City Council Workshop & Meeting
June 20, 2016
Agenda

5:30 P.M. Workshop

A. Proposed Budget Amendments - All

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Titus

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.

II. Minutes

- June 6, 2016 Regular Council Meeting

III. Communications, Presentations and Recognitions

IV. 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.*

V. Unfinished Business

1. Resolve 06-05162016

Adopting the Appropriations Resolve for Fiscal Year 2017. Second reading.
Passage requires an affirmative vote of 4 Councilors.

VI. New Business

2. Order 40-06202016

Disposition of building located at 12 Patton Street under dangerous building statute. Hearing for parties with interest in property.

3. Order 41-06202016

Disposition of building located at 16 Newbury Street under dangerous building statute. Hearing for parties with interest in property.

4. Order 42-06202016

Disposition of building located at 180 Station Road under dangerous building statute. Hearing for parties with interest in property.

5. Order 43-06202016

Establishing the Economic and Community Development Department which will combine the Economic Development, Planning and Permitting, and Community Development Departments into one.

6. Order 44-06202016

Approving the Mass Gathering Permit for the 2016 Liberty Festival. Public hearing.

VII. Executive Session - None

VIII. Reports

a. **Mayor's Report**

b. **City Councilors' Reports**

c. **City Manager Report**

d. **Finance Director, Jill Eastman –** May 2016 Monthly Finance Report

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 of personnel issues
B. Discussion or consideration by a school board of suspension of expulsion
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. Labor contracts
E. Contemplated litigation
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 in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 6/20/2016

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed Budget Amendments

Information: Several proposed budget amendments have been submitted and this will allow time for Council discussion on the proposed amendments.

Advantages:

Disadvantages:

City Budgetary Impacts:

Staff Recommended Action: Discussion

Previous Meetings and History: Budget presentation on April 11, 2016, various budget workshops in April and May. Public hearing and passage of first reading on 5/16/2016. On 6/6/16 this item was postponed until today's meeting.

Attachments: Proposed amendments 1 through 10

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Date Received: JUN 09 2016
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Jim Pross

Name of City Councilor Supporting the Proposed Amendment: Leroy Walker

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To implement traffic calming measures to improve pedestrian safety on Mill Street in New Auburn

This amendment would fund the installation of traffic calming measures, including authorizing a raised crosswalk, to be installed on Mill Street, with a focus on the mid-block crossing from Third Street to the historic Pontbriand Building that is now home to Selco.

The amendment would also fund a pedestrian activated crossing signal to further raise driver awareness of pedestrians seeking to cross this street.

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Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:
$20,000 from the Downtown TIF account balance as of June 30, 2016

Additional comments or justification for this amendment:

The public at a recent meeting on the New Auburn Riverway/Greenway engineering study spoke strongly about the safety issue with crossing Mill Street. While intersection improvements are planned for Mill St. and Main Street in the next two years, that will not address slowing traffic as a highly used mid-block crossing.

This amendment will demonstrate to the neighborhood that the City Council is committed to continued, lower cost improvements to the village area while contiuning to advance larger projects related to the Riverfront.

Date submitted: 06/09/2016

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

Date Received:_____
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Grady Burns

Name of City Councilor Supporting the Proposed Amendment: Christine E. Gilbert

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To restore $27,000.00 in funding to the Lewiston-Auburn Transit Committee.

Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:
$27,000.00 from the General Fund

Additional comments or justification for this amendment:
ATRC is a joint agency that manages the public transportation infrastructure for the City of Auburn. This network allows seniors, people of low income, or individuals with disabilities to live independently and move throughout Lewiston-Auburn without the use of a car. Increases in the cost of running this service have created a need for additional funding that was not included in the Manager's proposed Budget. Failure to fully fund this agency will result in the loss of service of key routes of this transit network, jeopardizing the condition of those most vulnerable in our City.

Date submitted: _____

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

Date Received:_____
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Grady Burns

Name of City Councilor Supporting the Proposed Amendment: Crestine Gilbert

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To restore $233,559 in funding to LA 911.

Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:
$233,559 from the General Fund.

Additional comments or justification for this amendment:
LA 911 is a joint service of the Twin Cities that has operated by interlocal agreement for decades. Per that agreement, the cities must evenly split the costs of this essential service. Failure to fully fund this program could not only endanger Auburn residents who rely on this service, but also would break ordinances laid down by the City in the creation of this interlocal agreement.

Date submitted: _____

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

Date Received:_____
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Grady Burns

Name of City Councilor Supporting the Proposed Amendment: Crestine Gilbert

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To restore $26,000.00 in funding to the Androscoggin Valley Council of Governments.

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Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:
$26,000.00 from General Revenue or TIF accounts.

Additional comments or justification for this amendment:
AVCOG, an intergovernmental agency comprised of many municipalities, has shown definitively that the services that it provides to the City save us significant amounts of money through the utilization of bulk purchasing and economies of scale. Eliminating this funding, and by extension our relationship with AVCOG, would likely cost the city a significant amount of money. Restoring this funding ensures that those savings and services remain intact.

Date submitted: _____

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

Date Received:_____
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Grady Burns

Name of City Councilor Supporting the Proposed Amendment: Crestin Gilbert

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To restore $45,900.00 in funding to the Auburn Public Library.

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Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:
$45,900.00 from the General Fund

Additional comments or justification for this amendment:
The Auburn Public Library has become a hub for community activity in the Lewiston-Auburn community. Teens use the space to connect and learn in a safe environment, seniors use its internet access to complete essential tasks, and the community at large uses the resources of the Library to enrich themselves through learning and community. Cutting this funding will likely lead to losses of staff or service, which will impact a key service of the city. This funding restoration would ensure that the Library continues to be a thriving resource.

Date submitted: _____

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

Date Received:_____
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Grady Burns

Name of City Councilor Supporting the Proposed Amendment: Crestine Gilbert

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To restore $120,271 to the Fire Department Budget.

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Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:
$120,271 from the General Fund.

Additional comments or justification for this amendment:
The Auburn Fire Department, which now includes a municipal EMS service that is a revenue driver for the City, has set a standard of excellence in service across the region for decades. The Manager's proposed Budget was built around the idea of combining the City's Police and FIre Departments into a single Public Safety. The Council has heard compelling reasons as to why we ought not go down that path, and thus, should we wish to keep the Fire Department intact, we must fully fund its operation.

Date submitted: _____

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

Date Received: 6/8/2016
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Grady Burns

Name of City Councilor Supporting the Proposed Amendment: Ernestine Gilbert

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To restore $160,610 in funding to the Lewiston-Auburn Economic Growth Council (LAEGC), so dedicated, on the condition that LAEGC creates an advisory sub-committee whose charge shall be to review and recommend changes to the governance, structure, and deliverables of LAEGC, which recommendations shall be subject to monthly review and formal review by the full Board of LAEGC. Said sub-committee shall be comprised of two representatives designated by the Lewiston City Council, and two representatives designated by the Auburn City Council. The recommendations of this "governance subcommittee" shall be given the highest priority by the full Board of LAEGC; its recommendations to the full Board shall aid in providing organizational direction, as it works for the Cities of Lewiston and Auburn to grow their economics.

Furthermore, LAEGC shall agree to provide requested information and metrics demonstrating its value to the community as an economic development asset to Lewiston and Auburn, as may be requested by the governance sub-committee from time to time, or by the City Councils of either City.

auburnmaine.gov

Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:
$160,610 from TIF Account Revenue

Additional comments or justification for this amendment:

Date submitted: 06/08/2016

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

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Date Received: 6/8/16
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Jim Pross

Name of City Councilor Supporting the Proposed Amendment: Grady Burns

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To Amend the City budget to include funding of $100,000 for a full time City Solicitor position, who shall report to and work under the supervision of the City Manager, to provide "in-house" legal services to the City of Auburn.

auburnmaine.gov

Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:

General Fund

Additional comments or justification for this amendment:

The City of Auburn has a significant need for a City Solicitor who can provide legal advice on routine matters. The City of Auburn currently contracts these services to Brann & Issacson, which has totaled approximately $90,000 for services rendered between June 2015 and April 1, 2016. The governance of the City of Auburn would improve with the aid of an attorney who can review documents, agreements, ensure compliance, and advise the City Council and staff on everyday matters which would benefit from legal review. While the use of outside counsel will continue to be necessary for litigation and other purposes, having a City Solicitor will reduce the use of outside counsel and decrease the expenses associated with the same, while providing the added benefits of having a staff attorney working with the City's Department heads and the City Council.

Date submitted: 06/08/2016

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

Date Received:_____
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: CouncilorWalker

Name of City Councilor Supporting the Proposed Amendment: CouncilorsProssandBurns

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To establisha New Auburn village outdoorFarmersMarketandfund its developmentasa pilot program

A oneyearpilot for the marketwould betargetedfor a 2017seasonlaunch. Fundingwould bemade throughacontractfor consultingandeventmanagement.City logisticalsupportwould beprovidedwithin existingresources.

Thepilot periodmaybeextendedfor up to two additionalyearsbasedon satisfactoryreportingon the programto theCommunityandEconomicDevelopmentCommitteeandtheir recommendationto thefull City Council.

TheCity Councilwould authorizetheuseof Mill StreetbetweenSecondStreetandBroadStreet,including its potentialclosurefor thedays/nightsof theMarket.

auburnmaine.gov

Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:

$5,000 expense to be funded from the Downtown TIF account balance as of June 30, 2016

Additional comments or justification for this amendment:

This would fund experts in Farmers Market development to support the city in building an event that will attract people to the New Auburn village area. To successfully implement the overall New Auburn plan will require events that draw people to spend time there and support businesses.

While Mill Street is a state road, event-based closures have been a long standing practice around the state, including our very own Main Street which is closed regularly for events.

Existing Public Services and Police resources are used for other city events for road closures and detours, so will be allocated for this event.

Date submitted: _____

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

To establish a New Auburn village outdoor Farmers' Market and fund its development as a pilot program

A one year pilot for the market would be targeted for a 2017 season launch. Funding would be made through a contract for consulting and event management. City logistical support would be provided within existing resources.

The pilot period may be extended for up to two additional years based on satisfactory reporting on the program to the Community and Economic Development Committee and their recommendation to the full City Council.

The City Council would authorize the use of Mill Street between Second Street and Broad Street, including its potential closure for the days/nights of the Market.

$5,000 expensure to be funded from the Downtown TIF account balance as of June 30, 2016

This would fund experts in Farmers Market development to support the city in building an event that will attract people to the New Auburn village area. To successfully implement the overall New Auburn plan will require events that draw people to spend time there and support businesses.

While Mill Street is a state road, event-based closures have been a long standing practice around the state, including our very own Main Street which is closed regularly for events.

Existing Public Services and Police resources are used for other city events for road closures and detours, so will be allocated for this event.

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Date Received: _____
Number: _____

Proposed Budget Amendment Request

Name of City Councilor Proposing the Amendment: Jim Pross

Name of City Councilor Supporting the Proposed Amendment: Grady Burns

City Charter Sec. 8-5 (b) Amendment before adoption. *After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.*

Proposed Amendment:

To fund a new full time Special Projects/Grant Administrator position within the Economic and Community Development Department, with $86,818.00 from the general revenue fund, which dollar amount is inclusive of a benefits package with a base salary of up to $60,000 per year.

The new position would report to the Economic and Community Development Director and be a non-union position within the department. (See appended job description).

auburnmaine.gov

Proposed Budget Amendment Request
(cont.)

Please note revenue source/expense:
$86,817.00 from General Revenue

Additional comments or justification for this amendment:
With the creation of a new combined Economic and Community Development Department, it is crucial to ensure that the Department has the resources that it needs to be successful in its work. At a May 9, 2016 workshop, the City Council heard a presentation from the Department regarding its budget for the new fiscal year. In the course of that discussion, the need for additional human resources to meet the existing needs and workload of the Department was identified by the Department. This Amendment proposal is in response to that identified need with the specific role and functions of the new employee set forth in the attached job description developed by the Department.

Date submitted: 06/14/2016

Please forward all proposed amendments to Susan Clements-Dallaire, City Clerk.

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Job Description

JOB TITLE: Special Projects Manager/ Grant Administrator
GRADE: 6
DEPARTMENT: Economic and Community Development
REPORTS TO: Economic and Community Development Director
SUPERVISES: N/A
BARGAINING UNIT: Non-Union
FLSA STATUS: Exempt
REVISED: 6/13/16

Job Summary

Under the direction of the Economic and Community Development Director, the Special Projects Manager/ Grant Administrator organizes, coordinates and implements a commercial property inventory program for the Marketing of the City.

Performs research, planning, analysis, training and communications tasks necessary to develop and administer the City's community and economic development programs.

Writes, prepares, administers, audits and closes out grant applications and awards.

Provides Board and Committee Support, collects and prepares documents and agendas for presentation and public outreach.

Acts as a Legislative and Agency Liaison to keep State, Quasi (MTA) and Federal officials up to date on various projects and advocate for outcomes that benefit the City.

Provides Web Site updates and conducts public outreach.

The Special Projects Manager/ Grant Administrator must be flexible and be prepared to take on tasks that are outside the job description when required by the City.

Supervisory Responsibilities

None

Essential Duties and Responsibilities

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of

duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

- Establishes and supports a city-wide commercial property inventory program in coordination with IT;
- Works with neighborhood residents and downtown businesses to develop and implement a redevelopment plan for key properties;
- Serves on the City Plan Review Team and works closely with the City Planner with the focus on design and review of applications for the neighborhood target areas and downtown areas;
- Establishes incentive programs for reinvestment in the downtown and neighborhoods;
- Coordinates the business visitation program;
- Prepares marketing material for the City to advance the economic opportunities within the City, including information on financial assistance services such as grants, loans, interest rebates, and tax credits;
- Attends trade shows and community events to network with businesses and overall community;
- Acts as a liaison between community groups, business and City Staff, connecting resources with individuals;
- Acts as a Legislative and Agency Liaison to keep State, Quasi (MTA) and Federal officials up to date on various projects and advocate for outcomes that benefit the City;
- Provides education opportunities on Federal, State and local economic programs;
- Promotes partnerships among community members, city staff, government agencies, and private industry;
- Prepares and/or oversees preparation of legal documents that implement programs of projects of the department;
- Coordinates and/or develops support resources needed by local business;
- Develops media opportunities that highlight opportunities and successes in the downtown area and provides the logistical support needed for media events;
- Writes, prepares, administers, audits and closes out grant applications and awards;
- Makes presentations to community groups and programs;
- Develops inventory of available property with characteristics such as zoning, utilities, roads, and infrastructure;
- Prepares and/or edits newsletters, press releases, correspondence, reports, speeches, multi-media, and presentations for the Economic and Community Development Director, City Manager, Mayor and members of the City Council relative to economic development and community events;
- Works cooperatively and productively with co-workers, supervisors, representatives of the business community and the general public.
- Works in a safe manner, observes all safety rules, reports any observes safety hazards to the supervisor or Safety Coordinator.
- Other duties as required.

Recommended Minimum Qualifications

Training and Experience

- Bachelor's Degree in public administration, economics, communications or business-related field preferred; Masters desired.
- Minimum of 3 to 5 years of government experience, or any combination of education and related work experience.
- Experience in writing, preparing, administering, auditing and closing out grant applications and awards.
- Maine Drivers License and good driving record.

Knowledge, Skills and Ability

- Principles, methods, trends involved with the administration of public information, real estate transactions, economic development and community relations programs.
- Knowledge of TIF's.
- Communicate effectively with City staff, elected officials, the public and the media, including preparing/presenting press releases, informational materials, training programs, speeches and correspondence.
- Research, assist, and advise in a full range of community relations activities, including the use social media, of cable television and computer systems.
- Design and implement marketing campaigns to promote City services, programs, and special events, including the targeting of special population groups.
- Establish and maintain cooperative relationships with those contacted in the course of work.
- Manage interpersonal dynamics.
- Mediate; manage conflicts and issues; handle emotionally charged situations.
- Excellent oral and written communication skills
- Computer skills including Word, Excel, Spreadsheets, Power Point and Outlook
- Customer service skills.

Job Environment/Working Conditions/Physical Requirements

Standard office environment; outdoor environment to include visiting potential or partially developed property sites. Position requires sitting, standing, walking (sometimes on uneven or rocky ground), reaching, twisting, turning, bending, squatting, climbing stairs in the performance of daily activities; also requires grasping, repetitive hand movement, using computer keyboard, calculator and other office equipment. Position requires driving, good vision, hearing and speech. Work environment may include business and industrial sites, construction sites at various levels of development, vacant lots, woodlands, wetlands and similar outdoors properties.

This job description does not constitute an employment agreement between the employer and the employee, and it is subject to change by the employer, as the needs of the employer and requirements of the job change.

DRAFT

IN COUNCIL REGULAR MEETING JUNE 6, 2016 VOL. 34 PAGE 250

Mayor LaBonté called the meeting to order at 7:04 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

1. Order 36-06062016*

Appointing Wardens and Ward Clerks for the June 14, 2016 Election.

2. Order 37-06062016*

Approving the temporary sign placement request for the Great Falls Model Railroad Club.

Motion was made by Councilor Burns and seconded by Councilor Titus to accept the consent items as presented. Passage 7-0.

II. Minutes

- May 16, 2016 Regular Council Meeting
- May 31, 2016 Special Council Meeting

Motion was made by Councilor Burns and seconded by Councilor Gilbert to accept the minutes of the May 16, 2016 and May 31, 2016 meetings as presented. Passage 7-0.

III. Communications, Presentations and Recognitions

- Proclamation – Immigrant Heritage Month, Guests Fatuma Hussein, Director of the Immigrant Resource Center of Maine, and Debbie Cleveland from the Auburn Public Library spoke
- Communications – Liberty Festival Mass Gathering/Special Event Application

IV. 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.*

Larry Pelletier, 129 Second Street – spoke about activities that are taking place under the Main Street Bridge and by Bonnie Park in the evening. He said in his opinion, the City should invest in cameras so that we can see who is causing these acts.

V. Unfinished Business

1. Order 33-05162016

Authorizing the Finance Director to execute issuance of general obligation bonds and a tax levy therefore. Public hearing and second reading. ***Passage requires an affirmative vote of 5 Councilors.***

Motion was made by Councilor Burns and seconded by Councilor Walker authorizing the Finance Director to execute issuance of general obligation bonds and a tax levy therefore.

Public hearing – Belinda Gerry, 143 Mill Street spoke in support of the renovation of Hasty Armory in the parks garage for the new senior center.

Motion was made by Councilor Walker and seconded by Councilor Pross to amend by funding $137,466.13 a hard wood floor to cover the ice in order to be able to hold other functions at the Arena.

Motion failed 3-3-1 with Councilors Young, Titus and Stone opposed and Councilor Gilbert abstained.

