



**City Council Workshop & Meeting  
February 4, 2019  
Agenda**

**5:30 P.M. Workshop**

- A. Tax Acquired Property – Jody Durisko (20 minutes)
- B. Sealer of Weights & Measures – Jody Durisko (10 minutes)
- C. Possible Formation of an Agricultural Advisory Committee – Jason Levesque (15 minutes)
- D. Executive Session – To consult with the City Attorney to discuss legal rights & responsibilities, pursuant to (1 M.R.S.A § 405 (6)(E).
- E. Executive Session – To discuss a poverty abatement case # 2019-001 pursuant to (36 M.R.S.A § 841)  
***with possible action to follow under new business.***

**7:00 P.M. City Council Meeting** – Roll call votes will begin with Councilor Titus

**Pledge of Allegiance**

- I. **Consent Items** - All items with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.
- II. **Minutes:** January 28, 2019 Regular Council Meeting Minutes
- III. **Communications, Presentations and Recognitions**
  - **Communication** – Community Little Theatre update - John Blanchette (President), Jennifer Groover (Vice President), and Karen Martin (Executive Director)
  - **Communication** - Recreation & Sport Facilities Departments Update - Marc Gosselin (Director)
- 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** - None
- VI. **New Business**

**Public Comment**

Public comments will be heard on the proposed amendment of the Consolidated and Annual Action Plan (STAR/Senior Center).

- VII. Reports**
  - a. Mayor's Report**
  - b. City Councilors' Reports**
  - c. City Manager Report**
- VIII. 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*.
- IX. Executive Session** - None
- X. Adjournment**



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 4, 2019

**Author:** Eric Cousens, Deputy Director of Economic & Community Development &  
Jody Durisko, Executive Assistant to the City Manager

**Subject:** Disposition of Tax Acquired Property

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**Information:** The Tax Acquired Committee is also recommending six (6) properties for disposition with a combined total \$37,901.05 in property taxes and CDBG balances owed to the City.

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**City Budgetary Impacts:** There is not a negative impact to the city budget for the potential sale of tax acquired properties. The known positive impacts of selling tax acquired properties are recouping taxes owed, associated fees, and getting the property back on the tax role.

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**Staff Recommended Action:** Staff recommends the following:

1. Court Street PID#218-017 and 31 Beck: Work with the abutter to cover the cost of survey and deed preparation to correct existing lot access and frontage issue. The parcel at 9 Kimball is legally existing but relies on part of the tax acquired property to access Court Street. To correct this the City could allow for the transfer of a strip of land that contains the private drive known as Kimball Street to be combined with the residential property at 9 Kimball Street. The abutter should pay for deed preparation, so it doesn't cost the City. This will make the 9 Kimball Street lot more conforming and should not have a noticeable effect on the value of the City owned parcel. Market the remaining land at PID#218-017 and 31 Beck for sale as 2 house lots or up 10 condominium units.
2. To dispose of the following properties by sealed bid: Garfield Road PID #245-011-001, Hackett Road PID #135-010, 120 Cook Street, and 77 Gill Street.

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**Previous Meetings and History:** None.

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**City Manager Comments:**

A handwritten signature in blue ink, reading "Peter J. Cichetto".

I concur with the recommendation. Signature:

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**Attachments:**

Memorandum Dated February 4, 2019 – Disposition of Tax Acquired Property  
Tax Acquired Committee Recommendation Form for each property  
Tax Statements for each property  
Property Review Form for each property



## City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210  
207.333.6601 | [www.auburnmaine.gov](http://www.auburnmaine.gov)

### MEMORANDUM

TO: Mayor Levesque and Honorable Members of the Auburn City Council

CC: Peter Crichton, City Manager and Jill Eastman, Finance Director

FROM: Jody Durisko, Executive Assistant to the City Manager

RE: Disposition of Tax Acquired Property

DATE: February 4, 2019

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Enclosed you will find the supporting documentation on six (6) tax acquired properties that the Tax Acquired Property Committee has recommended for disposition. The six (6) properties combined total \$37,901.05 in property taxes and CDBG balances owed to the City. Following below are brief summaries of each property being presented to Council for disposition:

**31 Beck Avenue & 0 Court Street (PID #'s 208-045 & 218-017)** - The combined total balance due is \$10,349.92. Enclosed you will find the property details, committee recommendation, and tax acquired property review form. The last tax payment for both was on January 4, 2016. The Tax Acquired Property Committee has reviewed the parcels and recommends the following:

1. Work with the abutter to cover the cost of survey and deed preparation to correct existing lot access and frontage issue. The parcel at 9 Kimball is legally existing but relies on part of the tax acquired property to access Court Street. To do this the City could allow for the transfer of a strip of land that contains the private drive known as Kimball Street to be combined with the residential property at 9 Kimball Street. The abutter should pay for deed preparation, so it doesn't cost the City. This will make the 9 Kimball Street lot more conforming and should not have a noticeable effect on the value of the City owned parcel.
2. Market the remaining land for sale as 2 house lots or up 10 condominium units.

The City currently has no plans for water access in this area and Taylor brook is a small impoundment. The Council could consider retaining frontage on Taylor Brook for potential future water access from Beck Street; Retaining the strip of land between Beck and Taylor



Brook may not impact the sales value significantly. A sketch showing the potential for 2 house lots and the transfer to the abutter is attached. The committee also noted that a major portion of the parcels is in the 1% floodplain which limits future development.

The committee recommends working with the abutter as noted above and marketing the remaining land by sealed bid to recoup tax dollars from sale and improve lot conformance and marketability of 9 Kimball Street. The Council should also decide if the City should retain waterfront access to Taylor Brook.

**Garfield Road (PID # 245-011-001)** - The total due is \$632.64. Enclosed you will find the property details, committee recommendation, and tax acquired property review form. The last tax payment was on August 8, 2016. This property is land only. It had a DHHS LIEN, which has been released. The property doesn't appear to have road access. The small piece of land would only have value to one abutter therefore the committee recommends selling it to the abutter.

**Hackett Road (PID # 135-010)** - The total due is \$661.57. Enclosed you will find the property details, committee recommendation, and tax acquired property review form. The last tax payment was on November 4, 2014. This is a 5.31 house lot that abuts 428 Hackett Rd. The committee recommends selling by sealed bid.

**120 Cook Street (PID # 211-059)** - The total due is \$15,073.15. Enclosed you will find the property details, committee recommendation, and tax acquired property review form. The last tax payment was on April 8, 2013. The committee recommends selling by sealed bid.

**77 Gill Street (PID # 211-103)** - The total due including CDBG balance due is \$11,183.77. Enclosed you will find the property details, committee recommendation, and tax acquired property review form. The last tax payment was on January 14, 2016. The committee recommends selling by sealed bid.



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**Section 3.5 Committee Action/Recommendations.** The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

<b>PARCEL ID:</b>	<b>208-045 &amp; 218-017</b>	<b>Location:</b>	<b>31 Beck Avenue &amp; 0 Court Street</b>
Acreage	0.87	Zone:	Urban HSLT
Current Assessed Land Value:	\$55,000	Current Assessed Building Value:	\$0
Total Land & Bldg. Value:	\$55,000	Minimum Bid:	\$10,349.92

Retain for public use		Sell the property	x	Waive foreclosure	
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Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

**Notes:** Work with the abutter to cover cost of survey and deed work to correct existing lot access and frontage issue for 9 Kimball which currently relies on tax acquired property for access to Court Street. The committee then recommends either marketing the remaining land as 2 house lots or up to 10 condominiums units. Council should also consider if they want to retain footage on Taylor Brook for potential water access.

01/29/2019 14:36  
4924nbosse

CITY OF AUBURN  
Real Estate Tax Statement

P 1  
txtaxstm

PARCEL: 208-045-000-000

LOCATION: 31 BECK AVE

OWNER:

AUBURN CITY OF  
CROSSLEY E NEIL, PARTY IN POSS  
PO BOX 757  
WINDHAM ME 04062

STATUS:

SQUARE FEET: 0  
LAND VALUATION: 26,800  
BUILDING VALUATION: 0  
EXEMPTIONS: 0

TAXABLE VALUATION: 26,800  
INTEREST PER DIEM .51

LEGAL DESCRIPTION:

DEED DATE: 07/19/1996 BOOK/PAGE: 3681-21

INTEREST DATE: 01/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2018	RE-R	2984				
1	2018 REAL		317.31	317.31	8.15	325.46
2	2018 REAL		317.31	317.31	.00	317.31
			634.62	634.62	8.15	642.77
2017	LIEN	106				
1	RETAX TL		616.13	616.13	24.58	640.71
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		23.57	23.57	.00	23.57
			700.37	700.37	24.58	724.95
			700.37	700.37	24.58	724.95
2016	LIEN	127				
1	RETAX TL		598.98	598.98	65.71	664.69
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		23.84	23.84	.00	23.84
			683.38	683.38	65.71	749.09
			683.38	683.38	65.71	749.09
2015	LIEN	99				
1	RETAX TL		569.50	569.50	104.74	674.24
	CERTMA		6.47	6.47	.00	6.47
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		19.98	19.98	.00	19.98



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CITY OF AUBURN  
Real Estate Tax Statement

P 2  
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YEAR INST	TYPE CHARGE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
			649.95	649.95	104.74	754.69
			649.95	649.95	104.74	754.69
2014	LIEN	108				
1	RETAX TL		561.46	561.46	142.56	704.02
	CERTMA		6.48	6.48	.00	6.48
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		19.70	19.70	.00	19.70
			641.64	641.64	142.56	784.20
			641.64	641.64	142.56	784.20
GRAND TOTALS			3,309.96	3,309.96	345.74	3,655.70

*last paid 01/04/2016*

31 Beck \$3,655.70  
O Court \$6,394.22  
Legal \$ 300.00  
10,349.92

01/29/2019 14:35 | CITY OF AUBURN  
4924nbosse | Real Estate Tax Statement

P 1  
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PARCEL: 218-017-000-000

LOCATION: COURT ST

OWNER:

AUBURN CITY OF  
CROSSLEY E NEIL, PARTY IN POSS  
PO BOX 757  
WINDHAM ME 04062

STATUS:

TOTAL ACRES: 4.950  
DEFERRED ACRES: .000  
LAND VALUATION: 48,300  
BUILDING VALUATION: 0  
EXEMPTIONS: 0  
TAXABLE VALUATION: 48,300  
INTEREST PER DIEM .92

LEGAL DESCRIPTION:

DEED DATE: 07/19/1996 BOOK/PAGE: 3681-21

INTEREST DATE: 01/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2018	RE-R	3946				
1	2018 REAL		571.87	571.87	14.70	586.57
2	2018 REAL		571.87	571.87	.00	571.87
			1,143.74	1,143.74	14.70	1,158.44
2017	LIEN	105				
1	RETAX TL		1,110.42	1,110.42	44.29	1,154.71
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		42.48	42.48	.00	42.48
			1,213.57	1,213.57	44.29	1,257.86
			1,213.57	1,213.57	44.29	1,257.86
2016	LIEN	164				
1	RETAX TL		1,079.51	1,079.51	118.42	1,197.93
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		42.96	42.96	.00	42.96
			1,183.03	1,183.03	118.42	1,301.45
			1,183.03	1,183.03	118.42	1,301.45
2015	LIEN	140				
1	RETAX TL		1,026.38	1,026.38	188.77	1,215.15
	CERTMA		6.47	6.47	.00	6.47
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		36.02	36.02	.00	36.02

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CITY OF AUBURN  
Real Estate Tax Statement

P 2  
txtaxstm

YEAR INST	TYPE CHARGE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
			1,122.87	1,122.87	188.77	1,311.64
			1,122.87	1,122.87	188.77	1,311.64
2014	LIEN	145				
1	RETAX TL		1,011.89	1,011.89	256.94	1,268.83
	CERTMA		6.48	6.48	.00	6.48
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		35.52	35.52	.00	35.52
			1,107.89	1,107.89	256.94	1,364.83
			1,107.89	1,107.89	256.94	1,364.83
GRAND TOTALS			5,771.10	5,771.10	623.12	6,394.22

*last paid 01/04/2016*



## City of Auburn, Maine

Office of the City Manager

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### Tax Acquired Property Review Form

ADDRESS: 31 Beck Ave & Court Street

PID#: 218-017 & 208-045

DESCRIPTION: This parcel contains 4.950 AC of land mainly classified as URBAN HSLT with a Building, having primarily Exterior.

BALANCE DUE: \$10,349.92

1. Is the property either unfit or unnecessary for City use?

Yes.

2. Does the City wish to retain ownership for municipal purposes?

No.

3. Is the property adjacent to publicly owned land?

No.

4. Are there buildings on the property that should be demolished?

No.

5. Are there environmental liabilities or hazards present on the site?

No.





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6. Does the property have investment or marketable value?

Yes. This lot is located in a Suburban Residential District and contains close to 5 acres of land. This land could be divided into several lots and sold as "buildable water front" property.

