



# City Council Meeting and Workshop

## November 3, 2014

### Agenda

#### 5:30 P.M. Workshop

- A. Executive Session
  - a. Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. Section 405(6) (C) – (20 minutes).
  - b. Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. Section 405(6) (C) – (20 minutes).
- B. Date for Informational Meeting on Downtown Auburn Transportation Center – Clint Deschene (20 minutes).
- C. Expenditure Cap Ordinance Amendment Proposal – Jill Eastman (30 minutes)

*After each workshop item is presented, the public will be given an opportunity to comment. A total of ten minutes will be allotted for public comment after each item is presented.*

#### 7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Gerry

#### Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (\*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.

- 1. **Order 91-11032014\***  
Appointing Wardens and Ward Clerks for the November 4, 2014 Election.

- II. **Minutes**
  - October 16, 2014 Special Council Meeting
  - October 20, 2014 Regular Council Meeting

#### III. Reports

**Mayor's Report** – Food Day Proclamation

##### **City Manager's Report**

- ATRC organization update
- Norway Savings Bank Arena Quarterly Report

##### **Committee Reports**

- **Transportation**
  - Lewiston Auburn Transit – Councilor Gerry
  - Airport, Railroad – Councilor Hayes
  - Bike-Ped Committee – Councilor Lee
- **Housing**
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry

# Auburn City Council Meeting & Workshop

November 3, 2014

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- **Economic Development**
  - **L-A Economic Growth Council, Auburn Business Development Corporation – Councilor Lee**
- **Education**
  - **Auburn School Committee – Councilor LaFontaine**
  - **Auburn Public Library – Councilor LaFontaine**
  - **Great Falls TV – Councilor Young**
- **Environmental Services**
  - **Auburn Water District, Auburn Sewerage District – Councilor Crowley**
  - **Mid-Maine Waste Action Corp. – Councilor Walker**
- **Recreation**
  - **Recreation and Special Events Advisory Board – Councilor Crowley**
- **Public Safety**
  - **LA 911 – Councilor Walker**

## City Councilors' Reports

### IV. Communications, Presentations and Recognitions

- V. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*. Time limit for open sessions, by ordinance, is 45 minutes.

### VI. Unfinished Business

#### 2. Ordinance 09-10202014

Adopting the General Assistance Appendices B and C (food and rent) as required by State Statute. Public hearing and second and final reading.

### VII. New Business

#### 3. Order 92-11032014

Authorizing the demolition of a dangerous building located at 33 South Goff Street.  
Public Hearing.

#### 4. Order 93-11032014

Authorizing the City Manager to execute a deed for the sale of a portion of 143 Hampshire Street and 325 Turner Street.

#### 5. Order 94-11032014

Authorizing the payment of \$10,000 for land acquisition of 261 Main Street.

#### 6. Resolve 11-11032014

Supporting the addition of extra members to the Lewiston-Auburn Bike-Ped Committee.

### VIII. Executive Session

- Discussion regarding an personnel matter, pursuant to 1 M.R.S.A. Section 405(6)(A).  
*Possible action to follow.*

# Auburn City Council Meeting & Workshop

November 3, 2014

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- Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. Section 405(6)(C).  
*Possible action to follow.*

## **IX. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.**

## **X. Adjournment**

**Executive Session:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** 11-3-2014

**Subject:** Executive Session

**Information:** Discussion regarding Economic Development, pursuant to 1 M.R.S.A. Section 405(6)(C).

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B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

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E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

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## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 11/3/2014

**Order**

**Author:** Clint Deschene, City Manager

**Subject:** Downtown Auburn Transportation Center ("DATC") Public Hearing and Input

**Information:** In accordance with the schedule (see attached) the Council is to review the materials regarding the location of the DATC back at Great Falls Plaza. Also attached are five (5) maps. What these depict are as follows:

Map #1 (Existing Conditions): The current lots overlaid on a photo of the area.

Map #2 (Historical Subdivision): The last known plan to layout the property for development. This design required exchanges of land and new road infrastructure. This concept was never recorded but was approved at the Planning Board.

Map #3 (First Concept): During the meetings to determine where to place the building we met with design team and toured the property and maps. This is the map that was created in concept to share with area businesses for input and parking impacts.

Map #4 (Recommended Concept): Map#3 was shared and it led to some good recommendations. The suggestions were to place the building near the future parking garage and where during today's conditions would have almost no impact on "priority" parking.

Map #5 (Existing Conditions with Recommended Concept): In order to provide a clear picture of what will occur until the subdivision is developed this map is being provided to fully understand.

Staff is recommending Map #4 and Map #5. As of development of this agenda packet a final meeting with the design group has not occurred and some minor changes are anticipated. **So the Council and public should expect to see a revised map at the Monday Meeting.**

Understand at this stage the Council is being asked to call a hearing for the public to comment on the plan. Please share your own but to progress this building the next step is to have the hearing.

**Advantages:** 1. Places the building back in original location. 2. Minimal traffic impact. 3. Creates a developable concept for the future of the area. 4. Does not impact the future storm drainage replacement.

**Disadvantages:** 1. Until full development the property is sitting towards the back of the lot. 2. The construction cost estimate predicts a high per square foot cost.

**City Budgetary Impacts:** Setting the hearing has no impact. However the required match if the Council proceeds after the hearing will cost \$143,592 of TIF proceeds.

**Staff Recommended Action:** Set a hearing for November 20<sup>th</sup> at 6:00 pm.

**Previous Meetings and History:** 10/06/2014

# City Council Information Sheet

City of Auburn

**Attachments:** Schedule

Five (5) maps.

Maximum budget estimate.

# PROJECTED MAXIMUM BUDGET DATC

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October 30, 2014

RE: Potential Budget DATC at Great Falls Plaza

Since the exact site is still to be determined the estimated budget is based upon the amount of local matching funds required to meet the federal funds available. The maximum budget based upon all funds available is \$746,000:

Maximum budget (includes funds already expended on appraisals and Casco Bay Engineering)	\$746,000
Federal Share (80% of budget)	\$596,800
Local Share (20% of budget)	\$149,200
Expended to Date:	\$ 28,041
Federal Share	\$ 22,433
Local Share (\$4,496 paid by Auburn, \$1,112 paid by LATC)	\$ 5,608
Balance Available for Project:	\$717,959
Federal Share	\$574,367
Local Share	<b>\$143,592</b>

Thus, assuming the projects stays within the maximum budget; the City of Auburn will need to appropriate \$143,592.

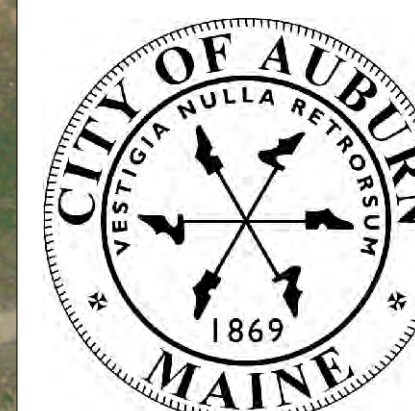
# Downtown Auburn Transportation Center (“DATC”)

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## **SCHEDULE** *(dates could change)*

September 26 <sup>th</sup> , 2014	Meeting of MDOT, LATC, Auburn Staff
September 30 <sup>th</sup> , 2014	Sub-committee on building Site. MDOT, LATC, Auburn Staff
October 17 <sup>th</sup> , 2014	Meeting of MDOT, LATC, Auburn Staff
November 3 <sup>rd</sup> , 2014	Council Meeting to set Informational Meeting
November 20 <sup>th</sup> , 2014	Informational Meeting of Public
December 1 <sup>st</sup> ,	Council Meeting Adopting Plan



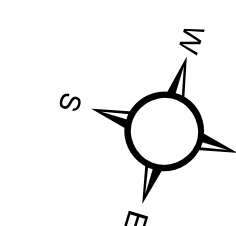


City of Auburn  
Maine

# Great Falls Plaza

## Existing Property Lines

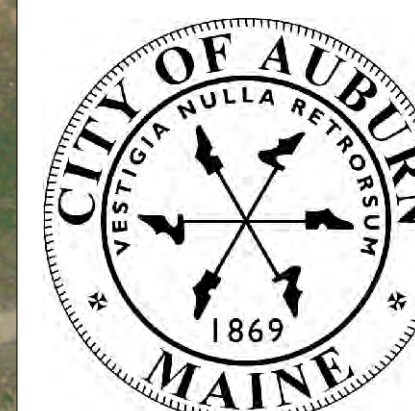
 Existing Property Lines



0 30 60 Feet

This map was created by Auburn's GIS Department. While every effort has been made to ensure that these data are accurate and reliable, the City of Auburn cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Data may be from secondary sources and may be unverified. Users of the information displayed on this map are strongly cautioned to verify all information before making



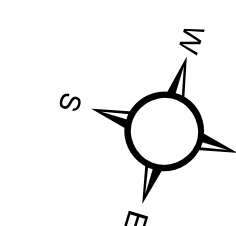
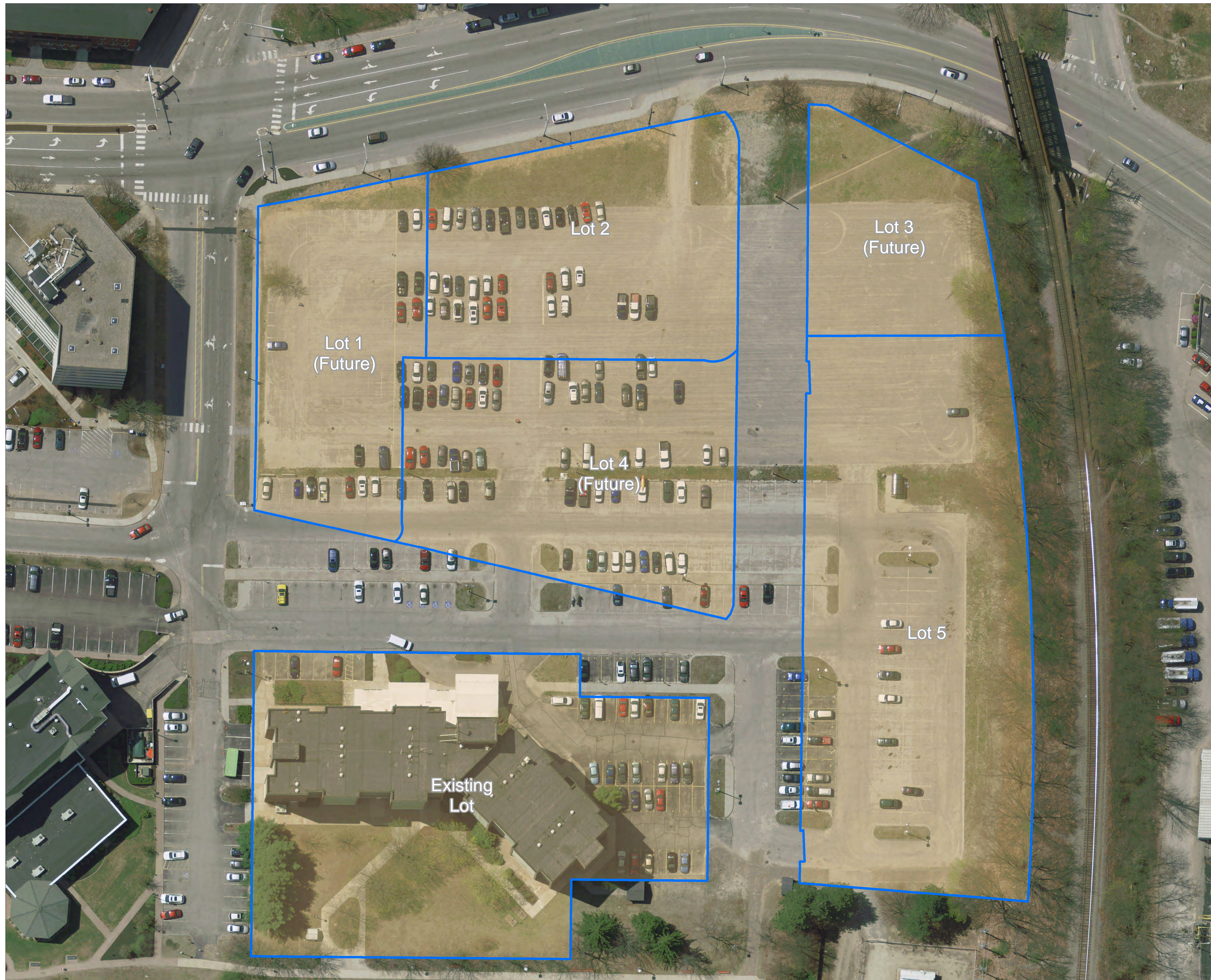


City of Auburn  
Maine

# Great Falls Plaza

## 2009 Plan Property Lines

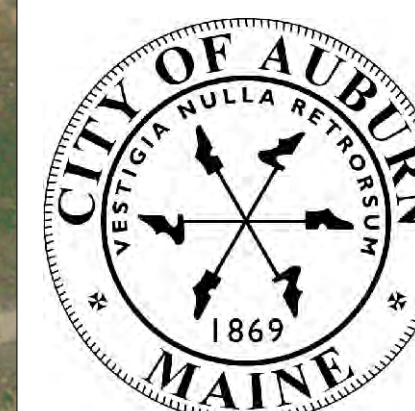
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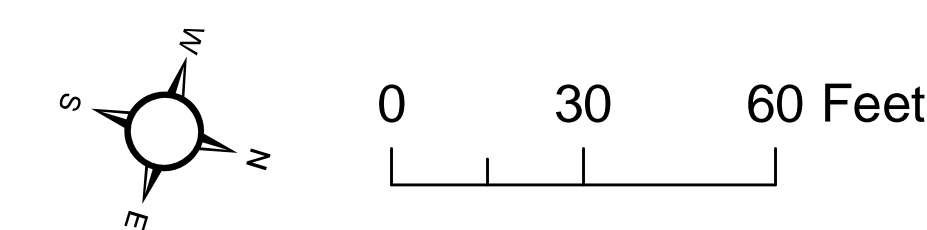


City of Auburn  
Maine

# Great Falls Plaza

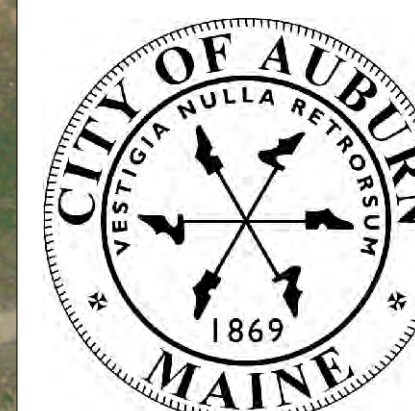
Proposal 1

-  Form Code Concept Streets
-  Bus Station - Proposal 1



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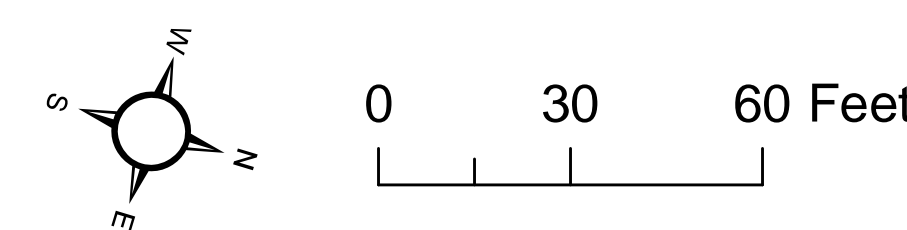
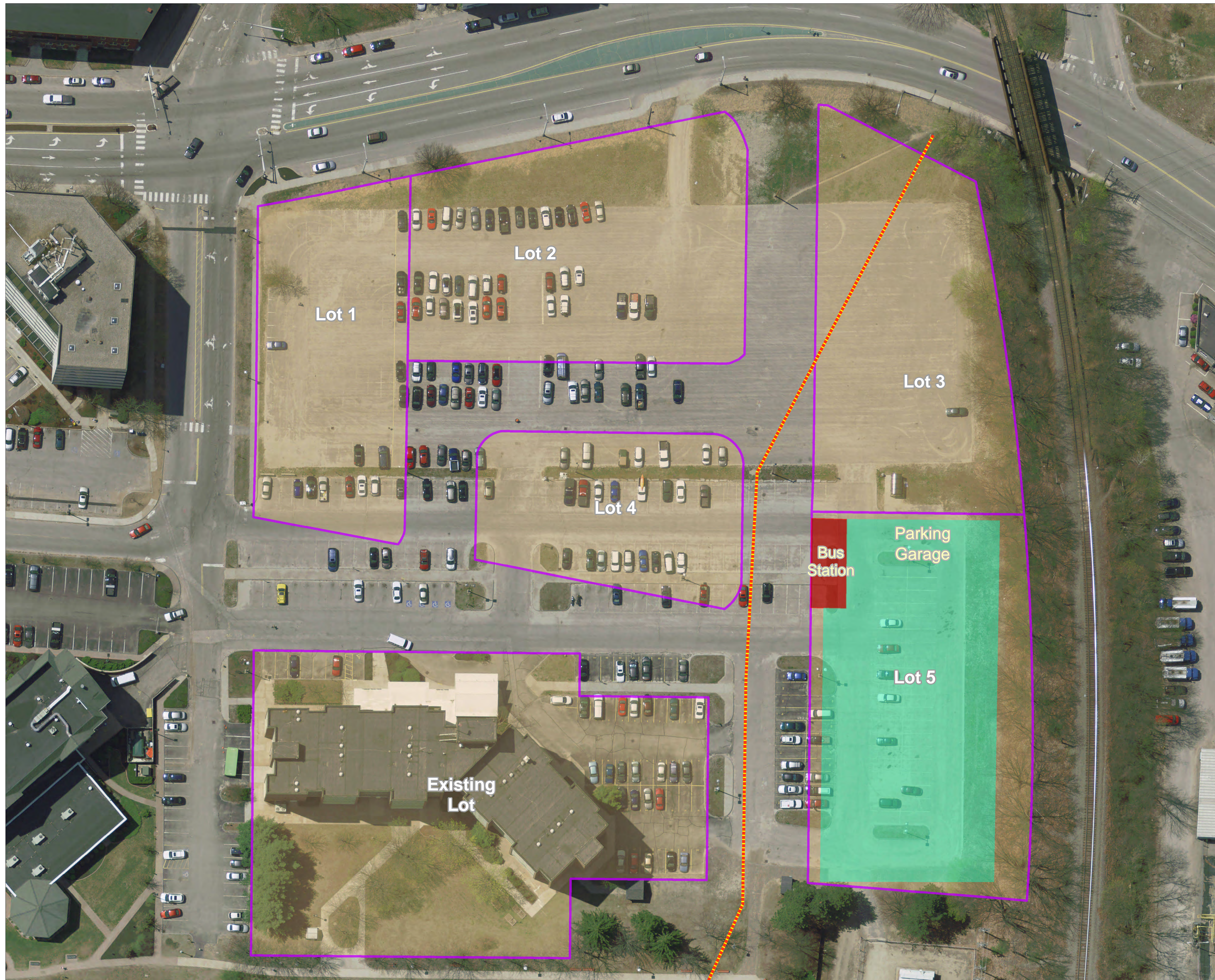


City of Auburn  
Maine

# Great Falls Plaza

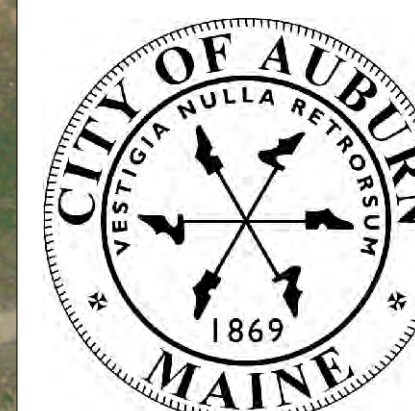
## New Proposal

- Existing Stormwater Pipe
- Parking Garage - Proposal 2
- Bus Station - Proposal 2
- New Plan Property Lines



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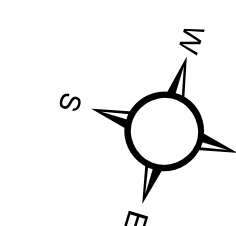


City of Auburn  
Maine

# Great Falls Plaza

## New Proposal

-  Bus Station - Proposal 2
-  Existing Property Lines



0 30 60 Feet

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Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### RESOLVE-ORDINANCE ~~xx-1103~~2014

- **Sec. 8.6. - Appropriation and revenue resolve.**

[A.]

Prior to the beginning of the fiscal year the city council shall adopt an annual appropriation resolve making appropriations by department, fund, service, strategy, or other organizational unit and authorizing an allocation for each program or activity. Also included in the appropriation resolve will be the tax due dates, interest rate on delinquent taxes and the tax mil rate for the fiscal year.

[B.]

Before any new revenues may be collected to fund the budget, including taxes and changes in existing fees, the city council shall authorize such revenues by an annual revenue resolve.

~~NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, that the City Council proposes that the municipal revenue sharing be reinstated to what it should be according to the law, before any expansion of any unnecessary State programs; and~~

~~NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, that the City Council hereby expresses its strong opposition to the State not meeting it's legal obligation to the municipality; and~~

~~NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, that the City Council proposes that the State of Maine recalibrate the Revenue Sharing Program to account for the increased costs associated with being a Service Center Community;~~

~~BE IT FURTHER RESOLVED, that the City Clerk is directed to provide copies of this RESOLVE to the members of the Legislature representing the City of Auburn, members of the Appropriations and Taxation Committees, the Governor, the Speaker of the House, the President of the Senate and the Legislative leadership.~~



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 11/03/14

**Ordinance**

**Author:** Jill Eastman, Finance Director

**Subject:** Budget expenditure cap ordinance change

**Information:** Staff is recommending a change in the budget expenditure cap ordinance Sec 2-485 a. to a tax commitment cap.

**Advantages:** With a tax commitment cap the City can take advantage of new revenue sources to fund expenditures without raising the tax commitment. The current ordinance does not take any new revenues into consideration, therefore it does not give the City any incentive to find new revenue to help fund the budget.

**Disadvantages:** Public perception links taxes to expenses only, so the Council and staff will have to work cooperatively to share that the tax commitment (difference between expenses and revenues) is what drives taxes.

**City Budgetary Impacts:**

**Staff Recommended Action:** Recommend passage of ordinance change

**Previous Meetings and History:** This was briefly discussed during the FY15 budget process.

**Attachments:**

Draft ordinance amendment

City Manager or Assistant City Manager signature:

Date:

11-30-14



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 11/03/14

**Order** XX-11032014

**Author:** Jill Eastman, Finance Director

**Subject:** Amendment to Appropriation Resolve

**Information:** Staff is recommending additional language added to the appropriation resolve, adding tax due dates, interest rate on delinquent taxes and the mil rate for property taxes.

**Advantages:** When the budget is passed the mil rate will be set so everyone will know what the property taxes will be.

**Disadvantages:** The Assessing Department will have to complete the tax commitment no later than June 1.

**City Budgetary Impacts:**

**Staff Recommended Action:** Recommend passage of ordinance amendment.

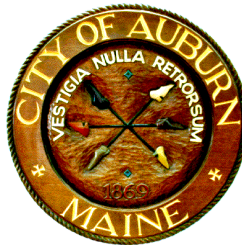
**Previous Meetings and History:**

**Attachments:**

City Manager or Assistant City Manager signature:

*Robert D. Dwyer* Date: 10-30-14

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam Lee, Ward Four



Jonathan P. LaBonte, Mayor

Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

## IN CITY COUNCIL

### RESOLVE ORDINANCE ~~XX-04222014~~ 11032014

#### Sec. 2-485. Council action on budget increase.

(a)

*Budget ~~expenditure-tax commitment~~ cap.* Beginning with the fiscal year ~~2008-2016~~ budget, the city council will not approve any increase in the budget-tax commitment, City and School combined, which exceeds the consumer price index (urban) as compiled for the 12-month period ending as of December 31 prior the start of the succeeding fiscal year.

(b)

*Exception.* When deemed necessary by the city council, this provision may be waived by a majority vote of the city council.

*(Ord. of 5-21-2007)*







## City Council Information Sheet

City of Auburn

Council Workshop or Meeting Date: 11-3-2014

Order 91-11032014\*

Author: Sue Clements-Dallaire *SUD*

**Subject:** Appointment of Wardens and Ward Clerks for the November 4, 2014 Election.

**Information:** The City Clerk nominates Wardens and Ward Clerks to be appointed by the City Council. One Warden and one Ward Clerk are to be appointed for each polling place. Appointments were made for all 5 Warden and Ward Clerk positions on 12/02/2013 for a term that would run from December of 2013 through December of 2015. These appointments fill the remaining Warden and Ward Clerk vacancies.

