

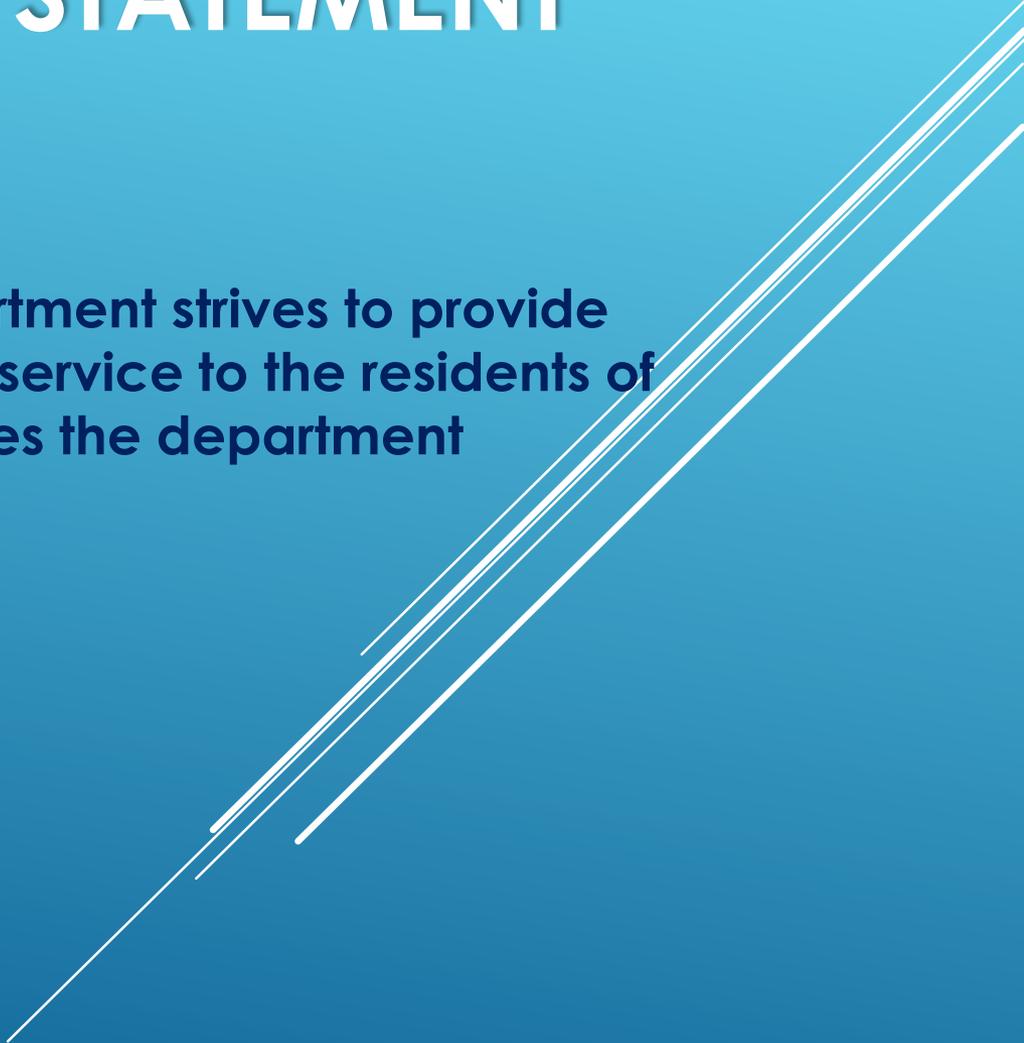
# HAMPDEN PUBLIC WORKS DEPARTMENT

Department Director: Sean Currier

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# MISSION STATEMENT

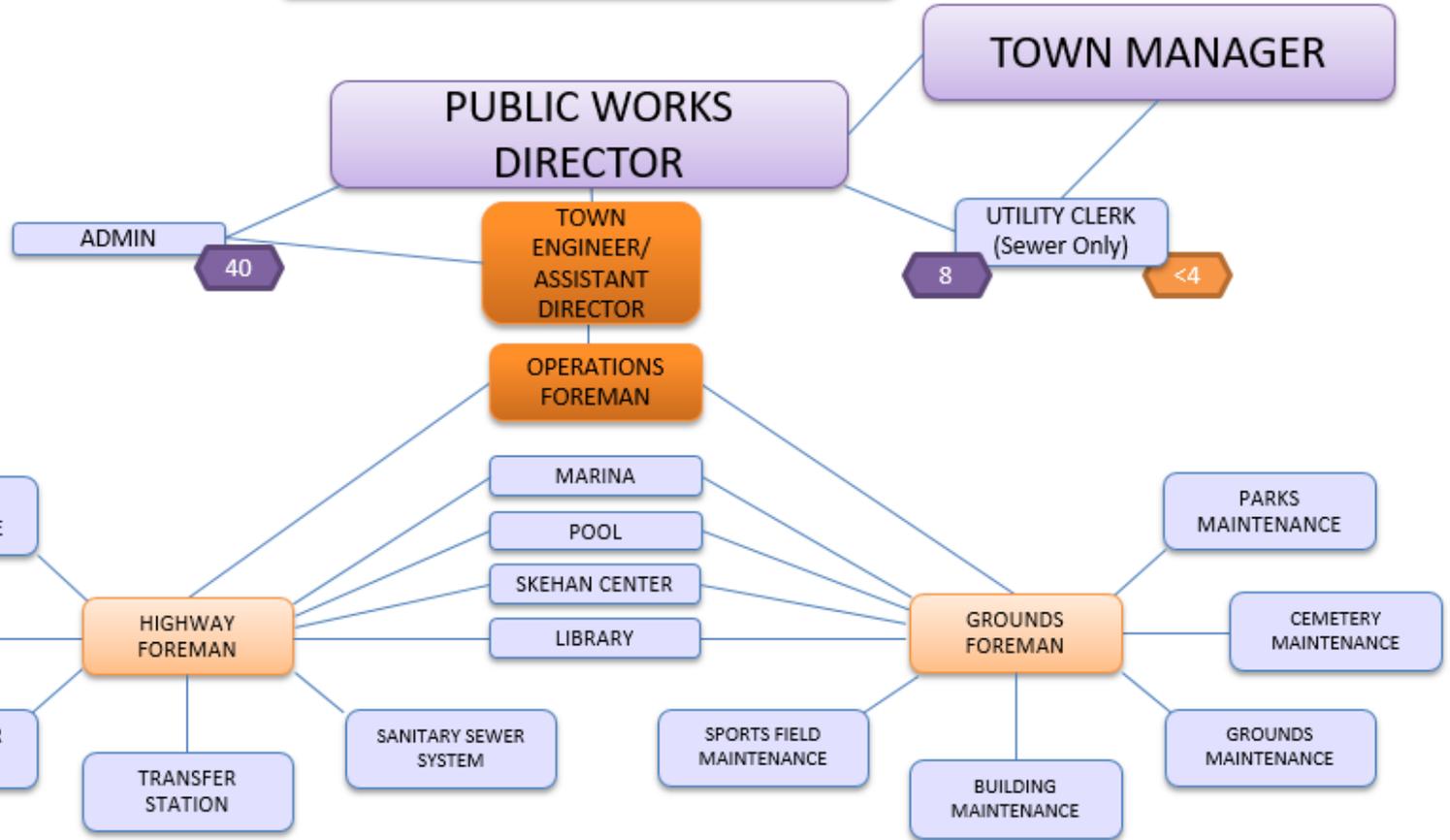
The Public Works Department strives to provide responsive, courteous service to the residents of Hampden for all services the department manages

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# HAMPDEN PUBLIC WORKS- PROPOSED

Work Hrs/Wk  
(based on 40  
hrs/wk)



**PUBLIC WORKS DIRECTOR** - RESPONSIBLE FOR MANAGEMENT AND OVERSIGHT OF ALL PUBLIC WORKS OPERATIONS INCLUDING: REGULATORY COMPLIANCE, SAFETY, UTILITIES, ROAD, BUILDING, PARKS AND GROUNDS MAINTENANCE, MUNICIPAL GARAGE, CEMETERIES, TRANSFER STATION AND THE MARINA. THE POSITION ALSO INCLUDES TOWN ENGINEER DUTIES.

**TOWN ENGINEER/ ASSISTANT DIRECTOR** - RESPONSIBLE FOR ALL STAFF TRAINING, TOWN ENGINEERING DUTIES, STATE, LOCAL AND FEDERAL COMPLIANCE, ATTENDING BACTS AND/OR BASWG MEETINGS, AND ASSISTING WITH ANNUAL REPORTS.

**ADMINISTRATION** - RESPONSIBLE FOR SUPPORT TO ALL PUBLIC WORKS OPERATIONS.

**UTILITY CLERK** - RESPONSIBLE FOR MAINTENANCE OF ALL SEWER ACCOUNTS WITH FUTURE RESPONSIBILITIES WITH STORM WATER ACCOUNTS.

**OPERATIONS FOREMAN** - RESPONSIBLE FOR OVERALL DAY TO DAY OPERATION OF PUBLIC WORKS.

**HIGHWAY FOREMAN** - RESPONSIBLE FOR OVERALL OPERATION OF ROAD MAINTENANCE, UTILITY MAINTENANCE, MUNICIPAL GARAGE, MARINA AND TRANSFER STATION OPERATION.

**GROUND'S FOREMAN** - RESPONSIBLE FOR OVERALL OPERATION AND MAINTENANCE OF TOWN OWNED BUILDINGS AND ASSOCIATED GROUNDS, PARKS, CEMETERIES AND ALL SPORTS FIELDS.

FY19

# PUBLIC WORKS – EXISTING AND FUTURE DIRECTION

The Public Works Department has maintained this town in the past year with 14 total staff members. We are continuing the process of compiling cost data information to make informed decisions about staffing levels. The department currently has a Director, an Administrative Assistant, an Operations Foreman and 11 staff members all available for work in the following 7 divisions of Public Works.

- **Highway** (currently 6 crew members)
- **Buildings and Grounds** including **Marina** (currently 2 crew members)
- **Sewer** (0 crew dedicated)
- **Stormwater** (0 crew dedicated)
- **Garage** (1 crew member)
- **Solid Waste** (2 crew members)

At this time, we are reviewing what staff the department should have to keep the level of service expected from Hampden residents and to keep on top of exponentially increasing regulatory requirements. Please note that costing will determine whether some services should be outsourced or kept in house. For budget purposes and until such time that sufficient data is captured, the following are proposed to properly provide the service level currently expected by residents and to comply with steadily increasing regulatory compliance:

The department is proposing to have a Director, a Town Engineer / Assistant Director, an Administrative Assistant, an Operations Foreman and 12 staff members all available for work in the following 7 divisions within Public Works.