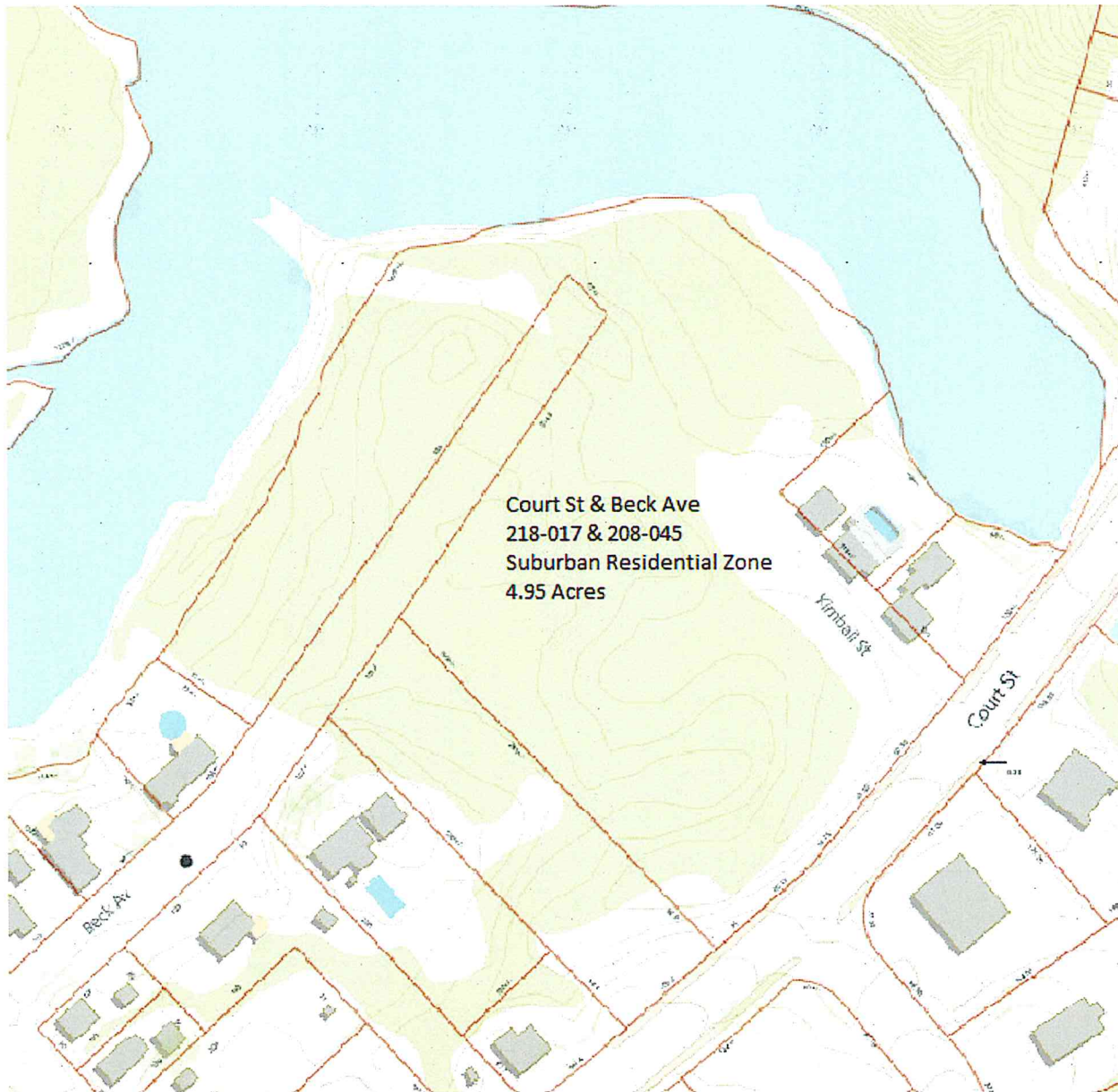
7. Are there are uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

Yes. This lot is located in a Suburban Residential District and contains close to 5 acres of land. This land could be divided into several lots and sold as "buildable water front" property.

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

No, although one abutter would benefit by a small piece of it in order to legalize the location of their driveway.

Other concerns:







## City of Auburn, Maine

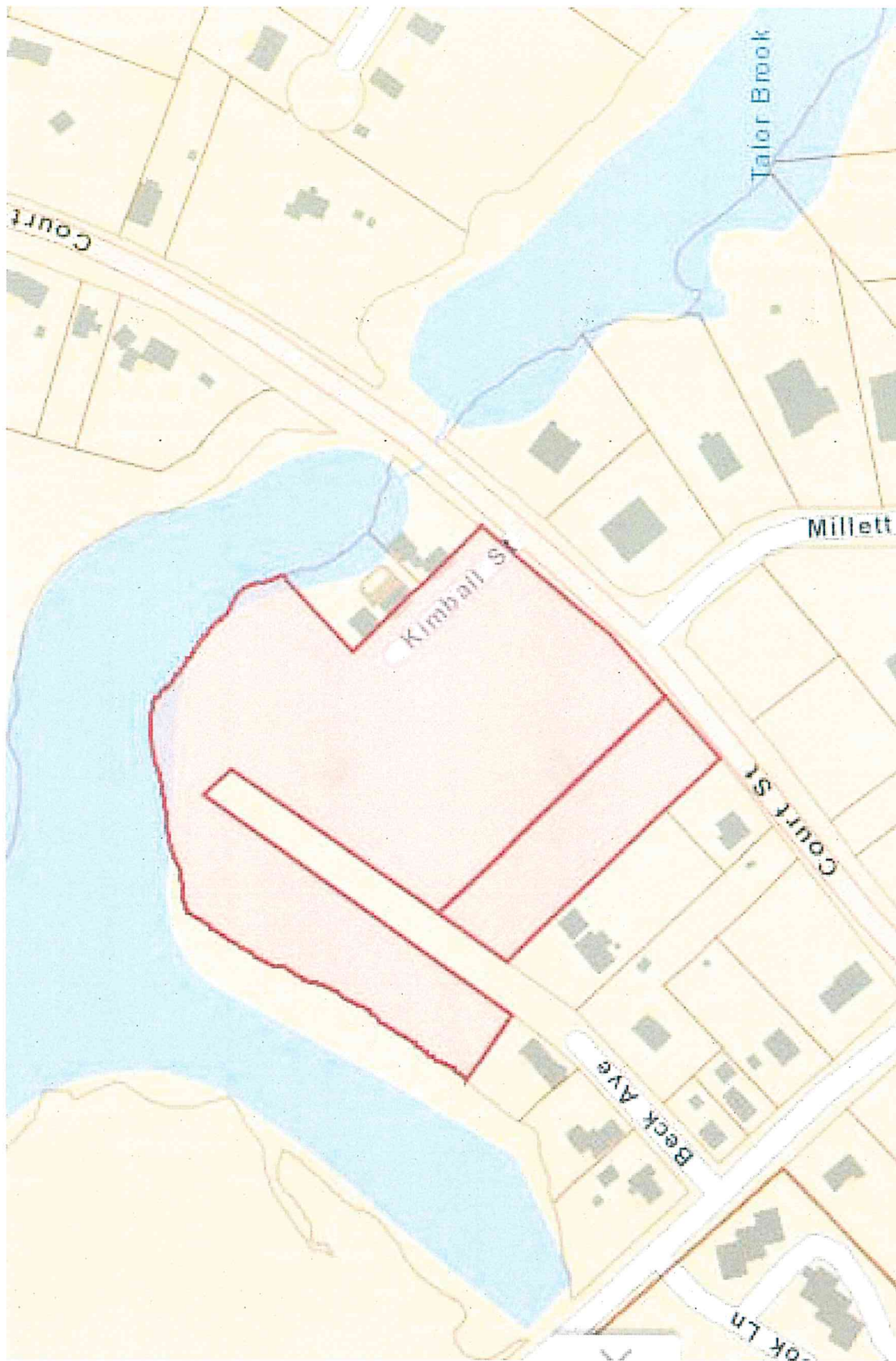
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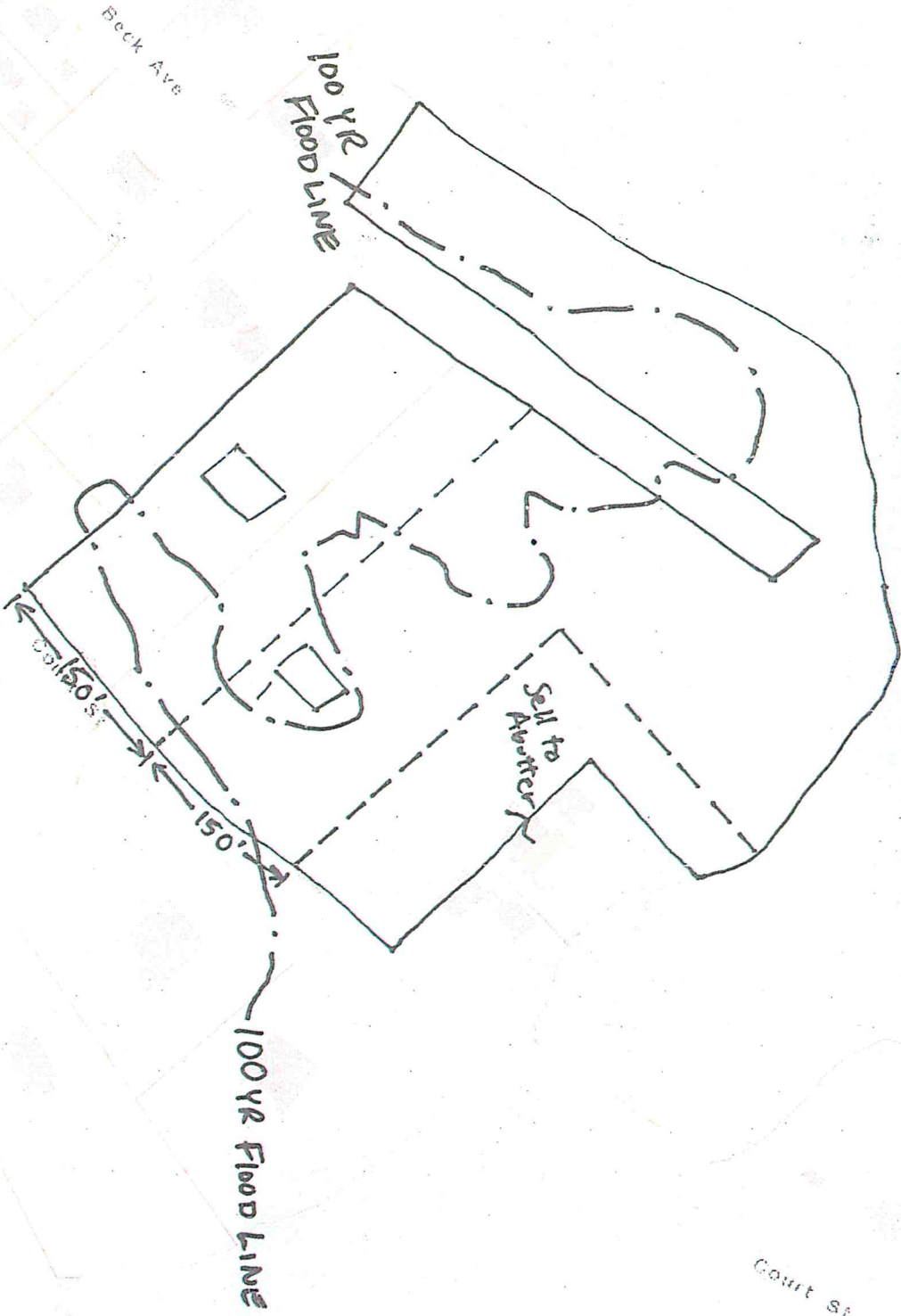






— Existing Property Line  
 - - - Proposed Property Line

Q: Keep waterfront access?  
 A: 10 condo units possible. Desired?





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**Section 3.5 Committee Action/Recommendations.** The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

<b>PARCEL ID:</b>	<b>245-011-001</b>	<b>Location:</b>	<b>Garfield Road</b>
Acreage	0.70	Zone:	Low Density Country Residential
Current Assessed Land Value:	\$2,500	Current Assessed Building Value:	\$0
Total Land & Bldg. Value:	\$2,500	Minimum Bid:	\$632.64

Retain for public use		Sell the property	x	Waive foreclosure	
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Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

**Notes:** Last payment August 8, 2016. This property is land only. It had a DHHS LIEN, which has been released. The property doesn't appear to have road access. The small piece of land would only have value to one abutter therefore the committee recommends selling it to the abutter.