Passage of Order 33-05162016 as presented 7-0. A roll call vote was taken.

2. Order 34-05162016

Authorizing the Finance Director to reallocate $353,845 of unspent proceeds from various City General Obligation Bonds to a portion of the Capital Improvement Projects for FY 17. Second reading. ***Passage requires an affirmative vote of 5 Councilors.***

Motion was made by Councilor Burns and seconded by Councilor Walker authorizing the Finance Director to reallocate $353,845 of unspent proceeds from various City General Obligation Bonds to a portion of the Capital Improvement Projects for FY 17.

Passage 7-0. A roll call vote was taken.

3. Resolve 06-05162016

Adopting the Appropriations Resolve for Fiscal Year 2017. Second reading. ***Passage requires an affirmative vote of 4 Councilors.***

Motion was made by Councilor Burns and seconded by Councilor Stone to postpone the second reading until the June 20, 2016 Council meeting. Passage 7-0.

VI. New Business

4. Order 38-06062016

Waiving the Flea Market licensing fee for Four Seasons Market from June through September of 2016.

Motion was made by Councilor Burns and seconded by Councilor Walker to waive the Flea Market licensing fee for Four Seasons Market from June through September of 2016.

Public comment – Joe Gray, Sopers Mill Road and owner of Four Seasons Market asked that Council deny the request adding that they did not make the request.

Motion failed 1-5-1 (Councilors Pross, Stone, Titus, Gilbert, Burns opposed, Councilor Young abstained).

5. Resolve 07-06062016

Supporting staffs pursuit of the Northern Borders Regional Commission Grant.

Motion was made by Councilor Burns and seconded by Councilor Walker supporting staffs pursuit of the Northern Borders Regional Commission Grant.

Public comment – Joe Gray, Sopers Mill Road wanted clarification on this item.

Passage 5-0-2 (Councilor Pross and Walker abstained).

6. Order 39-06062016

Terminating the LA Public Health Committee Interlocal Agreement between Lewiston and Auburn.

Motion was made by Councilor Titus and seconded by Councilor Gilbert to terminate the LA Public Health Committee Interlocal Agreement between Lewiston and Auburn.

Public comment – no one from the public spoke.

Passage 6-1 (Councilor Young opposed).

VII. Executive Session - None

VIII. Reports

Mayor's Report – No report.

Councilor Pross – wanted to remind the public of an upcoming Route 4 Safety meeting that is to be held on Wednesday at 5:30 P.M. in the Community Room of Auburn Hall.

Councilor Stone – wanted to publicly recognize the 14,000 American men that were killed 72 years ago during the Invasion of Normandy commenting that they should not be forgotten. They deserve more and need to be recognized.

Councilor Titus – informed the public of some upcoming meetings. The first is a Community Watch meeting at 6:00 P.M. on Tuesday and the second is the Finance & Public Administration Council Committee meeting to be held on Thursday, June 9th at 5:30 P.M.

Councilor Burns – reported that the LAEGC met this past Friday. He will be forwarding the agenda and attachments from that meeting to the Council.

City Manager – thanked Public Services staff for the work they did to get the flags up and lawn mowed at the cemeteries in preparation for Memorial Day. He also mentioned the Route 4 Safety meeting. He also thanked Councilor Stone for mentioning D-Day and the men that sacrificed their lives adding that they should be well respected.

Assistant City Manager, Denis D'Auteuil proposed meeting with each chair of the Council Committees to set a schedule that is permanent and to develop a plan on agendas and how they are set and to look at the Boards and Committees that fall under each of the Council Committees, hold workshops with them and to discuss a 12 month work plan in order to provide direction.

Finance Director, Jill Eastman -April 2016 Monthly Finance Report

Motion was made by Councilor Stone and seconded by Councilor Titus to accept and place on file the April 2016 monthly finance report. Passage 7-0.

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.*

Joe Gray, Sopers Mill Road spoke about business licensing in Auburn. He also talked about a recent experience he had trying to pay for a parking ticket.

X. Adjournment

Motion was made by Councilor Burns and seconded by Councilor Titus to adjourn. All were in favor, the meeting adjourned at 8:10 PM.

A True Copy.

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

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 06/20/2016 **Resolve:** 06-05162016

Author: Jill M Eastman, Finance Director

Subject: Resolve Adopting the 2016—2017 Annual Appropriation and Revenue Resolve (Second Reading)

Information: In accordance with the city Charter, Article 8, Section 8.6, prior to the fiscal year the City Council shall adopt an annual appropriation resolve making appropriations by department, fund, services, strategy or other organizational unit and authorizing an allocation for each program or activity.

The Council has been supplied with a resolve to adopt the annual appropriations for the City of Auburn, which includes final figures for revenue, total appropriation and municipal budget.

The school appropriation resolve has been incorporated into this annual appropriation resolve for the City of Auburn.

Two readings are required for passage of this resolve.

Advantages: By Charter the annual appropriation resolve must be passed before the end of the current fiscal year.

Disadvantages: None

City Budgetary Impacts:

Staff Recommended Action: Staff recommends passage of the resolve on second reading.

Previous Meetings and History: Budget presentation on April 11, 2016, various budget workshops in April and May. Public hearing and passage of first reading on 5/16/2016. On 6/6/16 this item was postponed until today's meeting.

Attachments:
Resolve for the 2016-2017 Annual Appropriation and Revenue
Summary of Proposed Budget
Summary of Estimated Non Property Tax Revenue

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Ernestine Gilbert, Ward Four

Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

RESOLVE 06-05162016

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2016-2017, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2016 and ending June 30, 2017.

The estimated aggregate amount of non-property tax revenue is $36,193,518 with a municipal revenue budget of $13,098,759 and a School Department revenue budget of $23,094,759.

The aggregate appropriation for the City of Auburn is $79,959,946, with a municipal budget of $37,048,867 County budget of $2,167,711 and a School Department budget of $40,743,368 which received School Committee approval on May 4, 2016, and school budget approved at the May 16, 2016 Council Meeting pursuant to the School Budget Validation vote on June 14, 2016, in accordance with Maine Revised Statues, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 11, 2016, by the City Manager, and notification was posted on the City of Auburn website on May 12, 2016 that a public hearing would be held on May 16, 2016 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2016-2017 beginning July 1, 2016 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2016-2017.

SCHOOL BUDGET ARTICLES

1. That $16,184,200.00 be authorized to be expended for Regular Instruction;
2. That $8,843,629.00 be authorized to be expended for Special Education;
3. That $-0- be authorized to be expended for Career and Technical Education;
4. That $1,008,066.00 be authorized to be expended for Other Instruction;
5. That $4,185,672.00 be authorized to be expended for Student and Staff Support;
6. That $881,721.00 be authorized to be expended for System Administration;
7. That $1,374,018.00 be authorized to be expended for School Administration;

8. That $1,350,104.00 be authorized to be expended for Transportation and Buses;
9. That $5,422,263.00 be authorized to be expended for Facilities Maintenance;
10. That $1,064,084.00 be authorized to be expended for Debt Service and Other Commitments;
11. That $429,611.00 be authorized to be expended for All Other Expenditures;
12. That $40,313,307.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that $17,320,901.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statues, Title 20-A, section 15688;

    Explanation: *The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

13. That $1,814,747.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

    Explanation: *Non-state-funded debt service is the amount of money needed for the annual payments on the city's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

14. That $0.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690;

***Explanation**: The additional local funds are those locally raised funds over and above the municipality's local contributions to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for education programs.*

15. That the school committee be authorized to expend $40,526,757.00 for the fiscal year beginning July 1, 2016 and ending June 30, 2017 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;

16. That the City of Auburn appropriate $391,728.00 for adult education and raise $189,080.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest for the well-being of the adult education program;

17. That the City of Auburn raise and appropriate $37,883.00 for the services of Community Services-Crossing Guards.

18. That in addition to amount approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;

19. That the City of Auburn increase the amount of the total school budget and the amounts the school committee is authorized to expend under the previous article, to the extent of any unanticipated increase in the adjusted state contribution under the Essential Programs and Services funding model.

We the Council of the City of Auburn adopt and approve the following items to the

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Norway Savings Bank Arena for the fiscal year 2016 – 2017, which includes the amounts budgeted herein beginning July 1, 2016 and ending June 30, 2017.

The Enterprise Fund-Norway Savings Bank Arena estimated amount of non-property tax revenue is $1,059,750.

The Enterprise Fund-Norway Savings Bank Arena budget is $1,199,256.

If the Enterprise Fund-Norway Savings Bank Arena has a deficit at the end of the fiscal year, this deficit will be covered by the General Fund and will be considered a loan to the Arena to be paid back in subsequent years.

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Ingersoll Turf Facility for the fiscal year 2016 – 2017, which includes the amounts budgeted herein beginning July 1, 2016 and ending June 30, 2017.

The Enterprise Fund-Ingersoll Turf Facility estimated amount of non-property tax revenue is $214,940.

The Enterprise Fund- Ingersoll Turf Facility budget is $178,102.

RESOLVED, The City is authorized to accept grants and forfeitures and to expend sums that may be received from grants and forfeitures for municipal purposes during the fiscal year beginning July 1, 2016 and ending June 30, 2017, provided that such grants and forfeitures do not require the expenditure of other funds not previously appropriated.

RESOLVED, that fifty percent (50%) of all real estate taxes assessed as in the annual commitment, committed to the Tax Collector, shall be due proportionately from each tax payer on September 15, 2016 and the remaining fifty percent (50%) shall be due on March 15, 2017.

Except as may be provided by resolve regarding payments in accordance with an installment payment plan, any real estate taxes remaining uncollected on September 16, 2016 and March 16, 2017 respectively shall bear interest at a rate of 7% per annum from and after such dates.

Personal property taxes shall be due and payable on or before September 15, 2016. Any personal property taxes remaining unpaid on September 16, 2016 shall bear an interest rate of 7% per annum from and after such date. Interest on all delinquent taxes shall be computed on

a daily basis and shall be collected by the Tax Collector. The Tax Collector is authorized to accept tax prepayments.

BE IT FURTHER RESOLVED that the City Council deems it necessary to adopt a budget which exceeds the percent increase of the Consumer Price Index Urban as of December 31, 2015, and hereby waives the provisions of Section 2-485 of the City Code of Ordinances.

Passage of first reading on 5/16/2016 6-0 (Councilors Young was not present for the vote).

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 20, 2016 Order: 40-06202016

Author: Eric J. Cousens, Deputy Director of Planning and Development

Subject: Dangerous Building at 12 Patton Street

Information: The Council is being asked to determine if the building 12 Patton Street meets statutory requirements for being deemed a Dangerous Building. City Staff has the option of asking the Council to make this determination or filing a complaint with Superior Court to have the Court make the determination. Either body, Council or Court, may order the abatement of the issues that make the building dangerous including demolition and removal of the structure if appropriate. The process in front of the Council is much more public, open for input from those affected by the nuisance property and it gives the owner a chance to be heard by the Council. Staff prefers the public process for these reasons and because it sends a message that the Council will not allow dangerous buildings to persist. When a dangerous building is allowed to exist, it causes negative impacts on the community and often puts neighbors or the public at risk. Generally, there is a long process of notices and missed compliance dates set by a Code Enforcement Officer before we would ask the Council to consider a building dangerous.

To help make the determination we have provided the following:

1. Documents establishing the identity of the current owner or owners;
2. The notice of hearing and proof of service on the owners and any party in interest;
3. Previous correspondence, notices or citations to the owner;
4. Photographs depicting the dilapidation at the property;
5. Other evidence regarding the building; and
6. Proposed Findings and a draft Order to abate conditions at the property will be provided at the hearing.

If the Council finds that a building is dangerous then there is a deadline established for abatement of the dangerous conditions and an Order issued to the owner. Staff recommends 30 days but the Council could allow longer. If the owner fails to meet the requirements of the Order then the City may cause the abatement, including demolition of the structure. If the owner fails to reimburse the City for the costs associated with the abatement then a special tax is filed against the property and the City can eventually foreclose on the property if the tax is not paid in full.

Advantages: Allows the Council to order the removal of the dangerous structure and cause the removal if necessary. Cleans up the neighborhood affected by dangerous or abandoned buildings and reduces hazards and service calls for residents and other departments.

Disadvantages: None.

City Budgetary Impacts: If the owner fails to comply with the order then demolition would be funded by the City and a special tax in the amount of our expenses would be assessed against the property.

Staff Recommended Action: Review the evidence and findings provided and determine if the building is dangerous as defined by Statute. It is staffs opinion that the conditions at the property make the structure dangerous.

Previous Meetings and History: January 25, 2016 workshop regarding Dangerous Buildings in general

---

Attachments:

1. Documents establishing the identity of the current owner or owners;
2. The notice of hearing and proof of service on the owners and any party in interest;
3. Previous correspondence, notices or citations to the owner;
4. Photographs depicting the dilapidation at the property;

BK3217 PG247

MAINE SHORT FORM WARRANTY DEED

03662

We, ARTHUR E. JIPSON and LORENA M. JIPSON, husband and wife, of Auburn, County of Androscoggin, State of Maine, for consideration paid, grant to ARTHUR E. JIPSON, LORENA M. JIPSON and DAVID E. JIPSON all of 12 Patton Street, Auburn, Maine, as joint tenants, with **WARRANTY COVENANTS**, a certain lot or parcel of land with the buildings thereon situated in Auburn and being more particularly described in the attached Exhibit A.

The premises are conveyed subject to any easements and restrictions of record and this deed includes all rights, easements, privileges, and appurtenances belonging to the premises hereinabove described.

WITNESS our hands and seals this 14th day of February, 1994.

Witness

Arthur E. Jipson

Lorena M. Jipson

NO MAINE R.E. TRANSFER TAX PAID

STATE OF MAINE
ANDROSCOGGIN SS.

Personally appeared the above named ARTHUR E. JIPSON and LORENA M. JIPSON, known to me, this 14th day of February, 1994, and acknowledged before me the foregoing instrument to be their free act and deed.

Notary Public/Attorney-at-Law

Henry J. Meyer
Printed Name
My Commission expires: 9/25/2000

LCF/mmd7.7
ATC File #93-2155

- OVER -

EXHIBIT A

EXHIBIT A

the land in Auburn, Androscoggin County, State of Maine, with any buildings thereon, bounded and described as follows:

Beginning on the easterly side of Dunn Street at a point in the dividing line between lots numbered one (1) and six (6) in Block C according to a Plan of the Pickard Farm Lands made by Reade & Moore and recorded in the Androscoggin County Registry of Deeds, Book of Plans, Book 2, Volume 1, Page 46, No. 54; thence at right angles with said Dunn Street easterly and on said dividing line between said lots numbered one (1) and six (6) for a distance of one hundred (100) feet; thence at right angles southerly for a distance of fifty (50) feet; thence at right angles westerly for a distance of one hundred (100) feet to the easterly line of said Dunn Street; thence at right angles northerly on said easterly line of said Dunn Street for a distance of fifty (50) feet to the point of beginning.

Dunn Street is now known as Patton Street.

Being the same premises conveyed to Arthur E. Jipson and Lorena M. Jipson by warranty deed from Ralph J. Lorraine M. Sawyer dated September 27, 1989 and recorded in the Androscoggin County Registry of Deeds in Book 2467, Page 258.

ATC File#93-2155

RECEIVED
93 FEB 10 P.M. 2:42
ATTEST:
REGISTER OF DEEDS

Bk 9349 Pg49 #6116
04-22-2016 @ 08:34a

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

Lorena Jipson
98 Broadview Avenue
Auburn, Maine 04210

David Jipson
11 Waterview Drive
Auburn, Maine 04210

12 PATTON STREET, AUBURN, MAINE

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

June 20, 2016 at 7:00 pm
Auburn City Hall
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structure and garage at 12 Patton Street, Auburn, Maine, identified as Lot 23 on Tax Map 211, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 3217, Page 247, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. 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 structures are not dangerous or nuisances 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

EXHIBIT B

TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

Return
A

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
12 PATTON STREET, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On May 2, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Lorena Jipson by delivering a copy of the same at the following address: 98 Broadview Avenue, Auburn, Maine 04210.

☐ to the above named party in hand.

☑ to Kim Jipson (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☐ to _____ (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service:	$ 21.00
Travel:	$ 4.00
Postage:	$ 2.00
Other:	$ 2.00
TOTAL:	$ 29.00

Signature

ASO
Agency

EXHIBIT C

Bk 9349 Pg49 #6116
04-22-2016 @ 08:34a

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

Lorena Jipson
98 Broadview Avenue
Auburn, Maine 04210

David Jipson
11 Waterview Drive
Auburn, Maine 04210

12 PATTON STREET, AUBURN, MAINE

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

June 20, 2016 at 7:00 pm
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60 Court Street, Auburn, Maine 04210

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If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. 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 structures are not dangerous or nuisances 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

Return
B

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
12 PATTON STREET, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On May 2, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, David Jipson by delivering a copy of the same at the following address: 11 Waterview Drive, Auburn, Maine 04210.

☐ to the above named party in hand.

☑ to Kim Jipson (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☐ to _____ (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service:	$ 21.00
Travel:	$
Postage:	$
Other:	$
TOTAL:	$ 21.00

Signature

PSO
Agency

EXHIBIT D

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

March 13, 2015

Kimberly Jipson
David Jipson
94 Broadview Ave.
Auburn, ME 04210

Altisource
P.O. Box 105460
Atlanta, GA 30348-5460

RE: 12 PATTON ST., PID # 211-023

Dear Property Owner:

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

12 PATTON ST.
AUBURN, ME 04210
PID#: 211023000

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: Detached single-car garage must be demolished and removed from the property. Foundation wall of the house must be either repaired or made safe to the satisfaction of this office or the building must be taken down. Please contact the Planning and Permitting office by the compliance date given with plans for corrective action.

Compliance Date: March 27, 2015

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 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.

EXHIBIT E

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.

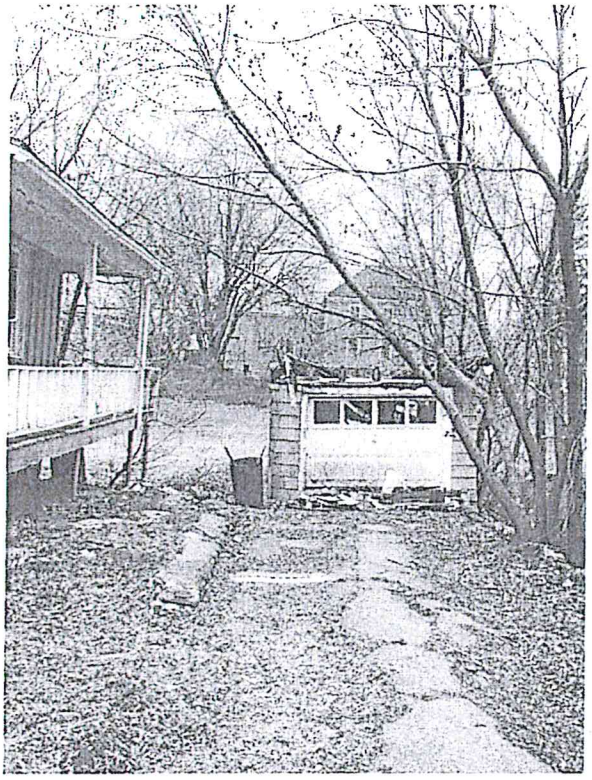
If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) 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.

