

Office of

AUBURN SEWERAGE DISTRICT

Office Telephone # 784-6469

The regular monthly meeting of the Trustees of the Auburn Sewerage District will be held at the office of the Auburn Sewerage District, 268 Court Street, on Tuesday, September 18, 2012, at 4:00 P.M.

AGENDA

1. Presentation of Smoke Testing Results and Inflow/Infiltration Study Update - David Elmer, Weston & Sampson
2. *Approve Minutes of Regular Meeting of August 21, 2012.
3. Financial Report Update - *Greg Leighton*.
4. *Ratify Payment of Bills
5. Open Session
6. Activity Report - *Sid Hazelton*.
7. New Business
 - Draft version of "flushables" insert
 - Authorize Superintendent to submit editorial support letter for SRF Bond
 - MMA insurance rebate check, Workers Compensation coverage
 - Review District FOAA Policy for new Trustee
 - Washington Street, work by rotary
 - 2013 Budget considerations
8. Old Business
 - Littlefield Bridge - relocation of sewer line. MDOT will grant waiver, waiting on determination whether old trolley bridge has any historical significance.
9. Adjourn Meeting.

August 21, 2012

The regular monthly meeting of the Trustees of the Auburn Sewerage District was held at the Office of the Auburn Sewerage District, 268 Court St. on Tuesday, August 21, 2012 at 4:00PM.

Members present: Treasurer, Robert Cavanagh and President, Beverley Heath. Trustees: Jeffrey Preble, Stephen Ness, Heidi McCarthy and Joseph DeFilipp. Also present: John Storer, Superintendent, Tizz Crowley, Mayor's Representative, Sid Hazelton, District Engineer and Greg Leighton of Maine Water Company.

A new Trustee, Heidi McCarthy, was welcomed as a new member of the Board of Trustees.

On motion of Stephen Ness, seconded by Robert Cavanagh, it was unanimously voted: **To approve the minutes of the Regular Meeting of July 17, 2012.**

FINANCIAL REPORT UPDATE - Revenues are up close to 8% over last year. The projection remains at a \$200,000 surplus at year end.

On motion of Joseph DeFilipp, seconded by Stephen Ness, it was unanimously voted: **To ratify the payment of bills in the amount of \$ 213,117.27 as shown on the printout dated July 12, 2012– August 17, 2012.**

OPEN SESSION - As no one from the public was in attendance, the Open Session was closed.

ACTIVITY REPORT – The July Activity Report was presented by Sid Hazelton.

NEW BUSINESS

RATIFY FOSS STREET EASEMENT – The City decided to sell the land of Foss Street to an abutter. Foss Street was essentially a paper street. An easement was required to protect the existing sewer main as the property was sold to a private party.

On motion of Joseph DeFilipp, seconded Stephen Ness, it was unanimously voted: **To ratify the Foss Street Easement.**

INITIAL FINDINGS OF SMOKE TESTING FOR I/I STUDY –The smoke testing was completed in three phases by Weston & Sampson with 170 defects being identified. Some basins were found to be still tied into the sewer system. There will be a meeting later in the month to establish a list of issues that need to be addressed.

ROAK BLOCK CSO – OVERFLOW EVENT - The District will re-open the Roak Block CSO and close off the Troy St. CSO.

APPROVE EASEMENTS 268-282 MAIN ST/RIVERSHORE PLACE - The District's sewer main runs right through this massive subsidized housing unit. There are three separate easements. The City of Auburn and the Lewiston-Auburn Railroad have signed off on their portion of the easements.

On motion of Tizz Crowley, seconded by Stephen Ness, it was unanimously voted: **To authorize Superintendent John Storer to sign all three easements.**

ASSESSMENT CHARGES-GENERAL DISCUSSION - Tabled

OLD BUSINESS

LITTLEFIELD BRIDGE –RELOCATION OF SEWER LINE-MAY NEED STRUCTURAL ASSESSMENT OF THE DISTRICT'S TROLLEY BRIDGE –

MDOT does not want any utility lines under the new bridge which they will raise slightly. Following some discussion, MDOT agreed to obtain a waiver allowing the District to hang pipe under the bridge. Superintendent Storer will continue to look into the possibility of removing the Trolley Bridge. The District's best bet would be to hook up to the MDOT bridge. Due to the time constraints, Superintendent Storer would like to get a Proposal from Wright-Pierce for a bridge support system.