- **Highway** (5 crew members)
- **Buildings and Grounds** including **Marina** (2 crew members)
- **Sewer** (2 crew members, 1 from Highway and **1 new**)
- **Stormwater** (same crew maintaining Sewer)
- **Garage** (1 crew member)
- **Solid Waste** (2 crew members)

**New-Addition of an Town Engineer / Assistant Director responsible for:**

- |  |                            |                          |
|--|----------------------------|--------------------------|
| -Staff training  | -Engineering duties        | -Construction oversight  |
| -Regulatory compliance assistance (MS4, CSO, SSES, IDDE) | -Annual Reports            | - Complaint response     |
| -Attending BACTS Meetings                                | -In-House Site Plan Review | -In-House MS4 Compliance |

# PUBLIC WORKS – FUTURE DIRECTION CONTINUED

## 5-person Highway crew typical duties: (10-01)

- Roadside mowing
- Roadside shouldering
- Tree/brush removal
- Culvert replacements
- Road/sidewalk repairs (ada ramps, patching, etc.)

## 2-person Buildings/Grounds crew typical duties: (30-10)

- Building Maintenance
- Work requests from municipal properties
- Mowing/trimming all municipal properties
- Cemetery maintenance
- Cemetery burials
- Trash removal from all municipal properties
- Marina maintenance
- DD and PM park maintenance

## 2-person Sewer / Storm crew typical duties: (60-10/10-10)

- Flush debris from storm culverts
- Flush sewer collection system
- Raise manhole and catch basin frames/covers with brick/mortar
- Sewer / storm mapping
- Sewer connection inspections
- Outfall inspection
- Erosion and Sedimentation Inspections
- Rover crew for dead animals, complaint response, municipal property work order requests (pool, fire, skehan, library, etc)

## 1-person Garage crew typical duties: (10-05)

- Fleet maintenance
- SPCC log
- Garage inspections (jack stands, hydraulic jacks, fire extinguisher, spill kits, eye wash, etc)

## 2-person Transfer Station crew typical duties: (15-10)

- Contractor coordination. (Casella, DM&J, AIM, etc)
- Lamp recycle program coordination
- Checking decal policy compliance

# EQUIPMENT REPLACEMENT SCHEDULE

| EQUIPMENT AND VEHICLE CIP |      |                           |               |                                    |  |         |
|---------------------------|------|---------------------------|---------------|------------------------------------|--|---------|
| UNIT                      | YEAR | DESCRIPTION               | MAKE          | MODEL                              |  | REPLACE |
| <b>MOWERS</b>             |      |                           |               | <b>5 YEARS</b>                     |  |         |
| 4                         | 2015 | ZERO TURN 60" MOWER       | JOHN DEERE    | Z950M                              |  | 2020    |
| 5                         | 2016 | LAWN MOWER                | JOHN DEERE    | X590                               |  | 2021    |
| 6                         | 2016 | LAWN MOWER                | JOHN DEERE    | X590                               |  | 2021    |
| 7                         | 2017 | LAWN MOWER                | JOHN DEERE    | X590                               |  | 2022    |
|                           |      |                           |               | <b>10 YEARS</b>                    |  |         |
| 9                         | 2007 | SMALL TRACTOR             | JOHN DEERE    | 2520                               |  | 2017    |
| 9A                        | 2010 | LARGE TRACTOR             | JOHN DEERE    | 5150                               |  | 2020    |
| <b>PICK UP TRUCKS</b>     |      |                           |               | <b>USE TO TRADE ON 4YR #10</b>     |  |         |
|                           |      |                           |               | <b>6 YR ON 350'S/8 YR ON 550'S</b> |  |         |
| 10                        | 2013 | 3/4 TON PICK UP (3-4 YRS) | FORD          | F250                               |  | 2017    |
| 11                        | 2013 | HEAVY DUTY PICK UP        | FORD          | F550                               |  | 2021    |
| 18                        | 2012 | HEAVY DUTY PICK UP        | FORD          | F550                               |  | 2020    |
| 32                        | 2012 | 1 TON                     | FORD          | F350                               |  | 2018    |
| 35                        | 2012 | 1 TON                     | FORD          | F350                               |  | 2018    |
| 51                        | 2010 | DEPARTMENT CAR            | FORD          | CROWN VIC                          |  | 2016    |
| 52                        | 2002 | CEMETERY VEHICLE          | FORD          | EXPEDITION                         |  | 2008    |
| <b>EQUIPMENT</b>          |      |                           |               | <b>5 YEARS</b>                     |  |         |
| 8                         | 2017 | 3105K BACKHOE             | JOHN DEERE    |                                    |  | 2022    |
| 12                        | 1994 | GRADER                    | JOHN DEERE    |                                    |  | N/A     |
| 16                        | 2016 | FRONT END LOADER          | JOHN DEERE    |                                    |  | 2021    |
| <b>PLOW TRUCKS</b>        |      |                           |               | <b>10 YRS</b>                      |  |         |
| 13                        | 2018 | DUMP TRUCK                | FREIGHTLINER  | 1085D                              |  | 2028    |
| 14                        | 2010 | DUMP TRUCK                | FREIGHTLINER  | M2106V                             |  | 2020    |
| 15                        | 2012 | DUMP TRUCK                | INTERNATIONAL | 7400                               |  | 2022    |
| 19                        | 2011 | DUMP TRUCK                | INTERNATIONAL | 7400                               |  | 2021    |
| 20                        | 2018 | DUMP TRUCK                | FREIGHTLINER  | M2                                 |  | 2028    |
| 44                        | 2016 | DUMP TRUCK-WHEELER        | FREIGHTLINER  |                                    |  | 2026    |
| 7A                        | 2015 | SIDEWALK PLOW             | TRACKLESS     | MT6                                |  | 2025    |
| <b>TRAILERS</b>           |      |                           |               | <b>AS NEEDED</b>                   |  |         |
| 29                        | 2005 | CEMETERY TRAILER          |               |                                    |  | 2017    |
| 30                        | 1989 | 20 TON                    |               |                                    |  | 2019    |
| 31                        | 1991 | 2 AXLE                    |               |                                    |  |         |
| 50                        | 2010 | BALL FIELD TRAILER        |               |                                    |  | 2020    |

