, Eastern Maine Regional Office, 941-4569, nina.m.caputo@maine.gov

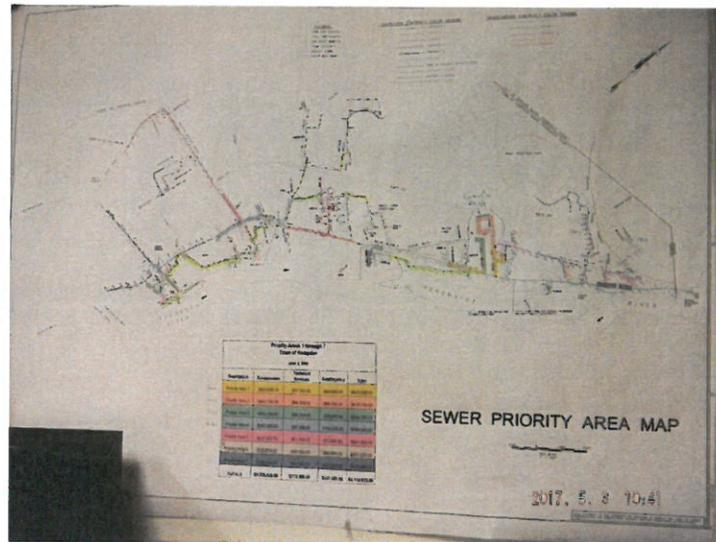
Facility Contact: Sean Currier, Public Works Director, 862-3337, publicworks@hampdenmaine.gov

Discharge Type: Combined Sewer Overflow

Facility Type: Municipality

Facility Site Inspection:

My inspection began with a review of the Town of Hampden’s status in the Combined Sewer Overflow (CSO) program. I reached out to Michael Riley, Senior Environmental Engineer and the CSO Community Coordinator, for his insight on the Hampden CSO. Michael stated that Hampden is operating under an approved CSO Master Plan as required by Special Condition A.4, but noted there has not been an approved Master Plan update since 2003. When the permit is renewed in February of 2018, the Department plans on putting a milestone in the permit to submit a CSO Master Plan Update. While I was on-site, Sean Currier mirrored this sentiment and stated his intent to update the CSO Master Plan. If awarded the grant money the Town of Hampden recently applied for, Sean plans to inspect the entirety of the sewer system through a closed circuit television (CCTV) inspection to determine priority projects. He stated the grant money would allow him to do five years’ worth of work in one year.



Hampden’s Priority Sewer Project Plan from 2009. Sean hopes to update this plan through a CCTV inspection.

Michael added that Hampden is meeting Special Condition A.5 and following the Nine Minimum Controls. They are maximizing system storage through their one isolation and four lateral tanks and maximizing flow to

the Bangor Water Pollution Control Facility rather than discharging through the CSO Outfall. Additionally, Hampden hasn't had any dry weather CSO discharges.



The SCADA layout of the CSO (left) and the aerial view of the CSO discharge (middle) and the CSO outfall in the stream (right).

When I met with Sean at the Town Office, I was also introduced to Dudley Patterson, the head maintenance person and responder for Hampden Public Works. The two of them explained that Sean will be proposing a new position to oversee the sewer system in the 2018 budget; this will free up Sean and Dudley to maintain other areas of Public works.

I began by asking how the CSO flow is monitored. The Bangor WPCF has the wastewater level and flow from the CSO tank (monitored via level transducer) on their SCADA system. However, because the actual flow from the CSO Outfall is not directly monitored, it is difficult to tell when the CSO is discharging or just close to discharging. To counter this issue, the Hampden CSO is monitored by blocks which were just installed this year. When inspecting the CSO site and the Souadabscook Stream Pump Station, appropriate signage was visible on the pump shelter and at the outfall itself.

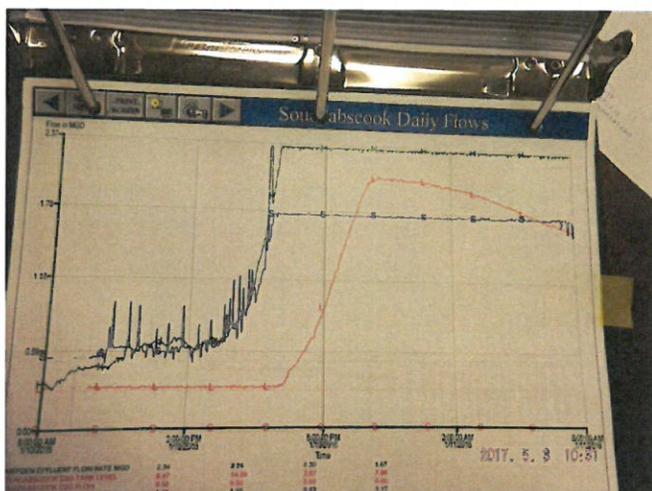


The newly installed block system (left) and the signage on the pump shelter (right).



Signage by the CSO outfall.

The SCADA system continuously monitors the CSO tank levels as well as the influent flow to the WPCF through a Parshall flume. This monitoring produces a 24-hour snapshot of the CSO every day. This data is used to estimate the potential CSO discharge flow. Sean wants to ensure the flow meter at the Bangor WPCF is accurately reading the CSO influent. He stated there is potential for inaccurate readings when the Parshall flume experiences the first surge of wastewater as the Souadabscook Stream Pump Station begins pumping water toward the Bangor WPCF through the 8 inch force main. To ensure this is not occurring, Woodard and Curran have been hired to review the accuracy of the flow meter and ensure it is calibrated correctly.



Pictured (left) is a CSO discharge from January 2016. The green line indicates the flow rate coming into the Bangor WPCF, the blue line indicates the flow through the Souadabscook pump station and the red line indicates the wastewater level in the CSO holding tanks.

Despite the pump activity and indication of flow to the Bangor WPCF, the CSO tank levels increase rapidly, peak, and then slowly decrease. Sean believes this is an indication of CSO activity and uses this data to estimate CSO discharges. Picture on the right is the Parshall flume at the Bangor WPCF.



Additionally, we viewed the manhole at 62 Daisy Lane that experienced a sanitary sewer overflow (SSO) in the Fall of 2016. Sean indicated the manhole is regularly inspected (as he stated in his report to the Department), but there have been no issues concerning blockages or build up since the SSO. Dudley agreed that it was a once

time issue. However, the right angle of the PVC pipe from the house to the sewer flow would indicate this manhole is susceptible to blockages. The Department advises continued monitoring.



The 62 Daisy Land sewer line manhole (left) and a close-up of the house pipe discharge to the sewer line (right).

Comments:

Sean has been trying to keep up with the continued improvement of the CSO system and keep the Hampden budget closely tied with the Bangor WPCF. Because Bangor has been contracted to treat Hampden’s sewer water, Hampden is contractually obligated to supply 8.33% of the Bangor WPCF’s budget for maintenance and facility projects. This also applies to Bangor WPCF’s Consent Agreement with the EPA. However, Bangor is not responsible for maintaining Hampden’s sewer system and the CSO upgrade. Currently 80-85% of the collection system is plastic due to, in part, Sean’s and his predecessor’s efforts to modernize Hampden’s sewer system.

I found no compliance issues during my inspection.

Recommendations:

I have no recommendations as a result of this inspection.

Corrective Actions:

I have no corrective actions as a result of this inspection.



Report Date: 5/18/17

Nina Caputo
Division of Water Quality Management
Bureau of Water Quality
Eastern Maine Regional Office



Angus Jennings <townmanager@hampdenmaine.gov>

PTL - Initial Review of the Annual Report

1 message

Drumlin Environmental <info@drumlinllc.com>
To: Angus Jennings <townmanager@hampdenmaine.gov>
Cc: Steve Rabasca <srabasca@soilmetrics.com>

Tue, May 16, 2017 at 9:23 AM

Hello Angus:

I have done an initial review of the Annual Report to gather general information about the 2016 water quality data. Consistent with data from previous years and as reflected in our November 2016 memorandum to the Town Council, the 2016 data reflect some areas of improvement and some locations where water quality has declined somewhat. A brief summary of key points from the 2016 data is provided below.

- The groundwater extraction system collected less groundwater than in 2015. This was due to several factors including less precipitation and some mechanical issues (e.g. freezing lines, etc.)
- The external gas extraction system collected less methane than in 2015. This was due primarily to the lower methane levels in the landfill gas.
- The volume of leachate recirculated into the landfill in 2016 was approximately 2.6 million gallons, which was approximately 1.6 million gallons less than in 2015.
- There were 2 of the 22 monitoring wells that met the corrective action target to have a specific conductance of less than 500 umhos/cm and 2 wells that were below 500 umhos/cm on one of the two sampling events. The remainder of the monitoring wells have specific conductance values above the corrective action target.
- There were also 6 of 22 wells that had new maximum specific conductance values in 2016. These were primarily located on the south side of the landfill, where there has been a recent rising trend.
- Overall the concentrations of dissolved methane from landfill gas has improved and this improvement was sustained in 2016. These improvements are the result of effective operation of the external gas extraction wells.
- Operationally, there were several incidents of note that PTL has, or is following up on. On the south side of the landfill, near the wells where the specific conductance trend has been upward, there were several cover defects found and leachate had drained onto soil outside the landfill. The condition was reported to the MDEP, the cover defects were repaired and soil containing leachate was excavated.
- Leachate breakouts were also discovered near the top of the landfill in the area where leachate recirculation is conducted. In addition to repairing cover defects, PTL has modified their operations and are not introducing leachate to trenches LRT-1 and LRT-4.

As part of our agreement with the Town, we will review the Annual Report in greater depth and contact the MDEP to follow up with them on oversight and their data review, and will provide a more detailed review to the town consistent with our November 2016 memorandum. If there are

questions or topics that you would like to discuss in the mean time, please feel free to contact me at your convenience.