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CITY OF AUBURN  
Real Estate Tax Statement

P 1  
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PARCEL: 245-011-001-000

LOCATION: GARFIELD RD

OWNER:

AUBURN CITY OF  
BISSONETTE, PARTY IN POSSESSIO  
C/O BROCH BISSONETTE  
87 ALLEN AV

AUBURN ME 04210

STATUS:

SQUARE FEET: 0  
LAND VALUATION: 2,500  
BUILDING VALUATION: 0  
EXEMPTIONS: 0  
TAXABLE VALUATION: 2,500  
INTEREST PER DIEM .04

LEGAL DESCRIPTION:

DEED DATE: 12/14/2005 BOOK/PAGE: 6646-40

INTEREST DATE: 01/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2018	RE-R	6238				
1	2018 REAL		29.60	29.60	.76	30.36
2	2018 REAL		29.60	29.60	.00	29.60
			59.20	59.20	.76	59.96
2017	LIEN	51				
1	RETAX TL		57.48	57.48	2.29	59.77
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		2.20	2.20	.00	2.20
			120.35	120.35	2.29	122.64
			120.35	120.35	2.29	122.64
2016	LIEN	279				
1	RETAX TL		55.88	55.88	6.13	62.01
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		2.23	2.23	.00	2.23
			118.67	118.67	6.13	124.80
			118.67	118.67	6.13	124.80
2015	LIEN	275				
1	RETAX TL		53.13	53.13	9.77	62.90
	CERTMA		6.47	6.47	.00	6.47
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		1.87	1.87	.00	1.87



01/29/2019 14:39  
4924nbosse

CITY OF AUBURN  
Real Estate Tax Statement

P 2  
txtaxstm

YEAR TYPE INST CHARGE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
		115.47	115.47	9.77	125.24
		115.47	115.47	9.77	125.24
GRAND TOTALS		413.69	413.69	18.95	432.64

Legal 200.00  
632.34

last paid 08/08/2016



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### Tax Acquired Property Review Form

ADDRESS: Garfield Road

PID#: 245-011-001

DESCRIPTION: This parcel contains 0.070 AC of land mainly classified as UNDEVELOPED with a Building, having primarily Exterior

BALANCE DUE: \$632.64

1. Is the property either unfit or unnecessary for City use?

Yes.

2. Does the City wish to retain ownership for municipal purposes?

No.

3. Is the property adjacent to publicly owned land?

No.

4. Are there buildings on the property that should be demolished?

No.

5. Are there environmental liabilities or hazards present on the site?

None visible at the time of inspection.

6. Does the property have investment or marketable value?

No.

7. Are there are uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

No.

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

Yes. This is a land locked parcel that is only valuable to an abutter. There is no street access and it is not a buildable piece of land.

Other concerns:

Land locked parcel on Garfield





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**Section 3.5 Committee Action/Recommendations.** The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

<b>PARCEL ID:</b>	<b>135-010</b>	<b>Location:</b>	<b>Hackett Road</b>
Acreage	5.31	Zone:	Low Density Country Residential
Current Assessed Land Value:	\$8,800	Current Assessed Building Value:	\$0
Total Land & Bldg. Value:	\$8,800	Minimum Bid:	\$661.57

Retain for public use		Sell the property	x	Waive foreclosure	
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Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

**Notes:** Last payment November 4, 2014.



01/29/2019 14:39  
4924nbosse

CITY OF AUBURN  
Real Estate Tax Statement

P 1  
txtaxstm

PARCEL: 135-010-000-000

LOCATION: HACKETT RD

OWNER:

AUBURN CITY OF  
60 COURT ST  
AUBURN ME 04210

STATUS:

TOTAL ACRES: 5.310  
DEFERRED ACRES: .000  
LAND VALUATION: 8,800  
BUILDING VALUATION: 0  
EXEMPTIONS: 8,800  
TAXABLE VALUATION: 0  
INTEREST PER DIEM .07

LEGAL DESCRIPTION:

DEED DATE: 12/29/2010 BOOK/PAGE: 7732-85

INTEREST DATE: 01/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2015	LIEN	32				
1	RETAX TL		187.00	187.00	34.39	221.39
	CERTMA		6.47	6.47	.00	6.47
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		6.56	6.56	.00	6.56
			254.03	254.03	34.39	288.42
			254.03	254.03	34.39	288.42
2010	LIEN	20100326				
1	RETAX TL		167.91	133.53	39.62	173.15
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.59	.00	.00	PAID
	CERTMA		5.59	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	INTTL		5.94	.00	.00	PAID
			227.03	133.53	39.62	173.15
			227.03	133.53	39.62	173.15
GRAND TOTALS			481.06	387.56	74.01	461.57

Legal 200.00  
not paid 11/04/2014 \$ 661.57



## City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

### Tax Acquired Property Review Form

ADDRESS: Hackett Road

PID#: 135-010

DESCRIPTION: This is a 5.31 Acre house lot. It is located in a Low Density Country Residential zoning district.

BALANCE DUE: \$661.57

1. Is the property either unfit or unnecessary for City use?

Yes. We see no benefit in retaining ownership of this parcel.

2. Does the City wish to retain ownership for municipal purposes?

No.

3. Is the property adjacent to publicly owned land?

This property abuts the Maine Turnpike. I suggest approaching the MTPA to see if there is any interest in this property for their use prior to selling it.

4. Are there buildings on the property that should be demolished?

No.

5. Are there environmental liabilities or hazards present on the site?

None known.



## City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

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6. Does the property have investment or marketable value?

Yes. This is a residential buildable lot.

7. Are there are uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

Yes. A house lot.

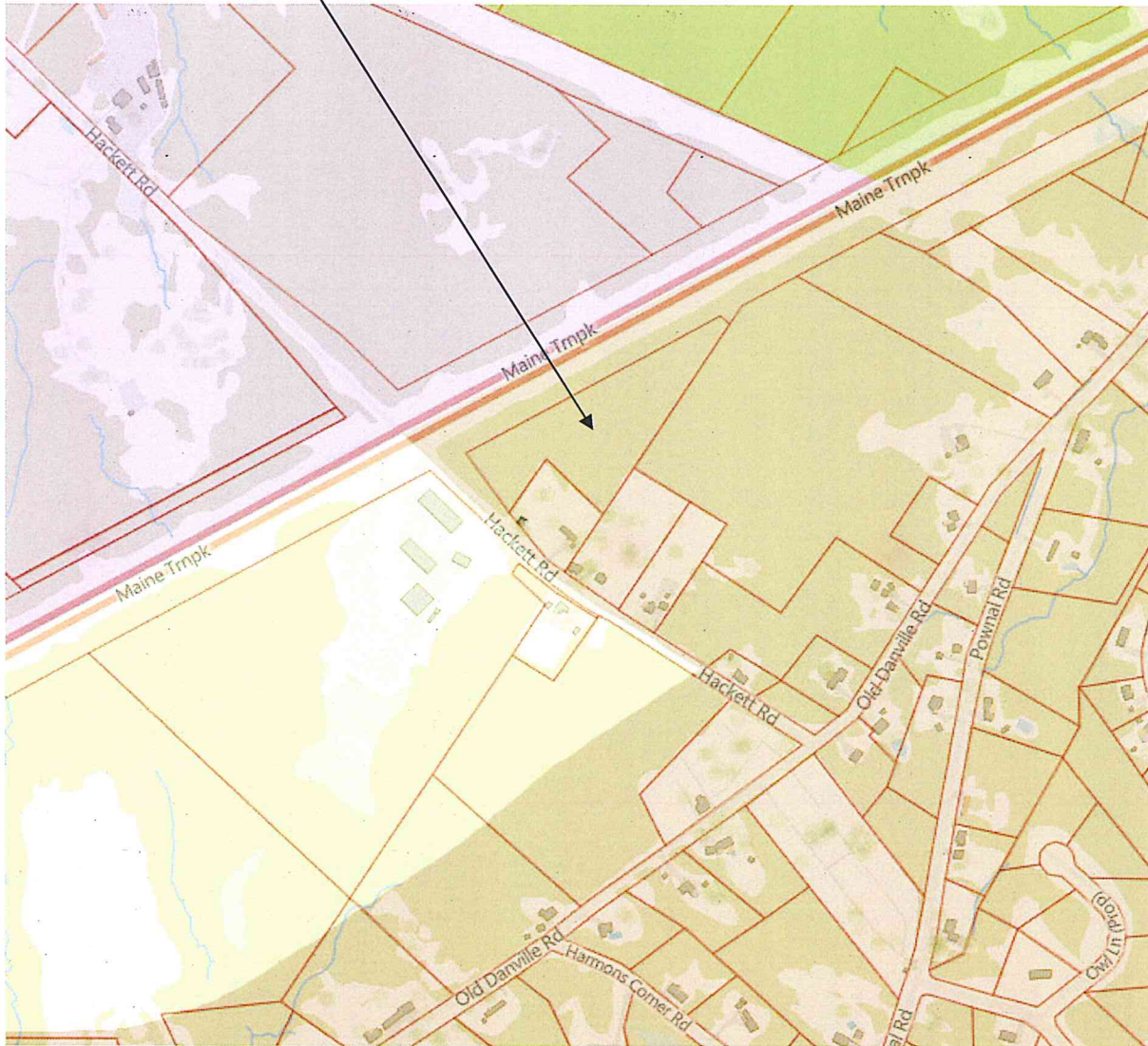
8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

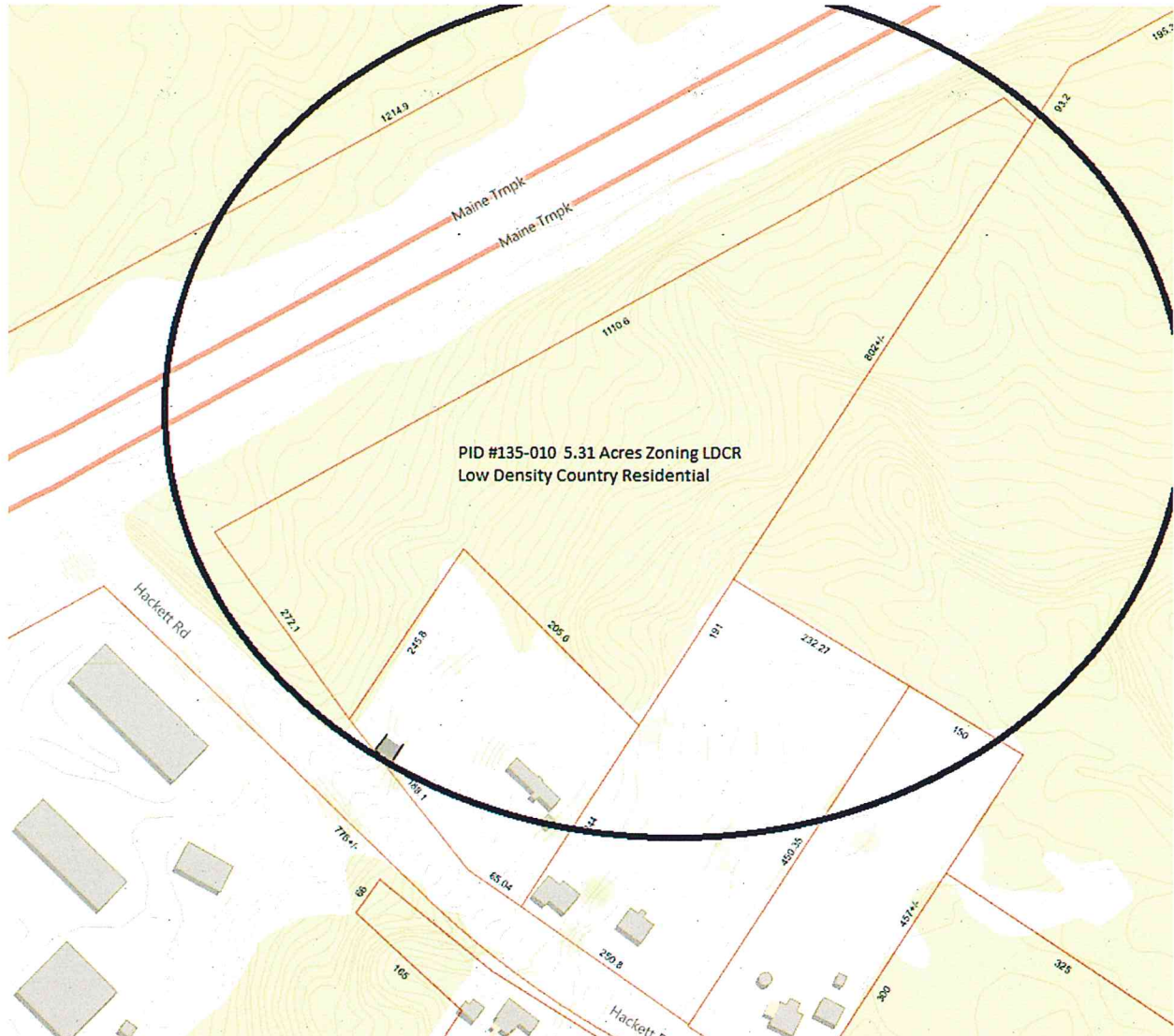
No.