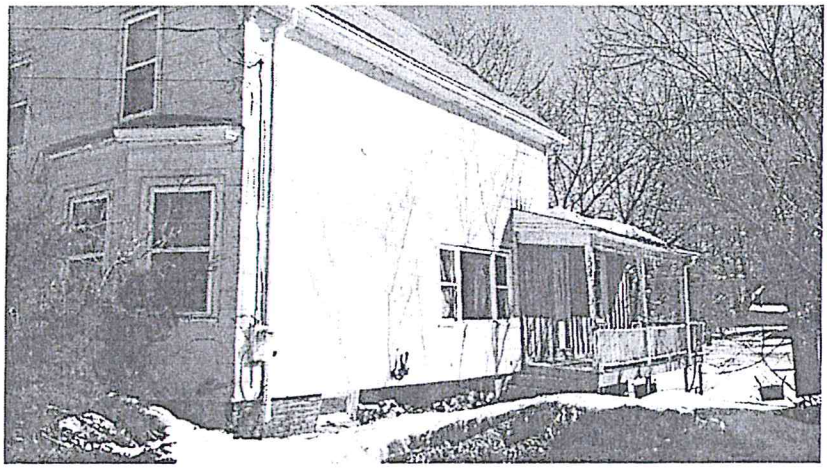
If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

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, Deputy Director of Planning and Development





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

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

April 14, 2015

Kimberly Jipson
David Jipson
94 Broadview Ave.
Auburn, ME 04210

Maine Home Mortgage Corp.
415 Congress St 3rd Floor
Portland, ME 04101

RE: 12 PATTON ST., PID # 211-023

Dear Property Owner:

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

12 PATTON ST.
AUBURN, ME 04210
PID#: 211023000

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: Detached single-car garage must be demolished and removed from the property. Foundation wall of the house must be either repaired or made safe to the satisfaction of this office or the building must be taken down. Please contact the Planning and Permitting office by the compliance date given with plans for corrective action.

Compliance Date: April 26, 2015

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)** 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 to Auburn Hall, C/O Planning and Development Department, suite 104, 60 Court Street, Auburn, ME

EXHIBIT F

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.

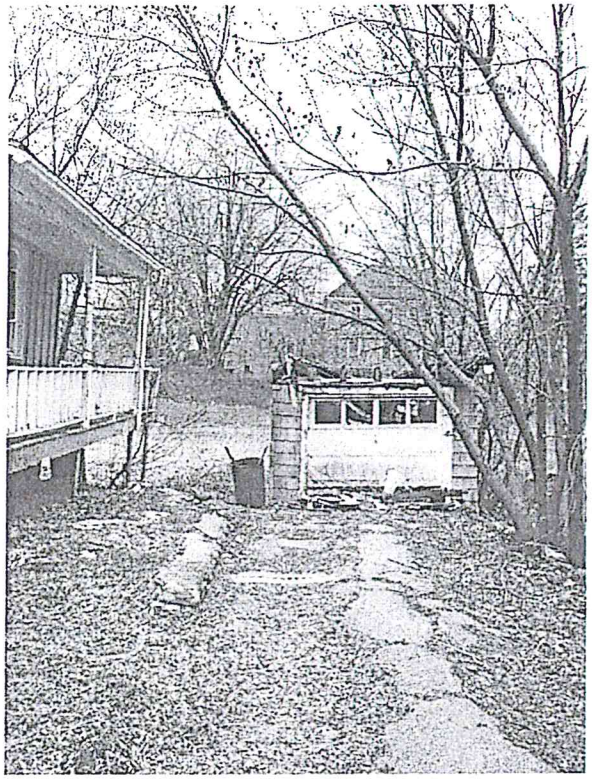
If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) 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.

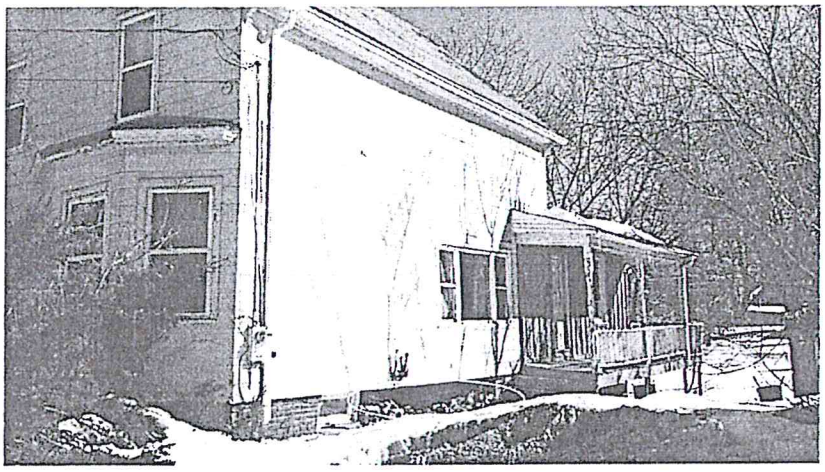
If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

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

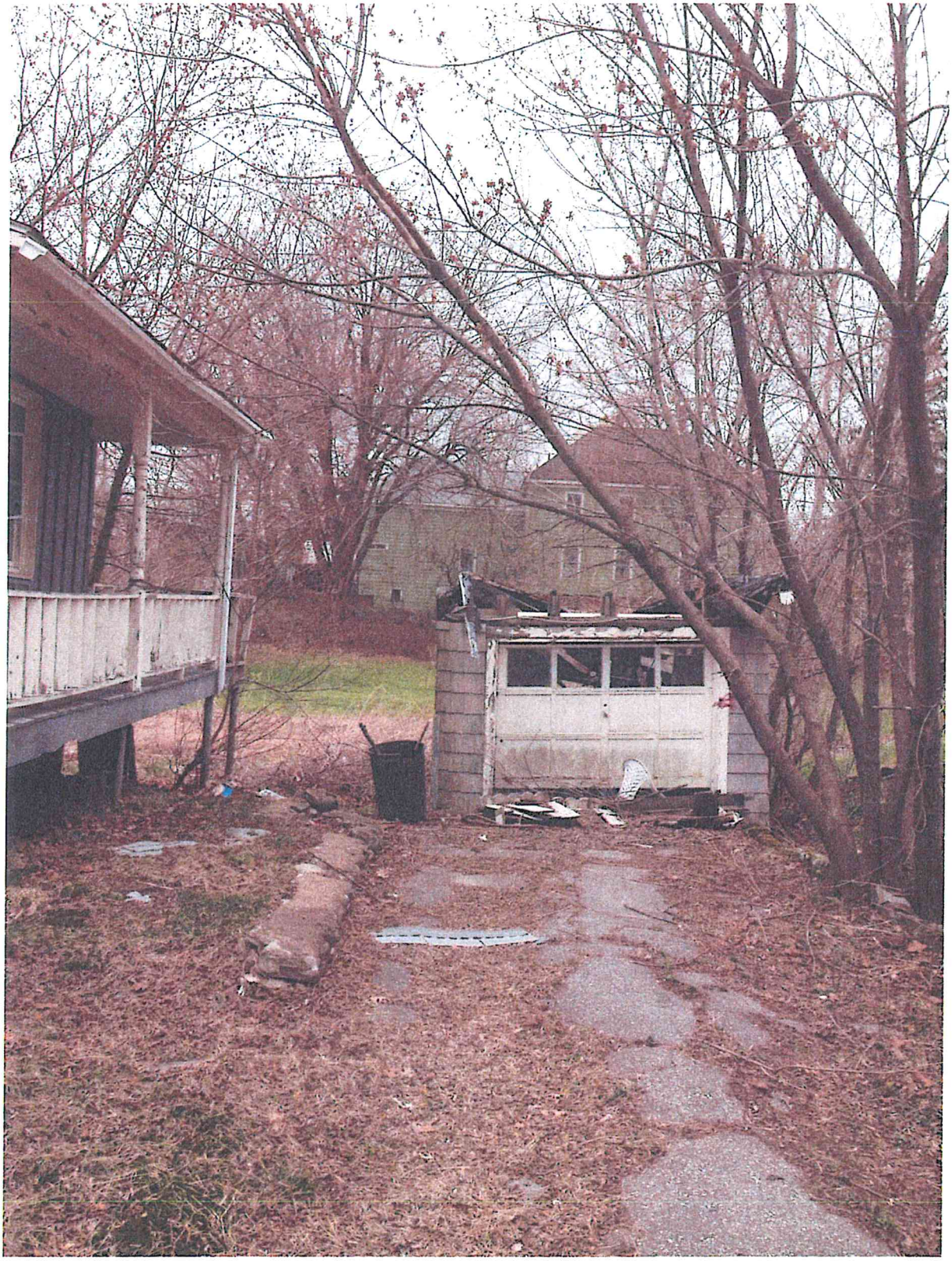
Cc: Eric Cousens, Deputy Director of Planning and Development

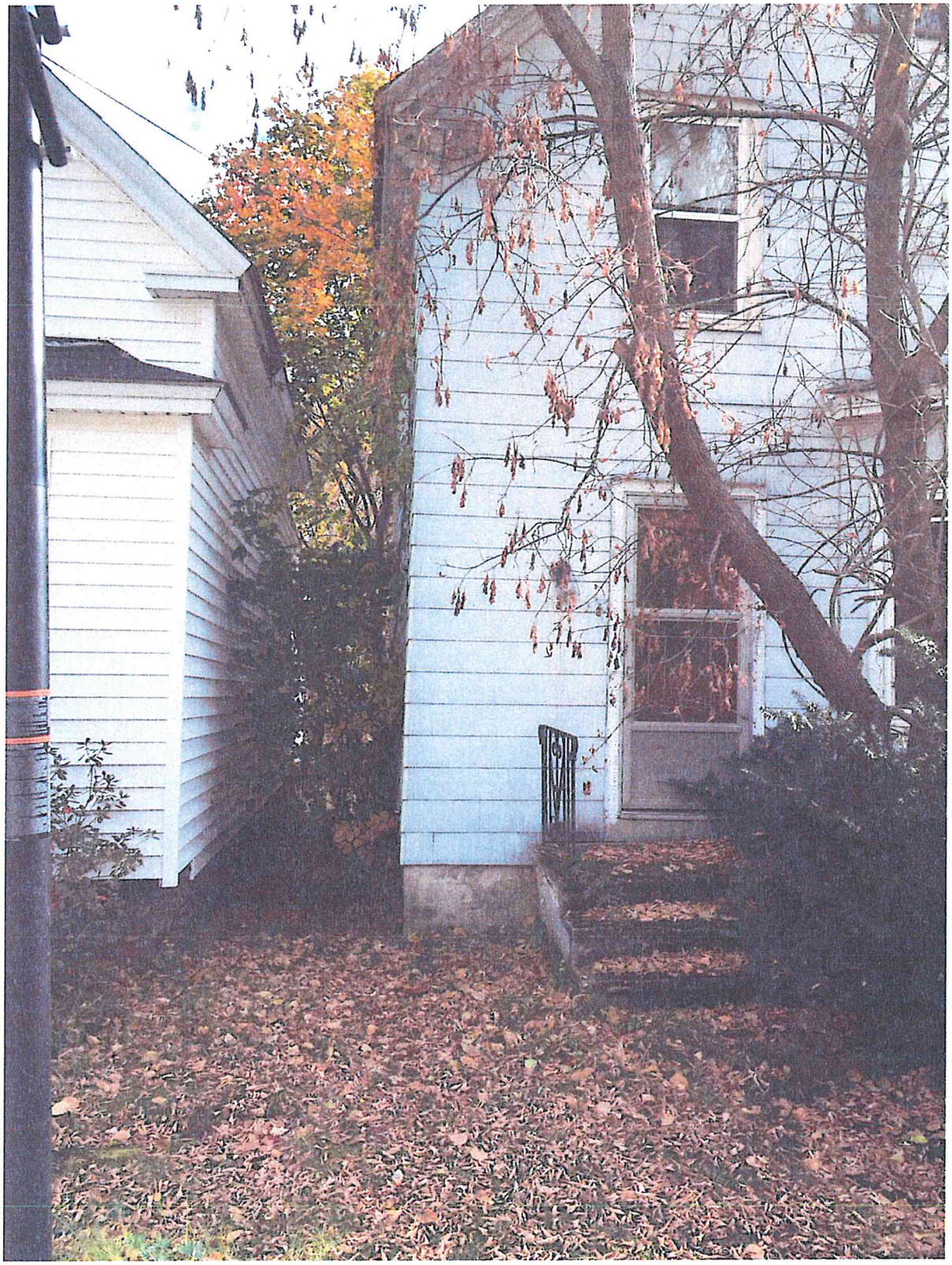


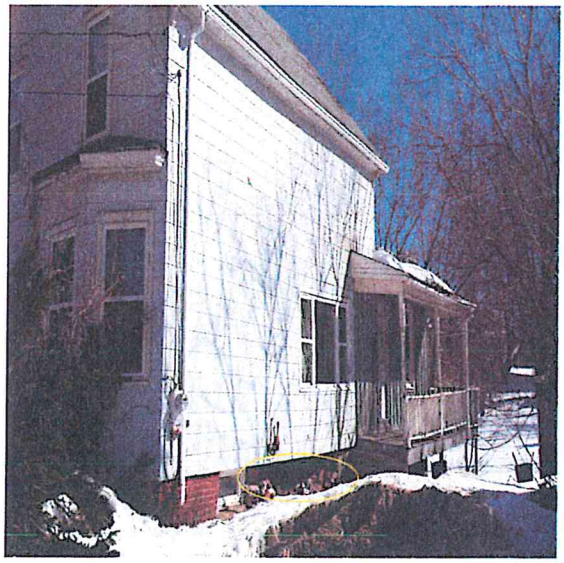


60 Court Street • Suite 104 • Auburn, ME 04210
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax
www.auburnmaine.org

EXHIBIT G







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

12 PATTON STREET

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the residential structure and garage (the "Structures") at 12 Patton Street in Auburn, Maine, identified as Lot 23 on Tax Map 211, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 3217, Page 247 (the "Premises"), are dangerous or nuisances 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 Structures 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 Structures are owned by Lorena and David Jipson (the "Owners"). Planning, Permitting & Code Department ("Department") Exhibit A.

2. Ms. Jipson and Mr. Jipson were each served a copy of the Notice of Hearing ("Notice") on May 2, 2016. Department Exhibits C & D.

3. There are no other parties-in-interest.

4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9349 and Page 49. Department Exhibit B.

5. The Structures are structurally unsafe.

6. The Structures are abandoned and unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage, including a completely collapsed roof on the garage and a failing foundation on the house.

7. It constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.

8. It is unsanitary due to the fact that the interior is open to the elements.

9. It is a heightened fire hazard due to its proximity to neighbors and overgrown brush.

10. The Owners have been given the opportunity to remedy the conditions at the Premises but have 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 Structures are structurally unsafe and unstable.

12. The Structures are unsanitary.

13. The Structures constitute a fire hazard.

14. The Structures are unsuitable and improper for human habitation.

15. The Structures are a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.

16. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are a nuisance and dangerous building, and the Council hereby concludes that the Structures at 12 Patton Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851.

Order

Having found that the Structures at 12 Patton Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

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

18. That if the Owners, and/or their successors or assigns, fail 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 Owners, and/or their 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 Structures, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.

20. That if the Owners, and/or their successors and assigns, fail 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 June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated:

_____
Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June ___, 2016

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 of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 20, 2016 Order: 41-06202016

Author: Eric J. Cousens, Deputy Director of Planning and Development

Subject: Dangerous Building at 16 Newbury Street

Information: The Council is being asked to determine if the building 16 Newbury Street meets statutory requirements for being deemed a Dangerous Building. City Staff has the option of asking the Council to make this determination or filing a complaint with Superior Court to have the Court make the determination. Either body, Council or Court, may order the abatement of the issues that make the building dangerous including demolition and removal of the structure if appropriate. The process in front of the Council is much more public, open for input from those affected by the nuisance property and it gives the owner a chance to be heard by the Council. Staff prefers the public process for these reasons and because it sends a message that the Council will not allow dangerous buildings to persist. When a dangerous building is allowed to exist, it causes negative impacts on the community and often puts neighbors or the public at risk. Generally, there is a long process of notices and missed compliance dates set by a Code Enforcement Officer before we would ask the Council to consider a building dangerous.

To help make the determination we have provided the following:

1. Documents establishing the identity of the current owner or owners;
2. The notice of hearing and proof of service on the owners and any party in interest;
3. Previous correspondence, notices or citations to the owner;
4. Photographs depicting the dilapidation at the property;
5. Other evidence regarding the building; and
6. Proposed Findings and a draft Order to abate conditions at the property will be provided at the hearing.

If the Council finds that a building is dangerous then there is a deadline established for abatement of the dangerous conditions and an Order issued to the owner. Staff recommends 30 days but the Council could allow longer. If the owner fails to meet the requirements of the Order then the City may cause the abatement, including demolition of the structure. If the owner fails to reimburse the City for the costs associated with the abatement then a special tax is filed against the property and the City can eventually foreclose on the property if the tax is not paid in full.

Advantages: Allows the Council to order the removal of the dangerous structure and cause the removal if necessary. Cleans up the neighborhood affected by dangerous or abandoned buildings and reduces hazards and service calls for residents and other departments.

Disadvantages: None.

City Budgetary Impacts: If the owner fails to comply with the order then demolition would be funded by the City and a special tax in the amount of our expenses would be assessed against the property.

Staff Recommended Action: Review the evidence and findings provided and determine if the building is dangerous as defined by Statute. It is staffs opinion that the conditions at the property make the structure dangerous.