Regards,
Matt

Matthew D. Reynolds, P.E., C.G.

Drumlin Environmental, LLC

(207) 771-5546

(207) 242-2812 (cell)

info@drumlinllc.com

**HAMPDEN ENVIRONMENTAL TRUST
COMMITTEE MEETING**

Thursday May 18th, 2017

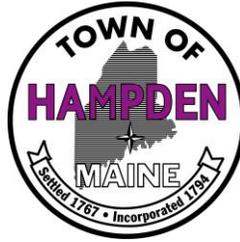
10 A.M.

HAMPDEN TOWN OFFICE

A G E N D A

1. Call to Order
2. Approval of Meeting Minutes – February 2, 2017
3. Review of financial statements, first quarter (January to March) 2017
4. Update on contract with Drumlin Environmental, LLC, executed March 2017, for continuing assistance in monitoring Pine Tree Landfill post-closure activities and data
5. Summary of proposed FY17 and FY18 Town Budgets including proposed budgeted Environmental Trust revenues – *Angus Jennings, Town Manager*
6. Review of proposed FY17 costs for reimbursement or payment from Environmental Trust, Income
 - a. General Fund payments for Stormwater Management totaling \$70,821.55 from July 2016 to May 2017
7. Review of proposed pre-FY17 costs for reimbursement from Environmental Trust, Principal
 - a. General Fund payments to Drumlin Environmental, LLC totaling \$108,907.21 from July 2008 through May 2016
8. Review of proposed pre-FY17 costs for reimbursement from Environmental Trust, Income
 - a. General Fund payments for Stormwater Management and Rain Garden totaling \$160,397.08 from July 2009 to September 2016
 - b. General Fund payments for Stormwater Management and Rain Garden totaling \$20,385.00 from July 2009 to September 2016 (*accounting records but invoices not kept past records retention*)
9. Establish June 2017 special meeting date, and establish date of next quarterly meeting in August or September 2017
10. Adjourn

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



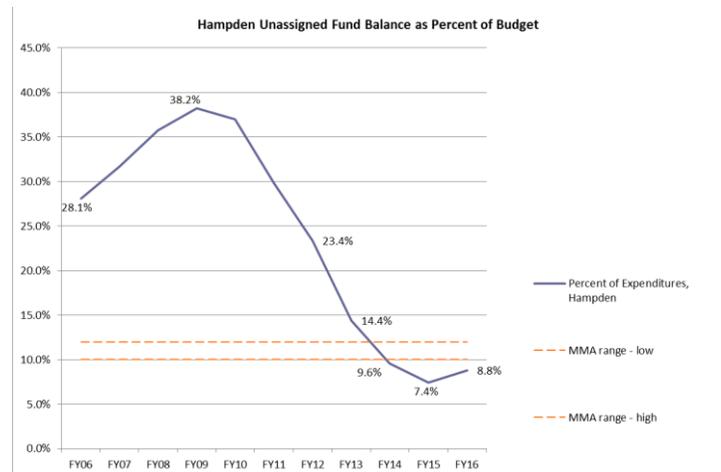
Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Environmental Trust Committee
FROM: Angus Jennings, Town Manager
DATE: May 15, 2017
RE: Current and proposed role of Environmental Trust in Town budgeting

As was discussed at the Committee's October 2016 and February 2017 meetings, the Environmental Trust was an active financial resource to the Town of Hampden for many years. Our paper records show routine Committee authorization of Trust payment of eligible expenses from 1993 until around 2007. The last Environmental Trust Committee meeting minutes we have on file are from Oct. 8, 2008, and the last meeting agenda we have on file is from Aug. 29, 2009 (no meeting minutes found).

Over the past 16 months or so, we have worked to reactivate the Trust through Council reappointment of the Committee; resuming quarterly meetings pursuant to the Trust Committee Bylaws; restoring communications between the Committee and the Institutional Trustee (Bangor Savings Bank); and facilitating Committee consideration of its roles and responsibilities as it was intended, and as it functioned for many years.

Part of our work involved resolving a backlog of documented expenses that have been incurred by the Town's General Fund during the period of Committee inactivity. During that time, the health of the Town's finances (as indicated by the Unassigned Fund Balance as a percentage of annual budget) worsened considerably (see chart, excerpted from Town Manager presentation of proposed FY18 Town Budget, complete presentation online at www.hampdenmaine.gov/budget).



At year-end FY14, for the first time the Town's Unassigned Fund Balance fell below the 10-12% range recommended by the Maine Municipal Association. Restoring the Fund Balance to a healthier condition is one of the Town Manager / Town Council goals, and some progress has been made in this regard.

Later on this meeting agenda the Committee will review a number of expenses incurred prior to the Committee's appointment in 2016 that would have been eligible for payment from the Trust had the Committee been active.

The purpose of this memo is to set out the role that the Trust played in adopting a balanced FY17 budget, and its role in the proposed FY18 Town budget.

In FY17, for the first time, the Town included a separate budget for Stormwater Management which, because Hampden is a regulated MS4 (Municipal Separate Storm Sewer System) community, has been and will continue to be a significant and costly unfunded mandate. Prior to FY17, stormwater management expenses were not specifically budgeted, but rather were paid from one-time Host Community Benefit revenues.

The approved FY17 Town Budget includes \$122,630 in stormwater management expenses. It also includes \$120,000 in budgeted revenues based on anticipated payment (or reimbursement) of these expenses from the Environmental Trust. The Town Council agreed with my recommendation that, because the legal underpinning of MS4 regulations is protection of water quality, our compliance costs are eligible for Trust payment (or reimbursement) from Trust Income which under the Trust Indenture may be expended "to preserve and protect the environment in the Town of Hampden, including funding such environmental study, testing, protection, preservation, and remediation measures as the Individual Trustees, in their discretion, direct."

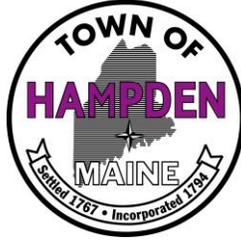
Under Item 6 on the May 18 agenda, the Committee will be asked to pay about \$71,000 of related expenses incurred in FY17. An additional request will be submitted closer to the end of the fiscal year (June 30) in order to submit payment (or reimbursement) request for an additional approximately \$49,000 in order to meet budgeted revenues.

The same approach is reflected in the FY18 Town Budget proposed to the Town Council by the Town Manager: the proposed budget includes \$72,420 in stormwater management expenses, and projects the \$72,240 in Environmental Trust revenue. (Proposed budget numbers are subject to change as the Town Council proceeds with ongoing budget working meetings; the Town Council is anticipated to propose its FY18 Town Budget on June 5 and to adopt its FY18 budget at public hearing on June 19).

This item is included for discussion on the May 18 meeting of the Environmental Trust Committee in order to ensure clarity regarding the intent of this budgeting approach, and to seek the Committee's input which can then be shared with the Town Council.

cc: *Town Council Infrastructure Committee*
Tammy Ewing, Finance/HR
Sean Currier, DPW Director

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Environmental Trust Committee
FROM: Angus Jennings, Town Manager
DATE: January 30, 2017
RE: Proposed FY17 eligible cost offsets from Environmental Trust

As was presented at the Committee's meeting on 10/18/16, this year's Town budget projects revenue of \$120,000 from the Environmental Trust. This number is based on the approved stormwater management budget for the following four line items:

| <u>Acct.</u> | <u>Budgeted</u> |
|------------------------|-----------------|
| 10-10-22-01 | \$8,280 |
| 10-10-22-05 | \$12,850 |
| 10-10-22-20 | \$100,000 |
| 10-10-30-80 | \$1,500 |
| TOTAL (excl. Supplies) | \$122,630 |

Please find enclosed information regarding the overall FY17 stormwater budget, with backup/documentation for each of the line items. It is our opinion that these expenses would be eligible for payment from the Environmental Trust Income account, which is eligible for use "to preserve and protect the environment in the Town of Hampden, including funding such environmental study, testing, protection, preservation, and remediation measures as the Individual Trustees, in their discretion, direct."

DPW Director Currier's memo, attached, discusses how stormwater management is integral to the Town's work to preserve and protect the environment in the Town of Hampden. Related documentation can also be found in the Town's recent grant application to Maine DEP for funding for the replacement of a culvert under Old County Road. This grant application is included as Item 2-a in the Council's Infrastructure Committee meeting packet for January 30, 2017 (online [here](#)).

As noted in DPW Director Currier's memo, the proposed expenses include both incurred costs and budgeted but not yet expended costs in the FY17 expense budget.

Upon Committee authorization these expenses would be referred to the Town Council, for their review and approval.

This memo included as
background; was already
provided to Infra Comm
earlier this year.



TOWN OF HAMPDEN

DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-5067

January 27, 2017

To: Angus Jennings
From: Sean Currier
Subject: 2017 Storm Water Budgeting

During the FY17 budget preparation, Hampden staff along with support from an environmental consultant, put forth a budget incorporating storm water maintenance and improvements for the Town of Hampden. Hampden is currently in permit year (4) four of a (5) five year permit cycle for our Municipal Separate Storm Sewer System (MS4). This is a permit regulated by MeDEP for improving water quality, with State and Federal legal implications.

There are (6) six minimum control measures which must be met annually to achieve permit compliance. These control measures ensure that the Town is improving the environment with measurable annual results. Some of the required measures are public outreach, illicit discharge detection and elimination, construction and post construction monitoring and pollution prevention. Hampden is taking a very proactive role in improving the water quality of our streams and environment as a whole.

Items budgeted for this year, not only help us achieve permit requirements, they help improve the ecosystem inside and outside of the regulated area by reducing pollution in streams, removing contaminants from storm water, eliminating sewage from entering waterways, preventing sediment and erosion of stream and drainage banks and improving fish passage.