# PUBLIC WORKS – PROJECTS COMPLETED IN FY18

- DITCHED/SHOULDERED ROADS IN PREPARATION OF ROAD PAVING SCHEDULE
- PAVED 27 ROADS – TOOK ADVANTAGE OF EXTREMELY LOW COST OF HMA
- SPLINED SEVERAL CULVERTS IN TOWN
- ANNUAL GRUB AND POISON IVY PREVENTION
- STORM DRAIN REPAIRS ON RUTH, LIBERTY AND FRANCES DRIVE
- COMPLETE REHAB OF HOPKINS ROAD INCLUDING NEW CATCH BASIN AND STORM DRAIN
- FLUSHED TROUBLE AREAS ON SEWER SYSTEM
- AERATED ATHLETIC FIELDS
- CUT BRUSH ON ROADS TO BE PAVED
- MOWED ALL ROAD SIDES WITH ZLE 1800
- MOWED ACCESSIBLE CROSS COUNTRY SEWER EASEMENTS
- ADDED CHIPS AND REPLACED TIMBERS SURROUNDING PLAY GROUNDS
- PUBLIC WORKS CREW PLOWED ROADS, SIDEWALKS AND MUNICIPAL PROPERTIES
- RAISED MANHOLES ON RIVERVIEW AND CARVER
- REPLACED MULTIPLE ROAD CROSS CULVERTS
- PUT UP APPROXIMATELY 3500 YDS OF WINTER SAND
- PAINTED CATCH BASINS FOR WINTER IDENTIFICATION
- REPLACED/REPAIRED STREET SIGNS
- REPLACED 160' OF STORM DRAIN PIPE STORM DRAIN AND CATCH BASIN ON SIDNEY BLVD
- INSTALLED NEW CATCH BASIN AND ASSOCIATED STORM DRAIN PIPING ON OLD COUNTY ROAD

# PUBLIC WORKS – FY19 GOALS

- **Create/Complete Capital Improvement Plan that is obtainable**
- **Complete New Salt Shed at Public Works**
- **Review/Modify Current Policies and Ordinances**
- **Increase Staff Training and Expertise**
- **Complete Mapping of Sewer and Storm Systems**
- **Address Resident Concerns with High Priority items:  
Schoolhouse Lane, Mailboxes, etc.**

## Notes for TC Goal Setting Feb 10, 2018

Prepared by K. Cullen, Town Planner

### 1. Current Projects:

- Zoning Amendments. I'm in the final stages of drafting the amendments, and with a fairly aggressive meeting schedule with 4 more PB worksessions and at least 4 updates to P&D, I think we can have the PB public hearing May 9 with referral to TC, and if council is comfortable (at May 21 meeting) with referral to public hearing without going back to P&D again, then the TC public hearing could be June 4. If adopted that night, it would become effective July 4.
- Business Park covenants and subdivision plan amendments are underway and should be wrapped up in March.
- Coldbrook Corners TIF is set for public hearing on March 5 and should be submitted to DECD shortly after that.
- Shoreland Zoning – we're in the middle of reviewing the proposed new language for it, and the mapping portion of it which is a more complex and time consuming project will start shortly. The goal is to complete this by the end of June but it may slip into the next fiscal year.
- Marijuana – recreational (retail, adult use) is under local moratorium or prohibition and we are just waiting for the state to complete their work – this will extend into the next fiscal year.
- Marijuana – medical – the state is working on overhauling that program and if they do, we'll review our zoning regulations to ensure they are consistent with whatever the state does.
- Budgeting TIF funds for FY19 – with all of the infrastructure projects we need to address, we're looking at the potential to tap into some of the TIF funds to help with those costs.

### 2. Key projects for next fiscal year:

- Shoreland zoning – complete that project if not done by the end of June.
- Town center – while the proposed zoning amendments create a town center district (the VC and VC2 districts), that's just the first step. Next year we need to focus on what the ultimate vision is for the district – what area it should encompass, what uses to allow, how best to address reuse of existing structures – including residences – to achieve whatever the vision is. This project will involve interested citizens to articulate the vision and discuss the uses and everything else.
- Applicant's guide book – nearly every week I wish we had one... this will be an informational guide to the regulatory structure and will be organized and written so anyone can understand what is involved in developing in Hampden.

- Zoning – there are two sections in the zoning ordinance dealing with earth moving or removal – 4.9 and 4.23. Both need work, and we plan to tackle this next year.
- Subdivision ordinance – there are a number of outdated standards in this ordinance, and a number of changes that would make it easier to understand what is required and what the process for the various stages of design and development are.
- Although this may not begin next year, we should be planning to conduct environmental testing along the waterfront to determine what types of future redevelopment would be appropriate.

Assessing  
2018/2019 Goals Meeting  
February 10, 2018

The assessing function is dictated by Maine Law. It is my job to see that valuations are equalized among the residential and commercial properties within Hampden.

In other words, everyone should “theoretically” be paying their “fair share” .... No more and no less.

Annually I find no less than fifty corrections that need to be made to valuations, outside of the new construction permits issued. They may be as minor as a shed or deck or as major as a house. People make improvements without obtaining permits (not necessarily to avoid taxation). There are approximately 3900 Real Estate Accounts and approximately 275 Personal Property Accounts in Hampden.