Other concerns:



Hackett Road  
PID 135-010









## City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

**Section 3.5 Committee Action/Recommendations.** The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

<b>PARCEL ID:</b>	<b>211-059</b>	<b>Location:</b>	<b>120 Cook Street</b>
Acreage	0.110	Zone:	Multi-Family Urban
Current Assessed Land Value:	\$21,500	Current Assessed Building Value:	\$70,500
Total Land & Bldg. Value:	\$92,000	Minimum Bid:	\$15,073.15

Retain for public use		Sell the property	x	Waive foreclosure	
-----------------------	--	-------------------	---	-------------------	--

Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

**Notes:** This property is a nuisance property. There is no plumbing, water, electricity, and a generator is currently in use as a power source. There could be conditions inside that may be of concern. The neighbors are constantly complaining about them and the Police Department is fielding a lot of those complaints. The last payment was made on April 8, 2013. The City recently completed the eviction process on this property.

01/29/2019 14:40  
4924nbosse

CITY OF AUBURN  
Real Estate Tax Statement

P 1  
txtaxstm

PARCEL: 211-059-000-000

LOCATION: 120 COOK ST

OWNER:

AUBURN CITY OF  
SMALL JOSHUA S, PARTY IN POSSE  
120 COOK ST  
AUBURN ME 04210

STATUS:

SQUARE FEET: 0  
LAND VALUATION: 21,500  
BUILDING VALUATION: 70,500  
EXEMPTIONS: 0

TAXABLE VALUATION: 92,000  
INTEREST PER DIEM 2.11

LEGAL DESCRIPTION:

DEED DATE: 08/30/2013 BOOK/PAGE: 8779-283

INTEREST DATE: 01/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2018	RE-R	3473				
1	2018 REAL		1,089.28	1,089.28	27.99	1,117.27
2	2018 REAL		1,089.28	1,089.28	.00	1,089.28
			2,178.56	2,178.56	27.99	2,206.55
2017	LIEN	348				
1	RETAX TL		2,115.08	2,115.08	84.37	2,199.45
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		80.92	80.92	.00	80.92
			2,256.67	2,256.67	84.37	2,341.04
			2,256.67	2,256.67	84.37	2,341.04
2016	LIEN	143				
1	RETAX TL		2,056.20	2,056.20	225.56	2,281.76
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		81.83	81.83	.00	81.83
			2,198.59	2,198.59	225.56	2,424.15
			2,198.59	2,198.59	225.56	2,424.15
2015	LIEN	115				
1	RETAX TL		1,955.00	1,955.00	359.56	2,314.56
	CERTMA		6.47	6.47	.00	6.47
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		68.62	68.62	.00	68.62

01/29/2019 14:40  
4924nbosse

CITY OF AUBURN  
Real Estate Tax Statement

P 2  
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
			2,084.09	2,084.09	359.56	2,443.65
			2,084.09	2,084.09	359.56	2,443.65
2014	LIEN	123				
1	RETAX TL		1,927.40	1,927.40	489.40	2,416.80
	CERTMA		6.48	6.48	.00	6.48
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTTL		67.64	67.64	.00	67.64
			2,055.52	2,055.52	489.40	2,544.92
			2,055.52	2,055.52	489.40	2,544.92
2013	LIEN	465				
1	RETAX TL		1,879.56	1,879.56	604.86	2,484.42
	CERTMA		6.48	6.48	.00	6.48
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTTL		67.94	67.94	.00	67.94
			2,007.98	2,007.98	604.86	2,612.84
			2,007.98	2,007.98	604.86	2,612.84
GRAND TOTALS			12,781.41	12,781.41	1,791.74	14,573.15

*Legal* 500.00  
Last paid 01/08/2013 15,073.15





## City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

### Tax Acquired Property Review Form

ADDRESS: 120 Cook Street

PID#: 211-059

DESCRIPTION: This parcel contains 0.110 AC of land mainly classified as SINGLEFAMILY with a CAPE Building built about 1947, having primarily VINYL Exterior and 780 Square Feet, with 1 Residential Unit, 1 Bath, 6 Rooms, and 3 Bdrms.

BALANCE DUE: \$15,073.15

1. Is the property either unfit or unnecessary for City use?

Yes. I do not see a suitable use for City functions. This property is not located in the CDBG area.

2. Does the City wish to retain ownership for municipal purposes?

No.

3. Is the property adjacent to publicly owned land?

No.

4. Are there buildings on the property that should be demolished?

No.

5. Are there environmental liabilities or hazards present on the site?

Unknown.



## City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

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6. Does the property have investment or marketable value?

I would recommend selling this "As is, Where is" as a fixer upper.

7. Are there are uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

There is currently a single family dwelling on the lot that could be rehabbed.

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

No.

Other concerns:













# City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

**Section 3.5 Committee Action/Recommendations.** The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

<b>PARCEL ID:</b>	<b>211-103</b>	<b>Location:</b>	<b>77 Gill Street</b>
Acreage	.30	Zone:	Multi-Family Urban
Current Assessed Land Value:	\$ 5,900	Current Assessed Building Value:	\$54,000
Total Land & Bldg. Value:	\$59,000	Minimum Bid:	\$11,183.77

Retain for public use		Sell the property	x	Waive foreclosure	
-----------------------	--	-------------------	---	-------------------	--

Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

**Notes:** Owner lives in Florida, receives and signs for the certified copies at the FL. Address. The city recently completed the eviction process on this property. Last payment January 14, 2016.



01/29/2019 14:41  
4924nbosse

CITY OF AUBURN  
Real Estate Tax Statement

P 1  
txtaxstm

PARCEL: 211-103-000-000

LOCATION: 77 GILL ST

OWNER:

AUBURN CITY OF  
LACASE LESLIE A, PARTY IN POSS  
77 GILL ST  
AUBURN ME 04210

STATUS:

SQUARE FEET: 0  
LAND VALUATION: 5,900  
BUILDING VALUATION: 54,000  
EXEMPTIONS: 0  
TAXABLE VALUATION: 59,900  
INTEREST PER DIEM .97

LEGAL DESCRIPTION:

DEED DATE: 05/29/2008 BOOK/PAGE: 7446-190

INTEREST DATE: 01/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2018	RE-R	3516				
1	2018 REAL		709.22	709.22	18.23	727.45
2	2018 REAL		709.21	709.21	.00	709.21
			1,418.43	1,418.43	18.23	1,436.66
2017	LIEN	226				
1	RETAX TL		1,377.10	1,377.10	54.93	1,432.03
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		52.69	52.69	.00	52.69
			1,490.46	1,490.46	54.93	1,545.39
			1,490.46	1,490.46	54.93	1,545.39
2016	LIEN	145				
1	RETAX TL		1,338.77	1,338.77	146.86	1,485.63
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		53.28	53.28	.00	53.28
			1,452.61	1,452.61	146.86	1,599.47
			1,452.61	1,452.61	146.86	1,599.47
2015	LIEN	117				
1	RETAX TL		1,060.38	1,060.38	195.02	1,255.40
	CERTMA		6.47	6.47	.00	6.47
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		37.21	37.21	.00	37.21

01/29/2019 14:41  
4924nbosse

CITY OF AUBURN  
Real Estate Tax Statement

P 2  
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
			1,158.06	1,158.06	195.02	1,353.08
			1,158.06	1,158.06	195.02	1,353.08
2013	LIEN	349				
1	RETAX TL		1,019.46	591.55	126.04	717.59
	CERTMA		6.48	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	LNCHG TL		51.00	.00	.00	PAID
	INTTL		36.85	.00	.00	PAID
			1,116.79	591.55	126.04	717.59
			1,116.79	591.55	126.04	717.59
GRAND TOTALS			6,636.35	6,111.11	541.08	6,652.19

2014

1254.91

Not paid 01/14/2016

7907.10

C/CDBG  
Loan

2776.67

10,683.77

Legal

500.00

\$11,183.77



## City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

### Tax Acquired Property Review Form

ADDRESS: 77 Gill Street

PID#: 211-103

DESCRIPTION: This parcel contains 0.030 AC of land mainly classified as SINGLEFAMILY with a CAPE Building built about 1865, having primarily VINYL Exterior and 1,136 Square Feet, with 2 Residential Units, 1 Bath, 10 Rooms, and 6 Bdrms.

BALANCE DUE: \$11,183.77

1. Is the property either unfit or unnecessary for City use?

Yes.

2. Does the City wish to retain ownership for municipal purposes?

No. Although it is located in a CDBG designated area, the lot is very small and would not be suitable for a "Community Use".

3. Is the property adjacent to publicly owned land?

No.

4. Are there buildings on the property that should be demolished?

No.

5. Are there environmental liabilities or hazards present on the site?

Unknown. Based on the age of the building, it most likely contains asbestos and lead paint.





## City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

6. Does the property have investment or marketable value?

I recommend selling this "As is, Where is" as a building that needs to be rehabbed.

7. Are there are uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

There is an existing single-family structure located on the property.

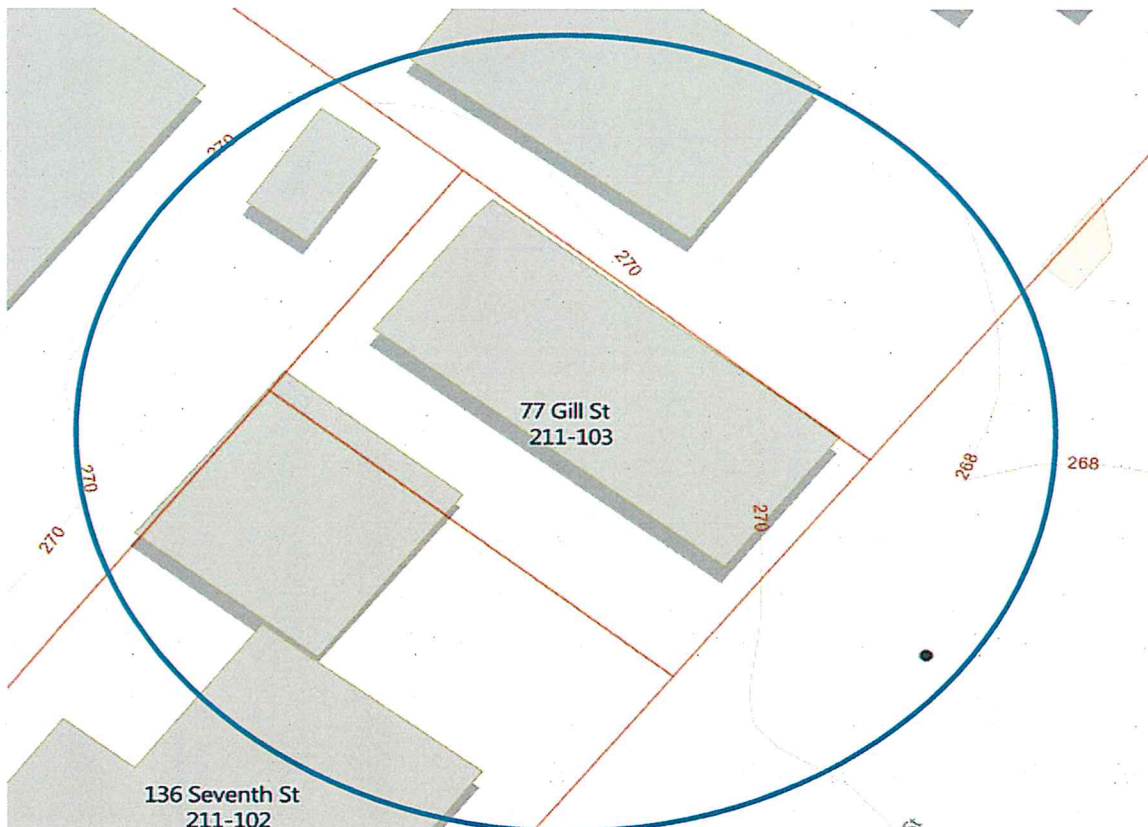
8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

No.

Other concerns:











**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 4, 2019

**Author:** Jody Durisko, Executive Assistant to the City Manager

**Subject:** Sealer of Weights and Measures

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**Information:** The city has received a request to be appointed as the city's local Sealer of Weights and Measures. The request was made in August of 2018 which, in turn, led to a fair amount of research of how it was handled in the past. Sue Clements-Dallaire, City Clerk put together a great documentation packet outlining the most recent history on this matter.

Thomas Verrill was appointed on October 1992 as Auburn's local Sealer of Weights and Measures and served until he retired in June 2014. At that time, the City Clerk contacted the Division of Quality Assurance & Regulations to ask if the state would appoint a sealer if the municipality did not. The program manager sent an email stating they just learned the legislature repealed the authorizing statute that allowed municipalities to appoint a sealer in 2013 and the state sealers would perform the testing until it could be corrected by the legislature.

In 2017, the legislature passed 10 MRSA 501 §2461-2464 for local sealers. The new legislation restores the municipalities' authority to appoint a sealer of weights and measures. Another notable improvement to the statute is that it requires a locally appointed sealer of weights and measures pass two national certification programs by the National Conference on Weights and Measures. The state sealer has final approval authority over a sealer and has jurisdiction over an appointed sealer.