Rick Duchesneau	Ward Clerk	Ward 4	Fairview School
Jolene Girouard	Warden	Central Processing	Auburn Hall
Jan Biron	Ward Clerk	Central Processing	Auburn Hall

**Advantages:** Passage of this order fills these vacant positions.

**Disadvantages:** We would not be in compliance with State Election Law if we did not appoint a Warden and Ward Clerk for each polling place. It is also challenging to find qualified candidates to fill these positions.

**City Budgetary Impacts:** None

**Staff Recommended Action:** Staff recommends passage of the order

**Previous Meetings and History:** N/A

**Attachments:**

City Charter, Article V, Nominations and Elections

Title 21-A §501

Order xx-11032014

City Manager or Assistant City Manager signature: *Christine Dedica*

Date: *10-30-14*

Auburn, Maine, Code of Ordinances >> PART I - CHARTER >> ARTICLE V. - NOMINATIONS AND ELECTIONS >>

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**ARTICLE V. - NOMINATIONS AND ELECTIONS**

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Sec. 5.1. - Date of elections and procedures.

Sec. 5.2. - Wardens and ward clerks.

Sec. 5.3. - Nominations for elective offices.

Sec. 5.4. - Nomination petition.

Sec. 5.5. - List of candidates.

Sec. 5.6. - Ballots.

**Sec. 5.1. - Date of elections and procedures.**

On the Tuesday following the first Monday in November in odd-numbered years, registered voters of each ward shall ballot for a mayor, a councilor, and a school committee member from that ward as well as two councilors and two school committee members at-large. The terms of all councilors and school committee members shall begin and end simultaneously. All votes cast for the several officers shall be counted, declared, and recorded in public ward meetings, by causing the names of the persons voted for and the number of votes given for each to be written on the ward record. The city clerk shall, as soon as convenient, examine the copies of the records of the several wards and notify in writing the persons who have been elected mayor, councilor, and school committee members. If no person has been elected to an office, or if the person elected refuses to accept the office, the city clerk shall issue warrants for another election. The city clerk shall declare the person receiving the highest number of votes for an office elected to such office.

**Sec. 5.2. - Wardens and ward clerks.**

The city clerk shall nominate wardens and ward clerks who shall be confirmed by the city council. Wardens and ward clerks shall be residents of the city and shall hold office for two years from the first Monday in December following the regular municipal election or until a replacement has been confirmed. Wardens and ward clerks shall swear their faithful performance of duties to the city clerk or deputy city clerk.

**Sec. 5.3. - Nominations for elective offices.**

Nomination of each candidate for elective office shall be by petition, available from the city clerk at least 120 days prior to the election. Petitions for mayor shall be signed by not less than 100 registered voters. Petitions for councilor and school committee shall be signed by at least 25 registered voters of the candidate's ward, except that at-large candidates' petitions may have signatures from registered voters from any ward.

**Sec. 5.4. - Nomination petition.**

Nomination petitions shall be provided by the city clerk with whom they shall be filed not later than 75 days prior to the election.

**Sec. 5.5. - List of candidates.**

The city clerk shall, at least 65 days prior to the election, certify and make available to the public, in print and electronically, the names and residences of candidates who have filed nomination petitions.

**Sec. 5.6. - Ballots.**

The city clerk shall provide specimen ballots and official ballots for use in all city elections. Specimen ballots shall be marked "specimen" and shall be on a paper of a color different from the official ballots. The city clerk shall make specimen ballots available to the public in print and electronically. No ballot shall show party designation.

## Maine Revised Statutes

[§501 PDF](#)[§421](#)[Title 21-A: ELECTIONS](#)[§502](#)[§501 WORD/RTF](#)

### Chapter 7: ELECTION OFFICIALS

[STATUTE SEARCH](#)[CH. 7 CONTENTS](#)[TITLE 21-A CONTENTS](#)[LIST OF TITLES](#)[DISCLAIMER](#)[MAINE LAW](#)[REVISOR'S OFFICE](#)[MAINE LEGISLATURE](#)

#### §501. Wardens and ward clerks

**1. In a city.** In a city, the selection, term of office, compensation and partial duties of wardens and ward clerks are determined by the city charter. Additional duties are prescribed by this Title.

[ 1987, c. 188, §4 (AMD) .]

**2. In a town.** In a town, with the approval of the municipal officers, the clerk of the municipality shall appoint a warden and may appoint one or more deputy wardens to assist in the duties on election day. If the clerk appoints another person as warden, the clerk may serve as deputy warden. It does not constitute an incompatibility of office for the clerk to serve as warden or deputy warden. The warden and deputy warden are entitled to a reasonable compensation as determined by the municipal officers.

[ 1995, c. 459, §32 (AMD) .]

**3. Provisions applicable to both towns and cities.** A warden, ward clerk or any deputy warden may not be an officer of a municipal committee of a political party. Ward clerks or deputy wardens shall perform the duties of the warden when necessary and may not replace election clerks prescribed by this Title. The warden, ward clerk and deputy wardens must be registered voters of the municipality, except when a nonresident clerk is acting as either warden, ward clerk or deputy warden. When there is a vacancy in the office of warden, ward clerk or deputy warden, a person who is a resident of the county may serve as a replacement on a per election basis until the end of the vacated term. Before assuming the duties of office, the warden is sworn by the municipal clerk, and the ward clerk or deputy warden is sworn by the municipal clerk or by the warden.

[ 2009, c. 538, §6 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §4 (AMD). 1995, c. 459, §32 (AMD). 1997, c. 436, §65 (AMD). 2001, c. 310, §27 (AMD). 2009, c. 538, §6 (AMD).

*Data for this page extracted on 02/01/2012 10:08:18.*

**The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.**

**If you need legal advice, please consult a qualified attorney.**

Office of the Revisor of Statutes

7 State House Station

State House Room 108

Augusta, Maine 04333-0007

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam Lee, Ward Four



Jonathan P. LaBonte, Mayor

Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

## IN CITY COUNCIL

### ORDER 91-11032014

**ORDERED**, that the City Council hereby appoints the following individuals to fill the vacant Warden and Ward Clerk positions for the November 4, 2014 Election:

Rick Duchesneau	Ward Clerk	Ward 4	Fairview School
Jolene Girouard	Warden	Central Processing	Auburn Hall
Jan Biron	Ward Clerk	Central Processing	Auburn Hall

**IN COUNCIL SPECIAL MEETING OCTOBER 16, 2014 VOL. 34 PAGE 73**

The meeting was called to order at 5:33 P.M. in the Council Chambers of Auburn Hall. Councilor Young had an excused absence. All other Councilors were present.

**I. Executive Session**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session for discussion of a personnel matter, pursuant to 1 M.R.S.A. §406 (6)(A). Passage 6-0, time 5:34 P.M.

Council was declared out of executive session at 5:47 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the Mayor to execute an agreement with the City Manager, Clinton E. Deschene, for terms of separation and acceptance of his resignation effective November 15, 2014. Passage 6-0. This becomes Order 90-10162014.

**II. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0. The meeting adjourned at 5:51 P.M.

A True Copy.

ATTEST *Susan Clements-Dallaire*  
Susan Clements-Dallaire, City Clerk

## **IN COUNCIL REGULAR MEETING OCTOBER 20, 2014 VOL. 34 PAGE 74**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### **I. Consent Items - None**

### **II. Minutes**

October 6, 2014 Regular Council Meeting  
October 9, 2014 Special Joint Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of the October 6, 2014 and October 9, 2014 as presented. Passage 7-0.

### **III. Reports**

**Mayor's Report** – No report.

**City Councilor Reports** – Councilor Crowley reported on the Fire Departments Open House, the Neighborhood meetings, the New Auburn Hello-ween event, the Marijuana Educational Forum, the pink tea program with guest speaker Alan Manoian (Auburn's Economic Development Specialist), and on the Election, absentee voting, and campaign signs. She also provided a written report to be placed on file.

**City Manager Report** – On the EMS memo regarding the EMS update to be presented in November, the October 27<sup>th</sup> Council Workshop on Governance, the Dempsey Challenge After Action report and the Comprehensive Plan Update (both under Communications in the packet), open session items including Dan Herrick's property on the Hatch Road, the County Budget Committee which will need a City representative from County Commission district 5, and lastly gave his condolences on the passing of Joseph Harvey Theriault.

**Finance Director, Jill Eastman** - September 2014 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept and place on file the September 2014 monthly finance report. Passage 7-0.

### **IV. Communications, Presentations and Recognitions**

- Proclamation – Extra Mile Day
- Lewiston-Auburn Bicycle Pedestrian Committee Presentation – Craig Saddlemire

### **V. Open Session**

- Dan Herrick, 470 Hatch Road regarding his property at 240 Hatch Road, EMS 24 hour shifts, tax acquired properties, and an incident involving a tow truck that was called to an accident on Riverside Drive.

### **VI. Unfinished Business - None**

### **VII. New Business**

**1. Ordinance 09-10202014**

Adopting the General Assistance Appendices B and C (food and rent) as required by state statute. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adopt the General Assistance Appendices B and C (food and rent) as required by State Statue. This was the first reading.

Public comment - No one from the public spoke. Passage 7-0.

**2. Order 89-10202014**

Re-appointing Arthur Wing to the Auburn Housing Authority with a term expiration of 10/01/2019.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to reappoint Arthur Wing to the Auburn Housing Authority with a term expiration of 10/01/2019.

Public comment - No one from the public spoke. Passage 7-0.

**VIII. Executive Session**

- Discussion regarding a personnel matter (City Manager Review), pursuant to 1 M.R.S.A. Section 405(6)(A). *Not needed.*

**IX. Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is not on this agenda. *No one from the public spoke.*

**X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adjourn. With Council unanimously in favor, the meeting adjourned at 8:20 P.M.

A True Copy.

ATTEST *Susan Clements-Dallaire*  
Susan Clements-Dallaire, City Clerk



# CITY OF AUBURN

## OFFICE OF THE MAYOR AND CITY COUNCIL



## PROCLAMATION

### FOOD DAY PROCLAMATION FOR THE CITY OF AUBURN

**WHEREAS**, the health and well-being of our citizens is of primary concern for the City of Auburn; and

**WHEREAS**, promoting safer, healthier diets is a critical factor in improving citizens' overall health and quality of life and local organizations such as the St. Mary's Nutrition Center are supporting area residents in learning how to create healthier, locally sourced meals at home; and

**WHEREAS**, supporting sustainable family farms, farm stands, farmers' markets and local agriculture benefits the local economy and Auburn is home to many including Valley View Farm, Bell Farms, South Auburn Organic Farm, Wallingford's and others in addition to farm stands like the well-known Blackie's and access to nearby markets like the blossoming Bates Mill 5 Farmers' Market in Lewiston; and

**WHEREAS**, obtaining fair pay and safe conditions for food and farm workers is beneficial for both the producer and consumer so that the food we produce and consume is safe and fair for all and training the farmers of today and tomorrow is a top priority for our community centered on efforts like those of Lewiston-based Lots to Gardens, Portland-based Cultivating Community and the Auburn School Department to connect the science and business planning of agriculture to those residents in our community that aspire to make their living on the land; and

**WHEREAS**, expanding access to food and reducing hunger is of critical importance to aid those who live in food deserts and efforts led by Good Food Lewiston-Auburn, Auburn-based Good Shepherd Food Bank, and the growing food Back Pack initiative in our locals schools are modeling the way to support our local residents in overcoming this challenge;

**NOW, THEREFORE**, I, Jonathan P. LaBonte, Mayor of the great City of Auburn, do hereby proclaim Friday, October 24, 2014 as **FOOD DAY** in the City of Auburn.

In testimony whereof, I have hereunto set my hand and caused to be affixed the Seal of the City of Auburn, this 24<sup>th</sup> day of October, 2014.

**Jonathan P. LaBonte, Mayor**

City of Auburn, Maine  
"Maine's City of Opportunity"



DRAFT UPWP Efforts Suggested by the City of Auburn

ATRC Region

- (1) Organizational Effectiveness Study- updating the way we conduct business, etc
  - PACTS has begun a regular effort of having a consultant led review of process, procedures and operations. They have previously shared their scope of that effort with Auburn and we encourage this to be done in the coming planning period and be set to occur on a determined frequency going forward.

Lewiston-Auburn Related

- (2) Complete Street Ordinance with Bike/Peds Policy used to implement
  - PACTS resources were used in the development of an ordinance to implement a Portland complete streets policy. PACTS and Portland staff have offered to share their research from a consultant to add value and perhaps reduce duplication of effort. This would be a consultant led effort.

*no Lewiston budget available.*

Auburn specific

- ① Route 4 Corridor Studies
- (3) High Street to Turner Street/Center Street, with a focus on establishing Elm as the major Main to Minot Avenue connector road. Access management, road configuration, land use related
- (4) Route 4 Study with emphasis on Mall area to Turner Line, Downtown sections that effect traffic flow and access, etc

*Tech scope*

- ② Intermodal
- (5) TDL/Freight Study that could assess rail needs/land access for Port area of Auburn

*Rick Lannan - advocate to incl. our portion of study, too*

*per Roland  
meet w/  
city soon  
Roland to  
schedule*

**ATRC POLICY  
COMMITTEE MEETING  
Minutes of November 7, 2013**

**MEMBERS PRESENT**

Steve Eldridge	Lisbon
Tracey Steuber	Lisbon
Dave Jones	Lewiston
Duane Scott	MaineDOT
Bob Thompson	AVCOG
Sara Zografos	Maine Turnpike Authority
Howard Kroll	Auburn
Ed Barrett	Lewiston
Jonathan LaBonte	Auburn

**STAFF AND OTHERS PRESENT**

Joan Walton	AVCOG/ATRC
Marsha Bennett	AVCOG
Rick Lanman	A-L Airport
Jennifer Williams	ATRC

**1. Declaration of Quorum/Call to Order**

The Chair declared a quorum and called the meeting to order at 10:05 am. It was agreed that the agenda items would be taken out of order to allow more time for one voting member to arrive.

**2. Communications, Updates & Information**

- A. MaineDOT Updated Construction Advertise Schedule
- B. October 31, 2013 email from Theresa Savoy re: Title IV (Beavercreek, Ohio)
- C. November 7, 2013 email from Dan Goyette re: Minot Avenue bin wall

**5. Title VI/Environmental Justice Non-Discrimination Plan**

ATRC must submit a Title IV Non-Discrimination Plan to MaineDOT on an annual basis. Steve Eldridge made a motion to accept the plan and forward it to MaineDOT. Howard Kroll seconded the motion which passed 6-0.

**6. TIP Amendment/Funds Transfer Request**

The City of Auburn has requested an additional \$510,000 towards Phase II of the South Main Street Reconstruction. Dave Jones made a motion to table Phase II of this project, based on the email request from Dan Goyette (Agenda Item 2C.) Howard Kroll seconded the motion, which passed 6-0. Dave Jones then made a motion, pending availability of funds and proper PIN language, to move \$100,000 from the ATRC holding pin for the South Main Street project. Steve Eldridge seconded the motion which passed 6-0.

**3. ATRC 20- Year Transportation Plan**

Staff is currently updating the ATRC Long-Range Transportation Plan. This is a 20-year plan, updated every five years, and is due to be updated by December 31, 2013. At this time, staff is recommending that ATRC complete a minor technical update of our long-range plan, to remain in compliance, with a more in-depth update to be undertaken after the State has developed its performance targets. Part of this minor update includes revising the list of projects which can realistically be funded based on anticipated revenues over the next 20 years. The shaded areas of the list provided are the projects Auburn has suggested be dropped. Policy Committee members were asked if they should be kept on the list or removed.

Jonathan LaBonte arrived at 10:13 am.

It was agreed that the Lewiston/Auburn Downtown Connector/MTA Interchange Environmental Assessment, Design and Construction project can be dropped because there is another Exit 80 task that covers the Lewiston side.

Steve Eldridge said Lisbon does not agree with the last sentence of the Route 196/Bypass Feasibility Study/Environmental Assessment project because the consensus among Lisbon businesses and town officials is to not support a bypass of Route 196.

Dave Jones made a motion to approve the draft 20-year plan project list. Steve Eldridge seconded the motion and discussion followed.

Jonathan LaBonte said the Exit 75 Improvements project should be removed because the Maine Turnpike Authority does not have it in its plans. Jonathan LaBonte made a motion to strike all references to Kittyhawk Avenue from the Exit 75 Improvements project. There was no second to this motion. Jonathan LaBonte made a motion to strike the reconfiguration of Exit 75 from the description. Howard Kroll seconded the motion, which passed 7-0.

Sara Zografos said the MTA should be recognized in the opening sentence because MTA is a major funder for this project along with MaineDOT. Jonathan LaBonte made a motion to revise the opening paragraph to acknowledge the MTA. Steve Eldridge seconded the motion and the motion passed 7-0.

It was noted that the typographical error should be corrected on the title of the Bernard Lown Peace Bridge project. Howard Kroll said the New Auburn study recommendations should be added to the end of the Bernard Lown Peace Bridge project description.

The motion to approve the draft UPWP was passed by a 7-0 vote.

#### **4. 2014-2015 Unified Planning Work Program (UPWP)**

Jennifer Williams explained that the Draft 2014-2015 UPWP was developed based on input from the communities. Changes made since the last draft was reviewed by the Policy Committee includes a 50/50 split on the staff/consultant time for the Complete Streets task, increased amounts in some tasks after talking to Penny Vaillancourt at MaineDOT about performance measures for the long-range plan, and changed the amounts of some tasks after receiving input from some of the ATRC communities.

Dave Jones made a motion to adopt the UPWP. Steve Eldridge seconded the motion. Discussion followed.

Jonathan LaBonte said that \$80,000 of the Complete Streets tasks should go towards consultants. David Jones asked if the intention was for \$0 to go towards staff. Jonathan Labonte said that AVCOG staff was already being paid through Task 1. This is a cities initiative so city staff will be involved. Having \$80,000 for consultant work will increase the quality of the product; we don't need to add another level of administrative costs on top of city staff.

David Jones said he did not agree, there should be sufficient funds in the task to do the work. He asked if the \$40,000 allocated to staff for the Complete Streets task was for administration or to do the work. Jennifer Williams said it was for staff to do some of the work. The consultant will focus on recommendations for implementation and staff will be involved in data collection, public input/outreach, and other background type work to let the consultant focus on the "big" items. Jonathan LaBonte said he was comfortable going to a \$60,000 consultant and \$20,000 staff split

to allow some AVCOG work but most of the data collection should have been done in previous years' efforts. Jennifer Williams outlined the consultant process for this task. Jonathan LaBonte made a motion to change the numbers on this task to \$60,000 consultant and \$20,000 staff. Howard Kroll seconded the motion which failed 2-5.

Jonathan LaBonte said ATRC should build a contingency fund so we have resources to bring in expertise. Steve Eldridge and Dave Jones both disagreed and said ATRC staff provides a level of expertise to the work plan.

Jonathan LaBonte questioned what is being spent on signal management and why is signal management part of multiple tasks? How much is really being spent on signal management?

Jennifer Williams questioned what other tasks fund signal management? No other tasks were identified that include funding for signal management.

David Jones asked Jonathan LaBonte to be more specific.

Ed Barrett asked if approximately ½ of Jason's time goes into signal management. Jennifer Williams said that was accurate.

Ed Barrett asked Jennifer Williams to talk about ATRC doing something jointly with PACTS regarding signal management software purchase and management. Jennifer said staff has spoken to PACTS staff a couple of times, as recently as this morning, and PACTS is not at the same point ATRC is and it will be a couple of years before it will upgrade its software and be able to consider working jointly with ATRC.

David Jones asked if ATRC needs to upgrade its software now. Jennifer Williams said yes; our software is virtually obsolete at this point, and it is expected that the supplier will no longer provide service for the TrafficWare software by 2014 or 2015 at the latest. Jonathan LaBonte asked if PACTS is unwilling to share the software with ATRC. Jennifer said no, not they are not willing, but that they are not ready. Jonathan LaBonte said he would like to see a cost-benefit analysis for this. David Jones said ATRC needs to continue on the path we're on. Ed Barrett asked if ATRC could continue discussions with PACTS and offer them to come on board when they are ready. Jennifer Williams said yes, ATRC will continue discussions with PACTS and make that offer in the future.

Jonathan LaBonte said ATRC needs to build contingency for targeted expertise. Jonathan LaBonte made a motion to cut ½ in-house funding for Task 2 and delegate that ½ to contingency. Howard Kroll seconded the motion and discussion followed.

Jennifer Williams explained that Task 2 used to be part of Task 1. It has now been broken out into its own task to differentiate between administrative tasks and work that takes more than 15-minutes but less than 20-hours to accomplish. Examples of a task that would fall under Task 2 are review of the Maine Turnpike toll increase proposal and the reviewing the impacts of a potential closure of West Hardscrabble Road.

Jonathan LaBonte said he wants to see some money set aside for targeted studies that Auburn wants to hire consultants for, not AVCOG staff; task 2 seems to be a "catch-all" and there needs to be a contingency for targeted expertise. David Jones and Steve Eldridge both disagreed and said ATRC staff provides valuable assistance.

Howard Kroll said he is a firm believer in having a contingency fund. It is nothing against staff but ATRC should have approximately 5-10% of the budget in contingency for the four communities. The contingency should be built into the budget, not left over from other tasks.

Jonathan LaBonte said we should table the whole thing and Auburn can move forward with its projects because ATRC does not ask for projects for the UPWP. David Jones said we do that every year. Jonathan LaBonte said there is no opportunity for Auburn to bring forth proposals – period. Ed Barrett and Bob Thompson said ATRC has requested projects for UPWP projects on numerous occasions. Jonathan LaBonte said Auburn has made specific requests for a Minot Avenue land use-transportation study and it hasn't been included. Jennifer Williams said Auburn submitted one or two sentence tasks that were very basic with very little information, and no follow-up. Pages 26-28 of the draft UPWP have three tasks that were submitted by Auburn with no scopes, no details and no budget. Jonathan LaBonte said Jennifer Williams never asked for more information. Jennifer Williams said she asked for more information from the city in February and March and she is still waiting for it.

Vote on the motion to cut ½ in-house funding for Task 2 and delegate it to contingency failed 0-5 (Howard Kroll and Jonathan LaBonte did not vote).

Duane Scott asked if references to MaineDOT's 6-year plan could be changed to long-range planning effort. It was agreed that change could be made.

Duane Scott made a motion to delete 6-Year Plan references, convert fiscal year references to calendar year, and add long-range plan support to be more generic in Task 3. Steve Eldridge seconded the motion with passed 6-0 (Jonathan LaBonte did not vote).

Regarding Task 9, Ed Barrett asked if LATC is required to update the transit study every five years or is the timing of the updates at our discretion. Marsha Bennett said there is no specific time requirement for updating the transit study.

At the local level, the question of is LATC the best management entity for the transit system has come up, with suggestion to do a management study in lieu of the transit system study.

Duane Scott said the transit study it is very important to MaineDOT and FTA and it is not appropriate to not do the 5-year update in lieu of a management study. He questioned if this was the best task for the ATRC rather than the cities. Jonathan LaBonte said the cities should not have to fund the management study because this is part of ATRC's function. Duane Scott said what we already have here is important, it does not seem appropriate to switch it out for a management study. Jonathan LaBonte asked if that was coming from on high. Duane Scott said that statement was coming from himself.

Ed Barrett said it seems like there is a strong desire on the part of MaineDOT and FTA to do these transit studies but they are not required. Marsha Bennett said LATC does interim studies for new issues, such as the Veteran's Administration building on Challenger Drive, to reassess what the system offers as conditions change.

Bob Thompson asked if the study addresses what to do with fleet problems?

Marsha Bennett said the updated transit study will add performance measures, develop a capital plan and make recommendations for overall improvements in the system. The plan will also address other requirements, such as Environmental Justice.

A management/organizational study should look at other organizational models that may be more effective. Jonathan LaBonte possible a separate transit district, or partnerships with some of the southern Maine agencies.

Bob Thompson asked how much an organizational study would cost. There was no answer. He suggested that we try to define it and find costs but it can be an amendment to the plan.

Jonathan LaBonte said we need to address the management structure first, then talk about routes. One-hour headways will not build a city. People are moving to communities where there are transit systems that meet the needs of the population that wants to use transit, not just those that must use it.

David Jones made a motion to adopt with the footnote that the intention is to study short-term and long-term routing, management and organizational structure. Howard Kroll seconded the motion which passed 7-0.

**Vote on the original motion to adopt the UPWP passed 7-0.**

## **7. Current UPWP Studies/Tasks Update**

- New Auburn Study – The project is in a holding pattern to allow for an economic analysis because the road network is interrupting development, may want to go back to the grid system so more can be done with the buildings. The next meeting is scheduled for November 21<sup>st</sup>.
- TDL – This is an ongoing task. Staff is finalizing the survey.