In addition to maintaining and updating Real Estate and Personal Property records I am also charged with additional duties by the State of Maine. All Homestead, Veteran and Blind exemptions need to be verified and either approved or denied. Every BETE (Business Equipment Tax Exemption) application must be reviewed and signed by the assessor.

The Town’s Valuation last year was \$653,375,903. The Town raised \$12,022,116.62 in taxes to fund the School, County and Town Budgets. We are the third largest valued community in Penobscot County, led by Bangor and Brewer. Many changes are made to the assessment records annually and due to the sheer volume, there will be errors and omissions.

The Constitution of the State of Maine says under **Article IX General Provisions: (see attached)**

**Section 7. Valuation.** While the public expenses shall be assessed on estates, a general valuation shall be taken at least once in 10 years.

**Section 8. Taxation.** All taxes upon real and personal estate, assessed by authority of this State, shall be apportioned and assessed equally according to the just value thereof.

I am urging the council to start setting monies aside for a town-wide revaluation. The records are in need of being updated throughout the community. The last adjustment to valuations was just that, an adjustment (factoring) to the pricing schedules, which was done in 2007. Those adjustments that were made have changed in the last 10 years and the "high end" neighborhoods of 2005/2006 are not the same today. The values are beginning to slip below the 70% mark in some neighborhoods and it may eventually catch up to us.

The schedule adjustment did not involve inspections or measuring properties and verifying information for its accuracy. This is a large community and the funding for most of the town's expenses are raised through the assessing office.

This project will cost in excess of \$300,000 (estimated). It is not realistic to think it can be raised in one year. We need to plan for this. It has not been done since the 80's.

There is a Capital Reserve Account for a revaluation. I have been speaking to the council since 2013 regarding the need for updating the assessing records. We are mandated, by the State to undergo a general valuation every 10 years. But beyond the mandate, it is the right thing to do.

Respectfully,

Kelly J. Karter, CMA

Hampden Assessor

### Assessment Summary By Codes

#### Billing Amounts By Bldg Code

| Bldg Code         | Card Count | Land        | Buildings   | Exemption  | Total       |
|-------------------|------------|-------------|-------------|------------|-------------|
| 0 Uncoded         | 124        | 2,722,400   | 43,427,300  | 30,641,900 | 15,507,800  |
| 1 1 Family        | 2418       | 114,829,300 | 340,415,600 | 33,647,900 | 421,597,000 |
| 2 2 Family        | 78         | 3,492,100   | 10,189,700  | 780,700    | 12,901,100  |
| 3 3 Family        | 11         | 433,100     | 1,246,900   | 40,000     | 1,640,000   |
| 4 4 Family        | 9          | 514,500     | 2,939,200   | 0          | 3,453,700   |
| 5 5+Family        | 16         | 1,023,200   | 7,330,700   | 60,000     | 8,293,900   |
| 6 Res.Condo       | 65         | 645,200     | 12,912,200  | 1,080,000  | 12,477,400  |
| 8 MobileHome      | 96         | 1,937,200   | 2,204,000   | 443,800    | 3,697,400   |
| 9 1Fam+Moho       | 2          | 92,400      | 328,500     | 40,000     | 380,900     |
| 11 Sing.Fam &     | 21         | 1,051,100   | 3,380,500   | 246,000    | 4,185,600   |
| 13 Shop.Ctr.      | 2          | 185,700     | 2,569,700   | 0          | 2,755,400   |
| 14 2 Fam.&Bus.    | 2          | 67,600      | 208,800     | 20,000     | 256,400     |
| 15 RetailStore    | 15         | 1,254,900   | 6,453,900   | 0          | 7,708,800   |
| 17 Office         | 8          | 403,400     | 1,123,600   | 20,000     | 1,507,000   |
| 19 Prof.Bldg.     | 6          | 497,400     | 1,588,400   | 0          | 2,085,800   |
| 20 Resort         | 2          | 57,500      | 406,800     | 0          | 464,300     |
| 23 Conv.Store     | 6          | 444,900     | 890,300     | 0          | 1,335,200   |
| 24 RealEstate     | 2          | 81,100      | 245,300     | 0          | 326,400     |
| 25 ServiceShop    | 11         | 534,600     | 2,192,400   | 0          | 2,727,000   |
| 26 ServiceStation | 1          | 44,400      | 123,800     | 0          | 168,200     |
| 27 AutoSale/Rpr.  | 6          | 298,200     | 534,600     | 0          | 832,800     |
| 28 FuneralHome    | 1          | 94,300      | 248,700     | 0          | 343,000     |
| 29 GroupHome      | 7          | 357,300     | 1,302,700   | 958,400    | 701,600     |
| 30 FinancialInst. | 3          | 540,500     | 3,041,700   | 0          | 3,582,200   |
| 31 BranchBank     | 2          | 183,000     | 957,800     | 0          | 1,140,800   |
| 34 Bakery         | 1          | 43,700      | 86,800      | 0          | 130,500     |
| 35 Camp           | 63         | 1,792,100   | 3,317,100   | 346,000    | 4,763,200   |
| 36 CountryClub    | 1          | 68,000      | 182,800     | 0          | 250,800     |
| 37 Motel          | 1          | 69,000      | 1,196,200   | 0          | 1,265,200   |
| 38 Hotel          | 1          | 39,300      | 36,700      | 0          | 76,000      |
| 39 Strg.Wareh.    | 25         | 2,290,900   | 17,701,000  | 0          | 19,991,900  |
| 40 ColdStorage    | 4          | 233,800     | 550,800     | 204,600    | 580,000     |
| 43 TruckTerm.     | 8          | 658,100     | 2,733,000   | 0          | 3,391,100   |
| 44 Petr./Gas      | 5          | 723,400     | 4,109,400   | 0          | 4,832,800   |
| 45 Distrib.Ctr.   | 3          | 738,800     | 13,696,200  | 12,059,400 | 2,375,600   |
| 46 LumberOper.    | 1          | 53,100      | 95,000      | 0          | 148,100     |
| 47 GroundWork     | 4          | 1,498,900   | 556,700     | 0          | 2,055,600   |
| 48 Manufact.      | 4          | 367,400     | 2,177,300   | 0          | 2,544,700   |
| 49 Recrea.Faci.   | 7          | 428,500     | 2,432,700   | 2,732,700  | 128,500     |
| 50 Library        | 1          | 97,600      | 570,900     | 668,500    | 0           |
| 51 MuniBldg.      | 1          | 216,300     | 2,267,400   | 2,483,700  | 0           |
| 53 HealthClub     | 1          | 43,100      | 104,400     | 0          | 147,500     |
| 56 Tennis         | 1          | 36,500      | 248,600     | 0          | 285,100     |
| 58 CarWash        | 1          | 66,500      | 77,500      | 0          | 144,000     |
| 59 DayCare        | 3          | 231,200     | 339,100     | 0          | 570,300     |
| 60 Redempt.Ctr    | 1          | 60,500      | 63,300      | 0          | 123,800     |
| 62 Church         | 6          | 472,000     | 2,532,700   | 3,004,700  | 0           |