Previous Meetings and History: January 25, 2016 workshop regarding Dangerous Buildings in general

---

Attachments:

1. Documents establishing the identity of the current owner or owners;
2. The notice of hearing and proof of service on the owners and any party in interest;
3. Previous correspondence, notices or citations to the owner;
4. Photographs depicting the dilapidation at the property;

MAINE SHORT FORM WARRANTY DEED

I, PATRICIA A. THAYER, being a widow, of Auburn, County of Androscoggin, State of Maine, for consideration paid, grant to RONALD R. LACHAPELLE and JUDITH LACHAPELLE of 87 Louise Street in said Auburn, as joint tenants, with WARRANTY COVENANTS the land, with the buildings thereon, situated in said Auburn, bounded and described as follows:

Beginning at the southeasterly corner of land formerly owned by Joel Vickery on Laurel Street; thence by said Street easterly sixty (60) feet to land formerly of Robert M. Sykes; thence at right angles by said Sykes land northerly one hundred and thirty-two (132) feet to land formerly of F. M. Jordan; thence at right angles by said Jordan's land westerly sixty (60) feet to land of said Vickery; thence at right angles by said Vickery's land southerly one hundred thirty-two (132) feet to the point of beginning.

For the source of title of this grantor, see joint tenancy warranty deed from Edith Thayer to this grantor and Ray D. Thayer dated January 12, 1967, recorded in the Androscoggin County Registry of Deeds in Book 968, Page 663. The said Ray D. Thayer died in Auburn on April 12, 1969 vesting complete title in the said grantor.

ALSO hereby conveying all rights, easements, privileges, and appurtenances belonging to the premises hereinabove described.

WITNESS my hand and seal this 1st day of December, 1971.

Gerald B. Powers Patricia A. Thayer

STATE OF MAINE
ANDROSCOGGIN, SS.

December 1, 1971

Then personally appeared the above named PATRICIA A. THAYER and acknowledged the foregoing instrument to be her free act and deed,

Before me,

Gerald B. Powers
Notary Public--Justice of the Peace

ANDROSCOGGIN, SS.
RECEIVED DEC 2 8 AM 10 AM
and recorded from the original

STATE OF MAINE
REAL ESTATE TRANSFER TAX
Bureau of Taxation
25.30
12-2-71
P.O. 10659

EXHIBIT A

12190

RELEASE DEED

BERNARD OUELLETTE, of RR 1, Box 750, Litchfield, Maine, 04350, for consideration paid, releases to **BERNARD OUELLETTE,** of said Litchfield, Maine, a certain lot or parcel of land, with the buildings thereon, in **AUBURN**, County of **ANDROSCOGGIN**, and State of **MAINE**, bounded and described as follows:

Beginning at the southeasterly corner of land formerly owned by Joel Vickery on Laurel Street; thence by said street easterly sixty (60) feet to land formerly of Robert M. Sykes; thence at right angles by said Sykes land northerly one hundred and thirty-two (132) feet to land formerly of F.M. Jordan; thence at right angles by said Jordan's land westerly sixty (60) feet to land of said Vickery; thence at right angles by said Vickery's land southerly one hundred thirty-two (132) feet to the point of beginning.

Being the same premises conveyed to Ronald Lachapelle and Judith Lachapelle by Warranty Deed of Patricia A. Thayer dated December 1, 1971 and recorded in the Androscoggin County Registry of Deeds in Book 1044, Page 761.

NO MAINE R.E. TRANSFER TAX PAID

This deed is given pursuant to a Judgment of Foreclosure and Order of Sale dated October 24, 1994, entered on October 25, 1994 in an Androscoggin County Superior Court action bearing Docket No. CV-91-539. The Judgment of Foreclosure and Order of Sale is recorded in the Androscoggin County Registry of Deeds in Book 3384, Page 304. The Grantee was the high bidder at the foreclosure sale held on July 11, 1995 pursuant to the Notice published in the Lewiston Sun-journal on April 21, 1995, April 28, 1995 and May 5, 1995.

The Grantor's interest derives from the Assignment of Judgment from Resolution Trust Corporation as Receiver for First Federal Savings Association dated June 12, 1995 and recorded on July 6, 1995 in Book 3444, Page 11. As shown by affidavits filed in the above referenced court action, the sale was adjourned from the published date of sale successively at

EXHIBIT B

intervals not exceeding seven (7) days pursuant to 14 M.R.S.A. §6323, to July 11, 1995 when the premises were sold to the Grantee as the high bidder.

As set forth in the above-referenced judgment, only the interest of Ronald R. Lachapelle was foreclosed and thereby conveyed herein. The interest of Judith A. Lachapelle was not conveyed to the mortgagee in the mortgage foreclosed by said judgment.

IN WITNESS WHEREOF, the Grantor has set its hand and seal on this 11th day of July, 1995.

Witness

Bernard Ouellette

STATE OF MAINE
COUNTY OF ANDROSCOGGIN, SS. July 11, 1995

Then personally appeared the above-named Bernard Ouellette and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Ronald L. Bissonnette
Attorney at Law

dfi/H:\CLIENTS\OUELLETT\NEWBUR2.FOR

RECEIVED
ANDROSCOGGIN, S.S.
95 JUL 13 AM 11: 10
ATTEST:
REGISTER OF DEEDS

Bk 9349 Pg48 #6115
04-22-2016 @ 08:33a

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

Judith LaChapelle
99 Louise Street
Auburn, Maine 04210

Bernard Ouellette
16 Greenfield Drive
Auburn, Maine 04210

Rocheleau & Associates, P.A.
c/o William Rocheleau, Jr.
65 East Avenue
Lewiston, Maine 04241-1918

Northern Utilities, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, Maine 04330

Herbert C. Wood, Jr.
76 Rockville Street
Rockport, Maine 04856

16 & 18 NEWBURY STREET, AUBURN, MAINE

You are hereby notified that the City Council of the City of Auburn, Maine will hold a hearing on:
June 20, 2016 at 7:00 pm
Auburn City Hall
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structures at 16 and 18 Newbury Street, Auburn, Maine, identified as Lot 35 on Tax Map 231, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2682, Page 139, 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

EXHIBIT C

Return
A

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
16 NEWBURY STREET, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On April 27, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Judith LaChapelle by delivering a copy of the same at the following address: 99 Louise Street, Auburn, Maine 04210.

☑ to the above named party in hand.

☐ to _____ (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☐ to _____ (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service:	$ 21.00
Travel:	$ 6.00
Postage:	$ 2.00
Other:	$ 2.00
TOTAL:	$ 31.00

Signature

ISD
Agency

EXHIBIT D

Bk 9349 Pg48 #6115
04-22-2016 @ 08:33a

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

Judith LaChapelle
99 Louise Street
Auburn, Maine 04210

Bernard Ouellette
16 Greenfield Drive
Auburn, Maine 04210

Rocheleau & Associates, P.A.
c/o William Rocheleau, Jr.
65 East Avenue
Lewiston, Maine 04241-1918

Northern Utilities, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, Maine 04330

Herbert C. Wood, Jr.
76 Rockville Street
Rockport, Maine 04856

16 & 18 NEWBURY STREET, AUBURN, MAINE

You are hereby notified that the City Council of the City of Auburn, Maine will hold a hearing on:
June 20, 2016 at 7:00 pm
Auburn City Hall
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structures at 16 and 18 Newbury Street, Auburn, Maine, identified as Lot 35 on Tax Map 231, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2682, Page 139, 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

Return
5

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
16 NEWBURY STREET, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On April 27, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Bernard Ouellette by delivering a copy of the same at the following address: 19 Greenfield Drive, Auburn, Maine 04210.

☐ to the above named party in hand.

☑ to Lisa Ouellette (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☐ to _____ (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service:	$ 21.00
Travel:	$
Postage:	$
Other:	$
TOTAL:	$ 21.00

Signature

#50
Agency

EXHIBIT E

Bk 9349 Pg48 #6115
04-22-2016 @ 08:33a

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

Judith LaChapelle
99 Louise Street
Auburn, Maine 04210

Bernard Ouellette
16 Greenfield Drive
Auburn, Maine 04210

Rocheleau & Associates, P.A.
c/o William Rocheleau, Jr.
65 East Avenue
Lewiston, Maine 04241-1918

Northern Utilities, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, Maine 04330

Herbert C. Wood, Jr.
76 Rockville Street
Rockport, Maine 04856

16 & 18 NEWBURY STREET, AUBURN, MAINE

You are hereby notified that the City Council of the City of Auburn, Maine will hold a hearing on:
June 20, 2016 at 7:00 pm
Auburn City Hall
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structures at 16 and 18 Newbury Street, Auburn, Maine, identified as Lot 35 on Tax Map 231, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2682, Page 139, 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

Return

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
16 NEWBURY STREET, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On June 6, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Rocheleau & Associates, P.A. by delivering a copy of the same at the following address: ~~362 Burgunac Road~~; 54 Ward Circle, Brunswick, ME 04011

☐ to the above named party in hand.

☐ to _____ (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☒ to Robert J. Rocheleau (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service:	$ 26.00
Travel:	$ 63.72
Postage:	$ .60
Other:	$ 20.87
TOTAL:	$ 111.19

Steven E Roberts
Signature

CCSO
Agency

attempt 362 Bunganut Rd
5-16-16 5:18pm

5-16 Call from Son Robert - Lyse is demented widow, Rocheleau assoc. is defunct corporation

Calls to + from attny re service options - decided to serve son at 54 Ward Circle, Brunswick

EXHIBIT F

Bk 9349 Pg48 #6115
04-22-2016 @ 08:33a

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

Judith LaChapelle
99 Louise Street
Auburn, Maine 04210

Bernard Ouellette
16 Greenfield Drive
Auburn, Maine 04210

Rocheleau & Associates, P.A.
c/o William Rocheleau, Jr.
65 East Avenue
Lewiston, Maine 04241-1918

Northern Utilities, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, Maine 04330

Herbert C. Wood, Jr.
76 Rockville Street
Rockport, Maine 04856

16 & 18 NEWBURY STREET, AUBURN, MAINE

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June 20, 2016 at 7:00 pm
Auburn City Hall
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structures at 16 and 18 Newbury Street, Auburn, Maine, identified as Lot 35 on Tax Map 231, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2682, Page 139, 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

Return

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
16 NEWBURY STREET, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On APR 2 6 2016, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Northern Utilities, Inc. by delivering a copy of the same at the following address: 45 Memorial Circle, Augusta, Maine 04330.

☐ to the above named party in hand.

☐ to _____ (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☒ to Corporation Service Co, Agent (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service: $_____
Travel: $_____
Postage: $_____
Other: $_____

TOTAL: $_____

Signature

Agency

HARRY MCKENNEY
Chief Civil Deputy
KENNEBEC COUNTY
SHERIFF'S OFFICE

EXHIBIT G

Bk 9349 Pg48 #6115
04-22-2016 @ 08:33a

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

Judith LaChapelle
99 Louise Street
Auburn, Maine 04210

Bernard Ouellette
16 Greenfield Drive
Auburn, Maine 04210

Rocheleau & Associates, P.A.
c/o William Rocheleau, Jr.
65 East Avenue
Lewiston, Maine 04241-1918

Northern Utilities, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, Maine 04330

Herbert C. Wood, Jr.
76 Rockville Street
Rockport, Maine 04856

16 & 18 NEWBURY STREET, AUBURN, MAINE

You are hereby notified that the City Council of the City of Auburn, Maine will hold a hearing on:
June 20, 2016 at 7:00 pm
Auburn City Hall
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structures at 16 and 18 Newbury Street, Auburn, Maine, identified as Lot 35 on Tax Map 231, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 2682, Page 139, 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

Return

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
16 NEWBURY STREET, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On 6/1, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Herbert C. Wood, Jr. by delivering a copy of the same at the following address: 76 Rockville Street, Rockport, Maine 04856.

☑ to the above named party in hand.

☐ to _____ (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☐ to _____ (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service: $_____
Travel: $_____
Postage: $_____
Other: $_____

TOTAL: $_____

Lauren Pinkham
Signature

Knox County S.O
Agency

EXHIBIT H

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Development

August 31, 2015

BERNARD OUELLETTE
19 GREENFIELD DR
AUBURN, ME 04210

JUDITH LACHAPELLE
99 LOUISE ST.
AUBURN, ME 04210

RE: 16 NEWBURY ST, PID # 231-035

Dear Property Owner:

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:

16 NEWBURY STREET
AUBURN, ME 04210
PID#: 231035000

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.

Violation: Chapter 12, Section 12-226

Description: MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for intended use.

Corrective Action: Repair all deficient porches and means of egress. Repair broken windows/doors and correct any damage in the building envelope such as roof leaks, as well as any deficiencies of the interior. Alternatively, removal of the building would satisfy the conditions for compliance. Contact the City of Auburn Planning and Development Office immediately to schedule an inspection of the property.

Compliance Date: September 10, 2015

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective action by the compliance date 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

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

EXHIBIT I

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.

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 reordered 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

Cc: Eric Cousens, Deputy Director of Planning and Development

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

FIRST CITATION - $105
NOTICE OF CIVIL PENALTY
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

September 15, 2015

BERNARD OUELLETTE
19 GREENFIELD DR
AUBURN, ME 04210

JUDITH LACHAPELLE
99 LOUISE ST.
AUBURN, ME 04210

RE: 16 NEWBURY ST, PID # 231-035

Dear Property Owner:

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

16 NEWBURY STREET
AUBURN, ME 04210
PID#: 231035000

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.

Violation: Chapter 12, Section 12-226

Description: MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for intended use.

Corrective Action: Repair all deficient porches and means of egress. Repair broken windows/doors and correct any damage in the building envelope such as roof leaks, as well as any deficiencies of the interior. Alternatively, removal of the building would satisfy the conditions for compliance. Contact the City of Auburn Planning and Development Office immediately to schedule an inspection of the property.

Compliance Date: September 22, 2015

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

EXHIBIT J

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 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
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1150
zlenhert@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Planning and Development

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

SECOND CITATION - $210
NOTICE OF CIVIL PENALTY
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

October 21, 2015

BERNARD OUELLETTE
19 GREENFIELD DR
AUBURN, ME 04210

JUDITH LACHAPELLE
99 LOUISE ST.
AUBURN, ME 04210

RE: 16 NEWBURY ST, PID # 231-035

Dear Property Owner:

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

16 NEWBURY STREET
AUBURN, ME 04210
PID#: 231035000

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.

Violation: Chapter 12, Section 12-226

Description: MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for intended use.

Corrective Action: Repair all deficient porches and means of egress. Repair broken windows/doors and correct any damage in the building envelope such as roof leaks, as well as any deficiencies of the interior. Alternatively, removal of the building would satisfy the conditions for compliance. Contact the City of Auburn Planning and Development Office immediately to schedule an inspection of the property.

Compliance Date: October 30, 2015

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

EXHIBIT K

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) 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 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
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1150
zlenhert@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Planning and Development

EXHIBIT L

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

16 NEWBURY STREET

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the front residential structure (the "Structure") at 16 Newbury Street in Auburn, Maine, identified as Lot 35 on Tax Map 231, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 2682, Page 139 (the "Premises"), are dangerous or nuisances 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 Judith LaChappelle and Bernard Ouellette (the "Owners"). Planning, Permitting & Code Department ("Department") Exhibits A & B.

2. Ms. LaChappelle and Mr. Ouellette were separately served with copies of the Notice of Hearing ("Notice") on April 27, 2016. Department Exhibits D and E.

3. Party-in-Interest Rocheleau & Associates, P.A. was served with a copy of the Notice on June 6, 2016. Department Exhibit F.

4. Party-in-Interest Northern Utilities, Inc. was served with a copy of the Notice on April 26, 2016. Department Exhibit G.

5. Party-in-Interest Herbert C. Wood was served with a copy of the Notice on June 1, 2016. Department Exhibit H.

6. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9349 and Page 48. Department Exhibit C.

7. The Structure is structurally unsafe.

8. The Structure is abandoned and unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage.

9. It constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.

10. It is unsanitary due to the fact that the interior is open to the elements.

11. It is a heightened fire hazard and attractive to vandals due to its proximity to neighbors.

12. The Owners have been given the opportunity to remedy the conditions at the Premises but have 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:

13. The Structure is structurally unsafe and unstable.

14. The Structure is unsanitary.

15. The Structure constitutes a fire hazard.

16. The Structure is unsuitable and improper for human habitation.

17. The Structure is a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.

18. 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 dangerous building, and the Council hereby concludes that the Structure at 16 Newbury Street is a nuisance and dangerous building within the meaning of 17 M.R.S. § 2851.

Order

Having found that the Structure at 16 Newbury Street is a nuisance and dangerous building within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

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

20. That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.

21. That within thirty (30) days after demand by the City, the Owners, and/or their 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.

22. That if the Owners, and/or their successors and assigns, fail 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 June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated:

_____
Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June ___, 2016

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 of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 20, 2016 Order: 42-06202016

Author: Eric J. Cousens, Deputy Director of Planning and Development

Subject: Dangerous Building at 180 Station Road

Information: The Council is being asked to determine if the building 180 Station Road meets statutory requirements for being deemed a Dangerous Building. City Staff has the option of asking the Council to make this determination or filing a complaint with Superior Court to have the Court make the determination. Either body, Council or Court, may order the abatement of the issues that make the building dangerous including demolition and removal of the structure if appropriate. The process in front of the Council is much more public, open for input from those affected by the nuisance property and it gives the owner a chance to be heard by the Council. Staff prefers the public process for these reasons and because it sends a message that the Council will not allow dangerous buildings to persist. When a dangerous building is allowed to exist, it causes negative impacts on the community and often puts neighbors or the public at risk. Generally, there is a long process of notices and missed compliance dates set by a Code Enforcement Officer before we would ask the Council to consider a building dangerous.

To help make the determination we have provided the following:

1. Documents establishing the identity of the current owner or owners;
2. The notice of hearing and proof of service on the owners and any party in interest;
3. Previous correspondence, notices or citations to the owner;
4. Photographs depicting the dilapidation at the property;
5. Other evidence regarding the building; and
6. Proposed Findings and a draft Order to abate conditions at the property will be provided at the hearing.

If the Council finds that a building is dangerous then there is a deadline established for abatement of the dangerous conditions and an Order issued to the owner. Staff recommends 30 days but the Council could allow longer. If the owner fails to meet the requirements of the Order then the City may cause the abatement, including demolition of the structure. If the owner fails to reimburse the City for the costs associated with the abatement then a special tax is filed against the property and the City can eventually foreclose on the property if the tax is not paid in full.

Advantages: Allows the Council to order the removal of the dangerous structure and cause the removal if necessary. Cleans up the neighborhood affected by dangerous or abandoned buildings and reduces hazards and service calls for residents and other departments.

Disadvantages: None.

City Budgetary Impacts: If the owner fails to comply with the order then demolition would be funded by the City and a special tax in the amount of our expenses would be assessed against the property.

Staff Recommended Action: Review the evidence and findings provided and determine if the building is dangerous as defined by Statute. It is staffs opinion that the conditions at the property make the structure dangerous.