On motion of Tizz Crowley, seconded by Stephen Ness, it was unanimously voted: **To negotiate with Wright-Pierce to design a support system for the bridge at a cost not to exceed \$7500 per District.** Jeffrey Preble abstained from the vote.

Superintendent Storer will call David Young who is a member of the Historical Society to determine the historical value of the Trolley Bridge. It was suggested that the District post a "No Trespassing" sign at the bridge.

OTHER BUSINESS

Wet wipes continue to be a problem. Samples of handouts were provided. The District is looking to use a pamphlet or flyer which will appeal to a mass audience. This will pay for itself in the long run.

Tizz Crowley, Beverley Heath, Heidi McCarthy and Robert Cavanagh volunteered to meet on August 29th to discuss the different samples and decide which would best serve as a notice to our customers concerning flushables and why they should not go down the toilet.

ADJOURN THE MEETING

On motion of Tizz Crowley, seconded by Robert Cavanagh, it was unanimously voted: **To adjourn the meeting.**

**AUBURN SEWERAGE DISTRICT
OPERATING STATEMENT - TRUSTEES' REPORT
EIGHT MONTHS ENDED AUGUST 31, 2012**

	Aug-11	2012	Y-T-D THRU AUGUST 2012		
	YTD	BUDGET	ACTUAL	BUDGET	VARIANCE
<u>REVENUES:</u>					
Metered Income	\$2,007,534	\$3,034,924	2,074,303	\$2,023,283	\$51,021
Industrial Surcharge	232,193	369,119	335,656	246,079	89,576
Public Basins	30,525	53,893	20,696	35,929	(15,232)
Jobbing & Mdse.	46,189	12,500	58,554	8,333	50,220
Sewer Assessments	129,677	139,026	129,917	92,684	37,233
Finance Charges	12,937	17,530	12,282	11,687	595
Interest Income	2,540	3,377	1,553	2,251	(699)
Industrial Treatment Sampling	50,002	48,200	46,200	32,133	14,067
Capacity Fees (SDS)	13,875	18,000	4,875	12,000	(7,125)
Other Revenue	0	0	0	0	0
TOTAL REVENUES	2,525,472	3,696,569	2,684,036	2,464,379	219,656
<u>EXPENSES:</u>					
Payroll	217,250	370,116	230,310	246,744	(16,434)
Employee Benefits	118,012	195,959	117,594	130,639	(13,046)
Maint. of Sewers	29,354	42,215	62,992	28,143	34,849
Lift Stations	48,471	85,623	77,918	57,082	20,836
Maint. of Buildings	23,508	35,667	22,920	23,778	(858)
Maint. of Trucks	5,683	9,432	7,019	6,288	731
Office Expense	18,015	27,967	19,648	18,645	1,004
Collection Expense	(2,493)	(5,219)	(4,970)	(3,479)	(1,491)
General Expense	38,366	10,600	8,610	7,067	1,544
Insurance	17,576	26,145	20,151	17,430	2,721
Legal & Accounting Fees	18,160	30,494	20,176	20,329	(153)
Billing Expense	38,705	71,297	32,322	47,531	(15,209)
L.A.W.P.C.A.	1,563,578	2,147,815	1,237,062	1,431,877	(194,814)
SUB-TOTAL	2,134,185	3,048,111	1,851,754	2,032,074	(180,320)
Interest	86,535	110,163	74,782	73,442	1,340
TOTAL EXPENSES	2,220,720	3,158,274	1,926,535	2,105,516	(178,981)
SURPLUS FROM OPS	304,752	538,295	757,501	358,863	398,637
Bonds - Principal Payments	191,677	575,945	192,974	383,963	(190,990)
Poland Contribution	0	100,000	100,000	66,667	33,333
Equipment	45,143	41,750	4,202	27,833	(23,631)
TOTAL	67,932	20,600	660,325	13,733	646,592