The storm water budget is essentially an unfunded mandate upon MS4 communities that are striving to find funding sources to accomplish responsible upkeep of existing, aging storm water systems. Prior to FY17, the storm water repairs, maintenance, improvements and the substantial MS4 compliance directives required expenditures that were unfunded and came from a reserve account (Host Community Benefit). This reserve account has been essentially depleted due to the regulated nature of the MS4 permit and the need for recurring annual expenses as well as ongoing capital improvement planning.

In order to contain the extent of tax increase needed for FY17 (much of which resulted from internalizing expenses such as stormwater which had previously been paid with one-time revenues), the approved FY17 projected \$120,000 in revenue from the Environmental Trust in order to offset eligible costs for environmental improvements and compliance mandates.

This year, the storm water budget includes (4) four accounts that directly help to improve the environment.

10-10-22-01 Maintenance/Repair: Budget=\$8,280.00, Current Spending=\$908.70, **Balance=\$7,371.30**. The reason the account balance is still high is that we used our existing pipe stock pile to replace culverts on Patterson Road, Canoe Club Road and structures on Frances, Daisy and Ruth. The remaining balance of the account will be utilized to replenish our stockpile of pipe, frames and grates.

10-10-22-05 Compliance Documentation: Budget=\$12,850.00, Current Spending=\$8,230.19, **Balance=\$4,619.81**. Additional consultant work, already under contract, will be necessary this spring for outfall inspections, monitoring, MS4 required reporting, etc. It is forecasted that entire budget will be utilized.

10-10-22-20 Contracted Services: Budget=\$100,000.00 Current Spending=\$26,191.10, **Balance=\$45,255.16 (see explanation)**. The Sidney Boulevard project was under budget at \$26,495.00. 2% retainage will be due after one year from completion date of project which equals \$529.90. An additional \$28,023.84 is pending payment this week due to the completion of the Old County Road culvert sliplining project. With those items included, the account balance of \$45,255.16 should remain.

We still have catch basins to clean, the North Road culvert to replace, a culvert to slipline or replace on Old County Rd (42" cmp where the road was previously patched) and a 10 foot diameter culvert for Sucker Brook under Old County Road to repair or replace. This account is expected to be utilized in its entirety.

10-10-22-20 Prof. Services/Training/Travel: Budget=\$1,500.00 Current Spending=\$0, **Balance=\$1,500.00**. The expected storm water training class this past fall was canceled due to lack of attendees. We are currently looking for a replacement to the training and forecast this budget will be utilized.

Thank you for your consideration of funding these improvements through the Environmental Trust fund.

Sincerely,



Sean Currier

FY17 Eligible Costs Incurred, Proposed for Environmental Trust Reimbursement

| Date | Vendor | Purpose | Expense | Category of Stormwater Management Cost | | | | | Source of Proposed Reimbursement | | |
|----------|--------------------|------------------------------|--------------|--|--------------------------|----------|---------------------|-----------------|----------------------------------|--------|---------|
| | | | | Maintenance | Compliance Documentation | Supplies | Contracted Services | Training/Travel | Principal | Income | Receipt |
| 07/06/16 | 00055 BASWG | MEMBERSHIP SHARE 16-17 | \$ 4,400.00 | | \$ 4,400.00 | | | | \$ 4,400.00 | Y | |
| 08/03/16 | 00661 TREASURER, S | MS4 General Permit, Ann. Fee | \$ 182.00 | | \$ 182.00 | | | | \$ 182.00 | Y | |
| 08/24/16 | 00626 STILLWATER E | ENGINEERING SERVICES | \$ 2,061.61 | | \$ 2,061.61 | | | | \$ 2,061.61 | Y | |
| 09/07/16 | 00141 E.J.PRESCOTT | ASTM PE PIPE SOLID | \$ 275.00 | \$ 275.00 | | | | | \$ 275.00 | Y | |
| 09/28/16 | 00626 STILLWATER E | ENGINEERING CONSULTING | \$ 1,586.58 | | \$ 1,586.58 | | | | \$ 1,586.58 | Y | |
| 09/28/16 | 00141 E.J.PRESCOTT | 18 CMP BAND PLAIN 16GA | \$ 83.72 | | | \$ 83.72 | | | \$ 83.72 | Y | |
| 11/30/16 | 01143 GARDNER CONS | SIDNEY BLVD DRAINAGE | \$ 25,965.10 | | | | \$ 25,965.10 | | \$ 25,965.10 | Y | |
| 12/21/16 | 00040 BANGOR DAILY | bid ad - public works | \$ 226.00 | | | | \$ 226.00 | | \$ 226.00 | Y | |
| 01/11/17 | 00000 TI SALES | CATCH BASIN FRAME/GRATE | \$ 633.70 | \$ 633.70 | | | | | \$ 633.70 | Y | |
| 02/01/17 | 01146 C.L.H. & SON | STORM DRAIN SLIP LINING | \$ 28,023.84 | | | | \$ 28,023.84 | | \$ 28,023.84 | Y | |
| 03/15/17 | 00040 BANGOR DAILY | CCTV | \$ 259.00 | | | | \$ 259.00 | | \$ 259.00 | Y | |
| 05/17/17 | 00626 STILLWATER E | ENGINEERING SERVICES | \$ 2,420.00 | | | | \$ 2,420.00 | | \$ 2,420.00 | Y | |
| 05/17/17 | 00626 STILLWATER E | ENGINEERING SERVICES | \$ 4,665.00 | | | | \$ 4,665.00 | | \$ 4,665.00 | Y | |
| | | | | | | | | | <u>\$ 70,781.55</u> | | |

Source: Angus Jennings, Town Manager

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

EXHIBIT A
FORM OF CERTIFICATE OF TOWN

Bangor Savings Bank (Institutional Trustee)
c/o Julie A. Shephard, Account Administrator
5 Senator Way
Augusta, ME 04330

Re: Demand for Funds Pursuant to Trust Indenture Dated As of October 1, 1991 between Town of Hampden, as Grantor and Bangor Savings Bank, as Institutional Trustee (the "Trust Indenture")

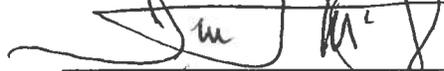
Gentlepersons:

This certificate is provided to you pursuant to the above-referenced Trust Indenture. Capitalized terms used herein without definition shall have the meaning set forth in the Trust Indenture.

The undersigned do hereby certify:

1. That they are the Individual Trustees of the Trust.
2. The Individual Trustees have approved use of property held in the Fund for purposes set forth in the Trust Indenture, in the amount set forth below. (Trust - Income)
3. You are hereby directed pay to Town of Hampden the sum of \$ 70,781.55

INDIVIDUAL TRUSTEES



Kenny L. Woodbury
Phanett J. White

CERTIFICATE OF TOWN CLERK

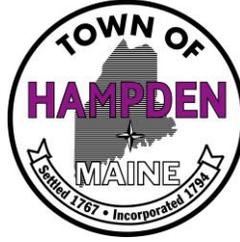
The undersigned DOES HEREBY CERTIFY:

1. That he/she is the duly appointed and incumbent Clerk of the Town of Hampden, Maine.
2. That the foregoing certificate of the Individual Trustees was duly approved by a majority of the members of the Town Council of the Town of Hampden on _____, _____.

Printed Name: _____
Clerk, Town of Hampden

cc: Town of Hampden

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

TO: Environmental Trust Committee
FROM: Angus Jennings, Town Manager
DATE: January 30, 2017
RE: Documentation of prior years' eligible costs from Environmental Trust

As was presented at the Committee's meeting on 10/18/16, the Town has paid many expenses since the Environmental Trust Committee was last active (2009) that would have been eligible for payment from the Environmental Trust.

During that period of time, funds in the Town's Host Community Benefit account (which was established and funded proceeds from the Pine Tree Landfill, when it was in operation) have been substantially depleted. (The HCB was the source of most or all of these expenses).

In an effort to restore the Town's Host Community Benefit Fund to a healthier financial condition, my office is working to document those prior expenses that would or could be eligible for payment from the Trust. The Institutional Trustee – Bangor Savings Bank – has advised that there is no prohibition on payment of older expenses, if that is the action of the Trust Committee (and the Town Council).

The attached workbook itemizes those expenses which fall into one of three categories which appear to be eligible expenses: Landfill Post-Closure Monitoring; Stormwater Management; and Rain Garden.

If the Committee agrees that we are on the right track, additional detail can be added to the "Purpose" column. This information is less complete in the database prior to FY16, but this detail can be extracted from our Trio accounting software for prior years. We also retain paper copies of financial records dating back through FY10 (7/1/09), and over time can assemble supporting documentation as needed.

However, I want to be sure this effort is justified before assigning staff to assemble this documentation. This item is included for discussion on the upcoming meeting agenda in order to establish the Committee's expectations for documentation for items for potential reimbursement from the Environmental Trust. We (staff) will then proceed based on the Committee's direction at that time.

cc: Tammy Ewing, Finance

This memo included as background; was already provided to Infra Comm earlier this year.