Previous Meetings and History: January 25, 2016 workshop regarding Dangerous Buildings in general

---

Attachments:

1. Documents establishing the identity of the current owner or owners;
2. The notice of hearing and proof of service on the owners and any party in interest;
3. Previous correspondence, notices or citations to the owner;
4. Photographs depicting the dilapidation at the property;

03652

BK4180 PG081

WARRANTY DEED
Maine Statutory Short Form

KNOW ALL ME BY THESE PRESENTS, that **TRINA W. POULIN** of Auburn, County of Androscoggin, State of Maine, for consideration paid, grants to **MICHAEL A. FARRELL** of said Auburn, whose mailing address is 225 Old Hotel Road, Auburn, Maine 04210, with **WARRANTY COVENANTS**, as joint tenants, the land and buildings at 127 Old Hotel Road in said Auburn, described as follows:

A certain lot or parcel of land, together with any buildings thereon, situated in Auburn, County of Androscoggin, State of Maine, bounded and described as follows:

MAINE REAL ESTATE TRANSFER TAX PAID

Beginning on the northwesterly line of the old state highway which now runs from Washington Street to Danville Junction, at the northeasterly line of property formerly owned by one Ricker and now or formerly owned by Thelma R. Redmun (deed reference Book 1446, Page 20); thence northwesterly along the line of land formerly of said Ricker and now or formerly of said Redmun, three hundred (300) feet, more or less, to a marker in the ground at land now or formerly owned by J & B Realty (deed reference Book 2544, Page 67); thence northeasterly approximately parallel with the line of the highway along land of J & B Realty, two hundred twenty-five (225) feet, more or less, to a marker set in the ground; thence easterly and continuing along land of J & B Realty in line with a marker set in the ground, two hundred (200) feet, more or less, to the highway; thence southerly along the highway to the point of beginning.

MEANING AND INTENDED to convey the same premises conveyed to this grantor by Warranty Deed of Leo Michaud dated August 13, 1993 and recorded in the Androscoggin County Registry of Deeds in Book 3098 Page 159, as modified by a corrective Warranty Deed of Leo Michaud dated January 7, 1994 and recorded in the Androscoggin County Registry of Deeds in Book 3236 Page 138

WITNESS my hand and seal this 11 day of February, 1999.

Signed, sealed and delivered
in presence of

Witness

Trina W. Poulin

State of Maine
County of Androscoggin, ss.

February 11, 1999

Then personally appeared the above named Trina W. Poulin and acknowledged the foregoing instrument to be her free act and deed.

Before me,

SEAL

Notary Public/Attorney-at-Law

C. SCOTT McQUARY
Notary Public, Maine
My Commission Expires May 1, 2000

RECEIVED
ANDROSCOGGIN S.S.
99 FEB 23 AM 10: 05

ATTEST:
REGISTER OF DEEDS

d:\documents\word\farrell-poulin deed.doc

EXHIBIT A

Bk 9370 Pg190 #7939
05-26-2016 @ 12:21p

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

Michael A. Farrell
42 Dixon Road
Wales, Maine 04280

TD Bank, N.A., as successor to People's Heritage Bank
6 Atlantis Way
Lewiston, Maine 04240

180 STATION ROAD, AUBURN, MAINE

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

June 20, 2016 at 7:00 pm
Auburn City Hall
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structure 180 Station Road, Auburn, Maine, identified as Lot 3 on Tax Map 95, and further described in a deed recorded in the Androscoggin County Registry of Deeds at Book 4180, Page 81, 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 within the meaning of 17 M.R.S. § 2851, it may order 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

SEAL

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

EXHIBIT B

Return

A

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
180 STATION ROAD, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On 5-27, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Michael A. Farrell by delivering a copy of the same at the following address: 42 Dixon Road, Wales, Maine 04280

☑ to the above named party in hand.

☐ to ___ _____ (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☐ to _____ (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service:	$ 21.00
Travel:	$ 7.00
Postage:	$ 2.00
Other:	$ 2.00
TOTAL:	$ 32.00

Signature

Androscoggin SO

Agency

EXHIBIT C

Bk 9370 Pg190 #7939
05-26-2016 @ 12:21p

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

Michael A. Farrell
42 Dixon Road
Wales, Maine 04280

TD Bank, N.A., as successor to People's Heritage Bank
6 Atlantis Way
Lewiston, Maine 04240

180 STATION ROAD, AUBURN, MAINE

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

June 20, 2016 at 7:00 pm
Auburn City Hall
60 Court Street, Auburn, Maine 04210

This hearing is to determine whether the residential structure 180 Station Road, Auburn, Maine, identified as Lot 3 on Tax Map 95, and further described in a deed recorded in the Androscoggin County Registry of Deeds at Book 4180, Page 81, 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 [illegible] 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: April 21, 2016

Susan Clements-Dallaire
Susan Clements-Dallaire

STATE OF MAINE
ANDROSCOGGIN, ss

April 21, 2016

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

Alison F. Pepin
Notary Public / Attorney at Law

SEAL

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

Alison F. Pepin
Notary Public, State of Maine
My Commission Expires March 4, 2022

Return

B

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
180 STATION ROAD, AUBURN, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On 6-1, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, TD Bank, N.A. by delivering a copy of the same at the following address: 6 Atlantis Way, Lewiston, Maine 04240

☐ to the above named party in hand.

☐ to _____ (name), a person of suitable age and discretion who was then residing at the party's usual residence.

☑ to Kristina Lacroix (name), who is authorized to receive service for the party.

☐ by (describe other manner of service):

_____

_____

Costs of Service:

Service:	$ 2100
Travel:	$ 300
Postage:	$ 200
Other:	$ 200
TOTAL:	$ 2800

Signature

Androscoggin SO
Agency

EXHIBIT D

March 25, 2016

MICHAEL FARRELL
145 EASTMAN LN
AUBURN, ME 04210

MICHAEL FARRELL
42 DIXON RD
WALES, ME 04280

RE: 180 STATION RD., PID # 095-003

Dear Mr. Michael Farrell:

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:

180 STATION ROAD
AUBURN, ME 04210
PID#: 095003000

Violation: 17 M.R.S.A § 2851.

Description: DANGEROUS BUILDING

Revision: Whenever the municipal officers in the case of a municipality, or the county commissioners in the case of the unorganized or deorganized areas in their county, find that a building or structure or any portion thereof or any wharf, pier, pilings or any portion thereof that is or was located on or extending from land within the boundaries of the municipality or the unorganized or deorganized area, as measured from low water mark, is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property, they may after notice and hearing on this matter adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal must be made of that building or structure.

Violation: Chapter 12, Section 12-226

Description: MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for intended use.

Corrective Action: The building at 180 Station Rd. has become structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; and constitutes a hazard to health or safety because of inadequate maintenance and dilapidation. Abate the violation by either: repairing the building envelope (roof, windows, eaves), removing graffiti, removing refuse, and making the building suitable for its intended use, or; removing the building and properly disposing of the debris

Compliance Date: April 26, 2016

EXHIBIT E

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective action by the compliance date 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.**

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 reordered 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
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

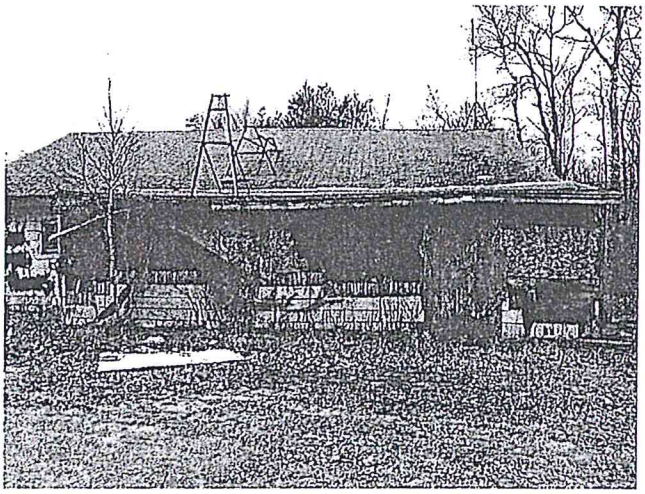
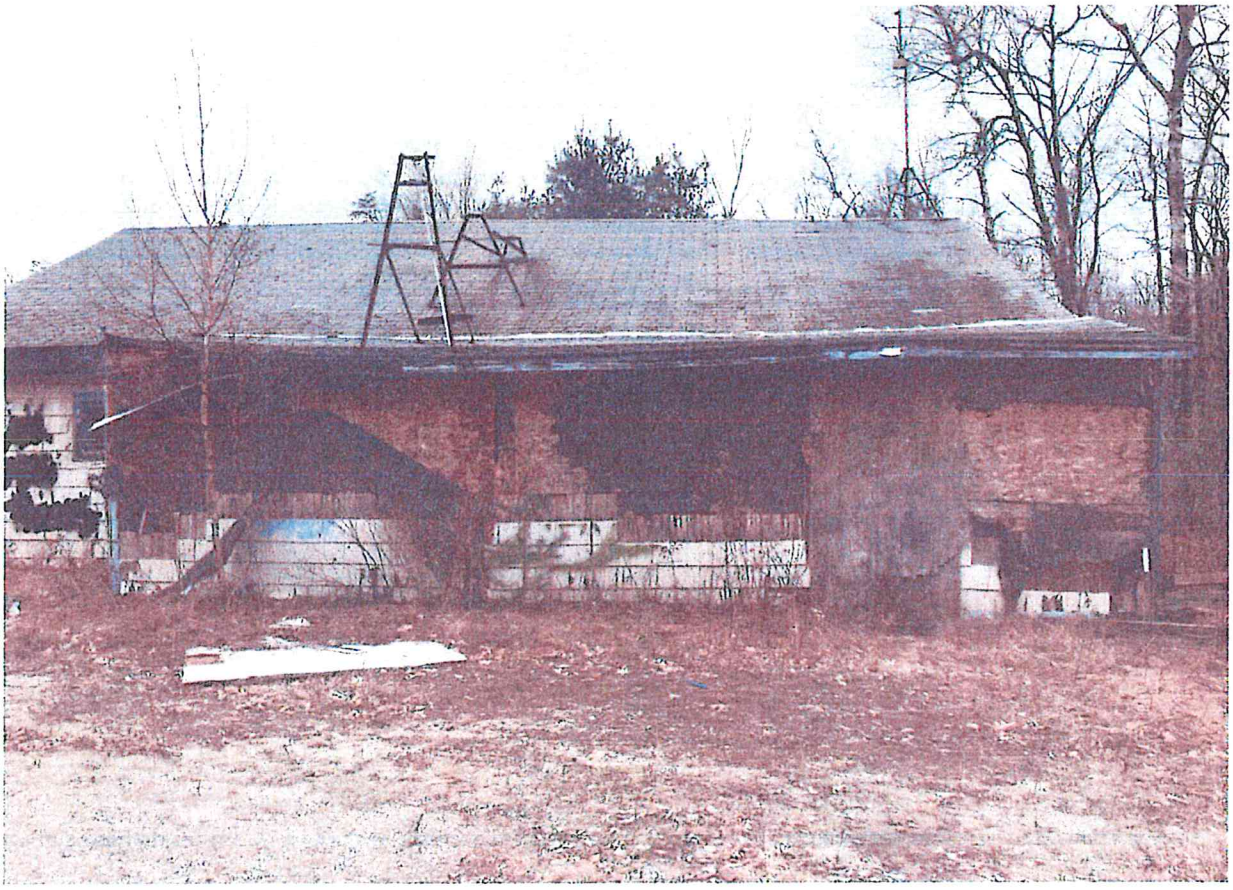
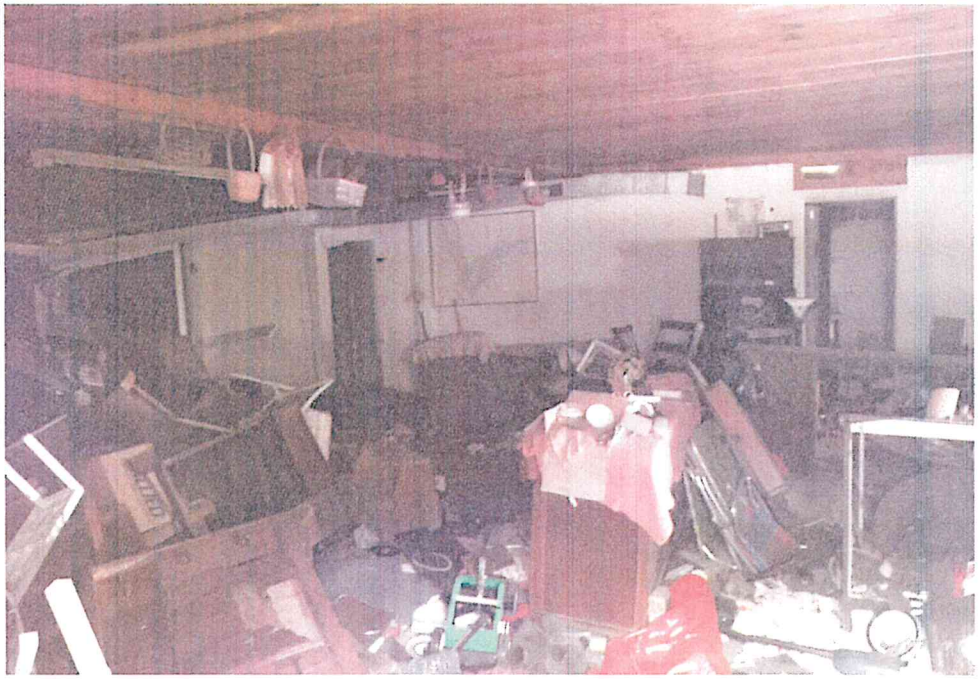


EXHIBIT F



FUCK
COPS
BITCH



Fuck
COPS
Bitch

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

180 STATION ROAD

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the industrial structure (the "Structure") at 180 Station Road in Auburn, Maine, identified as Lot 3 on Tax Map 95, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 4180, Page 81 (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 is owned by Michael Farrell (the "Owner"). Planning, Permitting & Code Department ("Department") Exhibits A.

2. Mr. Farrell was served with a copy of the Notice of Hearing ("Notice") on May 27, 2016. Department Exhibits C.

3. Party-in-Interest TD Bank, N.A., as successor to People's Heritage Bank was served with a copy of the Notice on June 6, 2016. Department Exhibit D.

4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9370 and Page 190. Department Exhibit B.

5. The Structure is structurally unsafe.

6. The Structure is abandoned and unfit for storage due to the lack of utilities, as well as major structural damage.

7. It constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.

8. It is unsanitary due to the fact that the interior is open to the elements and loaded with trash and debris.

9. It is a heightened fire hazard and target for vandalism due to its remote location and current appearance and fire loading with flammable materials.

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 the use to which it is put.

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 dangerous building, and the Council hereby concludes that the Structure at 180 Station Road is a nuisance and dangerous building within the meaning of 17 M.R.S. § 2851.

Order

Having found that the Structure at 180 Station Road is a nuisance and 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, fail 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, fail 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 June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated:

_____
Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June ___, 2016

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 of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 20, 2016 Order: 43-06202016

Author: Michael Chammings, Economic & Community Development Director and Eric Cousens, Deputy Director of Economic and Community Development

Subject: Economic & Community Development Department Budget

Information: This year we are proposing the combination of three departments, Economic Development, Planning and Permitting and Community Development, into a single department called Economic and Community Development. This transition started over a year ago after a verbal Council directive and we have been largely functioning under the proposed structure for a number of months, without the official formation of a new department. Council action is required under the Charter to formalize the new Department. The effort is motivated by the Council directive to reduce costs and meet financial challenges and to increase coordination in efforts to improve our community and increase taxable value. This structure works. It provides high quality services and a one stop process for residential or commercial development from concept to construction that considers all the City's needs in the decision making process and helps move projects to completion. This structure is lean and is constrained by the .7% CPI-U limit for funding and it minimizes general fund costs of the Department. An additional position could help in planning and economic development functions including providing staff support to existing committees and any new committees from other agencies and allow us to increase efforts to work with neighborhood groups. The structure recognizes that looking ahead is important but immediate opportunities and day to day services that are not as visible to Council remain a top priority.

Advantages: Reduces overall administration costs and streamlines project delivery to a single managerial structure. Leverages a 100% return on a $100,000 TIF funded small business loan pool for total loan availability of $200,000 to Auburn small businesses. Provides staff support to ABDC if LAEGC is unable to do so and could increase capacity to work with neighborhoods with one additional position. Formalizes policy to work with GIS Staff and secures staff time for E&CD Functions while reducing general tax burden for those valuable services. Takes advantage of and formalizes a new cooperative effort for business and workforce development with the School Department while reducing general tax burden for those services. Shift our focus to more heavily to downtown and community oriented development.

Disadvantages: Modifies some staff duties that will take some time and effort to implement as we shift our focus to more heavily to downtown and community oriented development.

City Budgetary Impacts: Shifts additional general revenue funded services to TIF and CDBG funding.

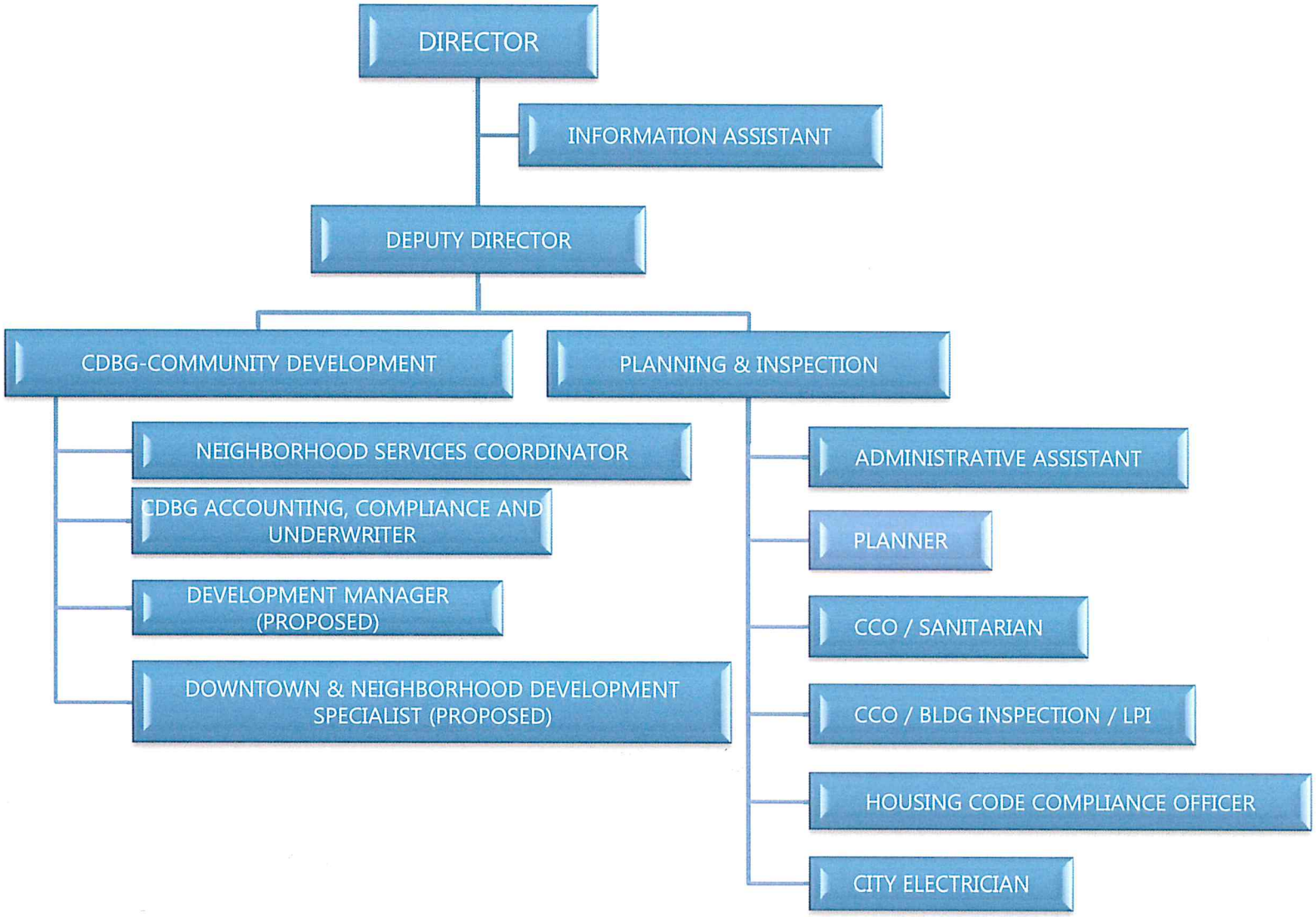
Staff Recommended Action: Review proposed budget and provide policy level direction to staff to finalize structure. Staff will implement the details. Consider adding one position to increase committee and neighborhood group engagement and to assist in day to day functions to expedite projects as volume continues to increase.