**Auburn Sewerage District
Accounts Payable Alpha Check Register
August 18, 2012 thru September 14, 2012**

9/13/2012

<u>Check #</u>	<u>Date</u>	<u>Per</u>	<u>Vendor</u>	<u>Invoice Date</u>	<u>Inv #</u>	<u>Description</u>	<u>Amount</u>
2542	8/24/2012	8	Andros. Registry Of Deeds	8/23/2012	1353	release liens	<u>64.00</u>
Vendor Total:							64.00
2549	8/31/2012	8	Andros. Registry Of Deeds	8/30/2012	1355	place & release liens	<u>96.00</u>
Vendor Total:							96.00
2572	9/14/2012	9	Andros. Registry Of Deeds	9/13/2012	1361	release liens	<u>64.00</u>
Vendor Total:							64.00
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>30.00</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>228.63</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>533.98</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>267.00</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>81.19</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>811.86</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>497.50</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>1,664.08</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>110.69</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>1,498.00</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>554.05</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>640.13</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>48.53</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>121.03</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>570.01</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>1,251.86</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>59.99</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>969.88</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>277.68</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>179.57</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>780.11</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>18.76</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>6.45</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>81.30</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>100.80</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>918.01</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>7,446.59</u>
2550	8/31/2012	7	Auburn Water District	8/15/2012	Bk25Pg	July	<u>6,326.41</u>
Vendor Total:							26,074.09
2543	8/24/2012	8	Constellation NewEnergy, Inc	8/7/2012	691926	Worthley Brook	<u>528.59</u>
Vendor Total:							528.59
2554	8/31/2012	8	Constellation NewEnergy, Inc	8/14/2012	699586	Moose Brook	<u>294.53</u>
2554	8/31/2012	8	Constellation NewEnergy, Inc	8/11/2012	696944	River Station	<u>457.31</u>
2554	8/31/2012	8	Constellation NewEnergy, Inc	8/11/2012	696915	Lewiston Jct	<u>280.27</u>
2554	8/31/2012	8	Constellation NewEnergy, Inc	8/11/2012	696943	Morrow Rd	<u>24.32</u>
Vendor Total:							1,056.43
2560	9/7/2012	8	Constellation NewEnergy, Inc	8/18/2012	704777	Washington St	<u>188.20</u>

**Auburn Sewerage District
Accounts Payable Alpha Check Register
August 18, 2012 thru September 14, 2012**

9/13/2012

<u>Check #</u>	<u>Date</u>	<u>Per</u>	<u>Vendor</u>	<u>Invoice Date</u>	<u>Inv #</u>	<u>Description</u>	<u>Amount</u>
						Vendor Total:	188.20
2573	9/14/2012	8	Constellation NewEnergy, Inc	8/25/2012	711738	Bradman St	<u>133.09</u>
						Vendor Total:	133.09
2557	8/31/2012	8	E.J. Prescott, Inc.	7/31/2012	456643	vas usage	<u>1,785.88</u>
						Vendor Total:	1,785.88
2577	9/14/2012	8	E.J. Prescott, Inc.	8/22/2012	457732	vas usage	<u>122.55</u>
2577	9/14/2012	8	E.J. Prescott, Inc.	8/22/2012	457730	vas usage	<u>101.50</u>
						Vendor Total:	224.05
2561	9/7/2012	8	Fastenal Company	8/28/2012	113401	E-1	<u>29.31</u>
						Vendor Total:	29.31
2574	9/14/2012	8	Fastenal Company	8/24/2012	113329	E-1	<u>78.59</u>
						Vendor Total:	78.59
2575	9/14/2012	8	Gagne & Sons	8/29/2012	201665	Lewiston Jct	<u>56.20</u>
						Vendor Total:	56.20
2553	8/31/2012	8	George Buker	8/23/2012	1354	Poland-25 bales hay	<u>50.00</u>
						Vendor Total:	50.00
2555	8/31/2012	8	Gilman Electrical Supply	8/28/2012	742628	E-1	<u>84.53</u>
2555	8/31/2012	8	Gilman Electrical Supply	8/28/2012	743806	E-1	<u>47.40</u>
						Vendor Total:	131.93
2544	8/24/2012	9	Group Dynamic, Inc.	8/14/2012	1352	September	<u>33.00</u>
						Vendor Total:	33.00
2545	8/24/2012	8	L.A.W.P.C.A.	8/2/2012	351	August	<u>119,775.33</u>
						Vendor Total:	119,775.33
2565	9/7/2012	8	L.A.W.P.C.A.	8/15/2012	359	2008LTD	<u>27,670.86</u>
2565	9/7/2012	8	L.A.W.P.C.A.	8/15/2012	360	2010LTD	<u>70,121.22</u>
2565	9/7/2012	8	L.A.W.P.C.A.	8/15/2012	361	2011LTD	<u>22,330.00</u>
2565	9/7/2012	8	L.A.W.P.C.A.	8/15/2012	362	2001LTD	<u>53,376.91</u>
2565	9/7/2012	8	L.A.W.P.C.A.	8/15/2012	358	2005LTD	<u>49,688.10</u>
						Vendor Total:	223,187.09
2546	8/24/2012	9	Maine Municipal Emp.Hlth.	8/14/2012	1351	Sept	<u>6,495.63</u>
2546	8/24/2012	9	Maine Municipal Emp.Hlth.	8/14/2012	1351	Sept	<u>69.30</u>
2546	8/24/2012	9	Maine Municipal Emp.Hlth.	8/14/2012	1351	Sept	<u>352.35</u>
2546	8/24/2012	9	Maine Municipal Emp.Hlth.	8/14/2012	1351	Sept	<u>1,146.29</u>
2546	8/24/2012	9	Maine Municipal Emp.Hlth.	8/14/2012	1351	Sept	<u>192.89</u>
						Vendor Total:	8,256.46
2566	9/7/2012	8	Paul's Clothing Store	8/28/2012	82812	Farris	<u>220.98</u>
						Vendor Total:	220.98
2547	8/24/2012	8	Petro's Ace Hardware	8/15/2012	72055	Worthley Brook	<u>27.57</u>
2547	8/24/2012	8	Petro's Ace Hardware	8/21/2012	70739	Worthley Brook	<u>8.98</u>