### Assessment Summary By Codes

|                  |             |                    |                    |                    |                    |
|------------------|-------------|--------------------|--------------------|--------------------|--------------------|
| 63 Parsonage     | 3           | 239,000            | 340,500            | 40,000             | 539,500            |
| 65 PublicSchool  | 5           | 771,500            | 13,214,100         | 13,846,200         | 139,400            |
| 67 ElderlyHsg.   | 1           | 142,300            | 1,766,500          | 1,908,800          | 0                  |
| 69 PostOffice    | 1           | 23,800             | 374,100            | 0                  | 397,900            |
| 70 Cem./Mort.    | 5           | 113,800            | 45,600             | 159,400            | 0                  |
| 71 Lodge/Hall    | 7           | 327,200            | 1,033,300          | 1,016,500          | 344,000            |
| 73 PhoneBldg.    | 2           | 77,600             | 387,000            | 0                  | 464,600            |
| 74 Apt/Store     | 6           | 158,600            | 1,126,500          | 0                  | 1,285,100          |
| 78 Congre.Care   | 1           | 404,000            | 778,800            | 468,000            | 714,800            |
| 79 Bty.Salon     | 2           | 72,500             | 131,700            | 0                  | 204,200            |
| 81 StateBldg.    | 2           | 140,700            | 483,700            | 624,400            | 0                  |
| 83 Muni.Property | 3           | 366,500            | 1,080,500          | 1,447,000          | 0                  |
| 84 Utilities     | 9           | 405,400            | 2,664,900          | 3,030,200          | 40,100             |
| 85 Landfill      | 1           | 1,049,000          | 1,402,000          | 0                  | 2,451,000          |
| 87 News/Printing | 2           | 415,900            | 1,313,200          | 1,729,100          | 0                  |
| 88 Water Tower   | 2           | 76,400             | 1,432,000          | 1,508,400          | 0                  |
| 89 Trailer Park  | 1           | 512,900            | 0                  | 0                  | 512,900            |
| 90 Farm Bldgs.   | 4           | 162,900            | 343,400            | 46,000             | 460,300            |
| 91 Outbuildings  | 13          | 184,900            | 713,100            | 20,000             | 878,000            |
| 92 Comm.Tower    | 2           | 47,800             | 208,100            | 0                  | 255,900            |
| 93 PumpSta.Bld.  | 5           | 118,800            | 503,200            | 622,000            | 0                  |
| 94 Marina        | 3           | 764,800            | 278,100            | 0                  | 1,042,900          |
| 95 Kennel        | 1           | 0                  | 61,400             | 0                  | 61,400             |
| 98 Vacant        | 7           | 526,300            | 1,734,300          | 0                  | 2,260,600          |
| 99 No Building   | 655         | 33,202,000         | 9,546,400          | 5,285,000          | 37,463,400         |
| <b>Total</b>     | <b>3800</b> | <b>182,318,600</b> | <b>542,301,100</b> | <b>121,229,300</b> | <b>603,390,400</b> |

# CONSTITUTION OF THE STATE OF MAINE

## *Selected Sections*

### Article I Declaration of Rights

**Section 22. Taxes.** No tax or duty shall be imposed without the consent of the people or of their representatives in the Legislature.

### Article IV Part Third Legislative Power

**Section 9. Either House may originate bills; revenue bills.** Bills, orders or resolutions, may originate in either House, and may be altered, amended or rejected in the other; but all bills for raising a revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other cases; provided, that they shall not, under color of amendment, introduce any new matter, which does not relate to raising a revenue.

**Section 23. Municipalities reimbursed annually.** The Legislature shall annually reimburse each municipality from state tax sources for not less than 50% of the property tax revenue loss suffered by that municipality during the previous calendar year because of statutory property tax exemptions or credits enacted after April 1, 1978. the Legislature shall enact appropriate legislation to carry out the intent of this section.

This section shall allow, but not require, reimbursement for statutory property tax exemptions or credits for unextracted minerals.

### Article IX General Provisions

**Section 7. Valuation.** While the public expenses shall be assessed on estates, a general valuation shall be taken at least once in 10 years.

**Section 8. Taxation.** All taxes upon real and personal estate, assessed by authority of this State, shall be apportioned and assessed equally according to the just value thereof.