## **8. Other Business - Updates**

- Maine Turnpike Authority - Sara Zografos reported that the Army Corps of Engineers has issued the permit for Exit 80 improvements. The construction contract will be awarded at the MTA meeting in December. Sara will send a copy of the permit and mitigation plan.
- Lewiston-Auburn Transit Committee - Marsha Bennett reported that the Spring Street bus station project received 2 proposals; the review committee will meet tomorrow to score the proposals. The Mountain Explorer buses will be returning to the mountains at the end of November. Metro in Portland may be able to help LATC with some spare buses it has.
- Jonathan LaBonte said MTA is reviewing its sign policy and Auburn will be working with MTA to make sure there is adequate signage. Currently, there is no way to know that Auburn has a downtown when you're on the turnpike. Sara Zografos said the MTA will be taking the sign policy to the legislature in March or April 2014. She said MaineDOT is taking the lead on the sign project but suggested that Peter Merfeld can come to an ATRC meeting to present the policy, possibly before the policy is finalized.
- Reminder of the public meeting for the statewide strategic transit plan, December 10<sup>th</sup> at Auburn Public Library

## **9. Upcoming Meetings**

Technical Committee: November 14, 2013

Policy Committee: November 21, 2013 (If needed)  
December TBD

There is no need for a Policy Committee meeting on November 21<sup>st</sup>. The next Policy Committee meeting will be a combined meeting with the Technical Committee. Federal Highway Administration and MaineDOT will be invited to follow-up on recent discussions regarding ADA improvements as part of signal system upgrades and cost participation for crosswalk amenities. It was agreed that the Lewiston-Auburn Joint Bicycle-Pedestrian Committee should be invited to this meeting. It was also agreed that the MTA sign policy could be a good topic. Tentative date was set for December 12<sup>th</sup>.

**Adjournment** – Dave Jones made a motion to adjourn the meeting. Howard Kroll seconded the motion which carried unanimously. Meeting was adjourned at 11:25 am.

**ATRC POLICY  
COMMITTEE MEETING  
Minutes of October 24, 2013**

**MEMBERS PRESENT**

Bob Thompson	AVCOG
Sara Devlin	Maine Turnpike Authority
Howard Kroll	Auburn
Andrew Gilmore	Sabattus
Tracey Steuber	Lisbon
Steve Eldridge	Lisbon
Duane Scott	MaineDOT
Jonathan LaBonte	Auburn
Ed Barrett	Lewiston
Phil Nadeau	Lewiston

**STAFF AND OTHERS PRESENT**

Jason Ready	ATRC
Marsha Bennett	AVCOG
Joan Walton	AVCOG/ATRC
Carlos Pena	FHWA
Rick Lanman	A-L Airport
Clint Deschene	Auburn
Nancy Grant	Bicycle Coalition of Maine
Belinda Gerry	Auburn
Jennifer Williams	ATRC
John Adams	Milone & MacBroom

**1. Declaration of Quorum/Call to Order**

The Chair declared a quorum and called the meeting to order at 10:00 AM.

**2. Minutes of August 1, 2013**

Jennifer Williams noted there was an error in item 7, with the discussion being repeated twice, and that would be corrected. Ed Barrett asked that, given the intensity of discussion on item 9, the proposed changes that had been submitted by the City of Auburn and the final language of the Major Project Priorities be attached to the minutes.

**3. Communications, Updates & Information**

- A. MaineDOT Updated Construction Advertise Schedule  
<http://www.maine.gov/mdot/projects/workplan/monthly/>
- B. MPO Capital Funding and the MaineDOT Work Plan Process
- C. Maine Transportation Conference – December 5, 2103
- D. October 23, 2013 Memo from C. Deschene to E. Barrett re: voting membership for Auburn  
Roland Miller has resigned from the ATRC Policy Committee; Howard Kroll has been appointed as a voting member of the Policy Committee. Roland was the Vice-Chair, so a new Vice-Chair needs to be elected. Jonathan LaBonte nominated Howard Kroll; Steve Eldridge nominated Bob Thompson. Vote taken: Howard – 4; Bob – 4. (Howard did not vote). Second vote taken: Howard – 5; Bob – 4. Howard Kroll now Vice-Chair.
- E. October 21, 2103 letter from E. Plourde to ATRC re: Airport as voting member. This item will be placed on the next agenda for discussion/action. Jonathan LaBonte asked that the By-laws be included in the next agenda packet for this discussion.



#### **4. Traffic Signal Management System Comparison**

At a previous meeting, the question was asked if utilizing ATRC staff is most effective and efficient method for the signal management. It was also suggested that ATRC should look into coordinating with PACTS and using their consultants. (PACTS is using the same consultant that ATRC is using.) John Adams, of Milone & MacBroom, is on the consultant team that both ATRC and PACTS are using and provided an overview of how the signal management is working for both MPOs. He started his presentation by noting to the Committee that ATRC probably has, with Jason Ready, one of the best engineers in the state for signal management right in house. When ATRC first began the TSMS in earnest, Jason was new and needed the guidance and direction; at this point, John Adams considers Jason to truly be a peer in the industry. John felt there is great benefit to the communities to have the in house expertise of regularly monitoring the signal operations, making adjustments as necessary, updating timing plans, and being able to get on-site quickly if when needed. ATRC relies on in-house expertise, with the consultant on stand-by for a second opinion and to help with larger projects. PACTS, on the other hand, relies solely on the consultant for all signal monitoring, updating of timing plans, etc. Both scenarios are effective, it really is a matter of preference for the MPO. Although, John has encouraged the PACTS RSMS sub-committee to look towards the ATRC model. This update was followed by some more specific questions/answers. Nancy Grant has if the software accommodates bicycles/pedestrians as well as motor vehicles. John indicated that the detection is not software dependent, and there are various new technologies for detection. The detection is then set up and managed through the system. J. LaBonte then asked MaineDOT and FHWA if the use of UPWP funds for operational tasks, like signal management, is an appropriate use of funds. D. Scott and C. Pena both stated that it is an appropriate use of funds, which BACTS also does. D. Scott added that for BACTS, it is a very collaborative effort, with BACTS staff, but the individual communities still have their staff involved in the day-to-day tasks. J. LaBonte asked that the TSMS costs be identified separately in the UPWP; he stated that there is a disconnect on the Auburn side. E. Barrett asked what the disconnect is so that Jason Ready can follow up; he also stated that no one in Lewiston is aware of a disconnect. C. Deschene asked about the timing of the investments with a new Complete Streets Policy – identifying infrastructure needs, software upgrades – what is the right order of investment? Or is it as we can afford it? He also stated that un-coordinated signals tend to be more bicycle/pedestrian friendly. John Adams indicated that there are some bicycle/pedestrian improvements, such as ADA compliance at intersections, that should be completed regardless of software or signal equipment upgrades, but then the upgrades can address the pedestrian signal heads, bicycle/pedestrian detection, etc.

#### **5. Traffic Signal Improvements**

The Technical Committee is requesting clarification of what was intended for the set aside of \$1 million as a TIP amendment for “signal improvements”. Was it the intent of the Policy Committee for these signal improvements to include ADA compliance, bump-outs at intersections, new crosswalks, etc? Or would some of those type of improvements be considered as sidewalk and pedestrian improvements? This clarification will help the Technical Committee finalize their recommendations of how to implement and prioritize the signal upgrades. J. LaBonte stated that Auburn and the Bike/Ped Committee had provided comments during the TIP process regarding bike/ped improvements, and that those were Auburn’s recommendations. E. Barrett asked Jason Ready to provide some background information on the draft recommendations prepared by the Technical Committee. Those recommendations are:

- 1) Software upgrade – we have has the software since 1998 and are managing, but it is outdated and soon to be obsolete, with and end of life of 2014 and likely end of service in 2015;
- 2) Russell/Main – eliminate 1 drop and add detection; which is in line with the goals of a) reducing monthly costs to cities by reducing number of drops and b) improving bike/ped detection with video;
- 3) Auburn Mall/Center to Turner/Union – eliminate 1 drop and upgrade

- 4) Mt. Auburn signals – connect into system via radio communication
- 5) Turner/Hampshire – bring into system and add detection;  
J. LaBonte stated that Auburn would like to shift the resources from Turner/Hampshire to Court/Pleasant, and that Auburn is supportive of the rest of the improvements, including the software upgrades. He said there was no advance notice and that there is not any type of regional CIP to maintain/invest in the system. E. Barrett asked that the consultant recommendations be passed on to both cities staff. He also asked if the recommendations include ADA upgrades. Jason stated that some do, but not all, based on the most recent DOJ/DOT/FHWA “rules”. P. Nadeau asked if, for example, the proposed Lisbon St and East Ave improvements include ADA compliance upgrades. John Adams stated that those improvements were fiber only and would not trigger the ADA compliance, so no upgrades were included.
- 6) Minot/Manley – pole replacement
- 7) East Ave – fiber and detection
- 8) Rte 196/Capital – left turn arrow
- 9) Sabattus St – incorporate Sabattus St to Main St

The end result will be one drop in Lewiston, one drop in Auburn, and a continuous fiber loop.

C. Pena offered that FHWA could be invited for a presentation of ADA compliance changes. The group felt this could be a good topic for a joint meeting with the Technical Committee. E. Barrett reminded the Committee that we do have ~\$250,000 set aside for sidewalk projects, and there is the potential to do more in the way of ADA upgrades. The Cities could look at various intersections and the possible use of those sidewalk funds. J. LaBonte again stated that Auburn is requesting to shift funds from Turner/Hampshire to Court/Pleasant to construct bump-outs and an enhanced crosswalk, which is using traffic control devices to accommodate pedestrian safety. E. Barrett asked if bump-outs, in pavement flashing LED's, etc would qualify as ADA requirements. D. Scott offered that Theresa Savoy, MaineDOT, is the best person to speak with for ADA guidance. Jennifer Williams reminded the Committee that the Technical Committee is looking for clarification of what the intent of the one million as a TIP amendment for “signal improvements” is; is it for these signal improvements to include ADA compliance, plus bump-outs at intersections, new crosswalks, etc? Or would some of those type of improvements be considered as sidewalk and pedestrian improvements? J. LaBonte asked what type of investment is eligible as a safety improvement. If improvements are aesthetic and not eligible for cost sharing, the City understands that.

C. Deschene asked if what we are doing is cost effective, are we doing what PACTS is doing, and are we using the same software. John Adams replied that PACTS is also using the Streetwise software, and they are looking at ATMS.now (which is the same software ATRC is looking to upgrade to). J. LaBonte asked about the potential for a joint bid/shared license for the software. C. Deschene and P. Nadeau mentioned joint bid of hardware, too. E. Barrett asked if it was possible to have one system for both ATRC and PACTS. John Adams replied that the license cost is based on the number of signals, so a larger system = larger costs, but that the system could be run remotely. C. Deschene and J. LaBonte asked staff to look into that possibility, since PACTS is ahead of ATRC with bike detection.

Jennifer Williams again reminded the Committee of the questions from the Technical Committee for clarification. E. Barrett suggested that Auburn provide a scope for Court/Pleasant to the Technical Committee and let the Technical Committee determine technology/safety needs vs. “extras”. Joan Walton reiterated the Technical Committee question of “Is a bump-out considered ADA requirement?” B. Thompson suggested going back to DOT/FHWA for guidance of ADA requirements as well as the cost-sharing questions. P. Nadeau stressed the point of clarifying if the bump-out is ADA; E. Barrett reminded the Committee of the separate pot of money for sidewalk/pedestrian improvements.

Motion by Jonathan LaBonte to trade Turner/Hampshire improvements for Court/Pleasant (if eligible for cost-sharing). Second by Howard Kroll. Motion failed 2-7, with J. LaBonte and H. Kroll voting in favor. C. Deschene asked if the Committee had just voted against safety improvements.

E. Barrett stated that the committee did not vote against safety improvements, but voted against using funds set aside for signal improvements, with the reminder that ATRC does have a post of funds available for pedestrian/sidewalk/crosswalk improvements, and that any potential project be submitted to the Technical Committee for scoring/consideration.

E. Barrett noted that there will be no action requested for items 6 through 8; these will be discussion only today, with an additional meeting on November 7<sup>th</sup> for action.

#### **6. ATRC 20-Year Transportation Plan**

Staff is currently updating the ATRC Long Range Transportation Plan. This is a 20-year plan, updated every five years, and is due to be updated by December 31, 2013. MAP-21 is requiring that long range plans address performance targets, to be established by the MPO to coordinate with State and Federal performance measures. ATRC is slightly ahead of the State on the updating scheduling; FHWA has not yet provided guidance on these performance measures, and the State has not developed their performance targets. At this time, staff is recommending that ATRC complete a minor technical update of our long range plan, to remain in compliance, with a more in-depth update to be undertaken after the State has developed their performance targets. Part of this minor update includes revising the enclosed list of projects which can realistically be funded based on anticipated revenues over the next 20 years. Jennifer Williams led the Committee through the list of projects, with discussion as needed. The Downtown Connector should be eliminated from the list. S. Devlin stated that the list includes three projects that are MTA funds, and that this minor technical update should include reference to the MTA as part of the funding. E. Barrett stated that staff is asking for comments/suggestions back. C. Deschene asked that the recommendations from the New Auburn Study be included. A. Gilmore asked for clarification of the minor technical update with a 20-year project horizon. B. Thompson stated that this is a "best guess" of projects anticipated to be funded in the next 20 years, and that the plan can be amended as needed. Staff asked to have comments back within one week.

#### **7. 2014-2015 Unified Planning Work Program (UPWP)**

The Draft 2014-2015 UPWP was developed in March/April, based on input from the communities. Staff has added a couple of tasks for consideration as well, including 1) the potential for the development of a Complete Streets Best Standards and Practices Manual, as identified by the joint Lewiston-Auburn Bicycle/Pedestrian Committee; 2) study of the urban core sections of Center Street, Minot Avenue, Lisbon Street, Main Street, Russell Street, and Sabattus Street, with a goal to find adequate space for bicycles and pedestrians to safely access all of the resources on these streets (based on comments from the update of the ATRC Bicycle/Pedestrian Plan).

J. LaBonte noted that we could contract with BCM to do some of the education component, since they are on MaineDOT's pre-qualified list. Nancy Grant stated the need to educate city staff involved in the public r/w to develop a "trigger list" of utilities, etc. and the opportunity/required time to implement a complete streets policy. J. LaBonte stated there is a 3:1 discrepancy of staff to consultant work. PACTS has already done significant work and this is a lot of money to help Auburn on the land use side; there needs to be more discussion of the appropriate scope to accomplish more with outside expertise. B. Thompson stated that is what is happening. J. LaBonte asked if ATRC contracts with AVCOG. B. Thompson said yes. J. LaBonte noted that PACTS has recently completed an organizational effectiveness review that suggested dedicating more funds to outside expertise. S. Devlin noted that PACTS recent transition to a TMA and addition of more communities led to the organizational study, which didn't indicate anything earth shattering for recommendations, other than there is always room for some change/improvement. J. LaBonte noted that ATRC is "supposed" to be the transportation planning arm of the region, yet there is also LATC, LARC, the Airport, the Bike-Ped Committee; we should revisit how we are staffed and organized. J. LaBonte will submit a request in writing. B. Thompson indicated this could well be part of the discussion of the upcoming full revision of the long range transportation plan. J. LaBonte reiterated his preference for outside expertise. B. Thompson confirmed that the

PACTS assessment was due to the additional towns, and he is not sure that an entirely separate task is needed here.

J. LaBonte questioned the use of FTA money for operational vs. planning, stating that the Auburn council has a strong interest in identifying who operates the system and who is responsible, since there are no contracts. Marsha Bennett and P. Nadeau both clarified that there is a contract between LATC and AVCOG. J. LaBonte asked what component of ATRC money is spent to support operations of LATC? Both cities passed a resolve to move forward to working with Portland on commuter transit, PACTS staff has a task in their proposed UPWP, but nothing here. C. Pena stated that the FTA money is used for planning purposes. J. LaBonte assured him that ATRC money is being used to support operations of LATC and he will follow up separately.

#### **8. Bicycle and Pedestrian Facilities Plan**

A public meeting for the updated ATRC Bicycle and Pedestrian Facilities Plan was held in July, and the plan has been through two rounds of public comment, one prior to the public meeting, and one in September. The Plan and accompanying maps are available for download on the ATRC web page, [www.atrcmpo.org](http://www.atrcmpo.org). Nancy Grant stated that the plan has a lot of strengths, but not a lot of hard recommendations; it needs more teeth. She asked how the L/A Complete Streets policy will be integrated, since there is so much overlap. E. Barrett noted that the specific function of the joint bike/ped committee will be to review capital plans for adherence to the complete streets policy for bike/ped accommodations. He also noted that the updated inventory will be part of the GIS data that is available to both cities staff. C. Deschene noted that a public transparency piece seems to be missing. The joint bike/ped committee is close to adopting a policy/manual. The cities should take the inventory, and combine that with the standards so that we have a formal list of projects in the plan, and ATRC should prioritize the bigger regional issues. Joan Walton noted that the ATRC priorities may well differ from the individual City priorities. E. Barrett noted that the policy has been adopted by the cities, and that priorities are typically based on the schedule of upcoming work. C. Deschene noted that we may need to do more work upfront so we can complete the projects. B. Thompson noted that ATRC has made a strong effort to ensure that the TIP scoring included scoring reflective of the bike/ped plan. C. Deschene said we need a regional/joint level of planning; for example, he doesn't want Auburn to invest money on one side of the bridge if Lewiston is never going to do anything on the other side. E. Barrett noted that with two separate governing bodies we will likely never get full coordination, but that the joint committees of ATRC, etc. will help lead to full implementation.

Motion by Jonathan LaBonte to approve the Bicycle/Pedestrian Plan. Second by Steve Eldridge. Motion passed unanimously.

#### **9. Lewiston Downtown Neighborhood Circulation Study**

Gorrill-Palmer has completed the Lewiston Downtown Neighborhood Circulation Study. The study is available at [www.atrcmpo.org](http://www.atrcmpo.org). Lewiston is incorporating some of the recommendations into their capital planning, with some additional discussion on other recommendations (such as the removal of traffic signals). Motion by Steve Eldridge to accept the study. Second by Phil Nadeau. Motion passed unanimously.

#### **10. Current UPWP Studies/Tasks Update**

- New Auburn Study – The steering committee is meeting again 10/24/13 to finalize scenarios/alternatives to evaluate with economic development data; there will be one to two more public meetings.
- TDL – This is an ongoing task. Staff has identified in GIS the know deficiencies, volumes, priority corridors, signage, routes, etc. Staff is researching Freight Village models, and working with a steering committee to oversee surveys/data collection efforts. The sample survey will be looking at safety/necessity/opportunities, as well as workforce development (through CMCC, CEI, AVCOG).

## **11. Other Business**

- FTA 5307 Funds – LATC will be coming forth with a request to reallocation ~ \$97,000 in 5207 funds. It has recently been determined that WMTS, as well as YCCA and RTP, are not eligible to receive 5307 money. MaineDOT is working with the agencies affected, and that money will need to come back through ATRC to be reallocated.
- Androscoggin, Oxford and Coos Counties Rail Corridor Committee – There has been a request made for support of a Night Train (Hotel Train). The Chamber and the City of Lewiston have provided a letter of support. Should ATRC submit a letter of support? C. Deschene noted that a larger group of stakeholders have been asked for their support, to provide more validity to the commitments. He has a concern of backing something that has nothing behind it. B. Thompson noted that the draft support letter is basically saying “yes, this is a good idea” with nothing more than that. J. LaBonte does not want to apply undue pressure to St. Lawrence & Atlantic RR. E. Barrett asked if we should weigh in or not; not yet.
- Route 4 – the overlay/restriping to 5 lanes is the first priority for Spring 2014, with the PE of the roundabouts to follow.
- Jennifer Williams noted the need for a change in project limits for the Riverside Drive project. Per correspondence from the City, the project will run from Vickery Rd to Dunn St. J. LaBonte stated the project is only Dunn St to Oak Hill Cemetery. Jennifer was instructed to confirm the project limits with Dan Goyette. Motion by Phil Nadeau to modify the project limits, as confirmed with City staff. Second by Steve Eldridge. Motion passed unanimously.

## **12. Upcoming Meetings**

Technical Committee: November 14, 2013

Policy Committee: November 7, 2013

**Adjournment – 12:10 PM**

**City Of Auburn**  
**985 Turner Street**

**TO: Clint Deschene, City Manager**  
**FROM: Tim Holden, General Manager**  
**RE: NSBA Quarterly Review**  
**DATE: October 23, 2014**  
**CC: Denis D'Auteuil, Public Services Director**

This report highlights the accomplishments and progress that the Norway Savings Bank Arena Staff has achieved over the past months. When I had arrived at Norway Savings Bank Arena with Jason Paquin, we decided to learn the building and staff over a two (2) month time period. We quickly noticed the need for retraining in operation of the ice resurfacer and daily operational tasks. The quality of the ice has vastly improved as a result of this along with controlling the access to the refrigeration plant, increasing hot water temperatures, adjustment of ice temperatures, ambient air temperatures, humidity levels, ice maintenance, and blade changing frequency.

In terms of advertising within the building, wall advertisements have been re-organized to bring a cleaner appearance and symmetry to the area. Multiple dasher board advertisements have also been replaced due to normal wear and tear. Extensive time has been put into meeting with current advertisers to satisfy existing contracts, as well as maintain relationships. New partnerships have been formed with Applebee's, Saint Dominic's Academy, and AAA Northern New England. Our timely response to issues that have been brought to our attention has been warmly received. This past fall, we took the opportunity to repaint Rink #1 for advertising purposes as well.

We have developed a part-time staffing model that has allowed us to reduce our labor cost. We currently have one (1) full-time employee and four (4) part-time employees that help to maintain the ice and cleaning of the building. We have also developed a more professional appearance for our staff by providing new uniform jackets that can only be obtained by arena staff.

The main lobby area has seen some changes including a new office space for staff, relocation of a television for locker room assignments and scheduling, and the addition of cable to two (2) televisions. We have also had our wireless internet connection repaired so that guests of the arena may have a trouble free connection. Rink #2 now has a cleaner look after the removal of the bank of lockers at the front of the building and the removal of the five (5) gallon buckets that were being utilized as skating aids. The arena has purchased and now provides proper skating aids for public skating events.

Currently, Skate rentals are operated by Penalty Box Inc. per their contract as well as the vending machines and video games. An abundance of arena glass has been relocated to the inside of the facility and has been stored with a wall anchoring system. A moisture issue in the locker room

area has been remedied by having the refrigeration plant re-configured to provide air conditioning and heating to the area. This was a necessity as the moisture could have caused severe building issues in the future. Time of day clocks have also been installed under the scoreboards of both arenas and are utilized to regulate ice rentals. This allows for the larger scoreboard to remain off except for when games are being played.

The format in which we schedule ice has been changed to provide more rental opportunities. This was achieved by changing our ice resurfacing times from fifteen (15) minutes to ten (10) minutes (Industry Standard). This also allowed us to gain an extra hour of ice availability per day. Our scheduling program is now operating as intended that allows us to utilize video boards for locker room assignments and off premises scheduling. We have also worked with Preferred Mechanical to gain remote access to our refrigeration plant. This allows the management staff to monitor, troubleshoot and make necessary changes from a lap top which cuts down response time significantly.

The Maine Gladiators Youth hockey program now utilizes the Norway Savings Bank Arena as its only ice facility. We also hosted a week long training camp for the Gladiators organization in August and plans to continue this program are in place as well as expand this to a three (3) week camp. The addition of a Midget level Showcase that was held over Labor Day Weekend also shows growth potential. Currently, a High School Hockey Holiday Invitational is being developed with five (5) Maine schools already committed. This event will span two (2) days and will be expanded to out-of state teams next year. This event gives us a chance to showcase the capabilities of the facility and staff as well as the talent located in the surrounding area. A total of five (5) tournaments have been added to this season's schedule, two (2) in February and three (3) in March. We are also currently working on a Youth Tournament for early October. With the addition of Scarborough High School, and a Monday night men's league utilizing the facility for practices and games, the winter schedule for the arena has been completed and spring scheduling has begun. All of the peak season prime time ice is rented.

Looking ahead to the spring, we are hoping to add a 3 vs 3 league for youth and high school players. Summer camps are a high priority as well. Plans are currently under way for programming and staff. Finally, we have plans to implement a Learn to Skate program for kids ages two (2) to five (5) years old during the work week. Norway Savings Bank Arena and Auburn Parks and Rec have already agreed on a spring, summer, and fall schedule for the figure skating groups.