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

| Date | Vendor | Purpose | Expense | Category | | | Source of Proposed Reimbursement | | |
|--|-----------------------|-------------------------|----------------------|----------------------------------|-----------------------|-------------|----------------------------------|-------------|----------------------|
| | | | | Landfill Post-Closure Monitoring | Stormwater Management | Rain Garden | Principal | Income | Receipt |
| 5/4/2016 | 00134 DRUMLIN ENVI | GEOTECHNICAL REVIEW | \$ 2,005.00 | \$ 2,005.00 | | | \$ 2,005.00 | | Y |
| 9/24/2014 | 00134 Drumlin Env | HAMPDEN TECH CONSULTANT | \$ 1,615.00 | \$ 1,615.00 | | | \$ 1,615.00 | | Y |
| 5/7/2014 | 00134 Drumlin Environ | TECHNICAL CONSULTANT | \$ 1,350.00 | \$ 1,350.00 | | | \$ 1,350.00 | | Y |
| 5/7/2014 | 00134 Drumlin Environ | TECHNICAL CONSULTANT | \$ 1,190.00 | \$ 1,190.00 | | | \$ 1,190.00 | | Y |
| 12/14/2011 | 00134 Drumlin LLC | TECHNICAL CONSULTANT | \$ 1,061.53 | \$ 1,061.53 | | | \$ 1,061.53 | | Y |
| 9/14/2011 | 00134 Drumlin LLC | TECHNICAL CONSULTANT | \$ 2,259.00 | \$ 2,259.00 | | | \$ 2,259.00 | | Y |
| 5/25/2011 | 00134 Drumlin | TECHNICAL CONSULTANT | \$ 2,761.00 | \$ 2,761.00 | | | \$ 2,761.00 | | Y |
| 3/9/2011 | 00134 Drumlin | TECHNICAL CONSULTANT | \$ 5,726.00 | \$ 5,726.00 | | | \$ 5,726.00 | | Y |
| 11/24/2010 | 00134 Drumlin | TECHNICAL CONSULTANT | \$ 9,636.00 | \$ 9,636.00 | | | \$ 9,636.00 | | Y |
| 9/8/2010 | 00134 Drumlin | TECHNICAL CONSULTANT | \$ 7,510.00 | \$ 7,510.00 | | | \$ 7,510.00 | | Y |
| 6/3/2010 | 00134 Drumlin | TECHNICAL CONSULTANT | \$ 14,498.00 | \$ 14,498.00 | | | \$ 14,498.00 | | Y |
| 3/4/2010 | 00134 Drumlin | TECHNICAL CONSULTANT | \$ 2,964.00 | \$ 2,964.00 | | | \$ 2,964.00 | | Y |
| 2/11/2010 | 00134 Drumlin | Tech Consultant | \$ 4,745.25 | \$ 4,745.25 | | | \$ 4,745.25 | | Y |
| 9/23/2009 | 00134 Drumlin | TECHNICAL CONSULTANT | \$ 9,437.00 | \$ 9,437.00 | | | \$ 9,437.00 | | Y |
| 7/9/2009 | 00134 DRUMLIN | TECHNICAL CONSULTANT | \$ 14,282.15 | \$ 14,282.15 | | | \$ 14,282.15 | | Y |
| 3/11/2009 | 00134 Drumlin | Tech Consultant | \$ 9,099.28 | \$ 9,099.28 | | | \$ 9,099.28 | | Y |
| 11/5/2008 | 00134 Drumlin | Tech Consultant | \$ 10,249.00 | \$ 10,249.00 | | | \$ 10,249.00 | | Y |
| 7/9/2008 | 00134 Drumlin | Technical Consultant | \$ 8,519.00 | \$ 8,519.00 | | | \$ 8,519.00 | | Y |
| Total proposed for reimbursement to General Fund: | | | \$ 108,907.21 | \$ 108,907.21 | \$ - | \$ - | \$ 108,907.21 | \$ - | \$ 108,907.21 |

Data Sources: Town accounting records (Trio) and paper records.

Note: Per Records Retention schedule, paper invoices prior to July 1, 2010 are no longer retained.

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

EXHIBIT A
FORM OF CERTIFICATE OF TOWN

Bangor Savings Bank (Institutional Trustee)
c/o Julie A. Shephard, Account Administrator
5 Senator Way
Augusta, ME 04330

Re: Demand for Funds Pursuant to Trust Indenture Dated As of October 1, 1991 between Town of Hampden, as Grantor and Bangor Savings Bank, as Institutional Trustee (the "Trust Indenture")

Gentlepersons:

This certificate is provided to you pursuant to the above-referenced Trust Indenture. Capitalized terms used herein without definition shall have the meaning set forth in the Trust Indenture.

The undersigned do hereby certify:

1. That they are the Individual Trustees of the Trust.
2. The Individual Trustees have approved use of property held in the Fund for purposes set forth in the Trust Indenture, in the amount set forth below. Trust-Principal
3. You are hereby directed pay to Town of Hampden the sum of \$ 108,907.21

INDIVIDUAL TRUSTEES



Kerry L. Woodbury

Charles J. White

CERTIFICATE OF TOWN CLERK

The undersigned DOES HEREBY CERTIFY:

1. That he/she is the duly appointed and incumbent Clerk of the Town of Hampden, Maine.
2. That the foregoing certificate of the Individual Trustees was duly approved by a majority of the members of the Town Council of the Town of Hampden on _____, _____.

Printed Name: _____
Clerk, Town of Hampden

cc: Town of Hampden

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

FY16

| <u>Date</u> | <u>Vendor</u> | <u>Purpose</u> | <u>Expense</u> | <u>Category</u> | | | <u>Source of Proposed Reimbursement</u> | | |
|-------------|--------------------|---------------------------|----------------|----------------------------------|-----------------------|-------------|---|---------------|----------------|
| | | | | Landfill Post-Closure Monitoring | Stormwater Management | Rain Garden | <u>Principal</u> | <u>Income</u> | <u>Receipt</u> |
| 9/28/2016 | 00626 STILLWATER E | TECHNICAL CONSULTANT | \$ 436.72 | | \$ 436.72 | | \$ 436.72 | Y | |
| 9/21/2016 | 00626 STILLWATER E | PROFESSIONAL SERVICES | \$ 11,152.99 | | \$ 11,152.99 | | \$ 11,152.99 | Y | |
| 4/6/2016 | 00626 STILLWATER E | ENGINEERING CONSULTING | \$ 5,710.40 | | \$ 5,710.40 | | \$ 5,710.40 | Y | |
| 1/27/2016 | 00626 STILLWATER E | ENGINEERING MS4 SERV | \$ 1,966.00 | | \$ 1,966.00 | | \$ 1,966.00 | Y | |
| 12/9/2015 | 00626 STILLWATER E | ENG.CONSULTING SERV 10/31 | \$ 3,961.04 | | \$ 3,961.04 | | \$ 3,961.04 | Y | |
| 9/23/2015 | 00626 STILLWATER E | ENGINEERING CONSULTING | \$ 3,512.50 | | \$ 3,512.50 | | \$ 3,512.50 | Y | |
| 9/9/2015 | 00040 BANGOR DAILY | MEMO OF AGREEMENT/LEGAL | \$ 525.00 | | \$ 525.00 | | \$ 525.00 | Y | |
| 8/26/2015 | 00626 STILLWATER E | ENGINEERING CONSULTING | \$ 2,656.10 | | \$ 2,656.10 | | \$ 2,656.10 | Y | |
| 8/19/2015 | 00661 TREASURER, S | MS4 GENERAL PERMIT | \$ 180.00 | | \$ 180.00 | | \$ 180.00 | Y | |
| 7/15/2015 | 00626 STILLWATER E | ENGINEERING CONSULTING | \$ 5,280.20 | | \$ 5,280.20 | | \$ 5,280.20 | Y | |
| 7/15/2015 | 00055 BASWG | MEMBERSHIP SHARE FY16 | \$ 4,000.00 | | \$ 4,000.00 | | \$ 4,000.00 | Y | |

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

FY15

| <u>Date</u> | <u>Vendor</u> | <u>Purpose</u> | <u>Expense</u> | <u>Category</u> | | | <u>Source of Proposed Reimbursement</u> | | |
|-------------|--------------------------|-------------------------|----------------|----------------------------------|-----------------------|-------------|---|---------------|----------------|
| | | | | Landfill Post-Closure Monitoring | Stormwater Management | Rain Garden | <u>Principal</u> | <u>Income</u> | <u>Receipt</u> |
| 6/3/2015 | 00626 Stillwater Environ | ENGINEERING CONSULTING | \$ 2,838.20 | | \$ 2,838.20 | | \$ 2,838.20 | Y | |
| 5/13/2015 | 00422 Robert Osborne | STREAM CLEANUP | \$ 326.82 | | \$ 326.82 | | \$ 326.82 | Y | |
| 4/15/2015 | 00626 Stillwater Environ | STORMWATER 101 TRAINING | \$ 475.00 | | \$ 475.00 | | \$ 475.00 | Y | |
| 4/15/2015 | 00626 Stillwater Environ | ENGINEERING CONSULTING | \$ 2,577.40 | | \$ 2,577.40 | | \$ 2,577.40 | Y | |
| 2/18/2015 | 00626 Stillwater Environ | ENGINEERING CONSULTING | \$ 1,246.70 | | \$ 1,246.70 | | \$ 1,246.70 | Y | |
| 1/28/2015 | 00626 Stillwater Environ | ENGINEERING CONSULTING | \$ 1,448.40 | | \$ 1,448.40 | | \$ 1,448.40 | Y | |
| 1/7/2015 | 00517 US Postal Service | STORMWATER LETTER | \$ 155.33 | | \$ 155.33 | | \$ 155.33 | Y | |
| 12/17/2014 | 00626 Stillwater Environ | REVISED SPCC PLAN | \$ 2,200.00 | | \$ 2,200.00 | | \$ 2,200.00 | Y | |
| 12/17/2014 | 00626 Stillwater Environ | ENGINEERING CONSULTING | \$ 2,421.60 | | \$ 2,421.60 | | \$ 2,421.60 | Y | |
| 10/22/2014 | 00626 Stillwater Environ | PROFESSIONAL SERVICES | \$ 2,720.00 | | \$ 2,720.00 | | \$ 2,720.00 | Y | |
| 8/13/2014 | 00055 BASWG | MEMBERSHIP SHARE FY15 | \$ 4,000.00 | | \$ 4,000.00 | | \$ 4,000.00 | Y | |
| 8/6/2014 | 00626 Stillwater Environ | PROFESSIONAL SERVICES | \$ 3,216.00 | | \$ 3,216.00 | | \$ 3,216.00 | Y | |