Committee Recommended Action: Pass along to Council for consideration. Some committee members expressed concerns that the budget proposal was informed heavily by financial constraints and additional capacity could be desirable. Provide CDBG and HOME budget caps for administration expenses for Council.

Previous Meetings and History: Community Planning and Development Council Committee Meeting April 21 and various Council meetings and workshops including one on May 9, 2016.

Attachments: Charter provision copy for department creation, Organizational Chart, CDBG and HOME administration cap memorandum, salary funding source summary, Information Sheet from previous Council workshop regarding department combination, CCI loan Information Letter.

COMMUNITY PLANNING & DEVELOPMENT (proposed)



Sec. 7.1. - General provisions.

A. Creation of departments. The city council may establish city departments, offices, or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies. no function assigned by this Charter to a particular department, office, or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.

B. Direction by city manager. All departments, offices, and agencies under the direction and supervision of the city manager shall be administered by an officer appointed by and subject to the direction and supervision of the city manager. The mayor and councilors shall direct administrative functions of the city solely through the city manager.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Ernestine Gilbert, Ward Four

Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 43-06202016

ORDERED, that pursuant to the City Charter Section 7.1 paragraph A, that it be hereby established the Economic and Community Development Department be established which will include the Economic Development, Planning and Permitting, and Community Development Departments. See attached organizational chart.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 6/20/2016 **Order: 44-06202016**

Author: Alison F. Pepin, License Specialist

Subject: Approving the Mass Gathering Permit for the 2016 Liberty Festival. Public hearing.

Information: We received an application on 5/26/2016 for a Mass Gathering to be held July 2nd – 5th, 2016 (rain date July 3rd – 6th). Set up would begin on July 2nd and clean up would be completed on July 5th (rain date July 6th). The event will include fireworks, vendors, and a variety of entertainers.

Staff held a meeting (6/16/2016) with Cathy McDonald, President of the Liberty Festival/Independence Day Committee. Staff from Police, Code, Electrical, City Clerk and Public Services attended to review the application, ask questions and ensure things were in order.

The certificate of liability insurance (through Champoux Insurance Agency) will be provided approximately 10 days before the event.

Advantages: It is a nice community event that is fun for all ages. It may also attract visitors from other areas. Local businesses will likely benefit as well, particularly those within the Mass Gathering area.

Disadvantages: Potential complaints (traffic, noise, disruptive behavior).

City Budgetary Impacts: $10,000 towards the cost of fireworks and $1,800 for in kind services which have already been funded in the City budget.

Staff Recommended Action: Public hearing and approval.

Previous Meetings and History: This is a yearly event. The Mass Gathering application for 2016 was presented to Council under Communications at the June 6, 2016 Council Meeting.

Attachments:
Application
Map
Documentation regarding tax-exempt status
Public notice
Order 44-06202016

Date received: _____

Date approved: _____

CITY OF AUBURN
SPECIAL EVENT/MASS GATHERING APPLICATION

For any Special Event on City property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

****

Applications must be submitted to the Clerk at least 45 days prior to the event if the gathering is expected to attract up to 5,000 people.

Application must be submitted at least 90 days prior to the event if the gathering is expected to attract more than 5,000 people.

SPONSOR INFORMATION

Name of Sponsoring Organization: Liberty Festival / Independence Day Committee

Name of Contact Person for Event: Cathy McDonald

Title of Contact Person: President

Mailing Address: PO Box 97, Lewiston, ME 04240

Daytime Telephone: 786-3088 Cell Phone: 212-8227

Email Address: liberty.festival@aol.com

Contact Name and Cell Phone Number DURING the Event: Cathy McDonald - 212-8227

Is your organization incorporated as a non-profit organization? Yes X No _____

Non-Profit Number: 04-3358113

EVENT INFORMATION

Name of Event: Liberty Festival

Type of Event (walk, festival, concert, etc.): festival

Date of Event: July 2nd - 5th, 2016 Rain Date: July 3rd - 6th, 2016

Times of Event: Start Time including set-up: 7am Ending time including clean up: 1am

Actual Event Start Time: 4pm Actual Event End Time: 11pm

Estimated Attendance: 3,000

Location of Event: Great Falls, Festival Plaza and surrounding areas

Have you held an event at this location within the last 12 months? Yes x No _____

If the location is a city park, have you applied for use of the property with the Parks & Recreation Department and has your request been approved?
Yes_____No x Pending_____Date submitted to the Recreation Department: _____

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	**Permission/Permit Type**	**YES**	**NO**	**NOT SURE**
Separate fee & application, conditions & restrictions may apply	Banner across Court Street **Non-profit groups only, $100 fee per week, 2 week maximum. First come first serve basis, proof of insurance required.**		x	
Separate fee and permit possible	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages: various vendor foods and beverages **Note - A food service license may be required and must be submitted 14 days prior to the event.**	x		
Separate fee and permit possible	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: t-shirts and novelties **Note - A peddler permit may be required and must be submitted 14 days prior to the event.**	x		
N/A	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: musical entertainers in Great Falls plaza area	x		
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	x		
N/A	ALCOHOLIC BEVERAGES ARE NOT ALLOWED			
Separate fee and permit required	CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.		x	
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	x		
N/A	PARADE – Will there be a parade? If yes, describe route: **Note – A permit from the Police Department is required.**		x	
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route:		x	
Separat e permit required	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity: Possible organized flag disposal ceremony **Note - A permit from the Fire Department is required.**			x

N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes: Small pop-up canopy tents around vendors and staging areas. Possible larger tent over stage area.	x		
Separate fee and permit required	ELECTRICAL POWER/EQUIPMENT – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment? vending booths, musical equipment and stage lighting.	x		
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: Main Street, Court Street, Longley Bridge and Great Falls Plaza.	x		
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a **mandatory** requirement for this application and must be included.			
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? Great Falls plaza lots, Auburn City Hall parking garage. We will be manning donation requested lots.	x		
N/A	TOILETS – Please list amount at event and/or nearest location: 10 regular units and 2 handicap units between Lew & Auburn	x		
N/A	WASTE DISPOSAL – Please list process and location: City provided trash cans and liners	x		
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location: 1 at port-a-potties and 1 portable at each vending station.	x		
N/A	POTABLE WATER – Please list amount at event and location: 1 hook up from TD Bank	x		
N/A	FIRST AID FACILITIES – Please list location at event: United Ambulance and Auburn Fire at Great Falls Plaza	x		
$	TOTAL FEE AMOUNT INCLUDED – Checks payable to the **City of Auburn**	0		

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc. the City requires insurance coverage – general liability. The City of Auburn is to be named as additionally insured in regards to the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received at least 30 days before the event and before permits can be issued. Please have the **City of Auburn** listed as additional insured on the Certificate of Insurance (minimum coverage $1,000,000 Bodily Injury or Death, per occurrence, and $300,000 Property Damage, per occurrence). It should contain a clause providing that the policy may not be cancelled by either party except upon not less than 30 days written notice to the City. Please have your insurance company fax a copy to: City Clerk 207-333-6623.

DESCRIPTION OF EVENT – Please describe what will occur during your event

We will begin with set-up on 7/2 for the festival. The festival will occur on 7/4th (rain date July 5th) and include fireworks, vendors and a variety of entertainers. Clean up will be completed on 7/5 (rain date 7/6).

Signature of Applicant:	Printed Name:	Date Submitted:
Cathy McDonald	Cathy McDonald	5/25/16

Please note that you will be contacted by City Staff if you require additional permitting.

Please return this completed application with diagram and any applicable fee to:

MAIL: City Clerk's Office
60 Court Street, Suite 150
Auburn, ME 04210
FAX: 207-333-6623
EMAIL: sdallaire@auburnmaine.gov
PHONE: 207-333-6600

****FOR STAFF USE****

DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Sanitarian/Health Inspector				
Code Officer/Land Use & Zoning				
Fire Department				
Police Department				
Public Works Department				
Recreation Department				

COMMENTS/CONDITIONS from any of the above departments:

_____

_____

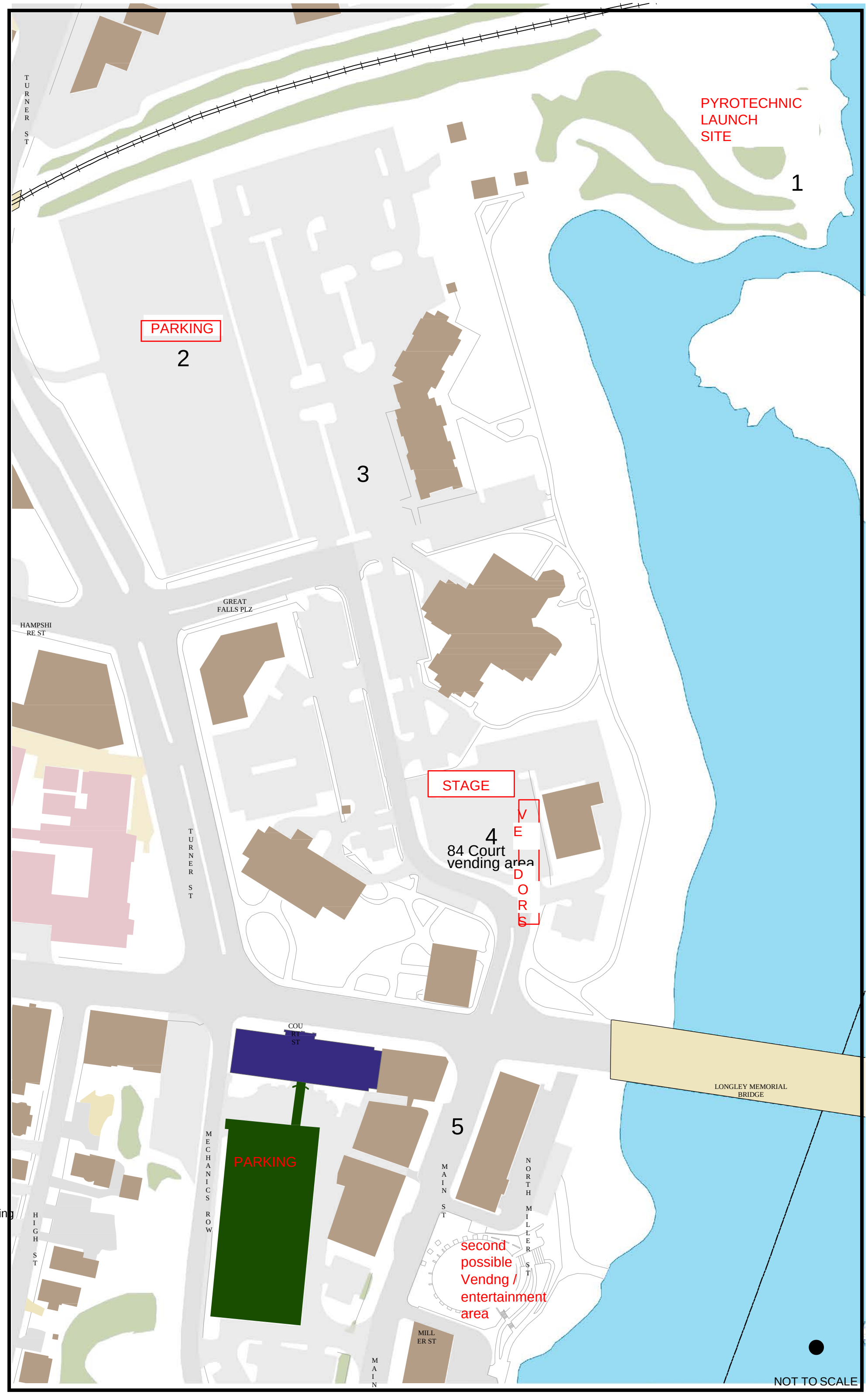
_____

_____

_____

City Council Public Hearing date, if applicable: _____

License Approved/Denied: _____ Date applicant notified: _____


TURNER ST
PYROTECHNIC LAUNCH SITE
1
PARKING
2
3
GREAT FALLS PLZ
HAMPSHIRE ST
STAGE
4
84 Court vending area
VENDORS
TURNER ST
COURT ST
LONGLEY MEMORIAL BRIDGE
5
PARKING
MECHANICS ROW
MAIN ST
NORTH MILLER ST
second possible Vendng / entertainment area
HIGH ST
MILLER ST
MAIN ST
NOT TO SCALE

Parking

From:	Alison Pepin
To:	Susan Clements-Dallaire
Subject:	FW: Liberty Festival
Date:	Wednesday, June 01, 2016 9:57:32 AM
Attachments:	image002.png image003.png Mass Gathering Special Event.pdf

Alison F. Pepin, CCM
Deputy City Clerk & License Specialist - City of Auburn
60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1121

The City of Auburn is subject to statutes relating to public records. Email sent or received by City employees are subject to these laws. Senders and receivers of City email should presume that messages are subject to release.

From: Alison Pepin
Sent: Friday, May 27, 2016 10:40 AM
To: 'Liberty Festival / Cathy McDonald'
Cc: Tammy Thatcher; Cristy Bourget
Subject: Liberty Festival

Good morning, Cathy.

Thank you for submitting your application. The application will be presented to the City Council as a communication only, on Monday, June 6th. We are looking at putting it on the June 20th agenda for public hearing and action.

I noticed on the attached map, 84 Court Street is shown as a vendor. Will they be catering alcohol, food or both? Do you have any other confirmed vendors? We would like to get the list as soon as possible. I also noticed that you filled out the old version of the application. Attached is the updated version for you to use moving forward.

As you may recall, a public notice is required to be placed in the newspaper, serving the area where the mass gathering is proposed to be held, 30 days in advance of the gathering unless a lesser time is authorized by the City Council, at the applicants expense. Once we receive the proof and estimate from the Sun Journal, we will forward a copy to you for payment. Please make the check payable to the City of Auburn.

We will also need a certificate of liability insurance naming the City of Auburn as policy holder and listed as additional insured. I know this may take a couple of weeks to get completed.

Please let me know if you have any questions.

Thank you,

Alison F. Pepin, CCM
Deputy City Clerk & License Specialist - City of Auburn
60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1121

The City of Auburn is subject to statutes relating to public records. Email sent or received by City employees are subject to these laws. Senders and receivers of City email should presume that messages are subject to release.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JAN 21 2016

INDEPENDENCE DAY COMMITTEE
PO BOX 97
LEWISTON, ME 04240

Employer Identification Number:
04-3358113
DLN:
105334077
Contact Person:
MS. ZAEBST ID# 31610
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
September 15, 2015
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

Based on the information you submitted with your application, your exemption under IRC Section 501(c)(6) is reinstated for the period July 15, 2012, to the effective date shown in the heading of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar

to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Jeffrey I. Cooper
Director, Exempt Organizations
Rulings and Agreements

CITY OF AUBURN
PUBLIC NOTICE

A public hearing will be held by the Auburn City Council on Monday, June 20, 2016 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liberty Festival/Independence Day Committee application for:

The Liberty Festival to be held at Great Falls, Festival Plaza and surrounding areas, July 2nd-5th, 2016.

All interested persons may appear and will be given the opportunity to be heard before final action is taken.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Ernestine Gilbert, Ward Four

Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 44-06202016

ORDERED, that the Auburn City Council hereby approves the Special Event/Mass Gathering application for Liberty Festival to be held, July 2nd, 2016 through July 6th, 2016 at Great Falls, Festival Plaza, and surrounding areas. Set up would begin July 2nd and clean up would be completed on July 5th (rain date July 6th).

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

TO: **Howard Kroll, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **May 2016 Financial Report**

DATE: **June 6, 2016**

The following is a discussion regarding the significant variances found in the City's May financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its eleventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 91.7% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through May 31st, including the school department were $71,149,943, or 91.75%, of the budget. The municipal revenues including property taxes were $52,477,453, or 95.53% of the budget which is more than the same period last year by 2.01%. The accounts listed below are noteworthy.

A. The current year tax revenue is at 96.94% as compared to 97.25% last year. The 30 day notice of liens were sent out in May. Tax liens will be filed in the middle of June on any properties that have unpaid taxes.

B. Excise tax for the month of May is at 104.06%. This is a $187,975 increase from FY 15. Our excise revenues for FY16 are 12.36% above projections as of May 31, 2016. As of May 31st we are $135,943 over the anticipated revenue for the year of $3,350,000.

C. State Revenue Sharing for the month of May is 91.55% or $1,352,815.

Expenditures

City expenditures through May 2015 were $35,345,171 or 91.83%, of the budget. This is 1.78% higher than last year at this time.