Since Mr. Verrill retired, state sealers have been responsible for inspections for the City. If an appointment is not made that will continue, however, the Division of Quality Assurance and Regulation is encouraging municipalities to make an appointment due to staffing levels they are currently responding to complaints and not able to cover inspections for the whole state as well.

If the Council decides to move forward with the appointment, I recommend an annual appointment which would give Council an opportunity to communicate with the local sealer at least once per year. It will also ensure the City can obtain a current certificate of insurance and certifications as needed.

Bryan Bachelder, of Readfield is seeking appointment as the city's local sealer of weights and measures. He is a retired Maine State Trooper with a history of weights and measures. Mr. Bachelder has successfully passed the two national certification programs and is insured. The certifications are good for five years which would expire on August 22, 2023.

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**City Budgetary Impacts:** None. If a local sealer is appointed, the state allows some establishments with small weighing systems to pay the sealer directly. The reporting and payment for retail motor fuel dispensing systems are handled directly through the State of Maine.

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**Staff Recommended Action:** Discussion for consideration to appoint a Sealer of Weights and Measures.

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**Previous Meetings and History:** None.

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**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cusick".

---

**Attachments:** June 16, 2014 Thomas Verrill Retirement Letter  
Email and attachment from Steve Giguere dated May 27, 2015  
Copy of 10 MRSA 501 §2411-2413  
Copy of 10 MRSA 501 §2451-2455 repealed  
Copy of 10 MRSA 501 §2461-2464  
Bryan Bachelder Letter and Certifications

Local Sealer Weights & Measures  
City of Auburn  
Thomas Verrill  
634 Fletcher Rd  
Auburn, ME 04210  
Tel.783-9035

June 16, 2014

To Whom It May Concern,

I have been serving as the Local Sealer of Weights & Measures for the City of Auburn and I would like to notify you that I will be retiring and would like to terminate my appointment immediately. You have the option to appoint another person to serve in my capacity or you may notify Mr. Steve Giguere with the State of Maine, Dept. of Agriculture, Weights & Measures division at 287-4456 to notify them that no one has interest with this appointment and the State of Maine, Dept. of W & M will assume all annual gasoline and scale inspections.

If you have a person who is interested in fulfilling this position as Local Sealer I do have all my gasoline testing equipment and weights for calibrating of scales for sale. Also I would give them a list of the 15 other city/town who I also are responsible for if they would be interested in additional appointments.

Please find attached a copy of Maine Weights & Measures Laws pertaining to appointments of a Local Sealer of W & M.

If you have any further questions you may contact either me or Steve Giguere at STEVE.GIGUEREMAINR.GOV or 287-4456.

Regards,

Thomas F. Verrill



## **SUBCHAPTER IV LOCAL SEALERS**

### **s 2451. Election by municipal officers**

The municipal officers of each municipality shall elect or appoint a sealer of weights and measures, and a deputy sealer is necessary, not necessarily a resident therein, and said sealer and deputy shall hold office during their efficiency and the faithful performance of their duties. On complaint being made to said officers of the inefficiency or neglect of duty of a sealer or deputy sealer, the said officers shall set a date for and give notice of a hearing to the complainant, sealer complained of and the state sealer. If evidence satisfies the said officers that the said sealer or deputy sealer has been inefficient or has neglected his duty, they may remove him from office and elect or appoint another in his stead. The state sealer shall have jurisdiction over said sealer or deputy sealer and any vacancy caused by death or resignation shall be filled by election or appointment by said municipal officers within 30 days. For each month that said municipal officers neglect their duty, they severally shall forfeit \$10. Within 10 days after each such election or appointment, the clerk of each municipality shall communicate the name of the person so elected or appointed to the state sealer and for neglect of this duty shall forfeit \$10. Such sealer of weights and measures in any municipality may be sealer for several municipalities, if such is the pleasure of the municipal officers therein, provided such action received the approval of the state sealer.

### **s 2452. Appointment by state sealer**

The municipal officers of any municipality may request the state sealer to appoint a qualified person to serve as sealer of weights and measures in lieu of local appointment or election as provided for in section 2451. If a municipality fails to elect or appoint a sealer and make a return to the state sealer of such election or appointment within 30 days after the regular municipal election, the state sealer may appoint a qualified person to act as sealer of weights and measures. Any person appointed under this section may serve in such capacity in more than one municipality.

### **s 2453. Powers and duties**

Any weights and measures official elected or appointed for a municipality shall have the duties enumerated in section 2402, subsections 2 to 9 and the powers enumerated in section 2403. These powers and duties shall extend to their respective jurisdictions.

### **s 2454. Testing of standards of municipalities**

1973, c. 91, s 8 (rp).

### **s 2455. Records of weights and measures sealed; annual report**

The several municipal sealers shall keep records of all weights and measures, balances and measuring devices inspected, sealed or condemned by them, giving the name of the owner or agent, the place of business, the date of inspection and kind of apparatus so inspected, sealed or condemned. Each sealer shall make an annual report on July 1st for the 12 preceding months on forms prescribed by the state sealer, and shall furnish such information as the state sealer shall require.

## Jody Durisko

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**From:** Giguere, Steve <Steve.Giguere@maine.gov>  
**Sent:** Wednesday, May 27, 2015 4:10 PM  
**To:** Susan Clements-Dallaire  
**Subject:** RE: Local Sealer of Weights and Measures  
**Attachments:** appointment authority repeal notice.doc

Hi Susan

Earlier this month we learned that in 2013 the legislature repealed the authorizing statute that allowed municipalities to appoint local sealers of weights & measures.

We were never made aware this had been proposed or that it had passed. As result of this information I consulted with the Attorney General's office and was informed that municipalities no longer have authority to appoint sealers and anyone performing these duties no longer had legal jurisdiction or authority granted by Title 10.

As such our assistant attorney general drafter the attached letter that I sent to all towns who our records show had a local sealer appointed.

At this point all W&M testing will be done by the state inspectors until we can get this corrected by the Legislature. Any requests for services should be directed to our office at 287-3841.

*Steve Giguere, Program Manager  
Maine Dept. of Agriculture, Conservation & Forestry  
Division Quality Assurance & Regulations  
207 287-3841*

Recipe to Market: <http://umaine.edu/publications/3101e/>

UMaine Food Technology: <http://foodsciencehumannutrition.umaine.edu/food-technology/>

Food Safety Programs: <http://extension.umaine.edu/food-health/food-safety/>

Other resources for Maine food businesses: <http://extension.umaine.edu/food-health/resources-for-small-food-businesses-in-maine/>

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**From:** Susan Clements-Dallaire [mailto:sdallaire@auburnmaine.gov]  
**Sent:** Wednesday, May 27, 2015 3:52 PM  
**To:** Giguere, Steve  
**Subject:** Local Sealer of Weights and Measures

Hi Steve,

There seems to be some confusion, at least among some Clerk's regarding appointing a Local Sealer of Weights and Measures. I was under the impression after speaking to you a month or so ago that if the Municipality did not want to appoint anyone, the State would appoint a Sealer of Weights and Measures. I might have misunderstood that information because it looks like the law (Title 10 §2451, §2452, §2453, §2455) has been repealed. I wondered if you would be willing to draft something in writing (just something brief and informal - one or two paragraphs) that I could pass on to Clerk's via the list serve so they are aware that this law has been repealed. Any information you can provide would be very helpful.

Thank you, Steve. I appreciate your time.

Sue

Sue Clements-Dallaire



PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
DIVISION OF QUALITY ASSURANCE & REGULATIONS  
28 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0028

WALTER E. WHITCOMB  
COMMISSIONER

RON DYER  
DIRECTOR

May 14, 2015

Municipalities

Re: Local Sealers

Dear \_\_\_\_\_:

The records of the Department of Agriculture, Conservation and Forestry ("Department") indicate that your municipality appointed **[insert name]** as a local sealer pursuant to 10 M.R.S. § 2451. In 2013, the Maine Legislature repealed 10 M.R.S. §§ 2451-2455. That legislative action removed the power of municipalities to appoint local sealers. Due to the repeal of those laws, the Department believes that local sealers no longer have the statutory authority to act in that capacity. The Department is exploring ways to remedy this issue. However, unless and until the Legislature revisits this issue, it is the Department's position that no local sealers who had been appointed by municipalities such as yours possess the legal authority to perform the tasks that they have performed previously. In addition, you may not appoint a new local sealer.

I have also sent a letter to **[insert name]**, to notify him/her **[pick one]** of this legislative development. If you have any questions, please feel free to contact me at 287-4456. If you are unable to reach me, please feel free to contact Assistant Attorney General Thom Harnett at 626-8897.

Yours truly,

Steven Giguere  
Program Manager  
Division of Quality Assurance & Regulations



## Maine Revised Statutes

- ☒ [§2412 PDF](#)
- ☒ [§2412 MS-WORD](#)
- ☒ [STATUTE SEARCH](#)
- ☒ [CH. 501 CONTENTS](#)
- ☒ [TITLE 10 CONTENTS](#)
- ☒ [LIST OF TITLES](#)
- ☒ [DISCLAIMER](#)
- ☒ [MAINE LAW](#)
- ☒ [REVISOR'S OFFICE](#)
- ☒ [MAINE LEGISLATURE](#)

**§2411****Title 10:****§2413****COMMERCE AND TRADE****Part 6: WEIGHTS AND MEASURES****Chapter 501: WEIGHTS AND MEASURES LAW****Subchapter 3: STATE SEALER****§2412. Registration of motor fuel dispensers**

It is unlawful to sell motor fuel from a commercial motor fuel dispenser without a certificate of registration. [1991, c. 712, §3 (NEW); 1991, c. 712, §5 (AFF).]

**1. Certificate of registration.** The state sealer shall provide application forms and shall issue a certificate of registration upon receipt of a completed application accompanied by an annual fee as determined under subsection 5. A certificate of registration expires on December 31st. The state sealer may issue a registration for a one-year, 2-year or 3-year period. Registrations for a period in excess of one year may only be issued with the agreement of or at the request of the applicant. The fee for a 2-year registration is 2 times the annual fee. The fee for a 3-year registration is 3 times the annual fee.

[ 2007, c. 539, Pt. GGGG, §1 (AMD) .]

**2. Local sealers account.** The state sealer shall deposit all fees from applicants with commercial dispensers in municipalities with duly appointed local sealers into a separate, nonlapsing account, known as the local sealers account. Funds from this account may be used for costs associated with carrying out this subchapter. The state sealer shall deposit all other fees received under this section into the General Fund.

[ 1995, c. 665, Pt. T, §1 (AMD) .]

**3. Payment from local sealers account.** Upon receiving verification from a local sealer that a registered fuel dispenser has been inspected and conforms to standards established for fuel dispensers, the state sealer shall pay to the local sealer an amount as determined under subsection 5.

[ 2007, c. 539, Pt. GGGG, §2 (AMD) .]

**4. No additional fee.** A state or local sealer may not assess a fee for periodic testing and sealing of retail motor fuel dispensers.

[ 1991, c. 712, §3 (NEW); 1991, c. 712, §5 (AFF) .]

**5. Rulemaking.** The Commissioner of Agriculture, Conservation and Forestry shall adopt rules to establish a fee for issuing a certificate of registration under subsection 1 and the payment to a local sealer under subsection 3. The fee and payment

established in rule must be per dispensing nozzle certified or inspected. Notwithstanding Title 5, section 8071, subsection 3, paragraph B, rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2007, c. 539, Pt. GGGG, §3 (NEW); 2011, c. 657, Pt. W, §6 (REV) .]

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▼ [§2412 MS-WORD](#)

▼ [STATUTE SEARCH](#)

◀ [CH. 501 CONTENTS](#)

◀ [TITLE 10 CONTENTS](#)

◀ [LIST OF TITLES](#)

▼ [DISCLAIMER](#)

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#### SECTION HISTORY

1991, c. 712, §3 (NEW). 1991, c. 712, §5 (AFF). 1995, c. 665, §T1 (AMD). 1997, c. 454, §5 (AMD). 2007, c. 539, Pt. GGGG, §§1-3 (AMD). 2011, c. 657, Pt. W, §6 (REV).

*Data for this page extracted on 01/05/2015 11:58:16.*

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Office of the Revisor of Statutes

7 State House Station  
State House Room 108  
Augusta, Maine 04333-0007

## Maine Revised Statutes

- ☒ [§2451 PDF](#)
- ☒ [§2451 MS-WORD](#)
- ☒ [STATUTE SEARCH](#)
- ☒ [CH. 501 CONTENTS](#)
- ☒ [TITLE 10 CONTENTS](#)
- ☒ [LIST OF TITLES](#)
- ☒ [DISCLAIMER](#)
- ☒ [MAINE LAW](#)
- ☒ [REVISOR'S OFFICE](#)
- ☒ [MAINE LEGISLATURE](#)

**§2413****Title 10:****§2452****COMMERCE AND TRADE****Part 6: WEIGHTS AND MEASURES****Chapter 501: WEIGHTS AND MEASURES LAW****Subchapter 4: LOCAL SEALERS****§2451. Election by municipal officers*****(REPEALED)*****SECTION HISTORY**

1973, c. 91, §7 (RPR). 2013, c. 595, Pt. U, §7 (RP).