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

FY14

| Date | Vendor | Purpose | Expense | Category | | | Source of Proposed Reimbursement | | |
|------------|------------------------|---|-------------|----------------------------------|-----------------------|-------------|----------------------------------|--------|---------|
| | | | | Landfill Post-Closure Monitoring | Stormwater Management | Rain Garden | Principal | Income | Receipt |
| 6/25/2014 | 00626 Stillwater Env. | PROFESSIONAL SERVICES | \$ 3,232.50 | | \$ 3,232.50 | | \$ 3,232.50 | Y | |
| 6/11/2014 | 0661 State of Maine | MS4 GENERAL PERMIT | \$ 176.00 | | \$ 176.00 | | \$ 176.00 | Y | |
| 5/7/2014 | 0422 Robert Osborne | STREAMWATER CLEANUP | \$ 216.90 | | \$ 216.90 | | \$ 216.90 | Y | |
| 4/16/2014 | 00626 Stillwater Env. | Spill Prevention, Control, and Countermeasure (SPCC) Plan | \$ 180.00 | | \$ 180.00 | | \$ 180.00 | Y | |
| 4/16/2014 | 00626 Stillwater Env. | PROFESSIONAL SERVICES | \$ 900.00 | | \$ 900.00 | | \$ 900.00 | Y | |
| 2/26/2014 | 00626 Stillwater Env. | Spill Prevention, Control, and Countermeasure (SPCC) Plan | \$ 1,750.00 | | \$ 1,750.00 | | \$ 1,750.00 | Y | |
| 2/18/2014 | 00626 Stillwater Env. | Spill Prevention, Control, and Countermeasure (SPCC) Plan | \$ 630.00 | | \$ 630.00 | | \$ 630.00 | Y | |
| 1/8/2014 | 00626 Stillwater Env. | PROFESSIONAL SERVICES | \$ 1,250.00 | | \$ 1,250.00 | | \$ 1,250.00 | Y | |
| 12/11/2013 | 00626 Stillwater Env. | PROFESSIONAL SERVICES | \$ 1,750.00 | | \$ 1,750.00 | | \$ 1,750.00 | Y | |
| 11/27/2013 | 0100 Civil Engineering | MS4 PROFESSIONAL SERVICES | \$ 451.25 | | \$ 451.25 | | \$ 451.25 | Y | |
| 11/20/2013 | 00626 Stillwater Env. | PROFESSIONAL SERVICES | \$ 1,250.00 | | \$ 1,250.00 | | \$ 1,250.00 | Y | |
| 10/23/2013 | 0104 Clean Harbors | PUMP CATCH BASINS | \$ 5,110.08 | | \$ 5,110.08 | | \$ 5,110.08 | Y | |
| 10/23/2013 | 0100 Civil Engineering | MS4 COMPLIANCE ASSISTANCE | \$ 650.48 | | \$ 650.48 | | \$ 650.48 | Y | |
| 10/9/2013 | 00626 Stillwater Env. | PROFESSIONAL SERVICES | \$ 500.00 | | \$ 500.00 | | \$ 500.00 | Y | |
| 8/14/2013 | 00055 BASWG | MEMBERSHIP SHARE FY14 | \$ 4,177.03 | | \$ 4,177.03 | | \$ 4,177.03 | Y | |
| 7/25/2013 | 0100 Civil Engineering | MS4 COMPLIANCE ASSISTANCE | \$ 812.43 | | \$ 812.43 | | \$ 812.43 | Y | |

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

FY13

| Date | Vendor | Purpose | Expense | Category | | | Source of Proposed Reimbursement | | |
|------------|------------------------|------------------------------|-------------|----------------------------------|-----------------------|-------------|----------------------------------|--------|---------|
| | | | | Landfill Post-Closure Monitoring | Stormwater Management | Rain Garden | Principal | Income | Receipt |
| 5/29/2013 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 641.60 | | \$ 641.60 | | \$ 641.60 | Y | |
| 5/8/2013 | 0422 Robert Osborne | STREAMSIDE CLEANUP | \$ 169.28 | | \$ 169.28 | | \$ 169.28 | Y | |
| 5/1/2013 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 575.00 | | \$ 575.00 | | \$ 575.00 | Y | |
| 3/26/2013 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 648.10 | | \$ 648.10 | | \$ 648.10 | Y | |
| 2/27/2013 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 650.63 | | \$ 650.63 | | \$ 650.63 | Y | |
| 2/6/2013 | 0100 Civil Engineering | MS4 COMPLIANCE ASSISTANCE | \$ 1,016.85 | | \$ 1,016.85 | | \$ 1,016.85 | Y | |
| 12/26/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 746.85 | | \$ 746.85 | | \$ 746.85 | Y | |
| 11/28/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 800.00 | | \$ 800.00 | | \$ 800.00 | Y | |
| 11/7/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 815.63 | | \$ 815.63 | | \$ 815.63 | Y | |
| 10/3/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 618.75 | | \$ 618.75 | | \$ 618.75 | Y | |
| 8/29/2012 | 0100 Civil Engineering | MS4 COMPLIANCE ASSISTANCE | \$ 1,030.95 | | \$ 1,030.95 | | \$ 1,030.95 | Y | |
| 8/22/2012 | 0661 State of Maine | ANNUAL WASTE WATER DISCHARGE | \$ 426.86 | | \$ 426.86 | | \$ 426.86 | Y | |
| 8/8/2012 | 0661 State of Maine | STORMWATER LIC AND FEES | \$ 168.35 | | \$ 168.35 | | \$ 168.35 | Y | |
| 8/1/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,842.55 | | \$ 1,842.55 | | \$ 1,842.55 | Y | |
| 7/24/2012 | 00055 BASWG | MEMBERSHIP SHARE FOR FY13 | \$ 3,872.55 | | \$ 3,872.55 | | \$ 3,872.55 | Y | |

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

FY12

| Date | Vendor | Purpose | Expense | Category | | | Source of Proposed Reimbursement | | |
|------------|------------------------|-----------------------|-------------|----------------------------------|-----------------------|-------------|----------------------------------|-------------|---------|
| | | | | Landfill Post-Closure Monitoring | Stormwater Management | Rain Garden | Principal | Income | Receipt |
| 6/27/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,016.05 | | | \$ 1,016.05 | | \$ 1,016.05 | Y |
| 6/6/2012 | 0422 Osborne, Robert | COMMUNITY CLEANUP | \$ 209.13 | | \$ 209.13 | | | \$ 209.13 | Y |
| 5/30/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,398.10 | | \$ 1,398.10 | | | \$ 1,398.10 | Y |
| 5/2/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 988.10 | | \$ 988.10 | | | \$ 988.10 | Y |
| 3/28/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 861.85 | | \$ 861.85 | | | \$ 861.85 | Y |
| 3/7/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,045.90 | | \$ 1,045.90 | | | \$ 1,045.90 | Y |
| 2/2/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,548.75 | | \$ 1,548.75 | | | \$ 1,548.75 | Y |
| 1/4/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,994.70 | | \$ 1,994.70 | | | \$ 1,994.70 | Y |
| 1/4/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 440.00 | | | \$ 440.00 | | \$ 440.00 | Y |
| 1/4/2012 | 0100 Civil Engineering | | \$ 2,356.00 | | | \$ 2,356.00 | | \$ 2,356.00 | Y |
| 1/4/2012 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,916.00 | | | \$ 1,916.00 | | \$ 1,916.00 | Y |
| 12/21/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,058.50 | | \$ 838.50 | \$ 220.00 | | \$ 1,058.50 | Y |
| 11/16/2011 | 0100 Civil Engineering | | \$ 220.00 | | | \$ 220.00 | | \$ 220.00 | Y |
| 11/16/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 678.60 | | \$ 538.60 | \$ 140.00 | | \$ 678.60 | Y |
| 8/31/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 935.50 | | \$ 935.50 | | | \$ 935.50 | Y |
| 8/10/2011 | 0661 State of Maine | MS4 GENERAL PERMIT | \$ 134.00 | | \$ 134.00 | | | \$ 134.00 | Y |
| 8/3/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,140.60 | | \$ 1,140.60 | | | \$ 1,140.60 | Y |
| 7/27/2011 | 00055 BASWG | MEMBERSHIP DUES | \$ 3,670.15 | | \$ 3,670.15 | | | \$ 3,670.15 | Y |
| 7/13/2011 | 0821 PINNACLE | STORMWATER STEWARD | \$ 262.50 | | \$ 262.50 | | | \$ 262.50 | Y |

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

FY11

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

| Date | Vendor | Purpose | Expense | Category | | | Source of Proposed Reimbursement | | |
|-----------|------------------------|-----------------------|-------------|----------------------------------|-----------------------|-------------|----------------------------------|--------|---------|
| | | | | Landfill Post-Closure Monitoring | Stormwater Management | Rain Garden | Principal | Income | Receipt |
| 6/30/2011 | 0100 Civil Engineering | MS4 SERVICES FOR 2011 | \$ 1,724.95 | | \$ 1,724.95 | | \$ 1,724.95 | Y | |
| 6/1/2011 | 0100 Civil Engineering | MS4 SERVICES FOR 2011 | \$ 902.50 | | \$ 902.50 | | \$ 902.50 | Y | |
| 5/4/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,258.45 | | \$ 1,258.45 | | \$ 1,258.45 | Y | |
| 3/30/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 767.90 | | \$ 767.90 | | \$ 767.90 | Y | |
| 3/2/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,609.85 | | \$ 1,609.85 | | \$ 1,609.85 | Y | |
| 2/9/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 954.50 | | \$ 954.50 | | \$ 954.50 | Y | |
| 1/5/2011 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,027.70 | | \$ 1,027.70 | | \$ 1,027.70 | Y | |
| 12/1/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,656.85 | | \$ 1,656.85 | | \$ 1,656.85 | Y | |
| 11/3/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,354.83 | | \$ 1,354.83 | | \$ 1,354.83 | Y | |
| 9/22/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,245.75 | | \$ 1,245.75 | | \$ 1,245.75 | Y | |
| 9/1/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,843.00 | | \$ 1,843.00 | | \$ 1,843.00 | Y | |
| 8/4/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,529.45 | | \$ 1,529.45 | | \$ 1,529.45 | Y | |