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## **LATC/*citylink* Update**

### **"New" Buses**

- LATC recently purchased three used buses to stabilize the fleet
  - 2 2005 Chevrolet Eldorado Buses \$18,995/bus
  - 1 2006 Champion Challenger \$24,680

### **Ridership**

- ***citylink*** ridership for FY2014 saw a 5.7% increase over FY2013. Ridership for 2014 totaled 372,864 passenger trips
- ***citylink*** ridership has increased each year since 2010
  - FY2014 372,864 5.7% increase
  - FY2013 352,923 0.7% increase
  - FY2012 350,604 22.9% increase
  - FY2011 285,209 19.3% increase

### **Vehicle Maintenance**

- Since 2012, WMTS has been sending all owned and operated vehicles to outside vendors for the annual Maine State Safety Inspection. This allows for independent inspections by certified Maine State Safety Inspection Mechanics of repairs done by WMTS maintenance staff.
- WMTS has worked closely with MDOT staff and bus maintenance consultants to improve vehicle maintenance procedures and record keeping and documentation of completed maintenance since August 2013. In September 2014, MDOT notified WMTS that the improvements implemented were sufficient to release WMTS from continuous oversight of maintenance procedures. As is normal procedure for all State and Federally funded transit providers, WMTS will still undergo routine maintenance reviews.
- WMTS has developed alliances with other transit providers nationwide to increase problem solving, parts related issues, and other matters prevalent to transit buses that each agency has in common.
- WMTS has provided and/or taken advantage of training opportunities for WMTS maintenance personnel including but not limited to electronics and electrical systems, brake



systems, and HVAC systems. WMTS also employs an ASE certified Transit Bus Master Technician.

- Since WMTS has improved maintenance procedures, there has been a decrease in road calls and towing incidents. There has not been any need to tow a vehicle into the shop in over three months.
- WMTS has increased staff in the maintenance department from four fulltime to seven fulltime and one part-time employee, allowing for more thorough inspections, cleaning, and attention to vehicle repairs.
- Through ongoing DVIR trainings WMTS driving personnel have become better at reporting vehicle concerns which allows maintenance staff to address small issues before they become larger issues.
- As a private operator and with changes in FMSCA rules and regulations, WMTS now also falls under the jurisdiction of Maine Public Safety as well as the MDOT and FTA. This is different than vehicles operating with municipal plates that do not undergo inspections by Maine Public Safety. WMTS underwent a Maine Public Safety inspection which included seven of the eleven LATC owned vehicles.

#### **Public Notification**

The Lewiston-Auburn Transit Committee is encouraging **citylink** passengers to sign up through the “Notify Me” section on its [www.purplebus.org](http://www.purplebus.org) web site to receive **citylink** service updates either by email and/or text message.



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 11-03-2014

**Ordinance** 09-10202014

**Author:** Dorothy Meagher

**Subject:** General Assistance maximum adjustment for appendices B (food) and C (rent). Second reading.

**Information:** I'm seeking the approval of the new appendices B and C for the period of October 1, 2014 to September 30, 2015. The municipal officers must approve / adopt the new maximums in accordance to Ordinance 24-23 in Chapter 24. Once the food and rent maximums are adopted they will replace the FY 13-14 maximums, the maximum levels are established as a matter of state law based on certain federal values.

**Advantages:** by adopting the new appendices B and C the program will be in compliance for reimbursement from the State.

**Disadvantages:** by not approving the overall maximums the program can be penalized and lose the 50% reimbursement

**City Budgetary Impacts:** The new appendix B (food) assistance is an increase of 1% for FY 14-15, the effective date for this appendix is October 1, 2014 to September 30, 2015. The appendix C (rent) is an adjustment of \$1.00 for the monthly 2 bedroom rental.

**Staff Recommended Action:** Approval of the increase to the General Assistance Appendices B and C as required by state statute and ordinance.

**Previous Meetings and History:** This is a yearly approval needed by council. First reading and public comment on 10-20-2014.

**Attachments:**

Appendix B (food assistance)

Appendix C (rental assistance)

Ordinance 09-10202014

City Manager or Assistant City Manager signature:

Date: 10-30-14

## **Food Maximums**

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through October 1, 2014, those amounts are:

<b>Number in Household</b>	<b>Weekly Maximum</b>	<b>Monthly Maximum</b>
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

**Note: For each additional person add \$146 per month.**

## GA Housing Maximums (Heated & Unheated Rents)

**NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS!** Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See Instruction Memo for further guidance.)**

### **Non-Metropolitan FMR Areas**

<b><u>Aroostook County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		84	362	107	461
1		84	362	113	487
2		99	426	136	584
3		134	575	179	770
4		143	614	197	848
<b><u>Franklin County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		96	412	119	511
1		97	418	124	533
2		115	493	151	651
3		137	591	183	786
4		210	905	265	1,139
<b><u>Hancock County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		105	451	126	543
1		117	503	145	625
2		145	622	180	776
3		197	845	241	1,038
4		197	845	245	1,054
<b><u>Kennebec County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		83	359	106	457
1		94	404	123	530
2		123	529	160	686
3		159	685	203	872
4		159	685	214	920

**Non-Metropolitan FMR Areas**

<b><u>Knox County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	128	552	151	649	
1	128	552	151	651	
2	150	645	186	799	
3	197	846	240	1,032	
4	209	899	272	1,168	
<b><u>Lincoln County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	119	513	140	600	
1	124	535	153	659	
2	159	684	195	838	
3	200	862	244	1,048	
4	207	889	260	1,118	
<b><u>Oxford County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	89	382	114	491	
1	101	434	126	542	
2	113	487	153	657	
3	161	693	209	900	
4	216	928	274	1,179	
<b><u>Piscataquis County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	98	421	111	479	
1	108	465	125	539	
2	134	575	154	663	
3	172	740	196	844	
4	176	759	205	881	
<b><u>Somerset County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	100	432	123	529	
1	100	432	127	548	
2	116	498	152	655	
3	166	714	210	904	
4	166	714	211	908	

**Non-Metropolitan FMR Areas**

<b><u>Waldo County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	116	497	136	583
1	119	510	144	619
2	139	597	174	748
3	174	749	217	935
4	176	758	230	987
<b><u>Washington County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	93	402	114	492
1	95	410	122	525
2	108	465	146	629
3	134	575	182	782
4	163	703	222	954

**Metropolitan FMR Areas**

<b><u>Bangor HMFA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	101	432	126	543
1	120	518	153	657
2	145	625	185	796
3	184	790	233	1,004
4	210	904	268	1,154
<b><u>Penobscot County HMFA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	99	424	122	525
1	99	424	122	525
2	104	448	144	621
3	148	636	198	850
4	169	725	228	982
<b><u>Lewiston/Auburn MSA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	89	381	111	476
1	103	445	132	566
2	139	597	175	751
3	178	766	221	952
4	180	774	233	1,003

**Metropolitan FMR Areas**

<b><u>Portland HMFA</u></b>	<b><u>Unheated</u></b>	<b><u>Heated</u></b>
Bedrooms	Weekly Monthly	Weekly Monthly
0	142 611	163 702
1	166 715	194 833
2	214 922	252 1,085
3	271 1165	319 1,371
4	274 1180	339 1,458
<b><u>York/Kittery/S. Berwick HMFA</u></b>	<b><u>Unheated</u></b>	<b><u>Heated</u></b>
Bedrooms	Weekly Monthly	Weekly Monthly
0	181 779	207 890
1	181 779	207 890
2	206 887	247 1,060
3	314 1,350	364 1,564
4	334 1,434	394 1,694
<b><u>Cumberland County HMFA</u></b>	<b><u>Unheated</u></b>	<b><u>Heated</u></b>
Bedrooms	Weekly Monthly	Weekly Monthly
0	111 479	133 573
1	131 563	157 674
2	167 720	204 876
3	228 982	272 1,168
4	271 1167	324 1,394
<b><u>Sagadahoc County HMFA</u></b>	<b><u>Unheated</u></b>	<b><u>Heated</u></b>
Bedrooms	Weekly Monthly	Weekly Monthly
0	140 603	161 693
1	140 603	161 693
2	155 667	191 821
3	192 825	242 1,039
4	276 1,187	336 1,444
<b><u>York County HMFA</u></b>	<b><u>Unheated</u></b>	<b><u>Heated</u></b>
Bedrooms	Weekly Monthly	Weekly Monthly
0	126 541	146 629
1	126 541	150 646
2	156 672	192 825
3	216 928	259 1,114
4	216 928	266 1,143

# **GENERAL ASSISTANCE ORDINANCE**

## **APPENDICES B & C**

### **2014-2015**

The Municipality of Auburn, Maine adopts the MMA Model Ordinance GA Appendices B & C for the period of October 1, 2014 to September 30, 2015. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the \_\_\_\_\_ (day) of \_\_\_\_\_ (month) \_\_\_\_\_ (year)  
by the municipal officers:

Councilor Tizz E. H. Crowley

\_\_\_\_\_  
(Signature)

Councilor Mary K. LaFontaine

\_\_\_\_\_  
(Signature)

Councilor Leroy Walker

\_\_\_\_\_  
(Signature)

Councilor Adam Lee

\_\_\_\_\_  
(Signature)

Councilor Robert Hayes

\_\_\_\_\_  
(Signature)

Councilor David Young

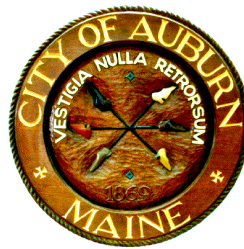
\_\_\_\_\_  
(Signature)

Councilor Belinda A. Gerry

\_\_\_\_\_  
(Signature)



Tizz E. H. Crowley, Ward One  
 Robert Hayes, Ward Two  
 Mary Lafontaine, Ward Three  
 Adam Lee, Ward Four



Leroy Walker, Ward Five  
 Belinda Gerry, At Large  
 David Young, At Large

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 09-10202014

ORDERED, that the General Assistance Ordinance be amended to incorporate the following maximum levels of assistance to be effective on and after October 1, 2014 as follows:

#### Appendix B, Food Assistance

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

#### Appendix C, Housing Maximums

Lewiston/ Auburn MSA Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	89	381	111	476
1	103	445	132	566
2	139	597	175	751
3	178	766	221	952
4	180	774	233	1,003



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 11/03/2014

**Order** 92-11032014

**Author:** Zachary Lenhart

**Subject:** DANGEROUS BUILDING: 33 SOUTH GOFF ST.

**Information:** In November of 2011, the 33 South Goff St. building was placarded by David O'Connell, Fire Prevention Officer and Mark Stambach, Building Inspector. The building was found vacant and an inspection was performed. Major structural damage was noted and the Fire Department designated the building as "No Entry". The structure is close to two neighboring homes and bordered by woods to the rear. The close proximity to other structures puts them at risk in the event of a fire at this vacant building.

Since at least the end of 2011 the building has been chronically unsecured. Attempts to contact the official property owner have been unsuccessful. It is believed that the owner has passed away. Multiple notices and citations have been sent to Safeguard Properties, the property manager of the mortgage holder, but the building remains unsecured. The structural damage of the building appears to have worsened over the years.

**Advantages:** Safer more attractive neighborhoods, increased property values,

**Disadvantages:** It is possible that the City is unable to recuperate its costs of demolition.

**City Budgetary Impacts:** Funds have been approved through CIP

**Staff Recommended Action:** Find that building meets the definition of "Dangerous Building" and order its demolition

**Previous Meetings and History:** General discussion of dangerous buildings at Council meeting on October 20, 2014

**Attachments:**

33 South Goff St. Council Packet

City Manager or Assistant City Manager signature:

Date:

11-29-14

## MEMORANDUM

**To:** Mayor LaBonte; Auburn City Council  
**From:** Eric Cousens, Director, Auburn Planning and Permitting Department  
**Date:** November 3, 2014  
**RE:** Dangerous Building Hearing for 33 South Goff Street, Auburn, Maine

---

Dear Mayor and City Council,

At the Council meeting on November 3, I will present evidence as to why 33 South Goff Street is a dangerous building within the meaning of 17 M.R.S. § 2851. I will request that the Council find that this property is a dangerous building and order that it be demolished.

To assist your decision I have included the following materials for each property:

- Documents establishing the identity of the current owner;
- The Notice of Hearing and proof of service on the owners and any party in interest;
- Previous correspondence, notices, or citations to the owner;
- Photographs depicting the dilapidation at the property;
- Other evidentiary evidence regarding the building; and
- Proposed Order.

## DEED OF SALE BY PERSONAL REPRESENTATIVE

KNOW ALL MEN BY THESE PRESENTS, that I, IRMA L. SPENCER, of Auburn, County of Androscoggin, and State of Maine, duly appointed Personal Representative of the ESTATE OF LOUISE M. SPENCER, deceased testate as shown by the probate records for Androscoggin County, Docket Number 91-219, and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to EDWARD L. GILBERT of Auburn, County of Androscoggin and State of Maine, described as follows:

MAINE REAL ESTATE  
TRANSFER TAX PAID

A certain lot or parcel of land, with the buildings thereon, situated in the City of Auburn, County of Androscoggin and State of Maine, bounded and described as follows viz: BEGINNING on the westerly line of South Goff Street at a point one hundred eighty-two and four tenths (182.4) feet southerly from the intersection of the said westerly line of South Goff Street with the southerly line of South Street; thence in a westerly direction parallel with the said southerly line of South Street, one hundred and seven (107) feet; thence in a southerly direction by land now or formerly of First-Auburn Trust Company, one hundred (100) feet; thence in an easterly direction, by land now or formerly of First-Auburn Trust Company, ninety-two (92) feet to the said westerly line of South Goff Street; thence in a northerly direction by the said westerly line of South Goff Street one hundred (100) feet to the point of beginning.

BEING the same premises conveyed by First-Auburn Trust Company to Louise M. Spencer by deed dated February 2, 1948 and recorded in the Androscoggin County Registry of Deeds in Book 597, Page 397.

TO HAVE AND TO HOLD the above granted premises unto the said Edward L. Gilbert, his heirs and assigns forever.

EXHIBIT

A

And I, the said Irma L. Spencer, in my capacity do hereby covenant to and with the said Edward L. Gilbert that I am the lawful personal representative of the Estate of Louise M. Spencer and that in making this conveyance I have in all respects, acted in pursuance of the authority granted to me by the Probate Code.

WITNESS:

**Louise M. Spencer Estate**

By: Irma L. Spencer  
Irma L. Spencer  
Personal Representative

STATE OF MAINE  
ANDROSCOGGIN, SS.

February 18, 1992

Personally appeared the above-named Irma L. Spencer and acknowledged the foregoing instrument to be her free act and deed in her said capacity.

Before me,

~~Notary Public/Attorney-at-Law~~

Printed Name of  
Official:

**ROBERT CRAIG SALMINEN**

**ATTEST:**

Jeannine B. Bergeron  
REGISTER OF DEEDS

92 FEB 19 PM 2:45

ANDRESCOGG, M. S.  
REGISTRY OF DEEDS

**NOTICE OF HEARING**  
**Pursuant to 17 M.R.S. §§ 2851-59**  
**Dangerous Buildings**

Edward L. Gilbert  
33 South Goff St.  
Auburn Maine 04210

Bank of America, NA  
c/o CT Corporation System  
1536 Main Street  
Readfield, Maine 04355

**33 SOUTH GOFF STREET, AUBURN, MAINE**

You are hereby notified that the City Council of the City of Auburn, Maine will hold a hearing on:

November 3, 2014 at 7:00 pm  
Auburn City Hall  
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structure at 33 South Goff Street, Auburn, Maine, identified as Lot 275 on Tax Map 240, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2795, Page 326, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: October 6, 2014

  
Susan Clements-Dallaire

STATE OF MAINE  
ANDROSCOGGIN, ss

October 6, 2014

Before me this day personally appeared Sue Clements-Dallaire, who acknowledges the foregoing instrument to be her free act and deed.

  
Notary Public / ~~Attorney at Law~~

SEAL

ANDROSCOGGIN COUNTY  
TINA M CHOUINARD  
REGISTER OF DEEDS

ERIC J. COUSENS  
Notary Public, Maine  
My Commission Expires January 24, 2015



# Sun Journal

Connecting you with your community

10/24/14

BRANN AND ISAACSON  
DIANE MCINTIRE  
PO BOX 3070  
LEWISTON, ME 04240

TO WHOM IT MAY CONCERN:

We hereby certify that the following:

**LEGAL AD NOTICE OF HEARING: RE-33 SOUTH GOFF ST, AUBURN MAINE**  
was published in the DAILY Sun-Journal a newspaper having its principal place of  
business in the County of Androscoggin. With general circulation in the Counties of  
Androscoggin, Franklin and Oxford.

**Dates Published: 10/8, 10/15, 10/22/2014**

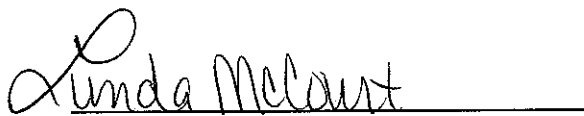
Tearsheet (s): ENCLOSED  
Invoice: ENCLOSED

Sun-Journal/SUNDAY  
Lewiston, Me



Maureen Wedge  
Vice President/Human Resources

Subscribed and sworn to before me this 24TH Day of OCTOBER, 2014 at Lewiston, in the  
County of Androscoggin, in the State of Maine.

  
**NOTARY PUBLIC**  
*Express Sept 4, 2016*

104 PARK STREET • P. O. BOX 4400 • LEWISTON, MAINE • 04243-4400

WEDNESDAY, OCTOBER 8, 2014 » LEWISTON, MAINE

town of Monroe, Michigan. In high school, he won the Class A state singles title in 1946 and '47.

Braden was a 1951 graduate of Kalamazoo College

played with were Jimmy Evert, the father of Hall of Famer Chris Evert, and George Richey, the father of future pros Cliff and Nancy Richey.

**NOTICE OF HEARING**  
Pursuant to 17 M.R.S. §§ 2851-59  
**Dangerous Buildings**

Edward L. Gilbert  
33 South Goff St.  
Auburn Maine 04210

Bank of America, NA  
c/o CT Corporation System  
1536 Main Street  
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This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: October 6, 2014

Susan Clements-Dallaire

STATE OF MAINE

ANDROSCOGGIN, ss

October 6, 2014

Before me this day personally appeared Sue Clements-Dallaire, who acknowledges the foregoing instrument to be her free act and deed.

Eric J. Cousins  
Notary Public  
Commission Expires January 24, 2015

There will be a public sale on October 28, 2014 at 4:00 PM at 2 Gorges Road, Kittery, ME, 03904 all and singular the premises described in said mortgage and being a certain lot of land with the buildings thereon, situated in the town of Lovell, County of Oxford, and State of Maine, described in said mortgage as being located at 238 Abattus Road.

**TERMS OF SALE:** The property will be sold to the highest bidder at the sale, who shall pay a deposit of Ten Thousand and No/100 Dollars (\$10,000.00) in cash, certified check or funds acceptable to mortgagee at the time and place of sale. The successful bidder shall be required to execute a Purchase and Sale Agreement with said Nationstar Mortgage LLC with the aforesaid Ten Thousand and No/100 Dollars (\$10,000.00), as a non-refundable and non-interest bearing deposit thereon providing for a closing within thirty (30) days of the date of the public sale, at which time the balance of the bid price will be due and payable in cash or certified funds payable to Nationstar Mortgage LLC as aforesaid, which will then deliver a duly executed quitclaim deed. The sale shall be made subject to: (a) any condition which a title search would reveal, (b) any unpaid taxes or assessments due to the Municipality of Lovell, and (c) any facts which an accurate survey of the premises might show. The property shall be sold "as is" and "where is" without any warranties whatsoever expressed, implied or otherwise. Other terms will be announced at the sale.

Dated: September 18, 2014 S/John A. Doonan, Esq., Bar No. 3250 Jenai J. Cormier, Esq., Bar No. 4682 Attorneys for Nationstar Mortgage LLC Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, Massachusetts 01915 (978) 921-2677

TS#: 6/13.23/FLAHERTY FEI # 1078.00620  
09/24/2014, 10/01/2014, 10/08/2014

the time within which dispensers must days of the controlled substance being four (24) hours of the controlled substance. Primary sources in the determination timeframe were (i) the September 2014 of Excellence white paper on prescriptive best practices, reports increased dispensers (especially emergency department) immediate online reports in providing detect any prescription drug misuse and 21, 2012 recommendations of the Prescription Drug Task Force, establish 002, (iii) a Spring 2013 Hornby Zel survey of PMP enrollees, indicating the using the PMP was lack of real time Committee discussion on August 20, 2 more timely controlled substance uplo PUBLIC HEARING: none

COMMENT DEADLINE: November 7, 2014. CONTACT PERSON FOR THIS INFORMATION: Guy Cousins, DHHS - 11 State House Station, Augusta, ME (207) 287-2595. E-mail: [Guy.Cousins@dhhs.maine.gov](mailto:Guy.Cousins@dhhs.maine.gov) IMPACT ON MUNICIPALITIES OR COL

AGENCY: 06-096 - Department of (DEP)

CHAPTER NUMBER AND TITLE: C Management Compensation Fees and Proposed Rule Number: 2014-P2. BRIEF SUMMARY: The Department is proposing addressing stormwater compensation. The Ch. 501, Stormwater Management Mitigation Credit rule, will establish a to undertake a compensation project, lieu of meeting certain stormwater provisions were formerly included in rules, the Department is now proposing these requirements as a separate rule. Copies of these rules are available up agency contact person or on the D. [maine.gov/dep/rules/](http://maine.gov/dep/rules/). Pursuant to are publicly notified of the proposed



WEDNESDAY, OCTOBER 15, 2014 » LEWISTON, MAINE

gone through the experience of playing against him. His first game with the Buccaneers last sea-

#### Abandoned Vehicle

The Town of Mechanic Falls is in possession of an abandoned 1998 Pontiac Sunfire, VIN #1C2JB5248W7540938. If you are an owner or heir to this vehicle, please contact the Town Clerk at the Mechanic Falls Town Office, 108 Lewiston Street, Mechanic Falls, ME 04256 or by calling 207-345-2871. If the owner has not retrieved the vehicle and paid all reasonable charges for towing, storage, and legal fees within 14 days from this publication, ownership of the vehicle will pass to the owner of the premises where the vehicle is located.

#### NOTICE OF PUBLIC MEETING

The members of the Advisory Committee on Family Development Accounts will meet on Wednesday, October 22, 2014 at the Finance Authority of Maine at 5 Community Drive, Augusta, ME, beginning at 1:00 p.m. For more information, contact Martha Johnston, Director of Education, Finance Authority of Maine, P.O. Box 949, Augusta, ME 04332-0949, (207) 623-3263, ext. 3544.

#### PUBLIC NOTICE CITY OF LEWISTON - PLANNING BOARD MEETING

The Lewiston Planning Board will hold a hearing on Monday, October 20, 2014 at 5:30 p.m. in the City Council Chambers, First Floor of the City Building to consider an application submitted by Thayer Engineering Co. on behalf of Woodlands Senior Living of Lewiston LLC for the construction of a 64-bed Alzheimer facility at 45 Mollon Way. Relevant information is available in the Department of Planning and Code Enforcement. Comments may be submitted to David Hediger, City Planner, on or before the above date, and oral comments will be accepted at the meeting. The City of Lewiston is an EOE. For more information please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

### HUGE FALL ESTATE AUCTION SUNDAY OCTOBER 19th AT 10:00 A.M.

McMorrow Auction Hall • Rts. 11 and 121 Poland, Maine  
Approx. 5 miles west of Auburn - 300 yds. West of intersection of Rts. # 119 & 121

We are pleased to offer a huge selection of antiques from several Maine estates from Paris Hill, Norway Lake; a Maine institution; and a Monmouth collection. This will be a must attend auction with 500 plus lots of period furniture; an 1823 Maine sampler; 2 Willis Plummer paintings; fine clocks- E. Howard banjo; as well as a huge round stained glass window from a Damariscotta church.

**Previous:**  
Saturday Oct. 18 - 1:00 P.M. to 4:00 P.M. and 8:00 Day of sale  
Maine License 0042 Phone 207 777 7030 catered by Dad's Place  
All items are sold as is and where is. Descriptions subject to error.

Check our website for more information:  
mcmorrowauctions.com & Auction Zip

#### NOTICE OF HEARING Pursuant to 17 M.R.S. § 2851-59 Dangerous Buildings

Edward L. Gilbert  
33 South Goff St.  
Auburn Maine 04210  
Bank of America, NA  
c/o CT Corporation System  
1536 Main Street  
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Dated: October 6, 2014

Susan Clements-Dallaire

STATE OF MAINE  
ANDROSCOGGIN, ss

Before me this day personally appeared Sue Clements-Dallaire, who acknowledges the foregoing instrument to be her free act and deed.

Eric J. Cousens  
Notary Public  
Commission Expires January 24, 2015

October 6, 2014

governs the expenditure of Maine taxpayers' doll safe and effective schools that support the demand education. The proposed amendments for Ch. 61 consistency to the rule language and bring the rule with recent statutory changes.