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-  [§2452 PDF](#)
-  [§2452 MS-WORD](#)
-  [STATUTE SEARCH](#)
-  [CH. 501 CONTENTS](#)
-  [TITLE 10 CONTENTS](#)
-  [LIST OF TITLES](#)
-  [DISCLAIMER](#)
-  [MAINE LAW](#)
-  [REVISOR'S OFFICE](#)
-  [MAINE LEGISLATURE](#)

**§2451****Title 10:****§2453****COMMERCE AND TRADE****Part 6: WEIGHTS AND MEASURES****Chapter 501: WEIGHTS AND MEASURES LAW****Subchapter 4: LOCAL SEALERS****§2452. Appointment by state sealer*****(REPEALED)***

## SECTION HISTORY

2013, c. 595, Pt. U, §7 (RP).

*Data for this page extracted on 01/05/2015 11:58:16.*

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## Maine Revised Statutes

- ☒ [§2453 PDF](#)
- ☒ [§2453 MS-WORD](#)
- ☒ [STATUTE SEARCH](#)
- ☒ [CH. 501 CONTENTS](#)
- ☒ [TITLE 10 CONTENTS](#)
- ☒ [LIST OF TITLES](#)
- ☒ [DISCLAIMER](#)
- ☒ [MAINE LAW](#)
- ☒ [REVISOR'S OFFICE](#)
- ☒ [MAINE LEGISLATURE](#)

**§2452****Title 10:****§2455****COMMERCE AND TRADE****Part 6: WEIGHTS AND MEASURES****Chapter 501: WEIGHTS AND MEASURES LAW****Subchapter 4: LOCAL SEALERS****§2453. -- powers and duties*****(REPEALED)*****SECTION HISTORY**

1973, c. 91, §7 (RPR). 2013, c. 595, Pt. U, §7 (RP).

*Data for this page extracted on 01/05/2015 11:58:16.*

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## Maine Revised Statutes

	<u>§2453</u>	Title 10:	<u>§2501</u>
<input checked="" type="checkbox"/> <a href="#">§2455 PDF</a>		<b>COMMERCE AND TRADE</b>	
<input checked="" type="checkbox"/> <a href="#">§2455 MS-WORD</a>		<b>Part 6: WEIGHTS AND MEASURES</b>	
<input checked="" type="checkbox"/> <a href="#">STATUTE SEARCH</a>		<b>Chapter 501: WEIGHTS AND MEASURES LAW</b>	
<input checked="" type="checkbox"/> <a href="#">CH. 501 CONTENTS</a>		<b>Subchapter 4: LOCAL SEALERS</b>	
<input checked="" type="checkbox"/> <a href="#">TITLE 10 CONTENTS</a>			
<input checked="" type="checkbox"/> <a href="#">LIST OF TITLES</a>		<b>§2455. Records of weights and measures sealed; annual report</b>	
<input checked="" type="checkbox"/> <a href="#">DISCLAIMER</a>		<b>(REPEALED)</b>	
<input checked="" type="checkbox"/> <a href="#">MAINE LAW</a>			
<input checked="" type="checkbox"/> <a href="#">REVISOR'S OFFICE</a>			
<input checked="" type="checkbox"/> <a href="#">MAINE LEGISLATURE</a>			
	SECTION HISTORY		
	2013, c. 595, Pt. U, §7 (RP).		

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**Maine Revised Statutes**  
**Title 10: COMMERCE AND TRADE**  
**Chapter 501: WEIGHTS AND MEASURES LAW**

**§2461. ELECTION BY MUNICIPAL OFFICERS**

The municipal officers of a municipality may elect or appoint a sealer of weights and measures, and a deputy sealer if necessary, not necessarily a resident of that municipality, and the sealer and deputy sealer hold office during their efficiency and the faithful performance of their duties. The state sealer has final approval authority over a sealer or deputy sealer elected or appointed pursuant to this section. Prior to approval or assuming any duties, a sealer or deputy sealer elected or appointed pursuant to this section must successfully complete certification by the National Conference on Weights and Measures as a weights and measures professional in the National Conference on Weights and Measures professional certification program for the device types the sealer or deputy sealer wishes to seal. On complaint being made to the municipal officers of the inefficiency or neglect of duty of a sealer or deputy sealer, the municipal officers shall set a date for and give notice of a hearing to the complainant, the relevant sealer and the state sealer. If evidence satisfies the municipal officers that the sealer or deputy sealer has been inefficient or has neglected the sealer's or deputy sealer's duty, they may remove the sealer or deputy sealer from office and elect or appoint another in the sealer's or deputy sealer's stead. The state sealer has jurisdiction over a sealer or deputy sealer elected or appointed pursuant to this section, and any vacancy caused by death or resignation must be filled by election or appointment by the municipal officers within 30 days. Within 10 days after each such election or appointment, the clerk of each municipality shall communicate the name of the person so elected or appointed to the state sealer. A sealer of weights and measures in any municipality may be sealer for several municipalities, if such is the pleasure of the municipal officers of those municipalities, as long as this action receives the approval of the state sealer. The state sealer or the state sealer's designee shall test and certify annually municipal weights and measures equipment used by a sealer or deputy sealer elected or appointed pursuant to this section. [2017, c. 172, §1 (NEW).]

SECTION HISTORY  
2017, c. 172, §1 (NEW).

---

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**Maine Revised Statutes**  
**Title 10: COMMERCE AND TRADE**  
**Chapter 501: WEIGHTS AND MEASURES LAW**

**§2462. MUNICIPALITIES THAT DO NOT CHOOSE A SEALER**

If the municipal officers do not elect or appoint a sealer or fail to make a return to the state sealer of the election or appointment within 30 days after the election or appointment in accordance with section 2461, the state sealer retains sole authority to enforce this chapter in that municipality and the concurrent authority provided under section 2411 does not apply in that municipality. Pursuant to section 2402, subsection 7, the state sealer may appoint a qualified person to carry out the state sealer's responsibilities in that municipality, and any person appointed under this section may serve in that capacity for more than one municipality.

[2017, c. 172, §1 (NEW).]

**SECTION HISTORY**

2017, c. 172, §1 (NEW).

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**Maine Revised Statutes**  
**Title 10: COMMERCE AND TRADE**  
**Chapter 501: WEIGHTS AND MEASURES LAW**

**§2463. POWERS AND DUTIES**

A weights and measures official elected or appointed for a municipality has the duties enumerated in section 2402, subsections 2 to 9 and the powers enumerated in section 2403. These powers and duties extend to the official's jurisdiction. [2017, c. 172, §1 (NEW) .]

SECTION HISTORY  
2017, c. 172, §1 (NEW) .

---

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**Maine Revised Statutes**  
**Title 10: COMMERCE AND TRADE**  
**Chapter 501: WEIGHTS AND MEASURES LAW**

**§2464. RECORDS OF WEIGHTS AND MEASURES SEALED; ANNUAL REPORT**

A sealer shall keep records of all weights and measures, balances and measuring devices inspected, sealed or condemned by that sealer, giving the name of the owner or agent, the place of business, the date of inspection and kind of apparatus inspected, sealed or condemned. The sealer shall make an annual report on July 1st for the 12 preceding months on forms prescribed by the state sealer and shall furnish such information as the state sealer may require. [2017, c. 172, §1 (NEW) .]

**SECTION HISTORY**

2017, c. 172, §1 (NEW) .

---

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Bryan Bachelder

August 28, 2018

P.O. Box 271

Readfield, Maine 04355

207 458 9388

Subject: Local Sealer

To whom it may concern,

I am a retired Maine State Trooper with a history of Weights and Measures. I would like to be the Local Sealer for your town/city. I have enclosed my qualifications from the National Conference on Weights and measures. This appointment/election to the position of Local Sealer is mandated by the state (see LD enclosure) and is of no cost to you. Consideration for this position is greatly appreciated.

Sincerely



Bryan Bachelder

Retired Maine State Trooper

Local Sealer

Enclosures:3

## LOCAL SEALER

Checking local gas pumps  
and retail scales for  
calibration



BRYAN BACHELDER

P.O. Box 271

Readfield, ME 04355

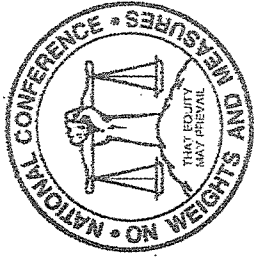
bbach0167@aol.com

tel: 207 458-9388

Insured



# National Conference on Weights and Measures Professional Certification Program



## Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION  
IN THE CATEGORY OF

### Retail Motor Fuel Dispensing Systems

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT  
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

*Brett Gurney*  
BRETT GURNEY, CHAIRMAN  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 22, 2018

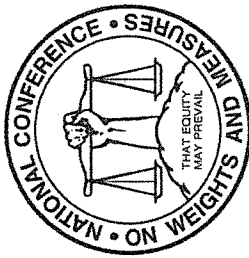
DATE OF CERTIFICATION

*Don Onwiler*

DON ONWILER, EXECUTIVE DIRECTOR  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.

# National Conference on Weights and Measures Professional Certification Program



## Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION  
IN THE CATEGORY OF

### Small Capacity Weighing Systems Class III

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT  
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

*Brett Gurney*  
BRETT GURNEY, CHAIRMAN  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

*Don Onwiler*  
August 26, 2018  
DATE OF CERTIFICATION  
DON ONWILER, EXECUTIVE DIRECTOR  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.





**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 4, 2019

**Author:** Sue Clements-Dallaire, City Clerk

**Subject:** Possible formation of an Agricultural Advisory Board

---

**Information:** The Council would like to discuss the possible formation of an Agricultural Advisory Board, looking at how its structure will support potential new Ag Resource Protection Zone Ordinance, using the information generating from discussion within the MAG-ARP and suggestions from the Crossroads Report of 2018.

---

**City Budgetary Impacts:** N/A

---

**Staff Recommended Action:** Discussion

---

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

---

**City Manager Comments:**

---

I concur with the recommendation. Signature:

A handwritten signature in blue ink, which appears to read "Peter J. Calkins".



## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** February 4, 2019

**Subject:** Executive Session

**Information:** To consult with the City Attorney to discuss legal rights & responsibilities, pursuant to 1 M.R.S.A. Section 405(6) (E).

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

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

(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;

(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;

(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and

(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

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

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

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

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

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

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

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

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

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



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 4, 2019

**Author:** Holli Olivier, Director of General Assistance

**Subject:** Executive Session - Discussion on a poverty abatement case # 2019-001 pursuant to (36 M.R.S.A § 841)

---

**Information:**

Discussion on a poverty abatement case # 2019-001 pursuant to (36 M.R.S.A § 841). A hearing and written notice needs to be provided within 30 days of the application.

## IN COUNCIL REGULAR MEETING JANUARY 28, 2019 VOL. 35 PAGE 6

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

### I. Consent Items - None

### II. Minutes

- January 7, 2019 Regular Council Meeting
- January 23, 2019 Special Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Fournier to approve the minutes of the January 7, 2019 Regular Council Meeting. Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Fournier to approve the minutes of the January 23, 2019 Special Council Meeting. Passage 7-0.

### III. Communications, Presentations and Recognitions

- **Communications** – Mayor Levesque delivered his State of the City Address
- **Presentations** – A Swearing in Ceremony was held for Deputy Chief of Police, Tim Cogle and Deputy Chief of Fire, Matt Fifield. City Clerk Sue Clements-Dallaire administered the Oath of Office.
- **Communication** – Michelle Richardson (President) and Bruce Rioux (Vice President) of the Auburn Business Development Corporation (ABDC) provided an update to the Council
- **Communication** – Karen Scammon, City Assessor and Joe St. Peter, Deputy City Assessor provided an update on the Assessing Department

### IV. Open Session

Two gentlemen from Crystal Springs Healing Alternatives medical store (with locations in both Lewiston and Auburn) spoke regarding medical marijuana storefronts in Auburn.

### V. Unfinished Business

#### 1. Public Hearing on Order 04-01072019

Authorizing the discontinuance of Niskayuna Street.

No one from the public spoke.

### VI. New Business

#### 1. Order 09-01282019

Approving the Liquor License and Special Amusement permit for SXE LLC, DBA Side by Each Brewing Co. located at 1110 Minot Avenue. Public hearing.

Motion was made by Councilor Hayes and seconded by Councilor Walker for passage.



## IN COUNCIL REGULAR MEETING JANUARY 28, 2019 VOL. 35 PAGE 7

Public hearing – Owners Ben Low and Matt Johannes Spoke. Passage 7-0.

**2. Order 10-01282019**

Appointing Brian Carrier as a full member of the Planning Board with a term expiration of 1/1/2020.