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

| Date | Vendor | Purpose | Expense | Category | | | Source of Proposed Reimbursement | | |
|--|----------------------------|---|----------------------|---------------------|----------------------|-----------------------|----------------------------------|----------------------|----------------------|
| | | | | Landfill Monitoring | Post-Closure | Stormwater Management | Rain Garden | Principal | Income |
| 6/30/2010 | 0661 State of Maine | MS4 ANNUAL FEE FOR PERMIT | \$ 132.00 | | | \$ 132.00 | | \$ 132.00 | Y |
| 6/30/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,037.95 | | | \$ 1,037.95 | | \$ 1,037.95 | Y |
| 6/30/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 750.00 | | | \$ 750.00 | | \$ 750.00 | Y |
| 6/3/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,833.10 | | | \$ 1,833.10 | | \$ 1,833.10 | Y |
| 5/19/2010 | 0940 Penobscot County Soil | STENCILING | \$ 156.90 | | | \$ 156.90 | | \$ 156.90 | Y |
| 5/5/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 960.60 | | | \$ 960.60 | | \$ 960.60 | Y |
| 3/24/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 885.50 | | | \$ 885.50 | | \$ 885.50 | Y |
| 3/4/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 754.50 | | | \$ 754.50 | | \$ 754.50 | Y |
| 1/27/2010 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 711.10 | | | \$ 711.10 | | \$ 711.10 | Y |
| 12/29/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 892.50 | | | \$ 892.50 | | \$ 892.50 | Y |
| 12/2/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 2,103.90 | | | \$ 2,103.90 | | \$ 2,103.90 | Y |
| 12/2/2009 | 0100 Civil Engineering | Spill Prevention, Control, and Countermeasure (SPCC) Plan | \$ 571.70 | | | \$ 571.70 | | \$ 571.70 | Y |
| 10/28/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,411.90 | | | \$ 1,411.90 | | \$ 1,411.90 | Y |
| 10/28/2009 | 00055 BASWG | WORKSHOP FEES | \$ 264.00 | | | \$ 264.00 | | \$ 264.00 | Y |
| 9/23/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 978.10 | | | \$ 978.10 | | \$ 978.10 | Y |
| 9/23/2009 | 0100 Civil Engineering | Spill Prevention, Control, and Countermeasure (SPCC) Plan | \$ 1,060.95 | | | \$ 1,060.95 | | \$ 1,060.95 | Y |
| 9/2/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,214.80 | | | \$ 1,214.80 | | \$ 1,214.80 | Y |
| 7/30/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 905.75 | | | \$ 905.75 | | \$ 905.75 | Y |
| 7/15/2009 | 0829 New Eng. Organics | COMPOST-RAIN GARDEN PROJ | \$ 840.00 | | | \$ 840.00 | | \$ 840.00 | Y |
| 7/15/2009 | 0661 State of Maine | 2008 MSGP ANNUAL FEE/PERMIT | \$ 132.00 | | | \$ 132.00 | | \$ 132.00 | Y |
| 7/9/2009 | 0821 PINNACLE | SERVICE FEES FOR STORM WATER | \$ 1,312.50 | | | \$ 1,312.50 | | \$ 1,312.50 | Y |
| 7/9/2009 | 00055 BASWG | MEMBERSHIP SHARE | \$ 3,670.15 | | | \$ 3,670.15 | | \$ 3,670.15 | Y |
| Total proposed for reimbursement to General Fund: | | | \$ 160,397.08 | \$ - | \$ 154,089.03 | \$ 6,308.05 | \$ - | \$ 160,397.08 | \$ 160,397.08 |

Data Sources: Town accounting records (Trio) and paper records.

Note: Per Records Retention schedule, paper invoices prior to July 1, 2010 are no longer retained.

Note: Receipts for all expenses above were included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, but are not included here so as not to bog down this packet. All receipts are posted online at www.hampdenmaine.gov/environmentaltrust

EXHIBIT A
FORM OF CERTIFICATE OF TOWN

Bangor Savings Bank (Institutional Trustee)
c/o Julie A. Shephard, Account Administrator
5 Senator Way
Augusta, ME 04330

Re: Demand for Funds Pursuant to Trust Indenture Dated As of October 1, 1991 between Town of Hampden, as Grantor and Bangor Savings Bank, as Institutional Trustee (the "Trust Indenture")

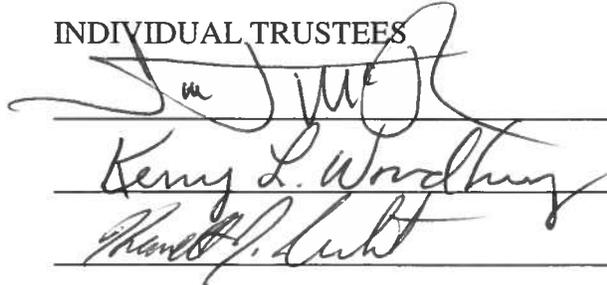
Gentlepersons:

This certificate is provided to you pursuant to the above-referenced Trust Indenture. Capitalized terms used herein without definition shall have the meaning set forth in the Trust Indenture.

The undersigned do hereby certify:

1. That they are the Individual Trustees of the Trust.
2. The Individual Trustees have approved use of property held in the Fund for purposes set forth in the Trust Indenture, in the amount set forth below. *Trust - Income*
3. You are hereby directed pay to Town of Hampden the sum of \$ 160,397.08

INDIVIDUAL TRUSTEES


The image shows three handwritten signatures in cursive, each written over a horizontal line. The signatures are for the individual trustees.

CERTIFICATE OF TOWN CLERK

The undersigned DOES HEREBY CERTIFY:

1. That he/she is the duly appointed and incumbent Clerk of the Town of Hampden, Maine.
2. That the foregoing certificate of the Individual Trustees was duly approved by a majority of the members of the Town Council of the Town of Hampden on _____, _____.

Printed Name: _____
Clerk, Town of Hampden

cc: Town of Hampden

Pre-FY17 Expenses Paid from General Fund, Proposed for Environmental Trust Reimbursement

FY09

| Date | Vendor | Purpose | Expense | Category | | | Source of Proposed Reimbursement | | |
|--|------------------------|-----------------------|---------------------|----------------------------------|-----------------------|--------------------|----------------------------------|---------------------|---------------------|
| | | | | Landfill Post-Closure Monitoring | Stormwater Management | Rain Garden | Principal | Income | Receipt |
| 7/17/2013 | State of Maine | | \$ 750.00 | | \$ 750.00 | | | \$ 750.00 | N |
| 7/3/2013 | 0661 State of Maine | MS4 GENERAL PERMIT | \$ 172.00 | | \$ 172.00 | | | \$ 172.00 | N |
| 8/4/2010 | 00055 BASWG | MEMBERSHIP SHARE FY11 | \$ 3,670.15 | | \$ 3,670.15 | | | \$ 3,670.15 | N |
| 5/19/2010 | Jerry E Jami. | HEMLOCK/GRANITE | \$ 321.00 | | | \$ 321.00 | | \$ 321.00 | N |
| 6/30/2009 | Pierson Nursery | Plants | \$ 814.05 | | | \$ 814.05 | | \$ 814.05 | N |
| 6/30/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,700.20 | | \$ 1,700.20 | | | \$ 1,700.20 | N |
| 6/24/2009 | N.H. Bragg & Sons | Plants | \$ 76.36 | | | \$ 76.36 | | \$ 76.36 | N |
| 6/17/2009 | Northland Bark Mulch | Mix Bark | \$ 710.00 | | | \$ 710.00 | | \$ 710.00 | N |
| 6/17/2009 | Hughes Bros. | Truck Rental | \$ 200.00 | | | \$ 200.00 | | \$ 200.00 | N |
| 6/10/2009 | American Concrete | Donut Risers | \$ 80.00 | | | \$ 80.00 | | \$ 80.00 | N |
| 6/10/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,146.90 | | \$ 1,146.90 | | | \$ 1,146.90 | N |
| 5/13/2009 | 0100 Civil Engineering | MS4 Services for 2009 | \$ 1,438.35 | | \$ 1,438.35 | | | \$ 1,438.35 | N |
| 4/9/2009 | 0100 Civil Engineering | Labor | \$ 617.50 | | \$ 617.50 | | | \$ 617.50 | N |
| 3/18/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 538.10 | | \$ 538.10 | | | \$ 538.10 | N |
| 3/11/2009 | James W. Sewall | 1/11/06 payment | \$ 1,651.06 | | \$ 1,651.06 | | | \$ 1,651.06 | N |
| 2/11/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 95.00 | | \$ 95.00 | | | \$ 95.00 | N |
| 2/11/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 665.00 | | \$ 665.00 | | | \$ 665.00 | N |
| 1/21/2009 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,559.90 | | \$ 1,559.90 | | | \$ 1,559.90 | N |
| 1/8/2009 | State of Maine | Permit Fee | \$ 125.00 | | \$ 125.00 | | | \$ 125.00 | N |
| 12/17/2008 | 0100 Civil Engineering | PROFESSIONAL SERVICES | \$ 1,087.93 | | \$ 1,087.93 | | | \$ 1,087.93 | N |
| 10/29/2008 | 0100 Civil Engineering | MS4 Services for 2008 | \$ 590.65 | | \$ 590.65 | | | \$ 590.65 | N |
| 10/29/2008 | 0100 Civil Engineering | Rain Garden Project | \$ 511.25 | | | \$ 511.25 | | \$ 511.25 | N |
| 9/4/2008 | 0100 Civil Engineering | MS4 Services for 2008 | \$ 725.50 | | \$ 725.50 | | | \$ 725.50 | N |
| 8/6/2008 | 0100 Civil Engineering | SERVICES RENDERED | \$ 1,041.60 | | \$ 1,041.60 | | | \$ 1,041.60 | N |
| 8/6/2008 | 0100 Civil Engineering | SERVICES RENDERED | \$ 97.50 | | \$ 97.50 | | | \$ 97.50 | N |
| Total proposed for reimbursement to General Fund: | | | \$ 20,385.00 | \$ - | \$ 17,672.34 | \$ 2,712.66 | \$ - | \$ 20,385.00 | \$ 20,385.00 |

Data Sources: Town accounting records (TRIO) and paper records.