Noteworthy variances are:

A. The transfer to the Workers Compensation Fund was processed earlier this fiscal year than last fiscal year.
B.

Investments

This section contains an investment schedule as of May 31st. Currently the City's funds are earning an average interest rate of .47%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND
AS of May 2016, April 2016, and June 2015

	UNAUDITED May 31 2016	UNAUDITED April 30 2016	Increase (Decrease)	AUDITED JUNE 30 2015
ASSETS				
CASH	$ 17,177,809	$ 19,730,465	$ (2,552,655)	$ 11,951,131
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	2,179,186	2,226,311	(47,125)	2,429,419
TAXES RECEIVABLE-CURRENT	1,303,766	1,755,788	(452,022)	37,898
DELINQUENT TAXES	614,821	614,953	(132)	571,005
TAX LIENS	511,747	540,325	(28,577)	1,721,395
NET DUE TO/FROM OTHER FUNDS	602,357	(20,851)	623,208	266,370
TOTAL ASSETS	**$ 22,389,686**	**$ 24,846,990**	**$ (2,457,303)**	**$ 16,977,218**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (18,610)	$ (297,051)	$ 278,441	$ (1,935,471)
PAYROLL LIABILITIES	(213,163)	(523,213)	310,050	-
ACCRUED PAYROLL	36,805	36,805	-	(2,329,832)
STATE FEES PAYABLE	(55,566)	(87,981)	32,415	-
ESCROWED AMOUNTS	(16,940)	(14,155)	(2,785)	(6,039)
DEFERRED REVENUE	(2,407,772)	(2,889,328)	481,556	(1,860,686)
TOTAL LIABILITIES	**$ (2,675,246)**	**$ (3,774,923)**	**$ 1,099,677**	**$ (6,132,028)**
FUND BALANCE - UNASSIGNED	$ (18,623,488)	$ (19,981,114)	$ 1,357,626	$ (8,018,394)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	776,017	-	
FUND BALANCE - RESTRICTED	(1,866,970)	(1,866,970)	-	(2,826,796)
TOTAL FUND BALANCE	**$ (19,714,441)**	**$ (21,072,067)**	**$ 1,357,626**	**$ (10,845,190)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (22,389,687)**	**$ (24,846,990)**	**$ 2,457,303**	**$ (16,977,218)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH May 31, 2016 VS May 31, 2015

REVENUE SOURCE	FY 2016 BUDGET	ACTUAL REVENUES THRU MAY 2016	% OF BUDGET	FY 2015 BUDGET	ACTUAL REVENUES THRU MAY 2015	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 44,021,283	$ 42,673,420	96.94%	$ 43,055,996	$ 41,869,980	97.25%	$ 803,440
PRIOR YEAR TAX REVENUE	$ -	$ 980,327		$ -	948,765		$ 31,562
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 505,000	$ 258,527	51.19%	$ 495,000	$ 383,752	77.53%	$ (125,225)
ALLOWANCE FOR ABATEMENT	$ -	$ -		$ -	$ -		$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	$ -	$ -		$ -	$ -		$ -
EXCISE	$ 3,350,000	$ 3,485,943	104.06%	$ 3,185,000	$ 3,297,968	103.55%	$ 187,975
PENALTIES & INTEREST	$ 150,000	$ 119,809	79.87%	$ 145,000	$ 124,316	85.74%	$ (4,507)
TOTAL TAXES	$ 48,026,283	$ 47,518,025	98.94%	$ 46,880,996	$ 46,624,781	99.45%	$ 893,244
LICENSES AND PERMITS							
BUSINESS	$ 48,300	$ 64,601	133.75%	$ 48,300	$ 59,833	123.88%	$ 4,768
NON-BUSINESS	$ 356,800	$ 310,194	86.94%	$ 339,300	$ 318,958	94.00%	$ (8,764)
TOTAL LICENSES	$ 405,100	$ 374,795	92.52%	$ 387,600	$ 378,791	97.73%	$ (3,996)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 440,000	$ 401,596	91.27%	$ 440,000	$ 397,504	90.34%	$ 4,092
STATE REVENUE SHARING	$ 1,477,641	$ 1,352,815	91.55%	$ 1,649,470	$ 1,344,291	81.50%	$ 8,524
WELFARE REIMBURSEMENT	$ 70,000	$ 41,638	59.48%	$ 70,000	$ 45,514	65.02%	$ (3,876)
OTHER STATE AID	$ 22,000	$ 3,555	16.16%	$ 22,000	$ 3,356	15.25%	$ 199
CITY OF LEWISTON	$ 155,000	$ 5,040	3.25%	$ 155,000	$ -	0.00%	$ 5,040
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 2,164,641	$ 1,804,644	83.37%	$ 2,336,470	$ 1,790,665	76.64%	$ 13,979
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 133,040	$ 119,506	89.83%	$ 132,040	$ 132,236	100.15%	$ (12,730)
PUBLIC SAFETY	$ 239,138	$ 91,451	38.24%	$ 485,703	$ 351,940	72.46%	$ (260,489)
EMS TRANSPORT	$ 1,250,000	$ 938,187	75.05%	$ 987,551	$ 531,610	53.83%	$ 406,577
TOTAL CHARGE FOR SERVICES	$ 1,622,178	$ 1,149,144	70.84%	$ 1,605,294	$ 1,015,786	63.28%	$ 133,358
FINES							
PARKING TICKETS & MISC FINES	$ 60,000	$ 60,257	100.43%	$ 26,000	$ 61,377	236.07%	$ (1,120)
MISCELLANEOUS							
INVESTMENT INCOME	$ 5,000	$ 45,100	902.01%	$ 10,000	$ 2,685	26.85%	$ 42,415
INTEREST-BOND PROCEEDS	$ 2,000	$ -	0.00%	$ 2,000	$ -	0.00%	$ -
RENTS	$ 18,000	$ 164,260	912.55%	$ 122,000	$ 2,350	1.93%	$ 161,910
UNCLASSIFIED	$ 20,000	$ 39,827	199.13%	$ 20,000	$ 56,872	284.36%	$ (17,045)
SALE OF RECYCLABLES	$ -	$ -		$ -	$ -		$ -
COMMERCIAL SOLID WASTE FEES	$ -	$ 45,190		$ -	$ 41,532		$ 3,658
SALE OF PROPERTY	$ 20,000	$ 503,063	2515.31%	$ 20,000	$ 2,333	11.67%	$ 500,730
RECREATION PROGRAMS/ARENA	$ -	$ -		$ -	$ -		$ -
MMWAC HOST FEES	$ 210,000	$ 193,100	91.95%	$ 206,000	$ 191,821	93.12%	$ 1,279
9-1-1 DEBT SERVICE REIMBURSEMENT	$ -	$ -		$ -	$ -	0.00%	$ -
TRANSFER IN: TIF	$ 545,000	$ 545,000	100.00%	$ 500,000	$ -	0.00%	$ 545,000
TRANSFER IN: POLICE	$ 45,000		0.00%	$ 20,000	$ -	0.00%	$ -
TRANSFER IN: PARKING PROGRAM	$ -			$ 55,000	$ -	0.00%	$ -
TRANSFER IN: PD DRUG MONEY	$ -			$ 45,000	$ -	0.00%	$ -
TRANSFER IN: REC SPEC REVENUE	$ 42,718		0.00%	$ 41,720	$ -	0.00%	$ -
TRANSFER IN: SPECIAL REVENUE	$ -			$ 290,000	$ 304,999	105.17%	$ (304,999)
ENERGY EFFICIENCY	$ -	$ 3,600		$ -	$ -		$ 3,600
CDBG	$ 58,000	$ 18,524	31.94%	$ 58,000	$ 18,585	32.04%	$ (61)
UTILITY REIMBURSEMENT	$ 37,500	$ 12,925	34.47%	$ 37,500	$ 20,242	53.98%	$ (7,317)
CITY FUND BALANCE CONTRIBUTION	$ 1,650,000	$ -	0.00%	$ 1,350,000	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,653,218	$ 1,570,588	59.20%	$ 2,777,220	$ 641,419	23.10%	$ 929,169
TOTAL GENERAL FUND REVENUES	**$ 54,931,420**	**$ 52,477,453**	95.53%	**$ 54,013,580**	**$ 50,512,819**	93.52%	**$ 1,964,634**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 20,854,672	$ 18,076,266	86.68%	$ 20,411,239	$ 17,075,677	83.66%	$ 1,000,589
EDUCATION	$ 856,607	$ 596,223	69.60%	$ 774,572	$ 516,707	66.71%	$ 79,516
SCHOOL FUND BALANCE CONTRIBUTION	$ 906,882	$ -	0.00%	$ 906,882	$ -	0.00%	$ -
TOTAL SCHOOL	$ 22,618,161	$ 18,672,489	82.56%	$ 22,092,693	$ 17,592,384	79.63%	$ 1,080,105
GRAND TOTAL REVENUES	**$ 77,549,581**	**$ 71,149,943**	**91.75%**	**$ 76,106,273**	**$ 68,105,203**	**89.49%**	**$ 3,044,740**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH May 31, 2016 VS May 31, 2015

DEPARTMENT	FY 2016 BUDGET	Unaudited EXP THRU MAY 2016	% OF BUDGET	FY 2015 BUDGET	Unaudited EXP THRU MAY 2015	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 77,366	$ 73,978	95.62%	$ 78,532	$ 73,841	94.03%	$ 137
CITY MANAGER	$ 269,340	$ 256,993	95.42%	$ 280,750	$ 224,127	79.83%	$ 32,866
ECONOMIC DEVELOPMENT	$ 361,080	$ 301,031	83.37%	$ 359,500	$ 287,044	79.85%	$ 13,987
CITY CLERK	$ 165,053	$ 150,580	91.23%	$ 164,593	$ 151,048	91.77%	$ (468)
FINANCIAL SERVICES	$ 619,855	$ 562,187	90.70%	$ 605,135	$ 518,559	85.69%	$ 43,628
HUMAN RESOURCES	$ 143,526	$ 131,996	91.97%	$ 139,578	$ 121,201	86.83%	$ 10,795
INFORMATION TECHNOLOGY	$ 390,190	$ 361,067	92.54%	$ 413,829	$ 358,408	86.61%	$ 2,659
LEGAL SERVICES	$ 65,000	$ 95,967	147.64%	$ 65,000	$ 65,633	100.97%	$ 30,334
TOTAL ADMINISTRATION	$ 2,091,410	$ 1,933,799	92.46%	$ 2,106,917	$ 1,799,861	85.43%	$ 133,938
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 906,631	$ 847,104	93.43%	$ 902,494	$ 789,314	87.46%	$ 57,790
HEALTH & SOCIAL SERVICES	$ 184,711	$ 135,914	73.58%	$ 192,954	$ 156,627	81.17%	$ (20,713)
RECREATION & SPECIAL EVENTS*	$ 338,871	$ 264,380	78.02%	$ -			$ 264,380
PUBLIC LIBRARY	$ 979,516	$ 880,015	89.84%	$ 960,692	$ 865,623	90.10%	$ 14,392
TOTAL COMMUNITY SERVICES	$ 2,409,729	$ 2,127,413	88.28%	$ 2,056,140	$ 1,811,564	88.11%	$ 315,849
FISCAL SERVICES							
DEBT SERVICE	$ 6,324,864	$ 6,247,014	98.77%	$ 6,263,936	$ 6,274,784	100.17%	$ (27,770)
FACILITIES	$ 653,080	$ 559,026	85.60%	$ 698,335	$ 418,024	59.86%	$ 141,002
WORKERS COMPENSATION	$ 496,536	$ 496,536	100.00%	$ 468,081	$ -	0.00%	$ 496,536
WAGES & BENEFITS	$ 5,171,309	$ 4,524,519	87.49%	$ 4,737,117	$ 4,375,697	92.37%	$ 148,822
EMERGENCY RESERVE (10108062-670000)	$ 375,289	$ -	0.00%	$ 375,289	$ -	0.00%	$ -
TOTAL FISCAL SERVICES	$ 13,021,078	$ 11,827,095	90.83%	$ 12,542,758	$ 11,068,505	88.25%	$ 758,590
PUBLIC SAFETY							
FIRE DEPARTMENT	$ 4,099,634	$ 3,975,024	96.96%	$ 4,057,633	$ 3,981,368	98.12%	$ (6,344)
FIRE EMS	$ 549,801	$ 333,197	60.60%	$ 635,468	$ 285,800	44.97%	$ 47,397
POLICE DEPARTMENT	$ 3,870,995	$ 3,424,589	88.47%	$ 3,738,108	$ 3,302,771	88.35%	$ 121,818
TOTAL PUBLIC SAFETY	$ 8,520,430	$ 7,732,810	90.76%	$ 8,431,209	$ 7,569,939	89.78%	$ 162,871
PUBLIC WORKS							
PUBLIC SERVICES DEPARTMENT	$ 4,525,898	$ 3,812,847	84.25%	$ 5,806,379	$ 5,209,572	89.72%	$ (1,396,725)
SOLID WASTE DISPOSAL*	$ 927,278	$ 730,195	78.75%	$ -	$ -		$ 730,195
WATER AND SEWER	$ 599,013	$ 599,013	100.00%	$ 599,013	$ 599,013	100.00%	$ -
TOTAL PUBLIC WORKS	$ 6,052,189	$ 5,142,055	84.96%	$ 6,405,392	$ 5,808,585	90.68%	$ (666,530)
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 105,000	$ 103,888	98.94%	$ 105,000	$ 105,000	100.00%	$ (1,112)
E911 COMMUNICATION CENTER	$ 1,069,122	$ 1,072,812	100.35%	$ 1,067,249	$ 1,049,366	98.32%	$ 23,446
LATC-PUBLIC TRANSIT	$ 209,244	$ 209,244	100.00%	$ 235,373	$ 211,378	89.81%	$ (2,134)
LA ARTS	$ -	$ -		$ 17,000	$ -	0.00%	$ -
TAX SHARING	$ 270,000	$ 228,985	84.81%	$ 270,000	$ 29,040	10.76%	$ 199,945
TOTAL INTERGOVERNMENTAL	$ 1,653,366	$ 1,614,929	97.68%	$ 1,694,622	$ 1,394,784	82.31%	$ 220,145
COUNTY TAX	$ 2,142,268	$ 2,142,268	100.00%	$ 2,046,880	$ 2,046,879	100.00%	$ 95,389
TIF (10108058-580000)	$ 2,599,914	$ 2,824,802	108.65%	$ 2,584,032	$ 2,599,913	100.61%	$ 224,889
OVERLAY	$ -	$ -		$ -	$ -	0.00%	$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 38,490,384**	**$ 35,345,171**	**91.83%**	**$ 37,867,950**	**$ 34,100,030**	**90.05%**	**$ 1,245,141**
EDUCATION DEPARTMENT	$ 39,062,197	$ 28,231,891	72.27%	$ 38,241,323	$ 27,940,501	73.06%	$ 291,390
TOTAL GENERAL FUND EXPENDITURES	**$ 77,552,581**	**$ 63,577,062**	**81.98%**	**$ 76,109,273**	**$ 62,040,531**	**81.52%**	**$ 1,536,531**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF April 30, 2016

INVESTMENT		FUND	BALANCE May 31, 2016	BALANCE April 30, 2016	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 4,264,239.57	$ 4,262,791.29	**0.40%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,003,329.73	$ 1,002,659.38	**0.40%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 7,057,440.69	$ 7,045,122.93	**0.40%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 50,123.06	$ 50,106.05	**0.40%**
ANDROSCOGGIN BANK	748	UNEMPLOYMENT	$ 50,123.07	$ 50,106.05	**0.40%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 130,320.25	$ 130,276.01	**0.40%**
NORTHERN CAPITAL	02155	CAPITAL PROJECTS	$ 750,000.00	$ 750,000.00	**0.45%**
NORTHERN CAPITAL	02155	GENERAL FUND	$ 500,000.00	$ 500,000.00	**0.50%**
NORTHERN CAPITAL	02155	GENERAL FUND	$ 500,000.00	$ 500,000.00	**0.85%**
GRAND TOTAL			**$ 14,305,576.37**	**$ 14,291,061.71**	**0.47%**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2015 - June 30, 2016
Report as of May 31, 2016

	July 2015	August 2015	Sept 2015	Oct 2015	Nov 2015	Dec 2015	Jan 2016	Feb 2016	Mar 2016	Apr 2016	May 2016	Adjustment	Totals	% of Total
No Insurance Information				$ 9,878.80	$ 9,378.20	$ 7,920.00	$ 15,706.00	$ 10,867.40	$ 16,949.20	$ 4,292.20	$ 11,804.00	$ (74,991.80)	$ 11,804.00	0.58%
Bluecross	$ 4,447.40	$ 9,313.20	$ 16,358.80	$ 7,914.80	$ 8,336.80	$ 9,136.40	$ 5,167.40	$ 9,445.60	$ 8,658.40	$ 3,327.40	$ 2,706.80	$ 18,603.60	$ 103,416.60	5.10%
Intercept	$ 200.00	$ 400.00	$ 500.00	$ 400.00	$ 300.00	$ 200.00	$ 100.00	$ 400.00	$ 500.00	$ 200.00	$ 600.00	$ 100.00	$ 3,900.00	0.19%
Medicare	$ 76,994.00	$ 81,754.00	$ 95,440.20	$ 83,724.40	$ 75,419.20	$ 105,424.20	$ 85,563.40	$ 75,211.60	$ 91,344.40	$ 96,559.00	$ 71,040.00	$ 19,333.40	$ 957,807.80	47.24%
Medicaid	$ 32,852.00	$ 29,305.00	$ 39,741.60	$ 26,231.20	$ 23,081.80	$ 27,212.00	$ 26,440.00	$ 33,075.20	$ 22,219.60	$ 26,973.60	$ 23,590.80	$ 19,982.60	$ 330,705.40	16.31%
Other/Commercial	$ 36,705.40	$ 31,800.40	$ 41,227.00	$ 33,338.80	$ 25,727.60	$ 24,983.40	$ 33,851.80	$ 32,748.60	$ 49,548.80	$ 42,544.20	$ 47,937.00	$ 76,436.00	$ 476,849.00	23.52%
Patient	$ 30,593.00	$ 32,031.80	$ 16,754.40	$ 26,109.20	$ 14,667.80	$ 21,797.80	$ 8,812.00	$ 12,714.80	$ 7,445.00	$ 16,868.20	$ 14,612.60	$ (64,076.00)	$ 138,330.60	6.82%
Worker's Comp												$ 4,612.20	$ 4,612.20	0.23%
TOTAL	$ 181,791.80	$ 184,604.40	$ 210,022.00	$ 187,597.20	$ 156,911.40	$ 196,673.80	$ 175,640.60	$ 174,463.20	$ 196,665.40	$ 190,764.60	$ 172,291.20	$ -	$ 2,027,425.60	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2015 - June 30, 2016
Report as of May 31, 2016