Motion was made by Councilor Gerry and seconded by Councilor Fournier for passage of Orders 10-01282019 through 15-01282019 as presented.

Public comment – no one from the public spoke.

Passage of Orders 10-01282019 through 15-01282019 7-0.

**3. Order 11-01282019**

Appointing Stephen Martelli as a full member of the Planning Board with a term expiration of 1/1/2022.

**4. Order 12-01282019**

Appointing Paula Curtis-Everett To the Parks and Recreation Advisory Board with a term expiration of 10/01/2019.

**5. Order 13-01282019**

Appointing Michael Thurston To the Parks and Recreation Advisory Board with a term expiration of 10/01/2019.

**6. Order 14-01282019**

Re-appointing Dana Staples to the Complete Streets Committee with a term expiration of 1/1/2022.

**7. Order 15-01282019**

Appointing R. Wayne Werts as a member of the LA 911 Committee with a term expiration of 1/1/2022.

**8. Order 16-01282019**

Re-appointing Karen Scammon as Auburn's City Assessor with a term expiration of January 31, 2021.

Motion was made by Councilor Young and seconded by Councilor Walker for passage.

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

## VII. Reports

**Mayor Levesque** – no report

## IN COUNCIL REGULAR MEETING JANUARY 28, 2019 VOL. 35 PAGE 8

**Councilor Gerry** – reported on a survey that has gone out for the Age Friendly Committee to help them gather information which may also help them in the future if they apply for grants and funding.

**Councilor Lasagna** – reported on MAG-ARP meeting last week, the School Building Committee's Public Forum that was held last Wednesday, the Chamber Dinner held last Thursday, and this week the Citizen's Advisory Committee will be meeting at 6:00 PM on Thursday, and also on Thursday this week will be the final Strategic Plan sub-committee (Quality and Growth) meeting before going to the Finance/Invest committee.

**Councilor Hayes** – reported that Elite Airways have leased a hangar at the Auburn-Lewiston Airport.

**Councilor Titus** – no report. Mayor Levesque announced that Councilor Titus was absent from the Trustee meetings due to the delivery of his new granddaughter. The Mayor and Council congratulated him on becoming a grandfather.

**Councilor Fournier** – reported that they have not had a School Committee meeting or a Library meeting since her last report.

**Councilor Walker** – reported that tomorrow night at Rolly's Diner, the City Manager will be speaking and he invited people to attend.

**Councilor Young** – reported on the ELHS School Building Committees public forum that was held last week.

**City Manager** – reported that the FY20 budget process is under way, the Birthday Celebration is scheduled for Feb. 22<sup>nd</sup> as part of the Sesquicentennial, currently there are 25 locations that will be serving cakes at each of those locations. More information can be found at Auburn150.com. He reported on the Winterfest. He reminded everyone that the next Council meeting is scheduled for next Monday and he invited the council to joint workshop with the School Committee next Wednesday at 6:00 PM. He talked about possible fundraising for the new high school. He reported that LATC (Lewiston Auburn Transit Committee) sent out surveys to businesses and employees to find out if employees are interested in using the transit system.

**Assistant City Manager**, provided an update on the Strategic Plan noting that it is moving along well, the final meeting of Quality and Growth sub-committee meeting is Thursday the 31<sup>st</sup> here at Auburn Hall at 6:00 PM where the focus will be priorities. Next the Investment sub-committee will begin their work on February 28<sup>th</sup>.

Councilor Walker thanked the Public Works Department for helping out during the Winterfest. He added that if it wasn't for their help, the event wouldn't have happened. He said it was a great effort by everyone and over 200 people showed up (at Sherwood Heights).

**Finance Director, Jill Eastman** – December 2018 Monthly Finance Reports

**IN COUNCIL REGULAR MEETING JANUARY 28, 2019 VOL. 35 PAGE 9**

Motion was made by Councilor Lasagna and seconded by Councilor Walker to accept and place on file the December 2018 Monthly Finance Report. Passage 7-0.

**VIII. Open Session**

No one from the public spoke.

**IX. Executive Session - None**

**X. Adjournment** - Motion was made by Councilor Fournier and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 8:26 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:** February 4, 2019

**Author:** Marc Gosselin

**Subject:** Overview and updates for the Department of Recreation and Sport Facilities

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**Information:**

Presentation will cover the following:

1. Department Overview
  2. Recreation Update
  3. Ingersoll Turf Facility
  4. Norway Savings Bank Arena update to include:
    - a. Budget update
    - b. Corporate Partnerships
    - c. Market Analysis
    - d. Events
- 

**City Budgetary Impacts:** N/A

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**Staff Recommended Action:** Update and discussion

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

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**City Manager Comments:**

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I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cusick".

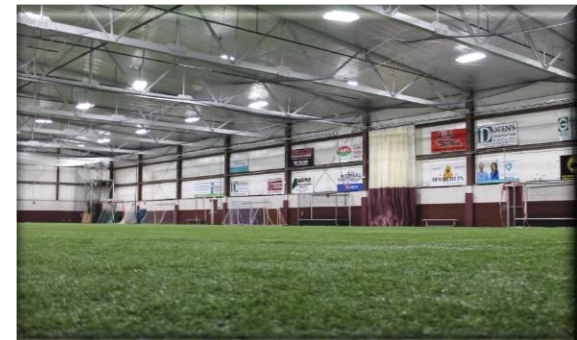
**Attachments:**

PowerPoint presentation will be used during the presentation





# Recreation & Sports Facilities



# **RECREATION & SPORTS FACILITIES**

## **Our Team:**

**Marc Gosselin, Director of Recreation & Sports Tourism**

**Sabrina Best, Deputy Director**

**Jeremy Gatcomb, Superintendent**

**Rory Mushlin, Operations Manager (NSBA)**



**Men's Slow Pitch Draft League**  
**Current Brochure – Winter/ Spring**  
**Summer Brochure – April**  
**Senior Programming Collaboration**  
**\* Jo Dill – Maine Senior Games**  
**3 Part-time staff**

**\* Jamie – Senior \* Laurie – PAL \* Haley – 150th**





**Field Occupancy: 86%**

**Indoor softball league – Over 150 girls**

**Indoor HS Soccer (boys/girls combo) – Over 16 teams**

**Spring sport season – Kicks off March 25th**







**Corporate Partnerships**

**Current Status**

**Renewals**

**New Prospects**





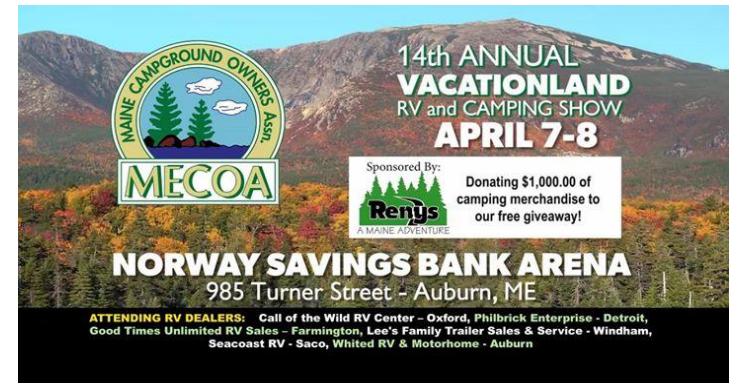
## EVENTS

Maine RV Show

Comic Con

B2B Show

Hot Tub Trade Show



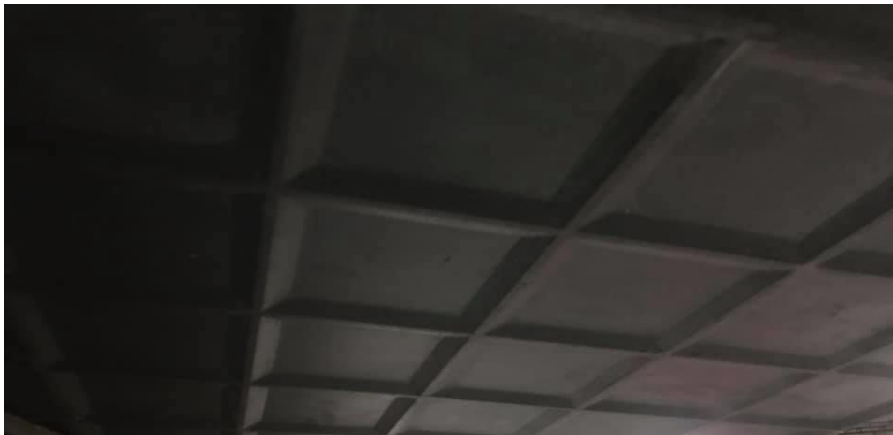


## **EVENT FLOOR SYSTEM**

**Better insulation**

**Decreased change-over time**

**Decreased labor costs**





## YTD Revenue vs. Expenses

YTD	FY18	FY19
Revenues	\$480,048	\$530,818
Expenses	\$726,916	\$723,633
Totals	(\$246,868)	(\$192,815)



## KEY FACTS

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491,170

Population



Average  
Household Size

43.4

Median Age

\$56,729

Median Household  
Income

Market Analysis – 30 to 60 minutes

## ANNUAL HOUSEHOLD SPENDING

---



\$1,981

Apparel &  
Services



\$156

Computers &  
Hardware



\$3,227

Eating Out



\$4,658

Groceries



\$5,389

Health Care

## ANNUAL LIFESTYLE SPENDING

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\$1,966

Travel



\$60

Theatre/Operas/  
Concerts



\$72

Movies/Museums/  
Parks



\$54

Sports Events

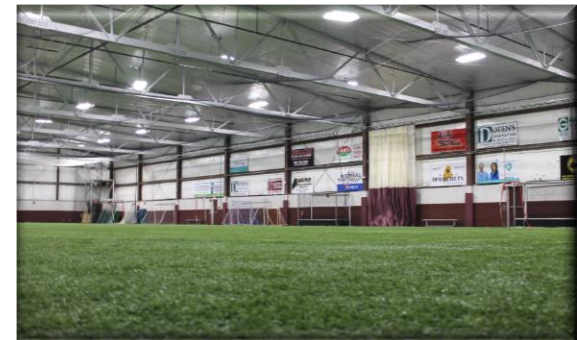


\$4

Online Games



# Recreation & Sports Facilities







## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** February 4, 2019

**Author:** Zachary Lenhert, Community Development Manager

**Subject:** Public Hearing: Substantial Amendment 2015-2019 Consolidated Plan & FFY2018 Action Plan

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**Information:** The Citizen Participation Plan requires that a public hearing be held prior to adoption of any substantial amendments to the Consolidated Plan and Annual Action Plans.

The 2018 Action Plan was adopted by the City Council on May 7, 2018. A CDBG Entitlement grantee, in accordance with the CDBG regulations at 24 CFR 570.902, must have a balance no greater than one and one-half (1.5) times its annual grant remaining in the line-of-credit, 60 days prior to the end of the program year. HUD has a longstanding policy of reducing the future year's grant of a grantee that continues to be untimely. Several factors, including more than anticipated program income and budgeted projects encountering changes/delays, have put the city at risk of exceeding the balance allowed by HUD. A proposed expansion of the Senior Center in Pettengill Park is a project would meet HUD's eligibility requirements and is considered "shovel ready". This amendment will make \$300,000 of CDBG funds available for the expansion of the Senior Center which will help to avoid violating HUD regulations. Amending STAR program guidelines will make the program available citywide.

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**Advantages:** Improve quality of life for Auburn's seniors and avoid "timeliness" issues. Makes economic development loan program available city-wide.

**Disadvantages:** Loans for start-ups are high risk which could lead to program losses.

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**City Budgetary Impacts:** Additional program and maintenance costs of expanded Senior Center

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**Staff Recommended Action:** Hear public comments. No further action required at this meeting.

---

**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cusick".

**Previous Meetings and History:** n/a

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**Attachments:** Substantial Amendment 2015-2019 Consolidated Plan & FFY2018 Action Plan  
STAR Program guidelines

## **STOREFRONT TRAFFIC ACCELERATES REVITALIZATION (STAR) BUSINESS LOAN PROGRAM**

### **PROGRAM OBJECTIVE**

The Storefront Traffic Accelerates Revitalization (STAR) Business Loan Program is designed to encourage the creation or enhancement of business enterprises by providing a source of forgivable financing for commercial property owners, new or expanding businesses, or micro-enterprise business. The program objective is to create new employment opportunities for low- and moderate-income (LMI) households and to revitalize storefront spaces in the target areas.