Note: Per Records Retention schedule, paper invoices prior to July 1, 2010 are no longer retained.

Note: Receipts are unavailable for the expenses above because they exceed the records retention schedule so were discarded at the beginning of FY15. However documentation from TRIO was included in the meeting packet for the May 18 meeting of the Environmental Trust Committee, posted online at www.hampdenmaine.gov/environmentaltrust

EXHIBIT A
FORM OF CERTIFICATE OF TOWN

Bangor Savings Bank (Institutional Trustee)
c/o Julie A. Shephard, Account Administrator
5 Senator Way
Augusta, ME 04330

Re: Demand for Funds Pursuant to Trust Indenture Dated As of October 1, 1991 between Town of Hampden, as Grantor and Bangor Savings Bank, as Institutional Trustee (the "Trust Indenture")

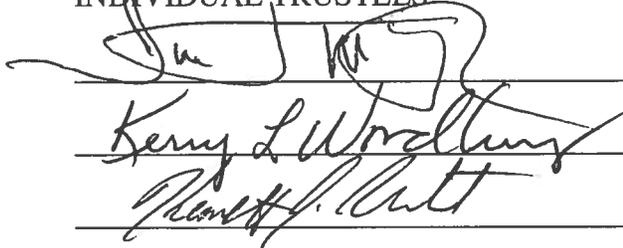
Gentlepersons:

This certificate is provided to you pursuant to the above-referenced Trust Indenture. Capitalized terms used herein without definition shall have the meaning set forth in the Trust Indenture.

The undersigned do hereby certify:

1. That they are the Individual Trustees of the Trust.
2. The Individual Trustees have approved use of property held in the Fund for purposes set forth in the Trust Indenture, in the amount set forth below. Trust Income
3. You are hereby directed pay to Town of Hampden the sum of \$ 20,385.00

INDIVIDUAL TRUSTEES



Kerry L Woodbury

Shawn J. Galt

CERTIFICATE OF TOWN CLERK

The undersigned DOES HEREBY CERTIFY:

1. That he/she is the duly appointed and incumbent Clerk of the Town of Hampden, Maine.
2. That the foregoing certificate of the Individual Trustees was duly approved by a majority of the members of the Town Council of the Town of Hampden on _____, _____.

Printed Name: _____
Clerk, Town of Hampden

cc: Town of Hampden



Angus Jennings <townmanager@hampdenmaine.gov>

Re: LD 1588 HEADS UP----Road discontinuances vs mail routes vs keeping them "passable"????

1 message

Sean Currier <publicworks@hampdenmaine.gov>
To: Angus Jennings <townmanager@hampdenmaine.gov>

Wed, May 17, 2017 at 9:19 AM

AGREED. This should be added to agenda.

ty

Sean Currier
Public Works Director
Town of Hampden
106 Western Avenue
Hampden, ME 04444
(207)862-3337

On Wed, May 17, 2017 at 8:32 AM, Angus Jennings <townmanager@hampdenmaine.gov> wrote:
Please review the proposed LD and see if you agree this should be added to the Infra Comm agenda, thanks

From: MTCMA-Members-owner@mmaaffl.org [mailto:MTCMA-Members-owner@mmaaffl.org] **On Behalf Of** Mark Robinson
Sent: Friday, May 12, 2017 2:41 PM
To: MTCMA-Members@mmaaffl.org
Cc: gberman@memun.org; gcorbin@memun.org; kdufour@memun.org
Subject: LD 1588 HEADS UP----Road discontinuances vs mail routes vs keeping them "passable"????

Greetings All, Apparently, this was introduced today:

A governor's bill has just been introduced that would radically change current road law and cost a lot more money. Public hearing is next Wednesday.

Towns would not be able to discontinue a road and leave an easement if it leads to any property, AND, any easement must be kept passable by the town, AND, no single access road can be discontinued if there is 1+ residential structure on it and it must be maintained, AND, any presumed abandoned single access road with a single residence on it must be rebutted, AND, it would mandate year round town maintenance of any established "mail route" whether it's public or private, or discontinued or abandoned.

https://legislature.maine.gov/legis/bills/display_ps.asp?PID=0&snum=128&paper=&paperId=I&Id=1588

Kind regards, Mark

Mark Robinson, Town Manager

Town of Fayette

2589 Main Street

Fayette Maine 04349

office 207-685-4373

cell 207-512-0949

facsimile 207-685-9391

e-mail fayette@myfairpoint.net

--

Angus Jennings
Town Manager

Town of Hampden
106 Western Avenue
Hampden, ME 04444
(207)-862-3034
townmanager@hampdenmaine.gov

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town Business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify us immediately by return email. Thank you for your cooperation.



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1588

H.P. 1092

House of Representatives, May 9, 2017

An Act To Maintain Mail Routes and Access to Residential Structures

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HILLIARD of Belgrade. (GOVERNOR'S BILL)

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 23 MRSA §3026-A, sub-§2**, as enacted by PL 2015, c. 464, §5, is
3 amended to read:

4 **2. Municipal officers meet to discuss proposed discontinuance and file order of**
5 **discontinuance.** The municipal officers shall discuss a proposed discontinuance of a
6 town way or public easement at a public meeting and file an order of discontinuance with
7 the municipal clerk that specifies:

- 8 A. The location of the town way or public easement;
- 9 B. The names of abutting property owners;
- 10 C. The amount of damages, if any, determined by the municipal officers to be paid to
11 each abutting property owner; and
- 12 D. Whether or not a public easement is retained.

13 If a proposal includes the discontinuance of a town way without retention of a public
14 easement, that must be stated explicitly in the order of discontinuance; otherwise, the
15 public easement is retained. ~~If a public easement is retained, all other interests of the~~
16 municipality in the discontinued way, if any, pass to abutting property owners to the
17 center of the way The public easement may not be discontinued if it provides the sole
18 access to any property. If a public easement is retained, the purpose for the public
19 easement must be stated in the order and the municipality is responsible for keeping the
20 easement passable for that purpose. If a public easement is not retained, all interests of
21 the municipality in the discontinued way pass to abutting property owners to the center of
22 the way.

23 **Sec. 2. 23 MRSA §3026-B** is enacted to read:

24 **§3026-B. Maintenance of town ways providing access to residential structures**

25 Notwithstanding section 3026-A, a town may not discontinue a way on which there is
26 a residential structure if that way is the only way that provides access to that residential
27 structure. A town is required to keep passable for use by motor vehicles a way that is
28 prevented from being discontinued pursuant to this section.

29 **Sec. 3. 23 MRSA §3028, sub-§1**, as enacted by PL 1991, c. 195, is amended to
30 read:

31 **1. Presumption of abandonment.** It is prima facie evidence that a town or county
32 way not kept passable for the use of motor vehicles at the expense of the municipality or
33 county for a period of 30 or more consecutive years has been discontinued by
34 abandonment. A presumption of abandonment may be rebutted by evidence that
35 manifests a clear intent by the municipality or county and the public to consider or use the
36 way as if it were a public way or by evidence that there is a residential structure that
37 depends upon the way for its sole access as described in section 3026-B. A proceeding to
38 discontinue a town or county way may not prevent or estop a municipality from asserting
39 a presumption of abandonment. A municipality or its officials are not liable for

1 nonperformance of a legal duty with respect to such ways if there has been a good faith
2 reliance on a presumption of abandonment. Any person affected by a presumption of
3 abandonment, including the State or a municipality, may seek declaratory relief to finally
4 resolve the status of such ways. A way that has been abandoned under this section is
5 relegated to the same status as it would have had after a discontinuance pursuant to
6 section 3026, ~~except that this status is at all times subject to an affirmative vote of the~~
7 ~~legislative body of the municipality within which the way lies making that way an~~
8 ~~easement for recreational use 3026-A.~~ A presumption of abandonment is not rebutted by
9 evidence that shows isolated acts of maintenance, unless other evidence exists that shows
10 a clear intent by the municipality or county to consider or use the way as if it were a
11 public way.

12 **Sec. 4. 23 MRSA §3201** is amended to read:

13 **§3201. Removal required; damages**

14 When any ~~ways are~~ public way is blocked or encumbered with snow, the road
15 commissioner shall forthwith cause so much of ~~it~~ the snow to be removed ~~or trodden~~
16 ~~down~~ as will render ~~them~~ the way passable. The town may direct the manner of doing it.
17 In case of sudden injury to public ways or bridges, ~~he~~ the road commissioner shall
18 without delay cause them to be repaired. All damage, accruing to a person in ~~his~~ the
19 person's business or property through neglect of such road commissioner or the municipal
20 officers of such town to so render passable public ways that are blocked or encumbered
21 with snow, within a reasonable time, may be recovered of such town by a civil action.