PUBLIC HEARING: Monday, November 3, 2014, 11 Room 541, 5th Floor of the Cross Office Building, 1 Augusta, ME

COMMENT DEADLINE: 5:00 p.m. Thursday, Nov CONTACT PERSON FOR THIS FILING / SI INFORMATION: Scott E. Brown, Director of School Department of Education, 23 SHS, Augusta, ME 0 (207) 624-6883. E-mail: [Scott.Brown@Maine.gov](mailto:Scott.Brown@Maine.gov) IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

AGENCY: 05-071 - Department of Education ( CHAPTER NUMBER AND TITLE: Ch. 101, Main Education Regulation Birth to Age Twenty (Major: PROPOSED RULE NUMBER: 2014-P224

BRIEF SUMMARY: The Department of Education is amendments to Ch. 101:

Add provisions that define "regional special edu and "service coordinator" (to replace "case man the federal terminology), provide a timeline fo determinations, establish approval standards for education programs, codify CDS's approval of f programs, establish parameters for special educ in communities without schools (per Ch. 70, R 2013), establish parameters for provision of ed electronically, and extend the option of complain an enforcement mechanism for stand-alone medi

Clarify responsibility for transition to IDEA, Part programming, responsibilities of the receiving sch unit in cases of out-of-district placements, the sec "early intervention services", the scope of "consult education service, approval standards for specia schools, computation of public school special edu private school special education tuition

Revise procedures for out-of-district placements t in practice

Remove the restriction on the Department's : guidance on the content of IEPs, and the restrictio of mediation or resolution session agreements cor fees

Correct a certification category and add/clarify cc categories in the Finance section of the rule

Make other technical changes (move a prc section; reflect a change described above in a rel rule; correct a typographical error; improve soi outside the text of the rule, update the citator authority for the rule-making)

PUBLIC HEARING: Monday, November 3, 2014 12:00 noon in Room 208 of the Cross State Offi House Complex, Augusta, ME

COMMENT DEADLINE: November 21, 2014 at 5 CONTACT PERSON FOR THIS FILING / S

...mers per day  
...ious multi-leg  
  
Security Sec-  
Johnson said

"we currently have in place  
measures to identify and  
screen anyone at all land,  
sea and air ports of entry in-  
to the United States who we

have reason to believe has  
been present in Liberia, Si-  
erra Leone or Guinea in the  
preceding 21 days."  
Since screening start-

ed Oct. 11 at New York's  
Kennedy airport, 562 peo-  
ple have been checked at  
the five airports, accord-  
ing to Homeland Security.

for Disease Control and Pre-  
vention works to spread the  
word about its new protec-  
tive guidelines for medical  
workers.

# e on suspected terrorist killed after fatal attack on soldiers

abroad or who  
ed from over-  
er, it was not  
er the suspect  
o Islamic mili-

"Our thoughts and  
prayers are with his family  
members, his friends and  
his colleagues," the prime  
minister said.

hit and run, Lapointe said.  
A police officer on patrol  
witnessed what happened  
and immediately gave  
chase. He was pursued  
for about 4 kilometers (2.5  
miles) before he lost control  
of the car, which rolled over  
several times.

when he emerged from the  
vehicle and police opened  
fire.

which an al-Qaida-inspired  
extremist and another man  
ran over a soldier with a car  
before hacking the off-duty  
soldier to death.

rt of our inves-  
rts to try and  
se people who  
it a criminal  
ig abroad for  
rposes," Paul-

"This was a despicable  
act of violence that strikes  
against not just this sol-  
dier and his colleagues but  
frankly against our very  
values as a civilized democ-  
racy," Harper said in Par-  
liament.

Lapointe said the man  
was brandishing a knife

The case is similar to  
one in London last year in

no answer at  
leau's single  
brick home in  
ur-Richelieu,  
uesday morn-  
gn of police.

Lapointe said the other  
victim is in stable condition  
with minor injuries.

## NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance  
with the Judgment of Foreclosure and Sale  
entered September 27, 2013, as affected by  
an Order entered on October 3, 2014 in the  
action entitled U.S. Bank National Association,  
as Trustee under Securitization Servicing  
Agreement dated as of August 1, 2005,  
Structured Asset Investment Loan Trust Mortgage  
Pass-Through Certificates, Series 2005-HE3 v.  
Raymond P. Cote by the Maine District Court,  
Division of Lewiston, Docket No. RE-11-167,  
wherein the Court adjudged the foreclosure  
of a mortgage granted by Raymond P. Cote to  
Argent Mortgage Company, LLC dated March  
4, 2005 and recorded in the Androscoggin  
County Registry of Deeds in Book 6258, Page  
280, should the period of redemption have  
expired without redemption of the property by  
the mortgagor(s), a public sale of the property  
described in the mortgage will be conducted on

**NOTICE OF HEARING**  
Pursuant to 17 M.R.S. §§ 2851-59  
**Dangerous Buildings**

Edward L. Gilbert  
33 South Goff St.  
Auburn Maine 04210

Bank of America, NA  
c/o CT Corporation System  
1536 Main Street  
Readfield, Maine 04355

**33 SOUTH GOFF STREET, AUBURN, MAINE**

You are hereby notified that the City Council of the City of Auburn, Maine will hold a hearing on:

November 3, 2014 at 7:00 pm  
Auburn City Hall  
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structure at 33 South Goff Street, Auburn, Maine, identified as Lot 275 on Tax Map 240, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2795, Page 326, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: October 6, 2014  
STATE OF MAINE  
ANDROSCOGGIN, ss  
Before me this day personally appeared Sue Clements-Dallaire, who acknowledges the foregoing instrument to be her free act and deed.

Eric J. Cousens  
Notary Public  
Commission Expires January 24, 2015

October 6, 2014

## NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance  
with the Judgment of Foreclosure and Sale  
entered May 30, 2014 in the action entitled  
Citibank, N.A., Trustee for CMLTI Asset Trust  
v. Robin R. Mills et al., by the Maine District  
Court, Division of Rumford, Docket No.  
RE-13-42, wherein the Court adjudged the  
foreclosure of a mortgage granted by Robin  
R. Mills and Davis J. Cooper to Mortgage  
Electronic Registration Systems, Inc., acting  
solely as nominee for Greenlight Financial  
Services dated July 25, 2007 and recorded in  
the Oxford County Registry of Deeds in  
Book 4173, Page 133, should the period of  
redemption have expired without redemp-  
tion of the property by the mortgagor(s), a  
public sale of the property described in the  
mortgage will be conducted on

**November 24, 2014 commencing at  
12:30 p.m. at 208 Fore Street,  
Suite 1,  
Portland, ME**

The property is located at 288 West Bethel  
Road, Bethel, Oxford County, Maine, reference  
as described in said mortgage.  
The sale will be by public auction. All bidders  
for the property will be required to make a  
deposit of \$5,000.00 in cash, certified or  
bank check at the time of the public sale  
made payable to Shechtman Halperin Sav-  
age, LLP, which deposit is non-refundable  
as to the highest bidder. The balance of the  
purchase price shall be paid within thirty  
(30) days of the public sale. In the event a  
representative of Citibank, N.A., Trustee for  
CMLTI Asset Trust is not present at the time  
and place stated in this notice, no sale shall  
be deemed to have occurred and all rights  
to reschedule a subsequent sale are reserved.  
Additional terms will be announced at the  
public sale.

Citibank, N.A.,  
Trustee for CMLTI Asset Trust,  
by its attorneys, Shechtman  
Halperin Savage, LLP  
Jennifer L. Maynard, Esq.  
James M. Garnet, Esq.  
Jeffrey J. Hardiman, Esq.

**November 24, 2014 commencing at  
10:30 a.m. at 208 Fore Street, Suite 1,  
Portland, Maine**

The property is located at 49 Dennison Street,  
Auburn, Androscoggin County, Maine,  
reference as described in said mortgage.  
The sale will be by public auction. All bidders  
for the property will be required to make a  
deposit of \$5,000.00 in cash, certified or  
bank check at the time of the public  
sale made payable to Shechtman Halperin  
Savage, LLP, which deposit is non-refundable  
as to the highest bidder. The balance of the  
purchase price shall be paid within thirty  
(30) days of the public sale. In the event a  
representative of U.S. Bank National  
Association, as Trustee under Securitization  
Servicing Agreement dated as of August 1,  
2005 Structured Asset, Investment Loan  
Trust Mortgage Pass-Through Certificates,  
Series 2005-HE3 is not present at the time  
and place stated in this notice, no sale shall  
be deemed to have occurred and all rights  
to reschedule a subsequent sale are reserved.  
Additional terms will be announced at the  
public sale.

U.S. Bank National Association  
as Trustee under Securitization  
Servicing Agreement dated as of  
August 1, 2005 Structured Asset,  
Structured Asset Investment  
Loan Trust Mortgage Pass-Through  
Certificates, Series 2005-HE3,  
by its attorneys,  
Shechtman Halperin Savage, LLP  
James M. Garnet, Esq.  
Jennifer L. Maynard, Esq.  
Jeffrey J. Hardiman, Esq.

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**Estate Auction**

**Saturday, October 25, 2014 @ 9:00am at a NEW Location**  
**The MERCER COMMUNITY CENTER, Mercer, Maine**

This Estate Auction is an estate out of a home in New Portland, Maine. This estate is made up of mostly Antique Items such as Glassware, Bottles, Pottery, Stoneware, Sterling, Silver, Silver Plated, Pewter, Tools, Carvings, Gun Parts, Powder Horn, Tins, Copper Items, Numerous Wooden Items, Quilts, Linens, Wall Hangings, Books, Musical Instruments, Reversed Antique Clock, Jewelry, Figurines, Dolls, Bells, Christmas Items, Modern and Antique Furniture, Lamps, Books, Comic Books, Horse Items, Games, Banks, Toys, Tintype Photos. This Auction has VERY UNIQUE and Unusual Items too numerous to mention! Preview a MUST, Friday, Oct. 24, 2-4pm! At 7am Prior to Auction.

Terms: 10% Buyers Premium, A Few Items With Reserve, 5.5 Sales Tax, Cash/Checks Only  
For More Information Call Adrian Harris at 779-9000 or 778-1444 or go to the web site:  
[www.harrisrealestate.net](http://www.harrisrealestate.net)

CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING**  
**33 SOUTH GOFF STREET, AUBURN, MAINE**  
**Pursuant to 17 M.R.S. §§ 2851, et seq.**

On October 7, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to CT Corporation System, Registered Agent for BANK OF AMERICA, NA, at the following address:

Bank of America, NA  
CT Corporation, Registered Agent  
1536 Main Street  
Readfield, ME 04355

Costs of Service:

Service: \$ \_\_\_\_\_  
Travel: \$ \_\_\_\_\_  
Postage: \$ \_\_\_\_\_  
Other: \$ \_\_\_\_\_  
  
TOTAL: \$ \_\_\_\_\_

OCT 07 2014

  
Signature

HARRY MCKENNEY  
Chief Civil Deputy  
Agency KENNEBEC COUNTY  
SHERIFF'S OFFICE



**NOTICE OF HEARING**  
**Pursuant to 17 M.R.S. §§ 2851-59**  
**Dangerous Buildings**

Edward L. Gilbert  
33 South Goff St.  
Auburn Maine 04210

Bank of America, NA  
c/o CT Corporation System  
1536 Main Street  
Readfield, Maine 04355

**33 SOUTH GOFF STREET, AUBURN, MAINE**

You are hereby notified that the City Council of the City of Auburn, Maine will hold a hearing on:

November 3, 2014 at 7:00 pm  
Auburn City Hall  
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structure at 33 South Goff Street, Auburn, Maine, identified as Lot 275 on Tax Map 240, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2795, Page 326, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: October 6, 2014

  
Susan Clements-Dallaire

STATE OF MAINE  
ANDROSCOGGIN, ss

October 6, 2014

Before me this day personally appeared Sue Clements-Dallaire, who acknowledges the foregoing instrument to be her free act and deed.

  
Notary Public / ~~Attorney at Law~~

ERIC J. COUSENS  
Notary Public, Maine  
My Commission Expires January 24, 2015

**From:** Cristy Bourget  
**Sent:** Thursday, March 08, 2012 12:24 PM  
**To:** 'Kris Norton'  
**Cc:** David O'Connell; Becky Hennessey; Mark Stambach; Eric Cousens; Charlie DeAngelis  
**Subject:** RE: Property: 33 South Goff Street Auburn, ME 04210 Requesting Code Violations on Property  
**Attachments:** 33 South Goff St 3-8-2012 001.jpg; 33 South Goff St 3-8-2012 005.jpg

Hi Kris,

On November 8, 2011 this building was placarded by David O'Connell, Fire Prevention Officer and Mark Stambach, Building Inspector, from the City of Auburn. I have reviewed their notes stating on November 8, 2011 there was an inspection of the building and they found the building is vacant and there is internal structural collapse at the rear of the building. They also found the foundation is heaving out on the A-B side of the building. The building was placarded and is considered a **NO ENTRY** of the building. If you have any questions to contact David O'Connell at 207-784-5433 extension 2092 and Mark Stambach can be reached at 207-333-6601 extension 1160.

Sincerely,  
Cristy Bourget

Mark, Charlie & David-  
Please read e-mail below- Superior Home Services ( Bank of America)  
Kris can be reached at 1-800-548-2858 extension 179  
Please follow up with Kris if you have any additional information concerning this property

Cristy S. Bourget  
Code Compliance Officer/Sanitarian  
60 Court St. Suite 104  
Auburn, Me. 04210  
Tel: (207) 333-6601, Ext. 1162  
Fax: (207) 333-6625  
Email: [cbourget@auburnmaine.gov](mailto:cbourget@auburnmaine.gov)  
Website: [www.auburnmaine.org](http://www.auburnmaine.org)

**EXHIBIT  
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**From:** Kris Norton [<mailto:KrisN@Supersvcs.com>]  
**Sent:** Thursday, March 08, 2012 11:19 AM  
**To:** Cristy Bourget  
**Subject:** Property: 33 South Goff Street Auburn, ME 04210 Requesting Code Violations on Property  
**Importance:** High

Hello Cristy,

Per our conversation this am I work with Superior Home Services and we have been asked by Bank of America to provide them a list of Code Violations on this property to bring it back into Conveyance Condition. Property is Vacant and in the foreclosure process with Bank Of America.

Can you please provide all information on any code Violations posted to the property located at: 33 South Goff Street Auburn, ME 04210.

Thank you in advance for your help!

Kris Norton

Construction Associate

**Superior Home Services**

15279 N. Scottsdale Rd Suite #400

Scottsdale, AZ 85254

Direct #480-391-5579

Fax #480-391-5679

[Krisn@Supersvcs.com](mailto:Krisn@Supersvcs.com)

**From:** [Codecompliance](#)  
**To:** [Zachary Lenhart](#);  
**Subject:** RE: Notice of Violation, 33 South Goff St., Auburn, Maine 04210  
**Date:** Thursday, December 19, 2013 2:12:07 PM

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This is to confirm your email was received. Thank you.

Ashley DeBose  
Code Compliance Specialist  
Safeguard Properties  
O: 800.852.8306 x 8484  
2400 Lakeside Blvd #300  
Richardson, TX 75082  
Seat Location: 239  
[codecompliance@safeguardproperties.com](mailto:codecompliance@safeguardproperties.com)  
[www.safeguardproperties.com](http://www.safeguardproperties.com)  
Customer Service = Resolution®  
Safeguarding our clients' interests.

EXHIBIT  
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**From:** Zachary Lenhart [mailto:[zlenhart@auburnmaine.gov](mailto:zlenhart@auburnmaine.gov)]  
**Sent:** Thursday, December 19, 2013 1:49 PM  
**To:** Codecompliance  
**Cc:** Hal Barter  
**Subject:** Notice of Violation, 33 South Goff St., Auburn, Maine 04210

Hello,

Attached you will find a "Notice of Violation" for the property at 33 South Goff Street in Auburn, ME 04210. Pictures of unsecured entries are also attached. Please secure ALL points of entry and "board-up" all windows on the first floor to prevent future break-ins. The fire risk has been deemed high by the Fire Prevention Officer and requires immediate attention.

The Safeguard ID# for this property is 137172333

Thank you,

# Zack Lenhert

Code Compliance Officer  
Assessing & Planning Assistant

## **City of Auburn**

60 Court Street

Auburn, ME 04210

(207) 333-6601 Ext. 1150

[zlenhert@auburnmaine.gov](mailto:zlenhert@auburnmaine.gov)

Please be advised that email communications sent to or received from City employees are subject to the Freedom of Access Act and may become part of public record or shared with the media.

**PRIVILEGE & CONFIDENTIALITY NOTICE:** This e-mail and any attachments or links contained herein may contain information that is privileged, confidential, or proprietary. Any review, disclosure, copying, distribution, or use of the contents of this e-mail or any attachments is strictly prohibited. If you are not the intended recipient, or received this in error, please delete it immediately and contact the sender. Thank you.



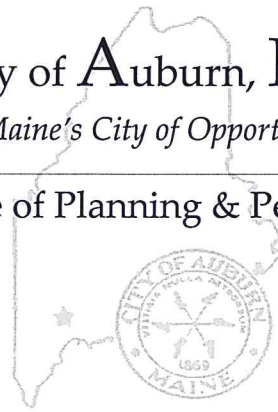
# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning & Permitting

December 19, 2013

Safeguard Properties  
c/o Code Compliance  
2400 Lakeside Blvd  
Richardson, TX 75082



RE: 33 South Goff Street, PID # 240-275

Dear Safeguard Properties:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

33 South Goff Street  
Auburn, ME 04210  
PID#: 240275000

**Violation: Chapter 12, Sec 12-76; IBC 2009, Chapter 1, Section 116**

**Description: UNSAFE STRUCTURES AND EQUIPMENT**

**Revision: 116.1 Conditions:** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**Corrective Action:** Secure all points of entry into the building and "board-up" all windows on the first floor to prevent break-ins.

**Compliance Date:** 12/31/13

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective actions by the compliance dates given. Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

60 Court Street • Suite 104 • Auburn, ME 04210  
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax  
[www.auburnmaine.org](http://www.auburnmaine.org)

EXHIBIT  
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In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 2, Article VIII of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and five dollars (\$105.00) for the first citation and you will be reordereed to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

This notice is a warning only and therefore represents potential rather than actual enforcement of the ordinance provisions listed above. Administrative reviews of potential enforcement actions result in advisory opinions only, and therefore do not permit subsequent judicial review. This notice is therefore not open to administrative appeal. However, commencement of actual enforcement action of the sort listed above for failure to correct the violation(s) as requested, if any, shall give rise to a right to appeal that action directly. Such right shall not arise until and unless enforcement action actually commences.

Any and all potential act(s) of enforcement as referenced above shall include written notice of your right to appeal. That notice shall specifically outline municipal procedure, and reference Maine civil procedure, for use in the event an administrative appeal is desired.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Zachary Lenhert**  
Code Compliance Officer  
Assessing & Planning Assistant  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
[zlenhert@auburnmaine.gov](mailto:zlenhert@auburnmaine.gov)

Cc: Eric Cousens, Director of Planning and Permitting  
David O'Connell, Fire Prevention Officer





60 Court Street • Suite 104 • Auburn, ME 04210  
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax  
[www.auburnmaine.org](http://www.auburnmaine.org)

# City of Auburn, Maine

*"Maine's City of Opportunity"*

Office of Planning & Permitting

## **FIRST CITATION**

### **NOTICE OF CIVIL PENALTY**

VIA FIRST CLASS & CERTIFIED MAIL

RETURN RECEIPT REQUESTED

**CODE-1456-2013**

January 2, 2014

Safeguard Properties  
c/o Code Compliance  
2400 Lakeside Blvd  
Richardson, TX 75082

RE: 33 South Goff Street, PID # 240-275

Dear Safeguard Properties:

This office sent you a Notice of Violation ordering you to correct the violation(s) listed below at the property:

33 South Goff Street  
Auburn, ME 04210  
PID#: 240275000

**Violation: Chapter 12, Sec 12-76; IBC 2009, Chapter 1, Section 116**

**Description:** UNSAFE STRUCTURES AND EQUIPMENT

**Revision: 116.1 Conditions:** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**Corrective Action:** Secure all points of entry into the building and "board-up" all windows on the first floor to prevent break-ins.

**Compliance Date:** 01/08/14

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of one hundred and five dollars (\$105) to the City of Auburn. **This penalty amount must be received by this office within seven days of receiving this citation.** Payment of this fine may be made in person or by mail

60 Court Street • Suite 104 • Auburn, ME 04210  
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax  
[www.auburnmaine.org](http://www.auburnmaine.org)



to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

**You are further ordered to correct the violation by the Compliance Date listed above.** Failure to correct the violation by the compliance date will result in the issuance of a second citation with a civil penalty in the amount of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Zachary Lenhert**  
Code Compliance Officer  
Assessing & Planning Assistant  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
zlenhert@auburnmaine.gov

Cc: Eric Cousens, Director of Planning and Permitting  
Hal Barter, Code Compliance Officer

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning & Permitting

### FIRST CITATION

### NOTICE OF CIVIL PENALTY

VIA FIRST CLASS & CERTIFIED MAIL

RETURN RECEIPT REQUESTED

**CODE-1456-2013**

January 9, 2014

Safeguard Properties  
c/o Code Compliance  
2400 Lakeside Blvd  
Richardson, TX 75082

RE: 33 South Goff Street, PID # 240-275

Dear Safeguard Properties:

This office sent you a Notice of Violation and first citation ordering you to correct the violation(s) listed below at the property:

33 South Goff Street  
Auburn, ME 04210  
PID#: 240275000

**Violation: Chapter 12, Sec 12-76; IBC 2009, Chapter 1, Section 116**

**Description:** UNSAFE STRUCTURES AND EQUIPMENT

**Revision: 116.1 Conditions:** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**Corrective Action:** Secure all points of entry into the building and "board-up" all windows on the first floor to prevent break-ins.

**Compliance Date:** 01/15/14

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of two hundred and ten dollars (\$210.00) to the City of Auburn. **This penalty amount must be received by this office within seven days of receiving this citation.** Payment of this fine may be made in person or by mail

60 Court Street • Suite 104 • Auburn, ME 04210  
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax  
[www.auburnmaine.org](http://www.auburnmaine.org)



to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

**You are further ordered to correct the violation by the Compliance Date listed above.**

Failure to correct the violation by the compliance date will result in the issuance of a third citation with a civil penalty in the amount of four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Zachary Lenhert**

Code Compliance Officer

Assessing & Planning Assistant

**City of Auburn**

60 Court Street

Auburn, ME 04210

(207) 333-6601 Ext. 1150

zlenhert@auburnmaine.gov

Cc: Eric Cousens, Director of Planning and Permitting  
Hal Barter, Code Compliance Officer

# City of Auburn, Maine

*"Maine's City of Opportunity"*

Office of Planning & Permitting

## **THIRD CITATION**

### **NOTICE OF CIVIL PENALTY**

VIA FIRST CLASS & CERTIFIED MAIL

RETURN RECEIPT REQUESTED

**CODE-1456-2013**

January 30, 2014

Safeguard Properties  
c/o Code Compliance  
2400 Lakeside Blvd  
Richardson, TX 75082

RE: 33 South Goff Street, PID # 240-275

Dear Safeguard Properties:

This office sent you a Notice of Violation and first & second citations ordering you to correct the violation(s) listed below at the property:

33 South Goff Street  
Auburn, ME 04210  
PID#: 240275000

**Violation: Chapter 12, Sec 12-76; IBC 2009, Chapter 1, Section 116**

**Description:** UNSAFE STRUCTURES AND EQUIPMENT

**Revision: 116.1 Conditions:** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**Corrective Action:** Secure all points of entry into the building including but not limited to small front access door to basement and "board-up" all windows on the first floor to prevent break-ins.

**Compliance Date:** 02/08/14

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of two hundred and ten dollars (\$210.00) to the City of Auburn. **This penalty amount must be received by this office within seven days of receiving this citation.** Payment of this fine may be made in person or by mail

60 Court Street • Suite 104 • Auburn, ME 04210  
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax  
[www.auburnmaine.org](http://www.auburnmaine.org)



to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

**You are further ordered to correct the violation by the Compliance Date listed above.** Failure to correct the violation by the compliance date will result in the issuance of a third citation with a civil penalty in the amount of four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Zachary Lenhert**  
Code Compliance Officer  
Assessing & Planning Assistant  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
zlenhert@auburnmaine.gov

Cc: Eric Cousens, Director of Planning and Permitting  
Hal Barter, Code Compliance Officer



33 South Goff St. – 01/29/2014

# City of Auburn, Maine

*"Maine's City of Opportunity"*

Office of Planning & Permitting

## FOURTH CITATION

### NOTICE OF CIVIL PENALTY

VIA FIRST CLASS & CERTIFIED MAIL

RETURN RECEIPT REQUESTED

**CODE-1456-2013**

February 27, 2014

Safeguard Properties  
c/o Code Compliance  
2400 Lakeside Blvd  
Richardson, TX 75082

RE: 33 South Goff Street, PID # 240-275

Dear Safeguard Properties:

This office has sent you a Notice of Violation and three citations ordering you to correct the violation(s) listed below at the property:

33 South Goff Street  
Auburn, ME 04210  
PID#: 240275000

**Violation: Chapter 12, Sec 12-76; IBC 2009, Chapter 1, Section 116**

**Description:** UNSAFE STRUCTURES AND EQUIPMENT

**Revision: 116.1 Conditions:** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**Corrective Action:** Secure all points of entry into the building including but not limited to the **small front access door to the basement** and "board-up" all windows on the first floor to prevent break-ins.