### **ELIGIBLE APPLICANTS**

- Sole proprietorship, limited liability company, corporation, partnership, S-corporation or non-profit;
- Commercial property owner of a building with storefront space; Taxes due on property owned by the applicant/owner must be paid in full or acceptable arrangements are made with the Treasurer of the City of Auburn;
- New or expanding business owners;
- Micro-enterprise business owners (5 or fewer employees);

### **ELIGIBLE ACTIVITIES**

- Commercial property and/or business must be located in one of the following CDBG target areas: Downtown, New Auburn, and Union Street.
- Building improvements to include exterior, major building systems, correction of code violations, accessibility improvements and retro-fit of business space.
- If the project involves construction activity, the administration of the loan shall follow the guidelines of the Rehabilitation Loan Program.
- Purchase of equipment
- Working capital – (Micro-enterprises only)
- Business expansion or relocation that would cause a significant job loss in a low mod area as defined by the Bureau of Labor is not eligible;
- Only one forgivable loan will be made per applicant.

### **LOAN TERMS**

- Maximum Loan Amount: \$50,000
- Micro-enterprise (5 employees or fewer) loans for working capital capped at \$10,000;
- 50% match is required – Loan cannot exceed 50% of the total project costs;  
Term of the loan will be a 5 year forgivable, 0% interest; 50% of loan balance may be forgiven after 1 year if business remains open for business; remaining loan balance is forgiven at the end of year 5 if all conditions have been met. For projects that do not meet the conditions a work out plan will be negotiated.

### **CONDITIONS**

- Creation of one job for loans up to \$25,000 and two jobs for loans over \$25,000 as defined below.
- The applicant will secure a private cash match or loan assistance from any other public agency or private lender for 50% of project cost;
- The applicant must provide a commitment letter which describes the terms and any conditions of the commitment;
- The business must remain open for business within the target areas in the City of Auburn until the loan is forgiven;
- The business must provide a valid lease, right, title or interest for the space it will occupy;
- The business must have written permission from property owner to make building improvements;
- When the applicant is the property owner, that owner shall enter into a lease with a new or expanding business within 3 months of completion of rehabilitation of the building in order to meet the job creation requirement.

### **JOB CREATION CRITERIA**

- 51% of jobs created must meet the low-to-moderate income guidelines established by the U. S. Department of Housing and Urban Development for Lewiston-Auburn SMSA. Because the program requires a maximum of 2 full-time equivalent jobs both jobs created must both meet the income guidelines;
- The jobs must be made available to low-to-moderate income persons;
- Jobs not filled with low-to-moderate income person are eligible only if the job: does not require special skills beyond a high school education; the business agrees to hire an unqualified person and offer training; the business takes action to ensure low-to-moderate income persons receive first consideration and can show documentation;

#### **For Micro-Enterprise Business:**

If the applicant's income is less than 80% of area median income the job creation requirement is met. The owner's job shall satisfy the requirement for low-moderate job benefit (LMJ).

#### **Special Economic Development Activity:**

- At least one 1 full-time equivalent job will be created within three months after rehabilitation of the space is completed for loans up to \$25,000 and two jobs for loans over \$25,000 of Community Development funded loan assistance;
- During the application process, jobs will be evaluated to determine if there is potential to satisfy the 51% low-income job requirement;
- The applicant will be required to sign a Job Creation Agreement as a condition of the loan and must comply with all required reporting. When the applicant is a property owner he/she will enter into a job creation agreement with the lessee.

**Non-eligible jobs:**

- Spin-off jobs (jobs that have an indirect link to the project and financing) and turn-over jobs (jobs that were previously taken by an employee and are now open) are not eligible to be counted to satisfy the jobs requirement.
- Retained jobs are not eligible

## **APPROVAL PROCESS**

### **COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Loans will be reviewed for approval by the Community Development Loan Committee. A loan closing will be scheduled with successful applicants. When an applicant is denied the reason(s) for rejection shall be given to the applicant and they may appeal the decision within thirty days from the date of the denial. New information addressing the reason for the rejection will be submitted to CDBG staff for review and further underwriting. The Community Development Loan Committee may reconsider a vote after the appeal review has been completed. Waiver of Loan Amount and Term: The City Manager may authorize a loan amount and term other than what is specified in this program guideline.

### **UNDERWRITING**

In approving loan requests the Community Development Loan Committee shall be guided by the following:

**Loan considerations**

Cash Flow: ability to repay debt if a loan workout is necessary.

Collateral Coverage: must be adequate as determined by the Community Development Loan Committee;

Personal Assets: Business Owner may be required to offer a Personal Guarantee as collateral for the loan;

Owner Match: minimum 50% of project costs;

Character: Reputable history in business; if no business history the reputation of the owner will be measured by a credit report, strength of business plan and resume;

Financial: Good credit history, no bankruptcies in past 5 years, and no outstanding liens for all principals of the business;

Other: In the absence of business experience applicant will have received business counseling from an authorized business counseling agency such as SCORE, Small Business Development Center (SBDC) or Women's Business Center.

**Project is financially appropriate**

Project costs are reasonable; all sources of financing are committed; to the extent practicable CDBG funds are not substituted for non-federal financial support; project is financially feasible; the return on the owner's equity investment is not unreasonably



high; to the extent possible CDBG funds are disbursed on a pro-rata basis with other funding for the project.

#### **Assessment of Public Benefit**

The Community Development Loan Committee must consider the broader implications of public benefits in making a decision to approve or deny the loan and will make a necessary and appropriate determination that the amount of assistance is reasonable in relation to the public benefit to be achieved. The Community Development Loan Committee will consider the following factors in assessing public benefits:

Number and type of jobs; Increase in needed services; Increase in tax base including real estate and personal property; Development which is likely to be stimulated in the area by the activity; Other public benefits.

## **ADMINISTRATION**

#### **Non-Discrimination**

Administration of this program shall be in accordance with Title VI of the Civil Rights Act of 1964 as amended. No person shall, on the ground of race, color, national origin, sex, age, disability, religion or familial status be excluded from participation in, be denied the benefits of, or subjected to discrimination under this program.

#### **Participation by Religious Organizations**

Religious organizations can apply through the STAR Business Loan Program with the understanding that funds cannot be used to support inherently religious activities such as worship, religious instruction, or proselytizing. The organization can engage in such activities, but the business must be at a different location than the place of worship. Jobs must be open to non-religious members, and religious participation by beneficiaries must be voluntary.

The organization must not discriminate against an employee or prospective employee on the basis of religious belief or refusal to participate in a religious practice.

#### **Household Income**

For the purpose of determining eligibility of a Micro-Enterprise business owner, Community Development staff will calculate income by projecting the prevailing rate of income of each person at the time assistance is requested. Estimated annual income shall include income from all household members. Income will be based on Part 5 as defined by the Department of Housing and Urban Development.

#### **Income Limits**

To determine income for certain benefits under the STAR Business Loan Program, Community Development staff will use income limits for Lewiston-Auburn SMSA,

established by the Department of Housing and Urban Development and available in the Community Development Department. Revised income limits will be used upon receipt.

#### **Loan Processing**

Applications shall be processed on a first-come, first-served basis. Community Development Department staff shall use the receipt date of application to establish the order of priority. The applicant will be notified if there is funding available to proceed with the project and if there is inadequate funding, then the application may be placed on a STAR Business Program Waiting List.

## **APPLICATION PROCEDURES**

#### **Business Plan**

The applicant shall submit a business plan that **describes the business** (type of business, status of the business, the form of ownership, the profit potential, employment opportunities, and other market/community benefits, location and hours of the business); **financial plan** (costs, revenues/chart of accounts, assets, liabilities, cash flow projections, balance sheet, equipment list, sources and uses, business pro-forma, and **supporting documents** (personal resume, personal financial statement, job descriptions, letters of reference, copies of leases, contracts, etc.), as applicable.

#### **Financial Submission**

The applicant(s) shall submit the application form, the last two years of business and/or personal tax returns as well as personal financial statements or other documentation from an accountant or other acceptable source. The applicant may be asked to supply a listing of personal property and inventory.

This section sets forth the application procedures for the STAR Business Loan Program.

**Initial Application** - Loan application may be obtained from the Economic and Community Development Department or on the City of Auburn Website at <http://www.auburnmaine.gov/pages/government/star-business-loan-program-auburn-maine>

**Loan Processing** - Community Development staff will evaluate eligibility of the application. The loan will be underwritten by a third party experienced in commercial loan underwriting.

**Loan Closing** - Loan documents shall include a secured promissory note, security agreements, job agreement, and any other documents necessary to secure the terms and conditions of the loan. Any legal costs incurred by the city for the closing documents will be the responsibility of the owner.

**Disbursement of Funds** - All funding sources will then be disbursed on a pro-rata basis. Disbursement of CDBG funds will require approval of the Economic and Community Development Department. In the case of building improvements the loan recipient will also be required to approve disbursements of funds for payment to contractors.

**Post Closing Counseling** – The applicant will agree to meet with the Economic and Community Development Department quarterly during the first two years after the closing, or more frequently, if necessary, to review the financial status of the business.

**Loan Work-Out Plan** - If business closes before the five year term but has successfully met the job requirement evidenced by acceptable documentation the loan will be forgiven proportionally based on the time the business remained open for business.

**OTHER PROGRAM REQUIREMENTS**

All loans will comply with applicable Federal Regulations, as amended, of the Community Development Program as listed below:

**Civil Rights** - The owner will be required to comply with Title VIII of the Civil Rights Act of 1968, as amended, barring discrimination upon the basis of race, color, religion, creed, sex, handicap, familial status, or national origin in the sale, lease, rental, use, or occupancy of the property.

**Federal Labor Standards Provisions** - The owner must abide by established minimum wage rates (Davis-Bacon Act) for the area for construction work exceeding \$2,000.

**Conflict of Interest** - No elected or appointed official or employee of the City of Auburn, and no member of any municipal board or committee which exercises any decision-making function with respect to the Community Development Program, shall participate in negotiating or shall exercise any influence in awarding or administering any contract in which he has a direct or indirect pecuniary interest as the term is defined by 20 MRSA Section 2250.

**Prohibition against Payment of Bonus, Commission, or Fee --**

The owner cannot pay any bonus, commission, or fee for the purpose of obtaining the City of Auburn's approval of the loan application, or any other approval or concurrence required by the City of Auburn or its designee obtain a loan under these guidelines.

**Equal Employment Opportunity** - The owner must abide by the provisions of Executive Order 11246 as amended by Executive Order 11375 concerning equal employment opportunity and will not discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, familial status, handicap, or national origin.

**Lead-Based Paint Hazards** - Any loan made by the City of Auburn for construction work is subject to requirements of the Department of Housing and Urban Development's with respect to treating lead-based paint hazards as set forth in Title 24 CFR, Part 35.

**Flood Hazard Insurance** - If the property to be improved is located in a designated flood hazard area, the owner will be required to purchase flood hazard insurance or show evidence of coverage, and abide by the regulations of the Flood Disaster Protection Act of 1973 located in or owned in substantial part by persons residing in the area of the project.

**Environmental Review Procedures:** All projects shall be subject to environmental review procedures of the National Environmental Protection Act.

Approval:   
Peter Crichton, City Manager

Date: 7/17/17





## City of Auburn, Maine

Community Development

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6600

January 30, 2019

### **Substantial Amendment 2015-2019 Consolidated Plan & FFY2018 Action Plan – City of Auburn**

The 2018 Action Plan was adopted by the City Council on May 7, 2018. A CDBG Entitlement grantee, in accordance with the CDBG regulations at 24 CFR 570.902, must have a balance no greater than one and one-half (1.5) times its annual grant remaining in the line-of-credit, 60 days prior to the end of the program year. HUD has a longstanding policy of reducing the future year's grant of a grantee that continues to be untimely. Several factors, including more than anticipated program income and budgeted projects encountering changes/delays, have put the city at risk of exceeding the balance allowed by HUD. A proposed expansion of the Senior Center in Pettengill Park is a project would meet HUD's eligibility requirements and is considered "shovel ready". This amendment will make \$300,000 of CDBG funds available for the expansion of the Senior Center which will help to avoid violating HUD regulations. Amending STAR program guidelines will make the program available citywide.

- 1) Add "I. Improve quality of life for seniors" as a high priority goal of the 2015-2019 Consolidated Plan.
- 2) Add a CDBG Activity to the FFY2018 Action Plan for the expansion of the Senior Center at Pettengill Park. Move CDBG funds of \$200,000 earmarked for Housing Rehabilitation and \$100,000 earmarked for Public Infrastructure to the new Senior Center. This project is listed under the new "Improve quality of life for seniors" high priority goal of the 2015-2019 Consolidated Plan. Activities that will be eligible under this project include design and construction for the expansion of the senior center. The City of Auburn is committed to providing its senior population with a high quality of life. The expansion of the senior center has been identified as a "shovel ready" project that meets that goal. The expansion will allow the existing center to offer more programming to better serve residents.



## City of Auburn, Maine

Community Development

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6600

- 3) Remove "and to revitalize storefront spaces in the target areas" from the Program Objective of the Storefront Traffic Accelerates Revitalization (STAR) Business Loan program. Remove "must be located in one of the following CDBG target areas: Downtown, New Auburn, and Union Street." and replace with "must be located in Auburn." This change recognizes that businesses throughout the municipality create economic opportunities for low- and moderate-income households and makes the program available to businesses city-wide.