22 **Sec. 5. 23 MRSA §3202** is amended to read:

23 **§3202. Mail routes; snow fences**

24 ~~There shall be furnished and kept in repair in each section of the town through which~~
25 ~~there is a mail route some effectual apparatus for opening ways obstructed by snow, to be~~
26 ~~used to break and keep open the way to the width of 10 feet, and the~~ Wherever there is an
27 established mail route over a right-of-way held by a municipality, the municipal officers
28 of the municipality shall ensure that the way is kept safe for the use of the mail carrier
29 throughout the year in accordance with United States Postal Service regulations. When
30 any municipality fails to keep an established mail route safe for the mail carrier,
31 responsible persons may proceed as provided under sections 3652, 3653 and 3654. All
32 damage accruing to a person, business or property through neglect of such municipal
33 officers to render the way passable for the mail carrier within a reasonable time may be
34 recovered of such municipality by a civil action. The municipal officers of towns, or any
35 road commissioner under their direction, may take down fences upon the line of public
36 highways when they ~~deem~~ determine it necessary to prevent the drifting of snow ~~therein~~
37 on those public highways, but they shall the fences must in due season be replaced, in as
38 good condition as when taken down, without expense to the owner.

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SUMMARY

This bill prohibits a municipality from discontinuing a road on which there is a residential structure that depends upon the road for its sole access and requires the municipality to plow snow from that road and keep it passable. The bill allows for the rebuttal of the presumption of abandonment of a public way if there is a residential structure that depends on the way for its sole access. The bill requires municipalities to maintain mail routes in accordance with United States Postal Service regulations.



Angus Jennings <townmanager@hampdenmaine.gov>

LD 1565 - TIF Legislation

1 message

Rich Roedner <MTCMA-Members@mmaaffl.org>

Wed, May 17, 2017 at 11:04 AM

Reply-To: MTCMA-Members@mmaaffl.org

To: "MTCMA-Members@mmaaffl.org" <MTCMA-Members@mmaaffl.org>

Tomorrow, Thursday, at 1 pm, the Taxation Committee will hold a work session on LD 1565, a Bill that establishes the criteria for adopting a credit enhancement agreement as part of a development district approved by the Department of Economic and Community Development. What this does is severely limit how local governments can use TIFs, and what businesses can receive a Credit Enhancement Agreement – Financial Services, Manufacturing, Targeted Technologies.

As near as I can follow, the only supporters of the Bill are DECD and the Legislator that sponsored the bill. MMA testified against it, as did several communities.

You can still submit comments to Taxation, and/or to your local legislators regarding this bill.

Thanks

Rich

Rich Roedner

Town Manager

Topsham, ME

207-725-5821

roedner@topshammaine.com



Angus Jennings <townmanager@hampdenmaine.gov>

RE: LD 1565 - TIF Legislation

1 message

Rich Roedner <rroedner@topshammaine.com>
To: Angus Jennings <townmanager@hampdenmaine.gov>

Wed, May 17, 2017 at 11:23 AM

The Taxation Committee is meeting tomorrow, but your local legislators can still have an impact if this gets out of Committee.

Rich

Rich Roedner
Town Manager
Topsham, ME

207-725-5821

rroedner@topshammaine.com

From: Angus Jennings [mailto:townmanager@hampdenmaine.gov]

Sent: Wednesday, May 17, 2017 11:22 AM

To: Rich Roedner <rroedner@topshammaine.com>

Subject: Fwd: LD 1565 - TIF Legislation

Rich - thanks for the heads-up on the item below - we tend to run comments on LDs through a Council Committee and next week is our next opportunity to do so. Do you think comments submitted to the Taxation Committee and our delegation would still be timely at that point? Thanks again -

----- Forwarded message -----

From: **Rich Roedner** <MTCMA-Members@mmaaffl.org>

Date: Wed, May 17, 2017 at 11:04 AM

Subject: LD 1565 - TIF Legislation

To: "MTCMA-Members@mmaaffl.org" <MTCMA-Members@mmaaffl.org>

Tomorrow, Thursday, at 1 pm, the Taxation Committee will hold a work session on LD 1565, a Bill that establishes the criteria for adopting a credit enhancement agreement as part of a development district approved by the Department of

An Act To Ensure the Effectiveness of Tax Increment Financing

Town of Hampden
RECEIVED

MAY 17 2017

Office of the
Town Manager

This bill greatly reduces the business that will qualify for a TIF. It amends the current requirements as follows:

Effective April 1, 2018 the TIF criteria will be limited to "Any qualified business activity that is directly related to financial services, manufacturing or targeted technologies". The bill amends the criteria for adopting a development program as part of a development district by requiring that 80% of the area within the district is designated for development by an entity engaged in a qualified business activity.

Financial Services is defined in the law as: "means services provided by an insurance company subject to taxation under Title 36 Section 5212, subsection 1, paragraph E."

Title 36 Section 5212, subsection 1, paragraph E says: The amount of any deduction claimed for the taxable year under the United States Internal Revenue Code, Section 172 which has previously been used to offset the modifications provided by this section. (Essentially making it a job for an accountant to see if any entity qualifies!)

Manufacturing is defined as: A. The production of tangible personal property intended to be sold or leased ultimately for final use or consumption. B. The production of tangible personal property pursuant to a contract with the Federal Government or any agency thereof; or C. To make, process, convert or transform raw materials, components or parts into finished goods or products for final use or consumption to meet customer expectations or specifications. (This is all new language in the law.)

Targeted Technology Business is defined as: " A business primarily involved in a targeted technology as defined in Title 5, Section 15301."

Title 5, Section 15301 defines "Targeted Technologies" as biotechnology, aquaculture and marine technology, composite material technology, environmental technology, advanced technologies for forestry and agriculture, information technology and precision manufacturing technology. These targeted technologies may be amended only by the Legislature. (New)

Source: Kelly Karter



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1565

H.P. 1078

House of Representatives, May 2, 2017

An Act To Ensure the Effectiveness of Tax Increment Financing

Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative WARD of Dedham.
Cosponsored by Senator VOLK of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §5222, sub-§14-A** is enacted to read:

3 **14-A. Qualified business activity.** "Qualified business activity" means a business
4 activity conducted within a development district that is directly related to financial
5 services, manufacturing as defined in Title 30-A, section 5250-I, subsection 11 or
6 targeted technologies as defined in Title 5, section 15301, subsection 2.

7 **Sec. 2. 30-A MRSA §5224, sub-§2, ¶H,** as amended by PL 2013, c. 184, §3, is
8 further amended to read:

9 H. The duration of the development district, which may not exceed a total of 30 tax
10 years beginning with the tax year in which the designation of the development district
11 is effective pursuant to section 5226 or, if specified in the development program, the
12 subsequent tax year; ~~and~~

13 **Sec. 3. 30-A MRSA §5224, sub-§2, ¶I,** as amended by PL 2011, c. 101, §10, is
14 further amended to read:

15 I. All documentation submitted to or prepared by the municipality or plantation
16 under section 5223, subsection 2-; and

17 **Sec. 4. 30-A MRSA §5224, sub-§2, ¶J** is enacted to read:

18 J. For development programs approved by the commissioner on or after April 1,
19 2018, documentation that shows that at least 80% of the area within the development
20 district is designated for development by an entity or organization that is determined
21 by the department to be engaged in a qualified business activity.

22 **SUMMARY**

23 This bill amends the criteria for adopting a development program as part of a
24 development district by requiring that 80% of the area within the district is designated for
25 development by an entity engaged in a qualified business activity that is directly related
26 to financial services, manufacturing or targeted technologies. This provision applies to
27 development programs approved by the Commissioner of Economic and Community
28 Development on or after April 1, 2018.

| | | |
|-------------------------------|---|---|
| <p>A Vital</p> | <p>Sidewalk on Western Ave. to complete "Four Mile Square," engineering, MDOT approval, construction</p> <p>Revise sewer rates to ensure funds for borrowing, potential reduce payback length to General Fund</p> <p>Enhance financial and infrastructure planning for sewer management and maintenance</p> <p>Propose projects for State/Fed funding through BACTS process</p> | <p>Evaluate potential changes to management of Solid Waste (i.e. Transfer Station operations and layout, level of service, etc.)</p> <p>Evaluate suitability of current DPW departmental structure and staffing to meet Town's needs; including evaluating potential to outsource certain functions</p> <p>Route 1A reconstruction est. 2018-19, Mountainview to Western Ave., including new sidewalk</p> <p>Plan for potential Urban Compact designation and responsibilities</p> |
| <p>B Important</p> | <p>Clarification of Transfer Station decal sales policies</p> <p>Improved enforcement of current Transfer Station policies to manage costs</p> <p>Pine Tree Landfill Post Closure (30 year monitoring)</p> <p>GPS tracking/reporting of DPW fleet vehicles to evaluate operations, document per-task costs, and improve efficiency</p> <p>Complete mapping of sanitary sewer system and change naming convention of pipes/manholes</p> <p>Pursue Grant Funding for Sewer Inflow/Infiltration</p> <p>(Install more LED lighting at Municipal Building)</p> | <p>Pursue Grant Eligibility for Sewer (modified geographic area demographics) – USDA Rural Development</p> <p>Watershed planning – Stormwater plan for Shaw Brook (urban impaired stream) to ensure continued DEP compliance</p> <p>Watershed planning – Stormwater plan for Sucker Brook to ensure continued DEP compliance</p> <p>(Create GIS data layers: Easements; Detention ponds; Signs; Subdivisions; Sidewalks; Utility poles)</p> <p>(Clean up GIS layers to be more accurate: Parcel lines; Dimensions; Buildings)</p> <p>(Create electronic database for cemetery lot tracking)</p> |
| <p>C Optional</p> | | <p>Evaluate potential transition to LED streetlights to reduce electrical costs, enhance quality</p> <p>(MS4 5 year permit - investigate need for Stormwater utility fee)</p> |