**Compliance Date:** 03/11/2014

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of eight hundred and forty dollars (\$840.00) to the City of Auburn. **This penalty amount must be received by this office within seven days of receiving this citation.** Payment of this fine may be made in person or by mail

60 Court Street • Suite 104 • Auburn, ME 04210  
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax  
[www.auburnmaine.org](http://www.auburnmaine.org)



to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

**You are further ordered to correct the violation by the Compliance Date listed above.** Failure to correct the violation by the compliance date will result in the issuance of subsequent citations of eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Zachary Lenhert**  
Code Compliance Officer  
Assessing & Planning Assistant  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
zlenhert@auburnmaine.gov

Cc: Eric Cousens, Director of Planning and Permitting  
Hal Barter, Code Compliance Officer



33 South Goff St.

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning & Permitting

### FIFTH CITATION

### NOTICE OF CIVIL PENALTY

VIA FIRST CLASS & CERTIFIED MAIL

RETURN RECEIPT REQUESTED

**CODE-1456-2013**

March 12, 2014

Safeguard Properties  
c/o Code Compliance  
2400 Lakeside Blvd  
Richardson, TX 75082

RE: 33 South Goff Street, PID # 240-275

Dear Safeguard Properties:

This office has sent you a Notice of Violation and multiple citations ordering you to correct the violation(s) listed below at the property:

33 South Goff Street  
Auburn, ME 04210  
PID#: 240275000

**Violation: Chapter 12, Sec 12-76; IBC 2009, Chapter 1, Section 116**

**Description:** UNSAFE STRUCTURES AND EQUIPMENT

**Revision: 116.1 Conditions:** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**Corrective Action:** Secure all points of entry into the building including but not limited to the **small front access door to the basement** and "board-up" all windows on the first floor to prevent break-ins.

**Compliance Date:** 03/19/2014

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of eight hundred and forty dollars (\$840.00) to the City of Auburn. **This penalty amount must be received by this office within seven days of receiving this citation.** Payment of this fine may be made in person or by mail

60 Court Street • Suite 104 • Auburn, ME 04210  
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax  
[www.auburnmaine.org](http://www.auburnmaine.org)



to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

**You are further ordered to correct the violation by the Compliance Date listed above.** Failure to correct the violation by the compliance date will result in the issuance of subsequent citations of eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Zachary Lenhert**  
Code Compliance Officer  
Assessing & Planning Assistant  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
zlenhert@auburnmaine.gov

Cc: Eric Cousens, Director of Planning and Permitting  
Hal Barter, Code Compliance Officer



33 South Goff St. - 3/11/14

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Safeguard Properties  
c/o Code Compliance  
2400 Lakeside Blvd  
Richardson, TX 75082

re: 240-275

2. Article Number

(Transfer from service label)

7009 3410 0000 5860 1239

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Gindi Richards* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

*Linda Richards*

C. Date of Delivery

*2/3/17*

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Safeguard Properties  
c/o Code Compliance  
2400 Lakeside Blvd  
Richardson, TX 75082

2. Article Number

(Transfer from service label)

7009 3410 0000 5860 1277

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *[Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

*L. Richards*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

EXHIBIT  
H



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: SAFEGUARD PROPERTIES % CODE COMPLIANCE 2400 LAKESIDE BLVD RICHARDSON, TX 75082  RE: 240-275		B. Received by (Printed Name)	C. Date of Delivery
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7009 1680 0000 4005 8600	
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Safeguard Properties % Code Compliance 2400 Lakeside Blvd Richardson, TX 75082  RE: 240-275		B. Received by (Printed Name)	C. Date of Delivery
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7005 1160 0005 0010 5795	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature X <i>Breeta Brown</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <i>Safeguard Properties</i> <i>40 Code Compliance</i> <i>2400 Lakeside Blvd</i> <i>Richardson, TX 75082</i>		B. Received by (Printed Name)	C. Date of Delivery
2. Article Number <i>240-275</i> <small>(Transfer from service label)</small>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail		<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes			
PS Form 3811, February 2004		7011 0110 0001 1718 1938 Domestic Return Receipt 102595-02-M-1540	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature X <i>Passion Mail</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <i>Safeguard Properties</i> <i>2400 Lakeside Blvd</i> <i>Richardson, TX 75082</i>		B. Received by (Printed Name) <i>Passion Mail</i>	C. Date of Delivery <i>3-18-14</i>
2. Article Number		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail		<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	



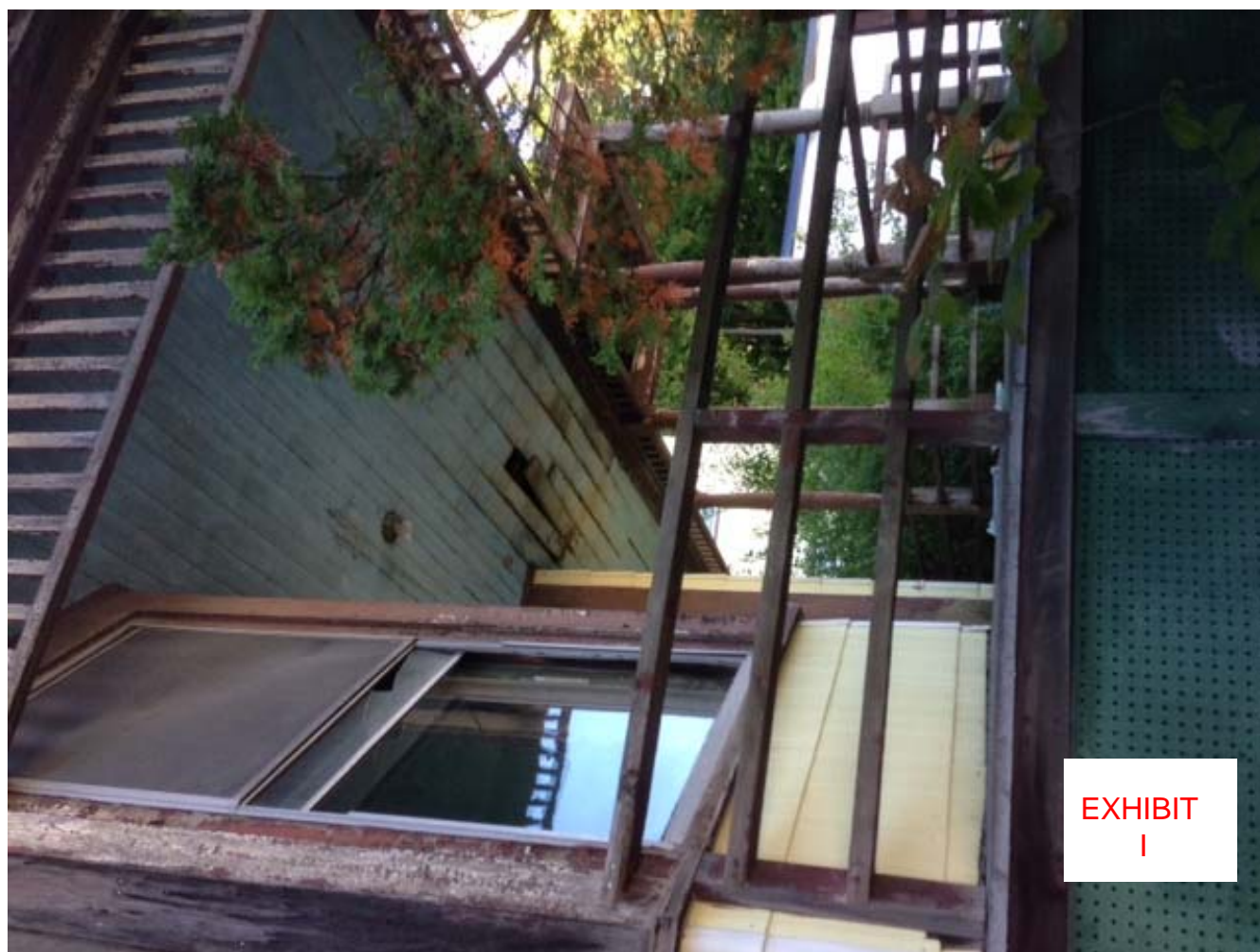


EXHIBIT  
I







MOLD THROUGHTOUT BUILDING





**MAJOR STRUCTURAL DAMAGE;  
FLOOR AND CEILING HAVE COLLAPSED**



**2ND STORY FLOOR / 1ST STORY  
CEILING COLLAPSED IN REAR OF  
BUILDING**





**CITY OF AUBURN CITY COUNCIL  
FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND ORDER OF DEMOLITION**

**33 SOUTH GOFF STREET**

On November 3, 2014 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the residential structure (the “Structure”) at 33 South Goff Street in Auburn, Maine, identified as Lot 275 on Tax Map 240, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 2795, Page 326 (the “Premises”), is dangerous or a nuisance pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structure be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest:

---

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structure are owned by Edward L. Gilbert and/or his unknown heirs (the “Owner”). Planning, Permitting & Code Department (“Department”) Exhibit A.
2. As Mr. Gilbert is believed to be deceased, and his heirs were not readily ascertainable with due diligence, the Owner was served with the notice required by 17 M.R.S. § 2851 (the “Notice”) by publication in the Lewiston Sun Journal on October 8, 15, and 22, 2014, pursuant to 17 M.R.S. § 2851(2). Department Exhibit C.
3. Party-in-Interest Bank of America, NA was served with a copy of the Notice on October 7, 2014. Department Exhibit D.
4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9017 and Page 78. Planning Department Exhibit B.
5. The Structure is structurally unsafe and unstable.
6. The Structure is abandoned and is unfit for human occupancy due to extensive water damage, mold growth, structural damage, the separation of an addition from the main part of the Structure, a crumbling foundation and damage to the interior.
7. The Structure is unsanitary due to mold growth and exposure to the elements.
8. The Structure has not been maintained.
9. The Structure poses a significant fire threat to itself and to neighboring residences due to its state of decline, its abandonment, and its attractiveness to vandals.
10. The Owner has been given the opportunity to remedy the conditions at the Premises but has failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:



11. The Structure is structurally unsafe and unstable.
12. The Structure is unsanitary.
13. The Structure constitutes a fire hazard.
14. The Structure is unsuitable and improper for human habitation.
15. The Structure is a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
16. The Structure is dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structure is a nuisance and is a dangerous building, and the Council hereby concludes that the Structure at 33 South Goff Street is a nuisance and a dangerous building within the meaning of 17 M.R.S. § 2851.

#### Order

Having found that the Structure at 33 South Goff Street is a nuisance and a dangerous building within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

17. That the Owner, and/or his successors or assigns, demolish the Structure, remove all debris, and stabilize the site within thirty (30) days of service of this Order.

18. That if the Owner, and/or his successors or assigns, fails to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.

19. That within thirty (30) days after demand by the City, the Owner, and/or his successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.

20. That if the Owner, and or his successors and assigns, fails to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

*This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.*

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on November 3, 2014, the City of Auburn City Council adopted the above Order.

Dated:

\_\_\_\_\_  
Susan Clements-Dallaire  
City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

November \_\_, 2014

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

\_\_\_\_\_  
Notary Public/Attorney at Law

**NOTICE OF HEARING**  
**Pursuant to 17 M.R.S. §§ 2851-59**  
**Dangerous Buildings**

Edward L. Gilbert  
33 South Goff St.  
Auburn Maine 04210

Bank of America, NA  
c/o CT Corporation System  
1536 Main Street  
Readfield, Maine 04355

**33 SOUTH GOFF STREET, AUBURN, MAINE**

You are hereby notified that the City Council of the City of Auburn, Maine will hold a hearing on:

November 3, 2014 at 7:00 pm  
Auburn City Hall  
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structure at 33 South Goff Street, Auburn, Maine, identified as Lot 275 on Tax Map 240, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2795, Page 326, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

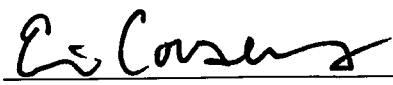
Dated: October 6, 2014

  
Susan Clements-Dallaire

STATE OF MAINE  
ANDROSCOGGIN, ss

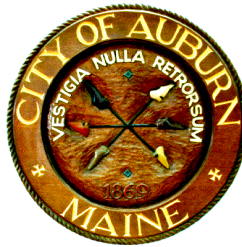
October 6, 2014

Before me this day personally appeared Sue Clements-Dallaire, who acknowledges the foregoing instrument to be her free act and deed.

  
Notary Public / ~~Attorney at Law~~

ERIC J. COUSENS  
Notary Public, Maine  
My Commission Expires January 24, 2015

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

**ORDER 92-11032014**

### **CITY OF AUBURN CITY COUNCIL FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF DEMOLITION**

#### **33 SOUTH GOFF STREET**

On November 3, 2014 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the residential structure (the "Structure") at 33 South Goff Street in Auburn, Maine, identified as Lot 275 on Tax Map 240, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 2795, Page 326 (the "Premises"), is dangerous or a nuisance pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structure be demolished.

#### Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest:

---

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structure are owned by Edward L. Gilbert and/or his unknown heirs (the "Owner"). Planning, Permitting & Code Department ("Department") Exhibit A.
2. As Mr. Gilbert is believed to be deceased, and his heirs were not readily ascertainable with due diligence, the Owner was served with the notice required by 17 M.R.S. § 2851 (the "Notice") by publication in the Lewiston Sun Journal on October 8, 15, and 22, 2014, pursuant to 17 M.R.S. § 2851(2). Department Exhibit C.
3. Party-in-Interest Bank of America, NA was served with a copy of the Notice on October 7, 2014. Department Exhibit D.
4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9017 and Page 78. Planning Department Exhibit B.
5. The Structure is structurally unsafe and unstable.
6. The Structure is abandoned and is unfit for human occupancy due to extensive water damage, mold growth, structural damage, the separation of an addition from the main part of the Structure, a crumbling foundation and damage to the interior.
7. The Structure is unsanitary due to mold growth and exposure to the elements.
8. The Structure has not been maintained.
9. The Structure poses a significant fire threat to itself and to neighboring residences due to its state of decline, its abandonment, and its attractiveness to vandals.

10. The Owner has been given the opportunity to remedy the conditions at the Premises but has failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

- 11. The Structure is structurally unsafe and unstable.
- 12. The Structure is unsanitary.
- 13. The Structure constitutes a fire hazard.
- 14. The Structure is unsuitable and improper for human habitation.
- 15. The Structure is a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
- 16. The Structure is dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structure is a nuisance and is a dangerous building, and the Council hereby concludes that the Structure at 33 South Goff Street is a nuisance and a dangerous building within the meaning of 17 M.R.S. § 2851.

Order

Having found that the Structure at 33 South Goff Street is a nuisance and a dangerous building within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

17. That the Owner, and/or his successors or assigns, demolish the Structure, remove all debris, and stabilize the site within thirty (30) days of service of this Order.

18. That if the Owner, and/or his successors or assigns, fails to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.

19. That within thirty (30) days after demand by the City, the Owner, and/or his successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.

20. That if the Owner, and or his successors and assigns, fails to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

*This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.*

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on November 3, 2014, the City of Auburn City Council adopted the above Order.

Dated:

\_\_\_\_\_  
Susan Clements-Dallaire  
City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

November \_\_, 2014

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

\_\_\_\_\_  
Notary Public/Attorney at Law



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 11-3-2014

**Order** 93-11032014

**Author:** Reine Mynahan, Community Development Director

**Subject:** Sale of Land Acquired with Neighborhood Stabilization Program Funds

**Information:** Through the Community Development Block Grant Program several buildings were demolished in 2013. Abutting owners of two of the properties made offers last year to purchase a portion of the land at 143 Hampshire Street and the complete lot 325 Turner Street. Donald Tardiff and Nurria Koss wish to move forward with the purchases.

The offer from Donald Tardiff of 86 Webster Street is for land that is approximately 50' x 90' x 70' x 65', a portion of the 143 Hampshire Street lot. This portion is the third parcel described in the deed for this lot. At one time, this lot was separate from the Hampshire Street property. Mr. Tardiff intends to utilize the extra land for gardening and open space.

Nurria Koss owns a rental property adjacent to 325 Turner Street and is interested in purchasing the entire lot, 50' x 100'. This is a buildable lot for a single family dwelling, but Ms. Koss intends to own the land as open space to be used by tenants of her building.

**Advantages:** Mr. Tardiff would place a fence along the property line to stop people from cutting through his back yard. This would give him more privacy and allow him to expand his garden. Mr. Tardiff explained that at one time there was a fence 3 feet off his property that he had to remove in order to paint his home. The sale of the Turner Street property would increase open and parking space for a lot that has very little excess space. The lot would become a 100' x 100' lot.

**Disadvantages:** None

**City Budgetary Impacts:** The Neighborhood Stabilization Program will wrap up this year in the red. We awarded the parking lot bid last year not knowing how much the sale of the last NSP property would bring. My charge was to spend all of the NSP funds and not leave any dollars unused. The sale of 26 Cook Street brought in less than we had hoped creating a deficit in that grant. The sale will reduce the deficit from \$8,157.97 to \$1,157.97.

**Staff Recommended Action:** Accept offers and authorize City Manager to sign deed.

**Previous Meetings and History:** These offers were considered by the City Council in January 2014. There was discussion amongst City Councilors that the lot on Turner Street could be redeveloped into a single family dwelling. There is currently no demand for this type of development. Department heads were asked to give input on the sale, and no concerns were expressed.

**Attachments:** Offers from Donald Tardiff and Nurria Koss, maps and deed description for portion of land at 143 Hampshire Street.

City Manager or Assistant City Manager signature:

Date:

10-30-14

November 10, 2013

City of Auburn

Community Development

Attn: Reine Mynahan

Dear Ms.

I own a house and lot 50' x 99' at 86 Webster St. Abutting the lot I am interested in and I am submitting an offer of two thousand dollars (\$2000.00) for abutting lot owned by City of Auburn. Abutting lot is roughly 50' x 99' x 70' x 65 as described in rough in a drawing. I would like to acquire lot as a buffer between city own public park area and my property. I would like to landscape and improve the lot with garden area and yard for my property as I have a very small backyard on my lot.

Thank you for considering my offer.

Sincerely,



Donald Tardif

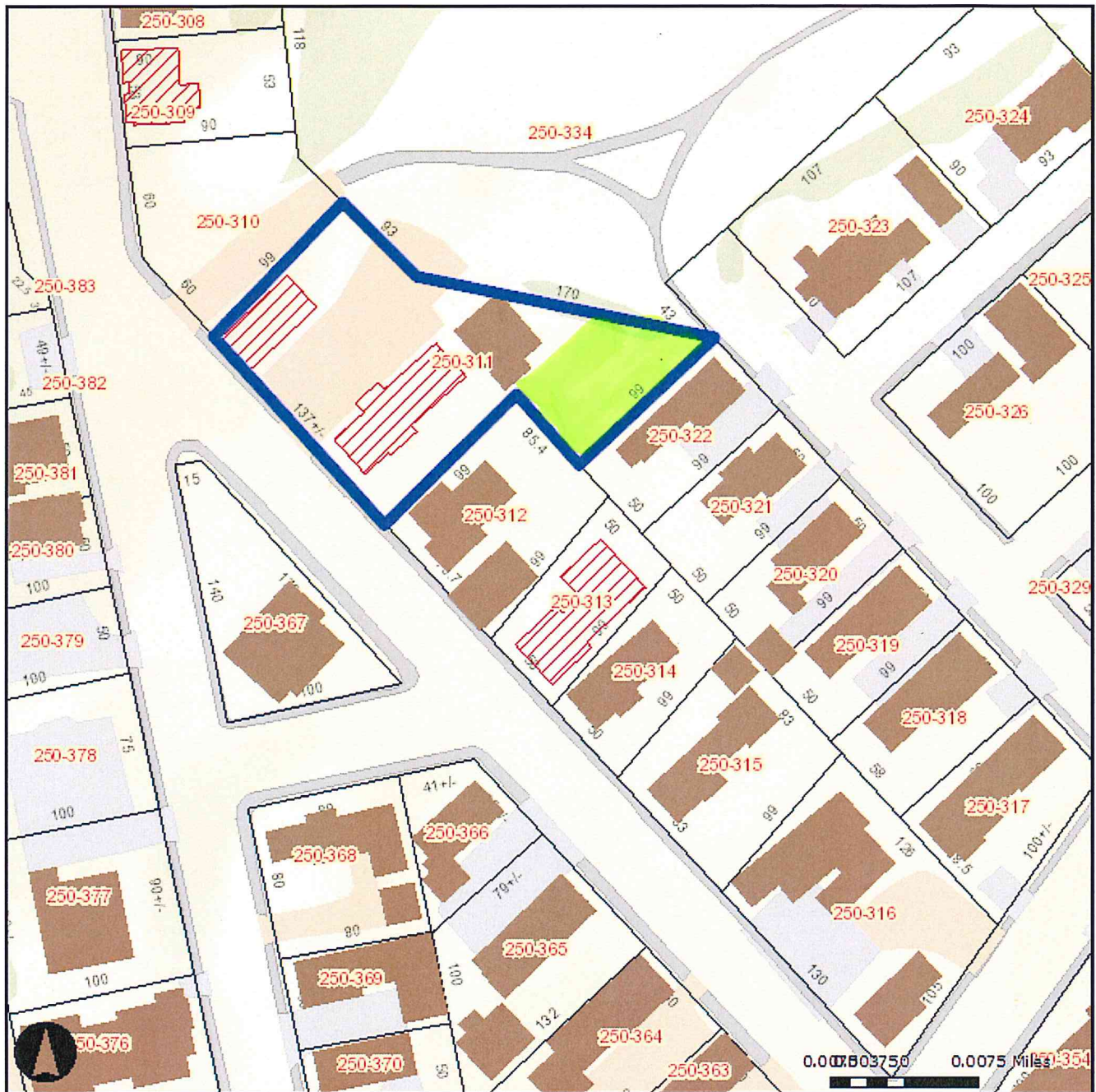
86 Webster St

Auburn, Me 04210

phone 786-3939



# Map: 143 Hampshire Street



PARCEL DESCRIPTION  
CITY OF AUBURN TO DONALD R. TARDIFF

A certain lot or parcel of land situated on the southwesterly side of Webster St in the City of Auburn, County of Androscoggin, State of Maine bounded and described as follows:

Beginning on the southwesterly line of Webster Street, formerly named Manley Street, at the northerly corner of lot number twelve (12) according to a plan entitled "Plan of Lots in Auburn, Surveyed for Hosea Maily," dated September 1866, and recorded in the Androscoggin County Registry of Deeds, Book of Plans, Volume 1, Book 2, Page 40, No. 45;

Thence southwesterly by the northwesterly side line of lot No. 12, ninety-nine (99) feet to the land conveyed to Darlene Conant and Christopher Conant by deed of Granite Peak, LLC, dated March 30, 2006 and recorded at the Androscoggin County Registry of Deeds in Book 6715, Page 228;

Thence northwesterly by the land of said Conant to the southeasterly line of the First Parcel as described in the deed of Stanley Buczkowski to the City of Auburn, dated August 26, 2013, and recorded at the Androscoggin County Registry of Deeds in Book 8758, Page 243;

Thence northeasterly along the southeasterly line of the First Parcel as described in said deed to other land of the City of Auburn as described by deed of the Auburn Sewerage District to the City of Auburn, dated July 14, 1975 and recorded in said registry in Book 1168, Page 229;

Thence northeasterly along said other land of the City of Auburn to the southwesterly line of Webster Street and the point of beginning.

Said parcel of land containing four thousand and sixty (4060+/-) square feet, more or less, and being the same as the Third Parcel as described in the deed of Stanley Buczkowski to the City of Auburn, dated August 26, 2013, and recorded at the Androscoggin County Registry of Deeds in Book 8758, Page 243.

January 14, 2014.

Reine Mynahan.  
Community Development Director.

My name is Nunia Koss, I am the owner of 329 Turner St.  
and I am interested in buying the land at 325 Turner St.  
my offer is for \$5000.00 five thousand dollars.

Nunia C. Koss.  
344-4280.



[illegible]

November 10, 2013

City of Auburn

Community Development

Attn: Reine Mynahan

Dear Ms.

I own a house and lot 50' x 99' at 86 Webster St. Abutting the lot I am interested in and I am submitting an offer of two thousand dollars (\$2000.00) for abutting lot owned by City of Auburn. Abutting lot is roughly 50' x 99' x 70' x 65 as described in rough in a drawing. I would like to acquire lot as a buffer between city own public park area and my property. I would like to landscape and improve the lot with garden area and yard for my property as I have a very small backyard on my lot.