**1. Intangible property.** The Legislature shall have power to levy a tax upon intangible personal property at such rate as it deems wise and equitable without regard to the rate applied to other classes of property.

**2. Assessment of certain lands based on current use; penalty on change to higher use.** The Legislature shall have power to provide for the assessment of the following types of real estate whenever situated in accordance with a valuation based upon the current use thereof and in accordance with such conditions as the Legislature may enact:

A. Farms and agricultural lands, timberlands and woodlands;

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**MEMORANDUM**

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**TO:** TOWN COUNCIL

**FROM:** PAULA SCOTT, TOWN CLERK

**SUBJECT:** GOALS & OBJECTIVES

**DATE:** 02/08/2018

**CC:** ANGUS JENNINGS, TOWN MANAGER

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In order to present goals and objectives for FY2019, I felt it warranted to preface it with the accomplishments realized in FY18. The goals identified last year and that were met, specific to the Clerk's position, are the following:

- Restoration of critical birth, death and marriage records which were in danger of being lost, including digitizing those same records onto a CD
- Continued in service training with junior staff in the DAVE system, the mandated on-line vital records system. This resulted in being able to deputize both Gigi and Jess for the purpose of issuing vital records. Under state law, and due to the Federal Patriot Act, that was passed after 911, the only people who are allowed access and legally permitted to issue vital records are the Clerk, or a Deputy Clerk.
- Continued training with junior staff for proficiency in voter registration, absentee ballot processing and use of the CVR (Central Voter Registry) system
- Worked closely with Chief Rogers, Tammy Ewing and the auditor to correctly assign the town's portion of dog licensing and late fees from what was originally set up as clerk fees, into the proper animal control account. This included providing the statute to the auditor that requires the placement of these funds into an account that does not lapse into the general fund, but that is carried forward every year
- Established on-line dog licensing as an added level of customer service to the residents of the town
- Continued outreach for board and committee development

While these are just the enumerated goals from last year's session, the list of accomplishments within the office are many. The Clerk's office provided much needed support for the Department of Public Works which is one of the most under staffed departments for a town our size, continued support and back up for the Tax Collector and Motor Vehicle Agent, the Planning Department, and point of service support at the front counter. The Clerk's office has worked closely with the Town Manager regarding operations, researching laws, policies and procedures, and helped to facilitate board development, not only for citizen boards, but for elected officials as well. While not a comprehensive list, these are just some of the many functions that are realized daily. Things do not happen overnight; it is a process.

Specific goals for FY19 are the following:

- Continue the restoration of our critical vital records that are in danger of being lost and which the municipal officers are required by statute to accomplish. Vital records are not just forgotten history. They are the bones of any community, reflective of its people, its culture, and history. Hampden has a rich historical record and beyond the statutory requirement, preservation of these records is the right thing to do.
- Bring on-line licensing of boats, snowmobiles, and all terrain vehicles to the residents of the town as an added level of customer service through the State's InforMe system. This is the same system that we currently use for Rapid Renewal of motor vehicles.
- Work with the Manager and Finance Director to finally bring acceptance of credit cards to the town office. This can be accomplished through the InforMe system at no cost to the town except for the minimal set up fees. After set up, all charge-backs are to the customer and not the town which does not have to cover any fees. Governments are the only entities currently allowed to pass the fees directly to the user. Residents repeatedly ask why we are not in the right century about accepting credit cards. (Their words, not mine)
- Begin and hopefully complete an exhaustive and comprehensive organization of the down stairs storage room, including disposition of records that are beyond retention. This is an absolute must but will require staff time on days that the office is not open because it simply cannot get done during the course of a day. We are too understaffed. Additionally, due to the recent issue with mold in that corner of the building, cardboard storage boxes will need to be replaced due to the "wicking" characteristics of cardboard that causes an absorption of mold spores.
- Begin the continuing classes and trainings required for recertification and which have taken a back seat to crisis management of staff turnover and shortages
- Continue training and development of junior staff.

While these are just some of the specific goals that I would like to facilitate and see come to fruition, there are many day to day things that make our lack of appropriate staffing levels blaringly obvious. My goal is to continue the support of the Department of Public Works to the extent that I am able. My goal is to continue extensive training in election procedures. There are many facets and requirements to elections that are not seen or known by all, and this is an area that is fundamentally very important to me. I take elections seriously and want junior staff and my election clerks to be trained in all pertinent aspects relative to their position. My goal is to also help facilitate the transition of the new Town Manager and help set a course for continuity of current Council objectives being carried out by Angus, and for responsiveness to any new goals and objectives that may be defined in this budget cycle.

**User Fees:** When given the choice, most citizens prefer service charges and user fees over property taxes to fund municipal services.

(from *Maine Townsman*, January 1994)

by Michael L. Starn, Editor

This Maine Municipal Association publication is presented for "Classroom Use Only." Its intended use is to stimulate and aid in discussion and role playing within a classroom setting.

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Service charges and user fees are the most rapidly growing source of local government revenue, according to the International City Management Association. In its 1989 publication, *A Revenue Guide for Local Government*, ICMA noted that local governments' shift to user fees has occurred for two primary reasons: taxpayer resistance to increased property taxes and the decline in federal and state aid to municipalities.

In Maine, communities of all sizes are moving toward, or at least exploring, user fees as an alternative to increased property taxes. In Bangor and Waterville, studies of the existing user fee structures uncovered areas where undercharging was occurring for certain types of fee-based activities and found opportunities for new or expanded user fee funding of other municipal services; in Dexter, a successful municipal golf course pays for itself and brings tourism to the community; in Jay, a proprietary transfer station and recycling center lowers the solid waste costs for this town and those that contract for services; and the town of Oakfield in southern Aroostook County, pop. 846, demonstrates how small towns can implement the user fee concept in solid waste management without a lot of public backlash.