	July 2015	August 2015	Sept 2015	Oct 2015	Nov 2015	Dec 2015	Jan 2016	Feb 2016	Mar 2016	Apr 2016	May 2016	Adjustment	Totals	% of Total
No Insurance Information				12	12	10	19	13	20	5	14		105	4.13%
Bluecross	5	11	20	9	10	11	6	11	10	4	3		100	3.93%
Intercept	2	4	5	4	3	2	1	4	5	2	6		38	1.49%
Medicare	91	98	122	109	96	131	108	91	109	117	82		1154	45.36%
Medicaid	40	35	52	34	29	37	33	43	27	35	29		394	15.49%
Other/Commercial	44	39	55	42	31	33	40	45	61	54	58		502	19.73%
Patient	37	39	21	32	20	29	11	15	9	20	18		251	9.87%
Worker's Comp													0	0.00%
TOTAL	219	226	275	242	201	253	218	222	241	237	210	0	2544	100.00%

TOTAL REVENUE COLLECTED AS OF 5/31/16 $938,187
TOTAL EXPENDITURES AS OF 5/31/16 $333,197

EMS BILLING
AGING REPORT
July 1, 2015 to June 30, 2016
Report as of May 31, 2016

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 2,767.74	60%	$ 86.73	2%	$ -	0%	$ 885.00	19%	$ 877.49	19%	$ 4,616.96	0.77%
Intercept	$ 600.00	100%	$ -	0%	$ -		$ -		$ -		$ 600.00	0.10%
Medicare	$ 37,516.40	97%	$ -	0%	$ -	0%	$ -	0%	$ 1,236.80	3%	$ 38,753.20	6.48%
Medicaid	$ 12,675.34	62%	$ 3,713.44	18%	$ 969.27	5%	$ -	0%	$ 3,204.44	16%	$ 20,562.49	3.44%
Other/Commercial	$ 55,143.57	68%	$ 12,148.70	15%	$ 2,385.20	3%	$ 1,239.41	2%	$ 10,401.72	13%	$ 81,318.60	13.59%
Patient	$ 41,549.93	9%	$ 41,220.45	9%	$ 20,169.75	4%	$ 25,492.17	6%	$ 323,958.25	72%	$ 452,390.55	75.62%
Worker's Comp	$ -		$ -		$ -		$ -		$ -		$ -	0.00%
TOTAL	$ 150,252.98		$ 57,169.32		$ 23,524.22		$ 27,616.58		$ 339,678.70		$ 598,241.80	
	25%		10%		4%		5%		57%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS
As of May 31, 2016

.	1902 Riverwatch	1905 Winter Festival	1909 Kittyhawk Park	1910 Community Service	1911 Fire Prevention Trailer	1913 Police Fitness Equipment	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1922 Walmart Risk/Homeless	1924 Lucy Hood	1926 Healthy Androscoggin	1927 Insurance Reimbursement	1928 Vending
Fund Balance 7/1/15	$ 1,045,007.67	$ 3,723.50	$ 29,875.00	$ 3,049.08	$ (730.10)	$ 5,960.03	$ 25,536.45	$ 3,297.79	$ 5,466.48	$ 7,015.51	$ 861.04	$ 729.55	$ (17,898.42)	$ 469.03
Revenues FY16	$ 71,836.14	$ 3,250.00		$ 787.00			$ 1,300.00	$ 250.00	$ 8,356.53	$ 170.66		$ 3,525.00	$ 78,330.46	$ 1,032.95
Expenditures FY16	$ 118,704.85	$ 3,468.70		$ 48.49		$ 27.50		$ 36.56	$ 7,910.05	$ 1,131.47		$ 3,654.00	$ 84,991.39	$ 1,357.59
Fund Balance 5/31/16	**$ 998,138.96**	**$ 3,504.80**	**$ 29,875.00**	**$ 3,787.59**	**$ (730.10)**	**$ 5,932.53**	**$ 26,836.45**	**$ 3,511.23**	**$ 5,912.96**	**$ 6,054.70**	**$ 861.04**	**$ 600.55**	**$ (24,559.35)**	**$ 144.39**

	1929 Fire Prevention	1930 211 Fairview	1931 Donations	1932 PW Surplus	2003 Byrne JAG	2005 MDOT	2006 PEACE	2007 Seatbelt Grant	2008 Homeland Security	2009 Thermal Imaging Camera	2010 State Drug Money	2013 OUI Grant	2014 Speed Grant	2015 Juvenile Firesetter
Fund Balance 7/1/15	$ 5,634.22	$ (566,303.71)	$ 2,757.60	$ 1,849.08	$ 5,640.06	$ (399,095.95)	$ 2,097.66	$ 2,174.00	$ 11,480.56	$ 1,706.94	$ 46,251.47	$ 14,141.54	$ 5,678.00	$ 2,192.94
Revenues FY16	$ 250.00				$ 16,645.23	$ 2,322,882.87	$ 1,713.32				$ 5,572.81	$ 15,700.00	$ 13,064.00	
Expenditures FY16	$ 1,059.65		$ 230.86		$ 16,683.98	$ 2,485,863.61	$ 3,466.27		$ 91,383.03		$ 23,720.47	$ 16,404.57	$ 11,058.00	
Fund Balance 5/31/16	**$ 4,824.57**	**$ (566,303.71)**	**$ 2,526.74**	**$ 1,849.08**	**$ 5,601.31**	**$ (562,076.69)**	**$ 344.71**	**$ 2,174.00**	**$ (79,902.47)**	**$ 1,706.94**	**$ 28,103.81**	**$ 13,436.97**	**$ 7,684.00**	**$ 2,192.94**

	2017 Drug Free Commuities	2018 Substance Abuse Prevention	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2032 HEAPP	2033 Safe School/ Health (COPS)	2034 Enforcement Underage Drinking	2037 Bulletproof Vests	2038 Community Action Team	2040 Great Falls TV	2041 Blanche Stevens	2042 High Visibility
Fund Balance 7/1/15	$ 3,181.82	$ 10,523.67	$ 1,270.05	$ 4,579,390.54	$ 20,671.30	$ (16,361.51)	$ (4,154.50)	$ 3,295.10	$ (4,443.88)	$ 19,730.19	$ 7,206.21	$ 42,556.97	$ 47,019.80	$ 3,528.71
Revenues FY16			$ 28,770.41	$ 728,757.04	$ 7,927.71	$ 133,834.28		$ 74,838.56		$ -		$ 125,409.55	$ 3,780.00	
Expenditures FY16			$ 32,554.00	$ 697,833.92	$ 947.41	$ 135,185.19		$ 80,084.12		$ 9,575.40		$ 140,786.76	$ 3,624.54	
Fund Balance 5/31/16	**$ 3,181.82**	**$ 10,523.67**	**$ (2,513.54)**	**$ 4,610,313.66**	**$ 27,651.60**	**$ (17,712.42)**	**$ (4,154.50)**	**$ (1,950.46)**	**$ (4,443.88)**	**$ 10,154.79**	**$ 7,206.21**	**$ 27,179.76**	**$ 47,175.26**	**$ 3,528.71**

	2044 Federal Drug Money	2045 Forest Management	2046 Joint Land Use Study	2047 American FireFighters	2050 Project Lifesaver	2052 Nature Conservancy	2053 St Louis Bells	2054 EMS Transport Capital Reserve	2055 Work4ME-PAL	2056 Lake Auburn Neighborhood	2057 ASPCA Grant	2201 EDI Grant	2500 Parks & Recreation	2501 Recreation Donation
Fund Balance 7/1/15	$ 82,212.55	$ 4,661.52	$ 0.57	$ (1,004.80)	$ 50.00	$ 18,000.00	$ -	$ 130,000.00	$ -	$ -	$ -	$ (1,047,638.74)	$ 293,092.09	$ 1,757.00
Revenues FY16	$ 27,487.92					$ 8,500.00	$ 2,357.75			$ 450.00	$ 800.00		$ 227,265.94	
Expenditures FY16	$ 34,781.42					$ 25,524.95			$ 7,824.92	$ -		$ 700,533.27	$ 208,808.12	
Fund Balance 5/31/16	**$ 74,919.05**	**$ 4,661.52**	**$ 0.57**	**$ (1,004.80)**	**$ 50.00**	**$ 975.05**	**$ 2,357.75**	**$ 130,000.00**	**$ (7,824.92)**	**$ 450.00**	**$ 800.00**	**$ (1,748,172.01)**	**$ 311,549.91**	**$ 1,757.00**

	2600 Tambrands TIF 4	2600 J Enterprises TIF 5	2600 Tambrands II TIF 6	2600 J & A Properties TIF 7	2600 Formed Fiber TIF 8	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Safe Handling TIF 11	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Bedard Pharm TIF 17	2600 Slapshot LLC TIF 18	2600 Hartt Transport TIF 19	Total Special Revenues
Fund Balance 7/1/15	$ (127,347.94)	$ 14,500.44	$ (471,230.13)	$ 2,558.27	$ 134,175.13	$ 179,704.58	$ 1,224,027.14	$ 50,183.60	$ (340,574.43)	$ 435,207.03	$ (307,092.37)	$ 360.47	$ 389.15	$ (158,541.22)	$ -	$ 5,079,431.40
Revenues FY16	$ 346,567.00		$ 67,163.00		$ 76,401.00	$ 358,938.00	$ 813,711.00		$ 143,550.00	$ 323,593.00	$ 504,599.00	$ 27,849.00	$ 29,453.00	$ 127,574.00	$ 5,404.00	$ 6,739,648.13
Expenditures FY16	$ 346,566.68		$ 67,162.75		$ 76,401.40	$ 340,000.00	$ 1,253,453.01		$ 176,262.51	$ 201,914.01	$ 391,748.09	$ 27,848.56	$ 29,453.35	$ 80,405.75	$ 5,409.40	$ 7,945,890.57
Fund Balance 5/31/16	**$ (127,347.62)**	**$ 14,500.44**	**$ (471,229.88)**	**$ 2,558.27**	**$ 134,174.73**	**$ 198,642.58**	**$ 784,285.13**	**$ 50,183.60**	**$ (373,286.94)**	**$ 556,886.02**	**$ (194,241.46)**	**$ 360.91**	**$ 388.80**	**$ (111,372.97)**	**$ (5.40)**	$ 3,873,188.96

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Howard Kroll, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for May 31, 2016

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of May 31, 2016.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, April 30, 2016.

Current Assets:
As of the end of May 2016 the total current assets of Norway Savings Bank Arena were ($315,230). These consisted of cash and cash equivalents of $91,245, accounts receivable of $37,771 and an interfund payable of $444,246, which means that Norway owes the General Fund $444,246 at the end of May.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of May 31, 2016 was $215,947.

Liabilities:
Norway Arena had accounts payable of $998 as of May 31, 2016.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through May 2016 are $910,237. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through May 2016 were $1,075,697. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of May 2016 Norway Arena has an operating loss of $165,460 compared to the May 2015 operating loss of $209,365 a decrease in the operating loss for the fiscal year of $43,905.

As of May 31, 2016 Norway Arena has a decrease in net assets of $165,460.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY16 is $19,518 more than in FY15 and expenditures in FY16 are $62,836 less than last year in May.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
May 31, 2016
Business-type Activities - Enterprise Fund

		May 31, 2016	April 30, 2016	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 91,245	$ 91,249	$ (4)
Interfund receivables/payables		(444,246)	(343,219)	(101,027)
Prepaid Rent			-	-
Accounts receivable		37,771	42,429	(4,658)
	Total current assets	(315,230)	(209,541)	(105,689)
Noncurrent assets:				
Capital assets:				
Buildings		38,905	38,905	-
Equipment		285,813	285,813	-
Land improvements		-	-	-
Less accumulated depreciation		(108,771)	(108,771)	-
	Total noncurrent assets	215,947	215,947	-
	Total assets	(99,283)	6,406	(105,689)
LIABILITIES				
Accounts payable		$ 998	$ 87,440	$ (86,442)
Total liabilities		998	87,440	(86,442)
NET ASSETS				
Invested in capital assets		$ 215,947	$ 215,947	$ -
Unrestricted		$ (316,228)	$ (296,981)	$ (19,247)
Total net assets		**$ (100,281)**	**$ (81,034)**	**$ (19,247)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2016

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 910,237
Operating expenses:	
Personnel	318,122
Supplies	28,886
Utilities	196,971
Repairs and maintenance	20,955
Rent	464,277
Depreciation	-
Capital expenses	1,600
Other expenses	44,886
Total operating expenses	1,075,697
Operating gain (loss)	(165,460)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(165,460)
Transfers out	-
Change in net assets	(165,460)
Total net assets, July 1	65,179
Total net assets, May 31, 2016	**$ (100,281)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through May 31, 2016 compared to May 31, 2015

REVENUE SOURCE	FY 2016 BUDGET	ACTUAL REVENUES THRU MAY 2016	% OF BUDGET	FY 2015 BUDGET	ACTUAL REVENUES THRU MAY 2015	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 30,000	$ 9,713	32.38%	$ 30,000	$ 9,343	31.14%	$ 370
Sign Advertisements	$ 230,000	$ 172,383	74.95%	$ 233,225	$ 216,133	92.67%	$ (43,750)
Pro Shop	$ 8,500	$ 6,394	75.22%	$ 8,500	$ 6,934	81.58%	$ (540)
Programs	$ 280,000	$ 301,588	107.71%	$ 172,450	$ 245,669	142.46%	$ 55,919
Rental Income	$ 398,500	$ 381,648	95.77%	$ 753,260	$ 367,754	48.82%	$ 13,894
Tournaments	$ 50,000	$ 38,511	77.02%	$ 24,500	$ 44,886	183.21%	$ (6,375)
TOTAL CHARGE FOR SERVICES	$ 997,000	$ 910,237	91.30%	$ 1,221,935	$ 890,719	72.89%	$ 19,518
INTEREST ON INVESTMENTS	$ -			$ -			
GRAND TOTAL REVENUES	**$ 997,000**	**$ 910,237**	**91.30%**	**$ 1,221,935**	**$ 890,719**	**72.89%**	**$ 19,518**

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through May 31, 2016 compared to May 31, 2015

DESCRIPTION	FY 2016 BUDGET	ACTUAL EXPENDITURES THRU MAY 2016	% OF BUDGET	FY 2015 BUDGET	ACTUAL EXPENDITURES THRU MAY 2015	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 311,000	$ 318,122	102.29%	$ 318,446	$ 291,163	91.43%	$ 26,959
Purchased Services	$ 96,150	$ 65,841	68.48%	$ 67,800	$ 96,376	142.15%	$ (30,535)
Supplies	$ 17,500	$ 28,886	165.06%	$ 9,000	$ 46,641	518.23%	$ (17,755)
Utilities	$ 200,200	$ 196,971	98.39%	$ 204,846	$ 193,835	94.62%	$ 3,136
Capital Outlay	$ 57,000	$ 1,600	2.81%	$ 80,000	$ 4,034	5.04%	$ (2,434)
Rent	$ 507,000	$ 464,277	91.57%	$ 528,408	$ 506,484	95.85%	$ (42,207)
	$ 1,188,850	$ 1,075,697	90.48%	$ 1,208,500	$ 1,138,533	94.21%	$ (62,836)
GRAND TOTAL EXPENDITURES	**$ 1,188,850**	**$ 1,075,697**	**90.48%**	**$ 1,208,500**	**$ 1,138,533**	**94.21%**	**$ (62,836)**

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Howard Kroll, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for May, 2016

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of May 31, 2016. Ingersoll opened in October 2015. After 7 months of operation Ingersoll is operating in the black as you will see from the attached report and narrative below.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of May 31, 2016.

Current Assets:
As of the end of May 2016 the total current assets of Ingersoll Turf Facility were $49,005. These consisted of an interfund receivable of $49,005, which means that the General Fund owes Ingersoll $49,005 at the end of May.

Noncurrent Assets:
Ingersoll's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of May 31, 2016 was $20,915.

Liabilities:
Ingersoll had no accounts payable as of May 31, 2016.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through May 2016 are $141,506. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through May 2016 were $71,586. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of May 2016 Ingersoll has an operating gain of $69,920.

As of May 31, 2016 Ingersoll has an increase in net assets of $69,920.

The budget to actual reports for revenue and expenditures, show that the revenue for FY16 , after 7 months is 65.84% of the budget and expenditures are at 40.07% of budget.

Statement of Net Assets
Ingersoll Turf Facility
May 31, 2016
Business-type Activities - Enterprise Fund

		May 31 2016	April 30 2016	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ -	$ -	$ -
Interfund receivables/payables		49,005	53,122	(4,117)
Accounts receivable			-	-
	Total current assets	49,005	53,122	(4,117)
Noncurrent assets:				
Capital assets:				
Buildings		-	-	-
Equipment		20,915	20,915	-
Land improvements		-	-	-
Less accumulated depreciation		-	-	-
	Total noncurrent assets	20,915	20,915	-
	Total assets	69,920	74,037	(4,117)
LIABILITIES				
Accounts payable		$ -	$ 120	$ (120)
Total liabilities		-	120	(120)
NET ASSETS				
Invested in capital assets		$ 20,915	$ 20,915	$ -
Unrestricted		$ 49,005	$ 53,002	$ (3,997)
Total net assets		**$ 69,920**	**$ 73,917**	**$ (3,997)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2016

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 141,506
Operating expenses:	
Personnel	47,495
Supplies	1,181
Utilities	13,787
Repairs and maintenance	-
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	9,123
Total operating expenses	71,586
Operating gain (loss)	69,920
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	69,920
Transfers out	-
Change in net assets	69,920
Total net assets, July 1	-
Total net assets, May 31, 2016	**$ 69,920**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through May 31, 2016

REVENUE SOURCE	FY 2016 BUDGET	ACTUAL REVENUES THRU MAY 2016	% OF BUDGET
CHARGE FOR SERVICES			
Sponsorship	$ 15,000	$ 7,135	47.57%
Batting Cages	$ -	$ 9,685	
Programs	$ 8,640	$ 46,559	538.88%
Rental Income	$ 191,300	$ 78,127	40.84%
TOTAL CHARGE FOR SERVICES	$ 214,940	$ 141,506	65.84%
INTEREST ON INVESTMENTS	$ -		
GRAND TOTAL REVENUES	**$ 214,940**	**$ 141,506**	**65.84%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through May 31, 2016

DESCRIPTION		FY 2016 BUDGET		ACTUAL EXPENDITURES THRU MAY 2016	% OF BUDGET
Salaries & Benefits	$	102,719	$	47,495	46.24%
Purchased Services	$	20,250	$	3,371	16.65%
Programs	$	-	$	5,752	
Supplies	$	6,750	$	1,181	17.50%
Utilities	$	44,320	$	13,787	31.11%
Insurance Premiums	$	4,600	$	-	0.00%
Capital Outlay	$	-	$	-	
	$	178,639	$	71,586	40.07%
GRAND TOTAL EXPENDITURES	**$**	**178,639**	**$**	**71,586**	**40.07%**