Thank you for considering my offer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald Tardif', written in a cursive style.

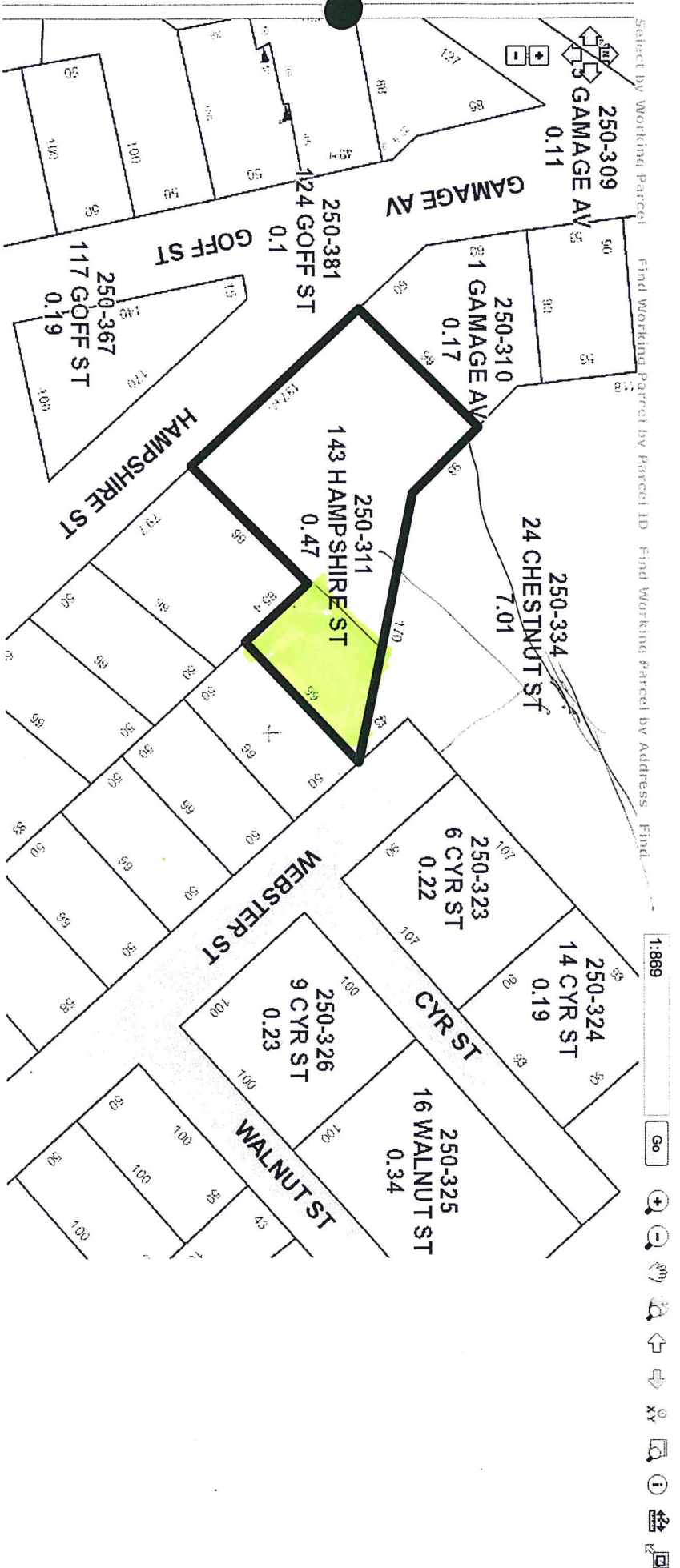
Donald Tardif

86 Webster St

Auburn, Me 04210

phone 784-3939





# Marc D'Agostino



65 Webster Street • Auburn, Maine 04210 • Phone: 207-333-1645  
E-Mail: madagostino75@gmail.com

December 30, 2013

Reine Mynahan  
Director of Community Development  
City of Auburn  
60 Court Street  
Auburn, Maine  
04210

Dear Ms. Mynahan,

I am writing you this letter to follow up a phone conversation that we had about a month or so ago concerning the lot at 61 Webster Street. As we had discussed, I live at 65 Webster Street and this parcel is right next to me. I had expressed my interest in purchasing this property if it was available and you suggested that I write to you in order to make an offer to purchase this parcel.

If the parcel is indeed available for sale, I would be interested in purchasing it for \$7500 in cash. Although the assessed value based on my research is at approximately \$14000, I feel this sale to me would be beneficial to the City of Auburn, because it would put the property back on the tax rolls, maintenance would become my responsibility, and for Community Development purposes, the parcel would be owned by a resident in the Webster School neighborhood; thus being inline with general Community Development goals.

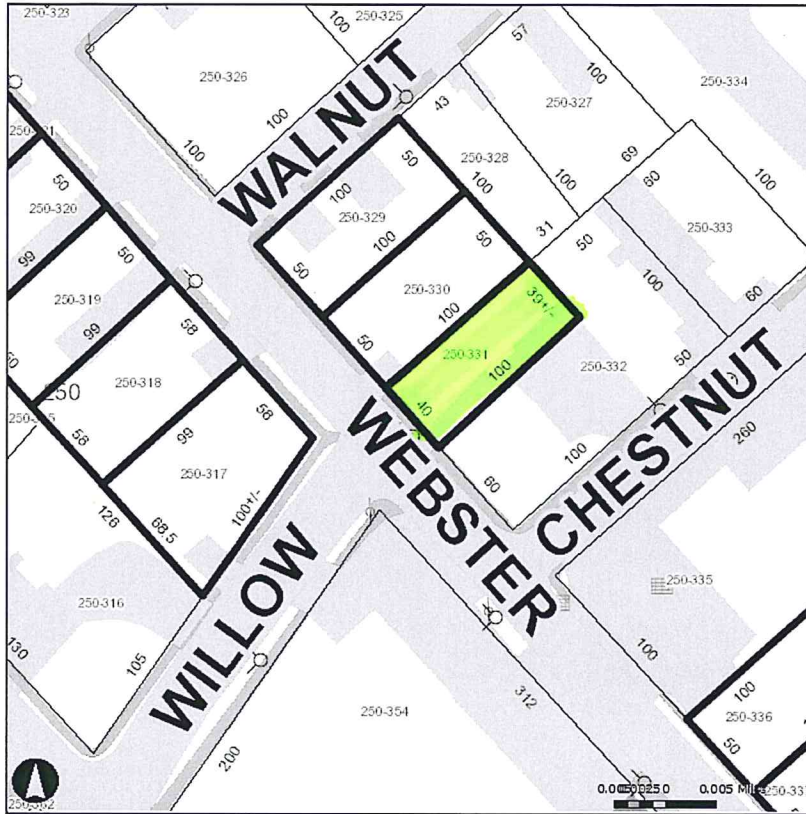
I look forward to discussing this matter with you further at your convenience once you have had a chance to review it. Please feel free to contact me at 207-333-1645.

Sincerely,

Marc D'Agostino



## Map



250-331 (1)

Parcel IDs (1)

OBJECTID	MAP	LOT	SUBLOT	PID	CHANGED	ParcelID	Loc	NBC	Webpro	AccountNumber	UserAccount	Number	AltStreet	StreetName	LocCity	CondoUnit	Owner1	Owner2	Owner3
4254	250	331	000	250331000	Null	250-331	61 WEBSTER ST	R3	WebPro Summary Page	6682	250331000	61	Null	WEBSTER ST	Null	Null	AUBURN CITY OF	null	null

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam Lee, Ward Four



Jonathan P. LaBonte, Mayor

Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

## **IN CITY COUNCIL**

### **ORDER 93-11032014**

ORDERED, that the City Council authorize the City Manager to execute a deed for the sale of a portion of 143 Hampshire Street and 325 Turner Street.





## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 11-3-2014

**Order** 94-11032014

**Author:** Reine Mynahan, Community Development Director

**Subject:** Acquisition of Main Street Parcel

**Information:** At the request of the City, the subdivision plan for Academy Street Townhouses included separation of a small portion of land on Main Street. The intent was to donate the parcel to the City for future development. The transfer of title occurred in March 2013.

Funding for development of the townhouses came from the U. S. Department of Housing and Urban Development, with Maine Department of Economic and Community Development as the grantee, the City of Auburn as a sub-grantee, and CEI Housing Inc. as a partner. Both the developer and City staff had understood that the gift was an appropriate one; however, when the transaction was reviewed by the Department of Economic and Community Development, they indicated that the lot remained subject to the Neighborhood Stabilization Program regulations. To exempt it from the restrictions imposed by that grant, the City would have to pay for the purchase or the land has to be returned to the project. At this time, all of the legal work for this development is complete and the developer is not interested in taking back the title since there would be another expense involved.

The Department of Economic and Community Development has agreed to a sale price of \$10,000. This number was established by Chad Sylvester, Commercial Sales and Leasing Broker in a Market Analysis and Broker Opinion of Value of the new parcel. The acquisition will be paid from bond funds earmarked for acquisition/demolition.

**Advantages:** Provides an opportunity for the City to encourage development along Main Street that meets the new Form Based Code standards.

**Disadvantages:** None

**City Budgetary Impacts:** None

**Staff Recommended Action:** Authorize payment for the parcel.

**Previous Meetings and History:** None

**Attachments:** Market Analysis and Broker Opinion of Value, Deed, and map

City Manager or Assistant City Manager signature:

Date:

10-30-14

Market Analysis  
And  
Broker Opinion of Value

For:

**261 Main Street  
Auburn, Maine 04210**

By:

**Chad Sylvester**  
Commercial Sales and Leasing, Associate Broker



Fontaine Family- The Real Estate Leader  
336 Center St  
Auburn, Maine 04210  
207-784-3800  
[www.brendafontaine.com](http://www.brendafontaine.com)



Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID 231-004	Account Number 231004000
Prior Parcel ID --	
Property Owner AUBURN CITY OF	Property Location 261 MAIN ST
	Property Use SINGLEFAMILY
Mailing Address 60 COURT ST	Most Recent Sale Date 3/8/2013
	Legal Reference 8632-345
City AUBURN	Grantor CEI HOUSING INC,
Mailing State ME Zip 04210	Sale Price 0
ParcelZoning	Land Area 0.220 acres

Current Property Assessment

Card 1 Value	Building Value 0	Xtra Features Value 5,100	Land Value 55,000	Total Value 60,100
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Building Description

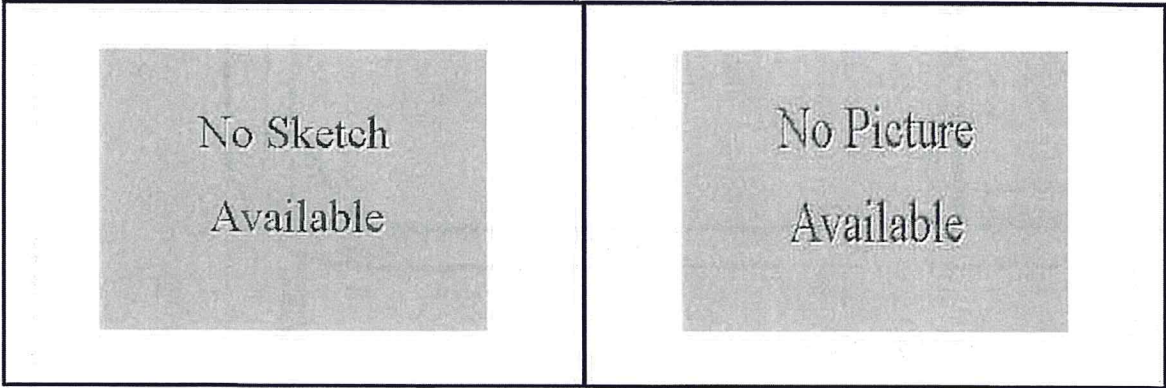
Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units N/A	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

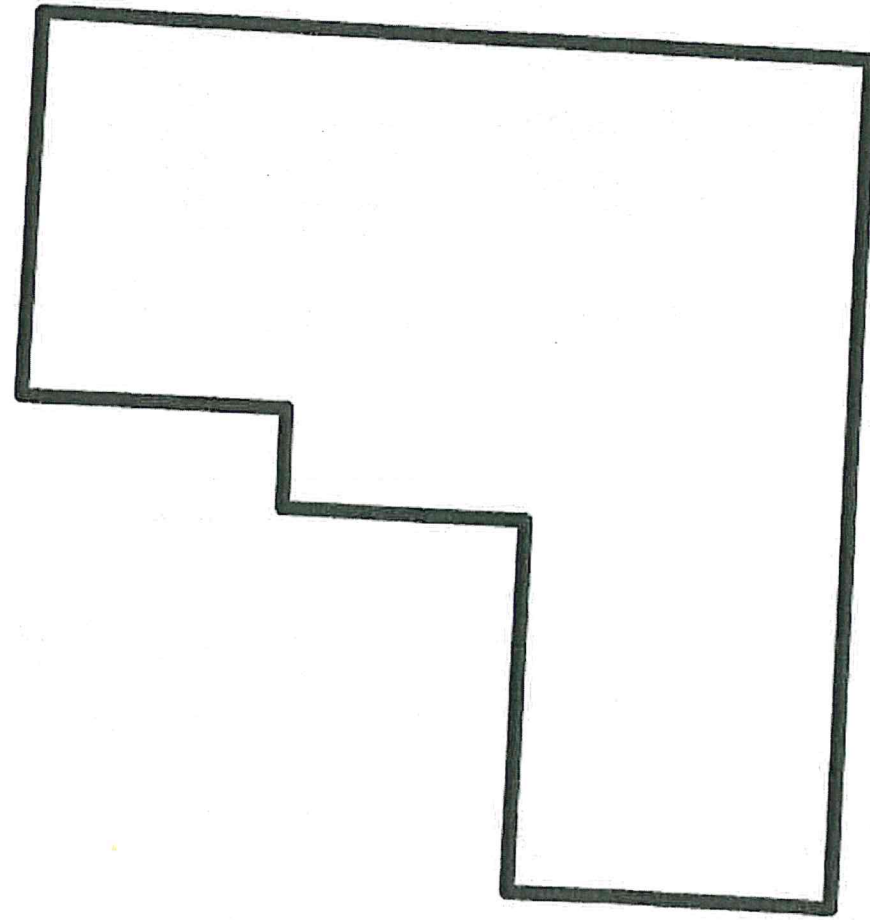
Narrative Description of Property

This property contains 0.220 acres of land mainly classified as SINGLEFAMILY with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



0.0020010 0.002 Miles  
■ ■ ■



2012 Maine Transportation Count Book

County											
Androscoggin											
TOWN		STATION	ROAD	LOCATION	TYPE	GROUP	AADT08	AADT09	AADT10	AADT11	AADT12
01	AUBURN	07016	0011W	SR 11/121 (MINOT AVE)(WB) SW/O POLAND RD	S	I	.	.	.	5460	.
01	AUBURN	00103	0011X	SR 11/US 202 E/O GREAT FLS @ BR 3076	C	I	31020	.	.	30700	.
01	AUBURN	00107	0011X	SR 11/US 202 (COURT) W/O GREAT FALLS PZ	C	I	27590	.	.	27990	.
01	AUBURN	00503	0011X	SR 11/100/US 202 (COURT ST) E/O UNION ST	C	I	17290	17880	.	17610	.
01	AUBURN	04806	0011X	SR 11/121(MINOT) SW/O CUT TO TYLER/US202	C	I	14910	.	.	13890	.
01	AUBURN	07006	0011X	SR 11/121 (MINOT AVE)(EB) SW/O POLAND RD	S	I	10860	.	.	4700	.
01	AUBURN	07903	0011X	SR 11/121 (MINOT AVE) E/O HOTEL RD	C	I	15610	.	.	14590	.
01	AUBURN	07907	0011X	SR 11/121 (MINOT AVE) W/O HOTEL RD	C	I	15910	.	.	15660	.
01	AUBURN	08707	0011X	SR 11/121 (MINOT AVE) W/O GARFIELD RD	C	I	13550	.	.	13400	.
01	AUBURN	19900	0011X	SR 11/121 (MINOT AVE) @ MINOT TL	C	I	11560	.	.	11840	.
01	AUBURN	10700	0122X	SR 122 (POLAND SPR) @ NEW GLOUCESTER TL	C	I	4840	.	.	4190	.
01	AUBURN	17604	0122X	SR 122 (POLAND SPRING RD) SE/O HOTEL RD	C	I	.	.	.	2320	.
01	AUBURN	02703	0136X	SR 136 (MILL ST) E/O SECOND ST (E JCT)	C	I	4410	.	.	.	.
01	AUBURN	04201	0136X	SR 136 (MAIN ST) N/O ACADEMY ST	C	I	.	10390	.	10330	.
01	AUBURN	04205	0136X	SR 136 (MAIN ST) S/O ACADEMY ST @ BR0057	C	I	18160	16220	.	17300	.
01	AUBURN	05103	0136X	SR 136 (MILL ST) E/O S MAIN ST	T	I	13280	11720	.	.	.
01	AUBURN	05108	0136X	SR 136 (MAIN ST) NW/O SR 136 (MILL ST)	C	I	18150	16050	.	16940	.
01	AUBURN	05203	0136X	SR 136 (MILL ST) E/O BROAD ST	T	I	.	4410	.	.	.
01	AUBURN	05207	0136X	SR 136 (MILL ST) W/O BROAD ST	C	I	12190	11450	.	11550	.
01	AUBURN	05408	0136X	SR 136 (RIVERSIDE DR) NW/O DUNN ST	C	I	6490	.	.	.	.
01	AUBURN	10400	0136X	SR 136 (RIVERSIDE DR) @ DURHAM TL	C	I	4480	.	.	4550	.
01	AUBURN	16804	0136X	SR 136 (RIVERSIDE DR) SE/O PENLEY CNR RD	C	I	.	.	.	4800	.
01	AUBURN	02808	01460	RAMP TO LAKE ST (OW) NW/O LAKE ST	C	I	480	.	.	.	.
01	AUBURN	03411	02162	TURNER ST (SB) N/O MT AUBURN AVE	C	I	.	.	.	5400	.
01	AUBURN	03415	02162	TURNER ST (SB) S/O MT AUBURN AVE	C	I	.	.	.	5720	.
01	AUBURN	04207	10001	ACADEMY ST W/O SR 136 (MAIN ST)	T	I	9910	8390	.	.	.
01	AUBURN	05202	10047	BROAD ST NE/O SECOND ST	T	I	12940	11680	.	.	.
01	AUBURN	05206	10047	BROAD ST SW/O SR 136 (MILL ST)	T	I	4470	4590	.	.	.
01	AUBURN	05302	10047	BROAD ST NE/O RIVERSIDE DR @ BR 3330	C	I	16040	.	.	14920	.
01	AUBURN	05502	10047	BROAD ST NE/O FOURTH ST	C	I	4350	.	.	.	.
01	AUBURN	15704	10051	BROWNS CNR RD SE/O OLD DNVILLE @BR#0074	S	I	.	.	.	70	.
01	AUBURN	00507	10079	COURT ST W/O SR 4 (UNION ST)	C	I	15540	17110	.	15410	.
01	AUBURN	00907	10079	COURT ST W/O PROSPECT ST	C	I	13520	.	.	.	.
01	AUBURN	08002	10079	COURT ST NE/O SR 11/121 (MINOT AVE)	C	I	12450	.	.	.	.



Land - AGENT SYNOPSIS

MLS#: 1034298      Status: Sold

LOT 0 HOTEL ROAD, Auburn, ME 04210

List Price: \$ 15,000

Original Price: \$ 15,000

List Date: 10/28/11

Assoc. Fee /Mo:

Neigh'd/Assoc:

Directions: FROM MINOT AVE TO LEFT ON HOTEL RD. LOOK FOR SIGN.

General/Land Information			
Lot Size (Acr)+/-:	1.370	Road Frontage+/-:	402
Surveyed:	Yes	Seasonal:	No
WtrFrt:	No	Water Body:	
Amt Wtr Frt+/-:		WtrFrt Owned+/-:	
		WtrFrt Shared+/-:	
Zoning: INDUSTRIAL			
Water Body Type:			
Remarks			
Amazing location for any business. This lot offers great exposure & is only minutes to turnpike. Build your business today.			

Property Features - NOTE: Check Detail Reports for complete list of Features.	
Site:	Rolling/Sloping, Well Landscaped
Driveway:	No Driveway
Parking:	No Parking
Location:	Business District, Industrial Park, Intown
Restrictions:	No Restrictions
Rec. Water:	
View:	
Roads:	Public, Paved
Transportation:	Major Road Access
Electric:	Other Electric
Gas:	No Gas
Waste Water Disp.:	Private
Water:	Public


Tax/Deed/Community Information		
Book/Page/Deed:	7498/251/All	Map/Block/Lot: 107/28
School District:		Full Tax Amount/Yr: \$ 244 / (11-12)

Off Market Information		
DOM: 117	Expiration Date: 10/30/12	Pending Date:02/22/12
Sold Price: \$ 16,400	Sold Terms: Cash	
Sold Date: 04/12/12	Sold Terms Other: Not Applicable	
Sell Office: Fontaine Family-The Real Estate Leader	Sell Office#: 2592	Sell Office Phone: 207-784-3800
Sell Agent: Clayton Larochele	Sell Agent ID#: 005860	
Appraiser: No Appraisal	Appraiser ID#: 888888	
Concessions: 0		


Listing Contact Information			
List Office:	Fontaine Family-The Real Estate Leader, 2592	Office:	207-784-3800
List Agent:	Clayton Larochele 005860	List Agent Ph:	207-784-3800 Ext.:301
List Agt Email:	clay@fontaineteam.com	List Agt Cell:	207-576-8524
CoList Agent:		CoList Agt Ph:	
CoList Email:		CoList Agt Cell:	
SAF/BAF/TBF:	/ \$1,250 /      / \$1,250 /		
Virtual Tour:			
Show Intr:	Call Listing Office, Sign On Property		

Internal Rmks/ Contingency: For showings call Angie 784-3800 EXT 307 OR 576-4416, Sq ft. is based on town records.

Information Printed by: Chad Sylvester 008488      Printed: 02/10/14

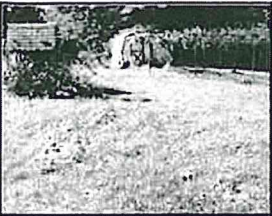


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Land - AGENT SYNOPSIS



MLS#: 1069645      Status: Sold  
1 Eagle View Drive, Auburn, ME 04210  
List Price: \$ 16,500  
Original Price: \$ 16,500  
List Date: 09/19/12  
Neigh'd/Assoc:  
Assoc. Fee /Mo:  
Directions: Rte 136 Riverside Drive to Vickery Rd, lot is on the corner of Vickery Rd and Eagle View Drive

General/Land Information			
Lot Size (Acr)+/-:	0.260	Road Frontage+/-:	192
Surveyed:	Yes	Seasonal:	No
WtrFrt:	No	Water Body:	
Amt Wtr Frt+/-:		WtrFrt Owned+/-:	
		WtrFrt Shared+/-:	
Zoning: Urban Resident			
Water Body Type:			

Remarks  
Lovely buildable lot with a scenic view, priced to sell in a quiet neighborhood, situated on the outskirts of Auburn in a rural setting, yet close to town and the turnpike, owner financing available

Property Features - NOTE: Check Detail Reports for complete list of Features.	
Site:	Open
Driveway:	No Driveway
Parking:	No Parking
Location:	Rural
Restrictions:	
Rec. Water:	
View:	
Roads:	Paved, Public
Transportation:	
Electric:	No Electric
Gas:	No Gas
Waste Water Disp.:	Public
Water:	Well Needed On Site


Tax/Deed/Community Information		
Book/Page/Deed:	6363/27/All	Map/Block/Lot: 184/017/001
School District:		Full Tax Amount/Yr: \$ 613 / (11-12)

Off Market Information		
DOM: 7	Expiration Date: 03/31/13	Pending Date:09/26/12
Sold Price: \$ 15,000	Sold Terms: Cash	
Sold Date: 10/10/12	Sold Terms Other: Not Applicable	
Sell Office: Maine Source Realty	Sell Office#: 1879	Sell Office Phone: 207-333-6001
Sell Agent: Mark Turner	Sell Agent ID#: 007391	
Appraiser: No Appraisal	Appraiser ID#: 888888	

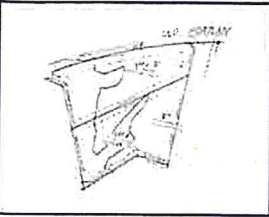
Listing Contact Information				
List Office:	ERA Worden Realty, 1063		Office:	207-784-0159
List Agent:	Cameron Hartley 015237		List Agent Ph:	207-784-0159 Ext.:320
List Agt Email:	<a href="mailto:chartley@eraworden.com">chartley@eraworden.com</a>		List Agt Cell:	207-577-1310
CoList Agent:			CoList Agt Ph:	
CoList Email:			CoList Agt Cell:	
SAF/BAF/TBF:	/ 2.50%	/ 2.50%		
Virtual Tour:				
Show Intr:	Call Listing Broker, Show Without Notice, Sign On Property			

Internal Rmks/ Owner financing available  
Contingency:  
Information Printed by: Chad Sylvester 008488

Printed: 02/10/14

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Land - AGENT SYNOPSIS



MLS#: 1013966      Status: Sold  
23 Portland Way, Auburn, ME 04210  
List Price: \$ 19,900  
Original Price: \$ 26,900  
List Date: 05/11/11  
Neigh'd/Assoc: Royal River Estates      Assoc. Fee /Mo:  
Directions: Rt. 4/100 towards New Gloucester from Auburn, right onto Poland Springs Rd/Rt. 122, take left onto Old Portland Rd, take left on Portland Way. Lot is 2nd on the right.