#### USER FEE POPULARITY

According to the Advisory Commission on Intergovernmental Relations (ACIR), user fees are more popular than taxation for most citizens. Annually, this Washington-based advisory council to the Congress and Administration conducts a survey of public attitudes toward the three levels of government--federal, state and local. For over 10 years, that survey has consistently shown greater public support for user fees than any form of taxation to support new government services. The same survey has also consistently shown property taxes to be the least-favored method of taxation.

These two findings by ACIR validate the need for municipal officials to carefully consider the adoption of user fees to fund some municipal services. Service charges and regulatory fees are ideally suited to the "finance it yourself" environment that currently pervades all levels of government.

Nationwide, studies of the application of user fees to fund municipal services have shown that their popularity and use varies by region. Municipalities in the South, West and Midwest employ user fees and service charges to a much greater extent than other areas of the country; user fees are least popular in New England. Larger communities rely more heavily on user fees than do smaller ones. In total, local governments derive about 90 cents in charges and fees to every \$1 raised by taxation, according to the ICMA.

#### FEES OR PROPERTY TAXES

The advantages and disadvantages of user fees versus property taxes to fund municipal services need to be thoughtfully reviewed before making a choice of one or the other or a mixture of taxes and user fees.

From two reports by ICMA, the previously mentioned A Revenue Guide for Local Government and the MIS Report of December 1992, the following advantages/disadvantages of user fees were gleaned.

### Advantages

- User fees reduce wasteful consumption of public services by heightening the public's awareness of the cost of providing a service.
- User fees, because they are based on consumption, give municipal officials a better idea of the level of service to be provided. This has the effect of reducing the tendency of government officials to expand services or facilities to meet a perceived need or increased demand.
- User fees are more equitable than taxation since they are paid by the user, not all taxpayers. Those using the service pay proportionally to the benefit they receive; those who don't use the service, don't pay.
- User fees provide a flexible source of revenue to fund specific goods and services. The amount charged as a user fee is restricted only by the demand for a service and the cost of providing it. The greater the demand (more users paying fees), the greater the revenues. Revenues from property taxes, on the other hand, do not have that direct link to the fluctuating demand for services.

### Disadvantages

- Some municipal services have an overriding public benefit that precludes user fees which would create a burden on low-income individuals. Those who are least able to pay may have the greatest need for public services, e.g., public education.
- Services which are paid for by user fees need to be quantifiable - broken down into units for pricing and the benefits should accrue only to the buyer. Public safety, for example, is mostly preventative; therefore, it would not be fair to assess it only to the users. Beneficiaries of the service would also be difficult to identify.
- Opponents of user fees feel that the existing methods of taxation already provide, or should provide, sufficient revenue to operate local government and that user fees are just a sneaky way of having "backdoor taxation."
- User fees seldom cover the entire cost (both direct and indirect costs) of a municipal service. Some fee-based services that are touted as being self-supporting may, in fact, not be.
- Some municipal services are made more expensive because of the administrative costs associated with collecting the fee.
- Unlike property taxes, user fees are not deductible from federal or state income taxes.

### LEGAL/POLITICAL CONSIDERATIONS

There are a number of legal and political issues to consider before a municipality moves to increase the

role of user fees to fund municipal services. These issues should not be viewed as roadblocks to having user fees but rather as guidelines to their successful implementation.

Through case law, the courts have established some criteria upon which user fees should be based. They include:

- 1) The fee charged must provide a direct benefit to a party in exchange for payment in a way not shared by other members of society.
- 2) The fee must be optional with the party having the option of not using the government service.
- 3) The charge must compensate the specific government office for the provided service only; the fees received must not be collected with the purpose of raising revenues beyond the cost of the provided service.

Political impediments include the opposition of interest groups (particularly those affected most by the fee) to a service charge; the indifference of taxpayers to the negligible benefits of a lower tax burden combined with the sentiment that it's just another way to get more money for the local government; and opposition from municipal staff who fear that a service charge will adversely affect their budgets and staffing levels (demand for a service might be reduced and employees might be laid off.)

#### STUDYING USER FEES

Larger communities, in particular, often do not have a precise handle on the extent of their user fees. Some regulatory fees (hunting and fishing licenses, concealed weapons permits) are established under state law. Some are set by local ordinances. In some cases, municipal departments are given a great deal of latitude in setting reasonable fees for their activities.

A strategy that inventories and codifies all user fees will enable a community to get better control over this type of revenue. An annual review of all service charges and regulatory fees, preferably in conjunction with the budgetary process, is recommended.

Four or five years ago, the City of Bangor formed an ad hoc committee to review every user fee charged by the city. According to Finance Director John Quartararo, following that study some of the fees were increased substantially (building permits and other code enforcement activities); some were put on an annual adjustment cycle using the Consumer Price Index (CPI); and others were left pretty much as they had been. The net effect of these changes was an increase in user fee revenues to the city.

More recently, the City of Waterville hired a consultant to review its user fees. The consultant, Nancy Orr (now finance director for the city) did an inventory of all existing fees, categorizing them by the department that was administering the fee and under whose authority the fee was being assessed (state or local). She also made comparisons with similarly sized communities and a neighboring one to find out the extent to which user fees were being utilized to fund municipal services. She observed that Waterville fell somewhere in-between in its utilization of user fees. "I concluded that the city hadn't taken full advantage of the opportunity (to use them)."

Orr's review also found several instances where current user fees were low. Like Bangor, building