General/Land Information			
Lot Size (Acr)+/-:	1,130	Road Frontage+/-:	250
Surveyed:	Yes	Seasonal:	No
WtrFrt:	No	Water Body:	
Water Body Type:		WtrFrt Owned+/-:	
Amt Wtr Frt+/-:		WtrFrt Shared+/-:	
Zoning:	Rural HSLT		

Remarks  
Home or Mobile Home lot on the Portland side of Auburn in a rural area near turnpike. Building pkgs. available. Being lot #2 on plan of Royal River Estates. Septic design in attachments.

Property Features - NOTE: Check Detail Reports for complete list of Features.	
Site:	Level, Open
Driveway:	No Driveway
Parking:	No Parking
Location:	Interior Lot, Near Country Club, Neighborhood, Rural, Subdivision
Restrictions:	
Rec. Water:	Nearby, Public
View:	Fields, Woods
Roads:	Dead End, Gravel/Dirt Road, Public
Transportation:	Major Road Access, Near Airport
Electric:	No Electric
Gas:	No Gas
Waste Water Disp.:	None, Septic Needed On Site, Septic Design Available
Water:	None, Well Needed On Site

Tax/Deed/Community Information		
Book/Page/Deed:	7686/203/Partial	Map/Block/Lot: 79/70/2
Full Tax Amount/Yr:	\$ 599 / (10-11)	
School District:		

Off Market Information		
DOM: 783	Expiration Date: 09/29/13	Pending Date: 06/29/13
Sold Price: \$ 15,500	Sold Terms: Cash	
Sold Date: 09/13/13	Sold Terms Other: Not Applicable	
Sell Office: Fontaine Family-The Real Estate Leader	Sell Office#: 2592	Sell Office Phone: 207-784-3800
Sell Agent: Pat Long-Cressey	Sell Agent ID#: 006124	
Appraiser: No Appraisal	Appraiser ID#: 888888	

Listing Contact Information		
List Office:	Better Homes & Gardens Real Estate/The Masiello Group, 1066	Office: 207-782-8311
List Agent:	Renee Roy 008494	List Agent Ph: 207-795-9655
List Agt Email:	<a href="mailto:reneroy@masiello.com">reneroy@masiello.com</a>	List Agt Cell: 207-212-3134
CoList Agent:		CoList Agt Ph:
CoList Email:		CoList Agt Cell:
SAF/BAF/TBF:	/ 5.00% / 5.00%	
Virtual Tour:		
Show Intr:	Email Listing Broker, Show Without Notice, Sign On Property	

Internal Rmks/  
Contingency:  
Information Printed by: Chad Sylvester 008488

Printed: 02/10/14



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Land - AGENT SYNOPSIS



MLS#: 1031528      Status: Sold  
0 Dolores Street, Auburn, ME 04210  
List Price: \$ 22,500  
Original Price: \$ 29,900  
List Date: 09/30/11  
Neigh'd/Assoc:  
Assoc. Fee /Mo:  
Directions: Rte 136 Riverside Drive to Vickery Rd. Lot is on the corner of Vickery and Dolores Street

General/Land Information

Lot Size (Acr)+/-: 0.290      Road Frontage+/-: 227  
Surveyed: Yes      Seasonal: No      Zoning: Urban Resident  
WtrFrt: No      Water Body:      Water Body Type:  
Amt Wtr Frt+/-:      WtrFrt Owned+/-:      WtrFrt Shared+/-:

Remarks

Beautiful corner lot on the outskirts of town in New Auburn. Quite neighborhood close to all Auburn has to offer and the turnpike but far away from city living. Build package available with a cape or ranch style home. Broker owned, seller may hold note

Property Features - NOTE: Check Detail Reports for complete list of Features.

Site: Corner Lot, Open  
Driveway: No Driveway  
Parking:  
Location: Rural  
Restrictions:  
Rec. Water:  
View:  
Roads: Paved, Public  
Transportation:  
Electric: No Electric  
Gas: No Gas  
Waste Water Disp.: Public  
Water: Well Needed On Site

Tax/Deed/Community Information

Book/Page/Deed: 4847/301/All      Map/Block/Lot: 184/020/001      Full Tax Amount/Yr: \$ 758 / (2011)  
School District:

Off Market Information

DOM: 344      Expiration Date: 12/01/12      Pending Date: 09/08/12  
Sold Price: \$ 18,000      Sold Terms: Cash  
Sold Date: 09/26/12      Sold Terms Other: Not Applicable  
Sell Office: Belanger Realty, Inc.      Sell Office#: 1196      Sell Office Phone: 207-998-4516  
Sell Agent: Terry Pomerleau      Sell Agent ID#: 000035  
Appraiser: No Appraisal      Appraiser ID#: 888888

Listing Contact Information

List Office: The Maine Real Estate Network, 2144      Office: 207-689-9800  
List Agent: Stephen Miller 010501      List Agent Ph: 207-689-9830  
List Agt Email: [smillerrealtor@gmail.com](mailto:smillerrealtor@gmail.com)      List Agt Cell: 207-212-8634  
CoList Agent: William Daley 007519      CoList Agt Ph: 207-282-5000  
CoList Email: [wmdaley@maine.rr.com](mailto:wmdaley@maine.rr.com)      CoList Agt Cell: 207-522-3500  
SAF/BAF/TBF: 4.00%      I 4.00%  
Virtual Tour:  
Show Intr: Call Listing Broker, Show Without Notice, Sign On Property

Internal Rmks/ Broker owned... Seller may hold note  
Contingency:

Information Printed by: Chad Sylvester 008488

Printed: 02/10/14



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RELEASE DEED

CEI HOUSING, INC., a nonprofit corporation duly organized and existing under the laws of the State of Maine, with an office located at 36 Water Street in Wiscasset, Maine, 04578, for valuable consideration, releases to the **CITY OF AUBURN**, a body corporate and politic located in the County of Androscoggin and State of Maine, and having an office at Auburn Hall, 60 Court Street, Auburn, Maine, 04210, a certain lot or parcel of land situated in **AUBURN**, County of **ANDROSCOGGIN**, State of **MAINE**, bounded and described as follows:

That certain lot or parcel of land at the intersection of the northerly line of Academy Street with the westerly line of Main Street depicted as "AREA TO BE CONVEYED TO THE CITY OF AUBURN 139 SF" on two plans prepared by Jones Associates, Inc., Michael A. Hartman, PLS #2433, one entitled, Division Plan, CEI Housing, Inc., 261 Main Street, Auburn, Maine dated January 13, 2012 and recorded on April 3, 2012 in the Androscoggin County Registry of Deeds in Plan Book 49, Page 93, and the other entitled, Lot 1 Subdivision Plan, CEI Housing, Inc., 261 Main Street, Auburn, Maine, dated January 13, 2012 and recorded on April 3, 2012 in said registry in Plan Book 49, Page 94.

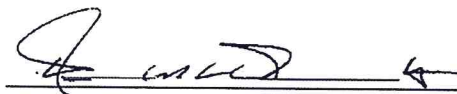
This conveyance is subject to all matters shown on said plans and all existing improvements and utilities located upon and within said parcel of land.


This is a conveyance to an abutter, the City of Auburn being the apparent owner of said abutting streets.

Being a part of the premises conveyed by deed from Kenneth P. Chicoine and Sharon Wise, as co-personal representatives of the Estate of Rene J. Chicoine, Sr., to CEI Housing, Inc. dated June 15, 2011 and recorded in said registry in Book 8177, Page 45.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its duly authorized officer on this 8<sup>th</sup> day of March, 2013.

CEI Housing, Inc.

  
Witness

By:   
John W. Egan  
Director of Housing Development

NO MAINE R.E.  
TRANSFER TAX PAID

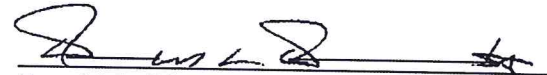


STATE OF MAINE  
ANDROSCOGGIN COUNTY

March 8, 2013

Then personally appeared the above-named John W. Egan and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of CEI Housing, Inc.

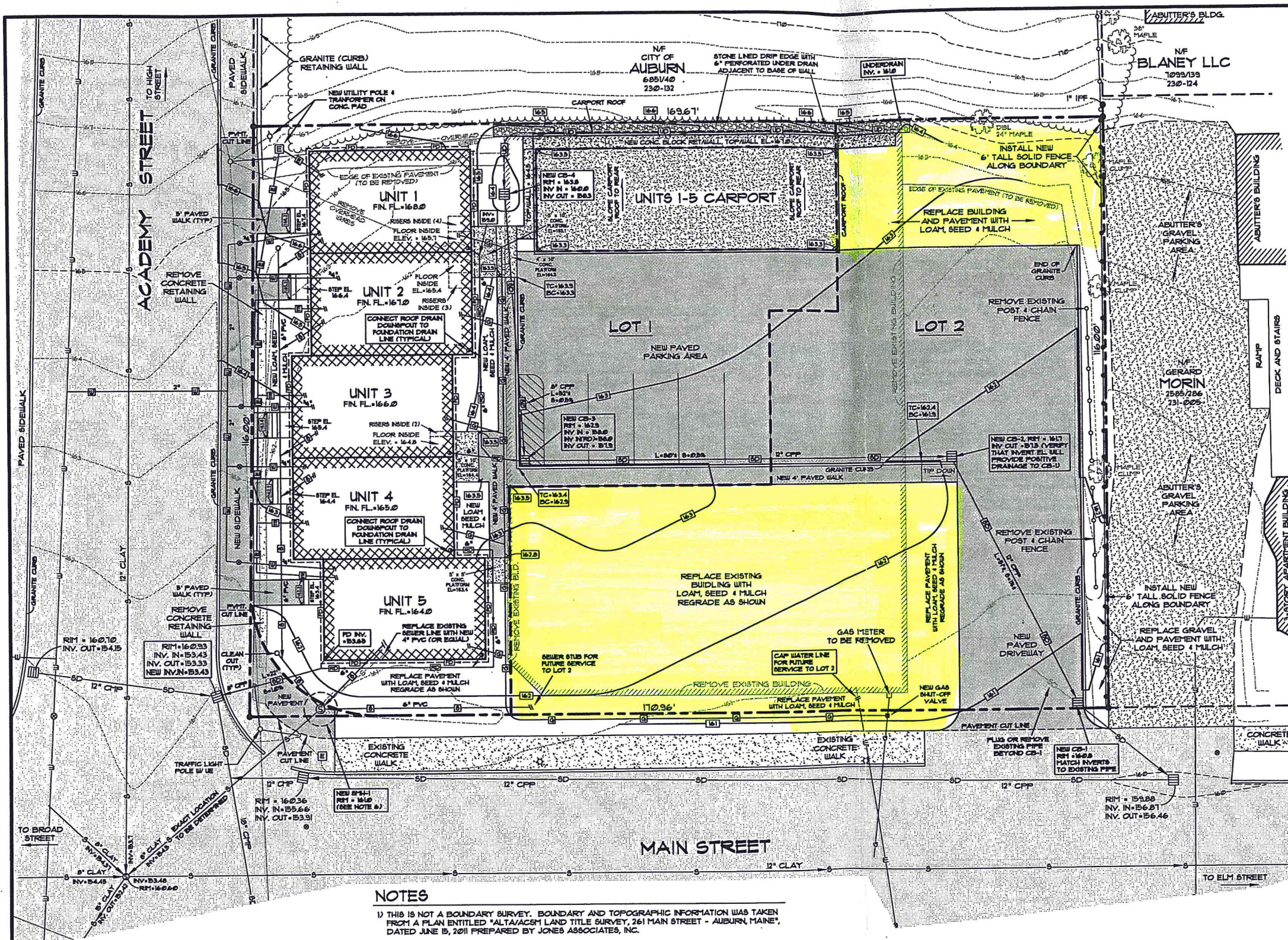
Before me,

  
Ronald L. Bissonnette, Attorney at Law

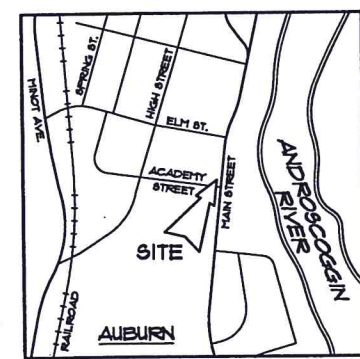
df\F:\Darlene\CLIENTS\Coastal Enterprises, Inc\261 Main Street Auburn\Subdivision\Release Deed Intersection Parcel to City of Auburn.doc

ANDROSCOGGIN COUNTY  
TINA M CHOUINARD  
REGISTER OF DEEDS

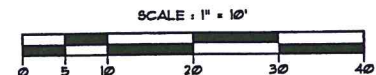




- ### LEGEND
- BOUNDARY LINE (SUBJECT PARCEL)
  - BOUNDARY LINE (OTHER)
  - IRON ROD OR PIPE FOUND
  - NOW OR FORMERLY
  - 2356/03 BOOK AND PAGE NUMBER
  - EXISTING CONTOUR
  - UTILITY POLE WITH OVERHEAD WIRES
  - EXISTING WATER LINE
  - EXISTING SEWER LINE
  - EXISTING STORM DRAIN LINE
  - EXISTING GAS LINE
  - EXISTING SEWER MANHOLE
  - EXISTING CATCH BASIN
  - EXISTING HYDRANT
  - EXISTING WATER SHUT OFF VALVE
  - NEW STORM DRAIN LINE
  - NEW WATER LINE
  - NEW SEWER LINE
  - NEW GAS LINE
  - NEW UNDERGROUND ELECTRIC/CABLE/DATA LINE
  - NEW FOUNDATION DRAIN LINE (4" PERFORATED RIGID PVC)
  - NEW ROOF DRAIN LINE (6" RIGID PVC)
  - NEW CATCH BASIN
  - NEW ROOF DRAIN DOWN SPOUT (APPROX)
  - NEW CONTOUR
  - NEW 6" TALL FENCE
  - NEW SPOT GRADE
  - TC TOP OF CURB
  - BC BOTTOM OF CURB
  - EXISTING TREE LINE
  - EXISTING BUILDING
  - EXISTING PAVEMENT
  - EXISTING CONCRETE SIDEWALK
  - NEW PAVEMENT



- ### NOTES
- 1) THIS IS NOT A BOUNDARY SURVEY. BOUNDARY AND TOPOGRAPHIC INFORMATION WAS TAKEN FROM A PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY, 261 MAIN STREET - AUBURN, MAINE", DATED JUNE 15, 2011 PREPARED BY JONES ASSOCIATES, INC.
  - 2) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
  - 3) OWNER OF RECORD - CEI HOUSING, INC. DEED REFERENCE - BOOK 811, PAGE 45 TAX MAP 231, LOT 4
  - 4) THE PARCEL IS LOCATED IN THE CENTRAL BUSINESS III ZONING DISTRICT.
  - 5) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL 230001 0000 C, DATED OCTOBER 18, 1995.
  - 6) CONTRACTOR TO PROVIDE TEST PIT AT SEWER MANHOLE #1 TO LOCATE EXISTING SEWER SERVICE AND CONFIRM EXISTING PIPE INVERT ELEVATION. ELEVATION INFORMATION TO BE PROVIDED TO DESIGN ENGINEER. DESIGN ENGINEER WILL PROVIDE FINAL ELEVATIONS AND SLOPES FOR ALL SEWER SERVICES BEFORE INSTALLATION.
  - 7) CONTRACTOR TO COORDINATE ALL UTILITY SERVICES (LOCATION, SIZE & ELEVATIONS) AND OTHER RELATED IMPROVEMENTS WITH THE FULL SET OF ARCHITECTURAL DESIGN PLANS FOR THIS PROJECT.



REVISIONS: APRIL 23, 2013 - ADD FOUNDATION & ROOF DRAINS  
 REVISIONS: APRIL 23, 2013 - CHANGES TO STEPS  
 REVISIONS: JANUARY 2012 - NEW DEVELOPMENT CONCEPT

**TOPOGRAPHIC  
SITE PLAN**

SHEET TITLE:

PROJECT: **ACADEMY STREET TOWNHOUSES**  
AUBURN, MAINE

**Stoneybrook Consultants, Inc.**  
 456 Buckfield Road - Turner, Maine 04202  
 (207) 514-7491 Voice / (207) 514-7492 Fax

CLIENT: **CEI HOUSING, INC.**  
 36 WATER ST., PO BOX 269, WISCASSET, ME 04519

640 MAIN ST.  
LEWISTON, ME 04240

**SUMMIT**  
GEOENGINEERING SERVICES

Tel: (207) 516-3313  
 Fax: (207) 185-6128  
 www.summitgeoeng.com

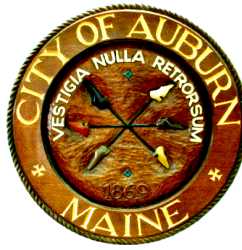
STATE OF MAINE  
 WILLIAM M. PETERSON  
 LICENSED PROFESSIONAL ENGINEER

JOB NO. - 11216  
 SHEET NUMBER

SCALE: 1" = 10'  
 DATE: DEC. 2011  
 DRAWN BY: KRF  
 CHECKED BY: WMP



Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 94-11032014**

ORDERED, that the City Council agree to a \$10,000 payment for land acquisition of 261 Main Street.

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## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 11-3-2014

**Resolve** 11-11032014

**Author:** Clint Deschene

**Subject:** Addition of extra members to the Lewiston-Auburn Bike Ped Committee

**Information:** The Council was requested to increase the membership in July. Craig Saddlemire presented at the last meeting and restated the request.

This item is being presented for action and a copy of the resolve creating the committee is below.

Issues identified were that the Bike Ped Committee should discuss this new member with the Public Health Committee and that the process to appoint is currently the Mayor's authority and some suggested making this Council authority.

**Advantages:** Adds a member per request.

**Disadvantages:** Committee has a renewal process per the creation resolve for fall 2015, so the appointment may only be short term.

**City Budgetary Impacts:** N/A

**Staff Recommended Action:** Staff recommends passage of the resolve

**Previous Meetings and History:** 10/20/2014 presentation by Craig Saddlemire

**Attachments:**

3-19-2012 resolve supporting the creation of the committee

Resolve 11-11032014 supporting the expansion of membership

City Manager or Assistant City Manager signature:

Date: 10-30-14



Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Jonathan LaBonte, Mayor

Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

## IN CITY COUNCIL

### RESOLVE 02-03192012

**RESOLVE**, Supporting the Concept of a Lewiston-Auburn Bike-Ped Committee

**Whereas**, a significant number of individuals within the Lewiston-Auburn area walk or bike for recreation or business; and

**Whereas**, the presence of bike and pedestrian infrastructure enhances safety and increases the quality of life of residents; and

**Whereas**, such infrastructure also supports economic development efforts by making these communities more appealing to those who bike, walk, and run; and

**Whereas**, the presence of walking and biking amenities also positively affects the value of nearby properties; and

**Whereas**, while sidewalk and biking infrastructure is available in certain areas, improving and extending such infrastructures requires a long-range plan as well as monitoring of individual infrastructure projects to ensure that they incorporate such a plan; and

**Whereas**, the goal of developing an appropriate and cost effective bicycle and pedestrian infrastructure can be furthered by the creation of a joint Lewiston-Auburn Bike-Ped Committee;

**Now, therefore, be It Resolved by the City Council of the City of Auburn** that the City Council supports the concept of a joint Lewiston-Auburn Bike-Ped Committee with the mission, purpose, and structure as outlined on the attached Committee description.

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Jonathan LaBonte, Mayor

Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

## **The Lewiston-Auburn Bike-Ped Committee**

### **Mission/Purpose**

The mission of the Lewiston-Auburn Bike-Ped Committee is to

- develop and recommend fiscally responsible policies to the respective governing bodies that take into account and support non-motorized transportation in the Twin Cities;
- advise the respective public works and engineering departments on how non-motorized users can be accommodated in street, highway, and open space projects while taking into account the impact of such recommendations on project affordability;
- participate in the Androscoggin Transportation Resource Committee's update of its regional long-range bicycle-pedestrian plan;
- monitor the implementation of that plan within the Twin Cities; and
- promote bicycle-pedestrian education.

### **Composition**

The committee will be comprised of 7 voting members: 1 councilor and two Auburn residents appointed by the Mayor of Auburn; 1 councilor and two Lewiston residents appointed by the Mayor of Lewiston; and 1 representative from a local business jointly selected by the Mayors. Any vacancy on the committee shall be filled through an appointment made in the same manner as outlined above. The Committee shall annually select a Chair Person. In the event that any member is absent for 3 consecutive meetings without being excused by the Chair of the Committee, that individual shall forfeit committee membership.

### **TERM**

The Committee shall remain in existence until September 1, 2015. At least sixty days prior to this date, the respective Mayors shall consult and shall make a recommendation to the respective City Councils as to the continued existence of the Committee. If the Mayors fail to make a recommendation, the Committee shall continue in existence until one or both Councils take action to either extend its term or discontinue the Committee.

### **STAFF SUPPORT**

The City Manager of Auburn and the City Administrator of Lewiston shall each assign a staff member as a primary point of contact with the respective municipal organizations. The Manager and Administrator shall provide the Committee with access to other members of the municipal staffs as may be required.

### **MEETINGS AND REPORTS**



Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

The Committee shall establish the times and places of its meetings, taking care to meet periodically in each community. Meetings shall be open to the public and notice of such meetings shall be posted by the respective City Clerks. The Committee may invite such others as may be knowledgeable regarding bike and pedestrian issues to provide information for their consideration. The Committee shall prepare summaries of its meetings and shall make them available to the elected officials of both communities.

### **Outcomes/Specific Activities:**

The L-A Bike-Ped Committee would achieve its mission through the following:

- Serving as the primary resource representing Lewiston and Auburn in the update of the ATRC Regional Long-Range Bicycle-Pedestrian Plan;
- Developing and recommending policies and ordinances for passage by the City Councils in support of non-motorized transportation;
- Planning and coordinating educational events with local partners such as schools, bicycle shops, and biking and run/walk events;
- Assessing and commenting on existing transportation projects in regard to bicycle and pedestrian accommodations including ATRC approved projects, municipally initiated projects, and improvements originating from Traffic Movement Permits; and
- Participating with appropriate city departments and committees in planning coordinated multi-modal transportation systems in L-A and the surrounding region to ensure that such systems take into account the needs of pedestrians and bicyclists and that motorized and non-motorized systems are well coordinated.

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Jonathan LaBonte, Mayor

Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large



Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam R. Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

### RESOLVE 11-11032014

**Resolve,** Supporting Adding Additional Members to the Lewiston-Auburn Bike-Ped Committee

**Whereas,** Lewiston and Auburn jointly created a Bike-Ped Committee in 2012; and

**Whereas,** this Committee has been very active and, among other things, has developed a complete streets policy for the cities that was subsequently adopted and has been nationally recognized; and

**Whereas,** the Committee is actively involved in a variety of projects including the Lewiston Lower Rail Trail, the Safe Routes to School Program, and participating in the review of various transportation projects; and

**Whereas,** sufficient interest exists in the Committee that it is recommending that its current voting membership be expanded by adding additional residents as well as a representative of an organization with a primary interest in the area of health and wellness; and

**Now, therefore, be It Resolved by the City Council of the City of Auburn that**

Subject to the concurrence of the City Council of the City of Lewiston, we support expanding the voting membership of the Lewiston-Auburn Bike Ped Committee through adding one more resident of the City of Auburn, to be appointed by the Mayor of Auburn, one more resident of the City of Lewiston, to be appointed by the Mayor of Lewiston, and a representative of an organization with a primary interest in areas such as health and wellness, to be appointed by the Chair of the Committee.



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** 11/3/2014

**Subject:** Executive Session

**Information:** Discussion regarding a personnel matter, pursuant to 1 M.R.S.A. Section 405(6)(A).

**Executive Session:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.





## City Council Information Sheet

City of Auburn

**Council Meeting Date:** 11/3/2014

**Subject:** Executive Session

**Information:** Discussion regarding Economic Development, pursuant to 1 M.R.S.A. Section 405(6)(C).

**Executive Session:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

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H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.