**Auburn Sewerage District
Accounts Payable Alpha Check Register
August 18, 2012 thru September 14, 2012**

9/13/2012

<u>Check #</u>	<u>Date</u>	<u>Per</u>	<u>Vendor</u>	<u>Invoice Date</u>	<u>Inv #</u>	<u>Description</u>		<u>Amount</u>
							Vendor Total:	36.55
2556	8/31/2012	8	Petro's Ace Hardware	8/22/2012	70764	Poland - loam		<u>87.96</u>
							Vendor Total:	87.96
2567	9/7/2012	8	Pike Industries, Inc.	8/17/2012	668255	Poland		<u>62.73</u>
2567	9/7/2012	8	Pike Industries, Inc.	8/17/2012	668254	Poland		<u>416.08</u>
							Vendor Total:	478.81
2576	9/14/2012	8	Power Products, Inc.	8/28/2012	882423	River Station		<u>1,128.32</u>
							Vendor Total:	1,128.32
2568	9/7/2012	8	Redlon & Johnson	8/27/2012	957457	E-1		<u>249.86</u>
2568	9/7/2012	8	Redlon & Johnson	8/30/2012	960027	Evergreen		<u>21.14</u>
							Vendor Total:	271.00
2569	9/7/2012	9	Reggie's Sales And Servic	9/5/2012	165965	weed wacker line & oil		<u>27.89</u>
							Vendor Total:	27.89
2558	8/31/2012	8	Rent-It Of Maine, Inc.	8/6/2012	32230	E-1		<u>246.50</u>
							Vendor Total:	246.50
2570	9/7/2012	8	Rent-It Of Maine, Inc.	8/20/2012	73814	tk rental-IT Study		<u>506.00</u>
2570	9/7/2012	8	Rent-It Of Maine, Inc.	8/24/2012	32415	Poland		<u>385.75</u>
2570	9/7/2012	8	Rent-It Of Maine, Inc.	8/24/2012	32436	Poland		<u>85.00</u>
							Vendor Total:	976.75
2578	9/14/2012	8	Rent-It Of Maine, Inc.	6/13/2012	31662	Newbury St		<u>477.00</u>
							Vendor Total:	477.00
2548	8/24/2012	8	Spiller's	8/3/2012	127456	marking paint		<u>58.99</u>
							Vendor Total:	58.99
2571	9/7/2012	8	T W Paving, Inc.	9/6/2012	A12-01	manholes		<u>1,166.33</u>
							Vendor Total:	1,166.33
2579	9/14/2012	8	Ted Berry Co., Inc.	8/27/2012	10206	E-1		<u>1,472.50</u>
							Vendor Total:	1,472.50
2580	9/14/2012	8	UNITIL ME	8/29/2012	1356	Green Turtle		<u>20.86</u>
							Vendor Total:	20.86
2563	9/7/2012	8	Vantagepoint Transfer Agent-8/31/2012		1357	August		<u>1,152.82</u>
							Vendor Total:	1,152.82
2562	9/7/2012	8	Vantagepoint Transfer Agent-8/31/2012		1359	August		<u>885.28</u>
							Vendor Total:	885.28
2564	9/7/2012	8	Vantagepoint Transfer Agent-8/31/2012		1358	August		<u>40.00</u>
							Vendor Total:	40.00
2559	8/31/2012	8	Weston & Sampson	8/9/2012	412416	IT Study		<u>30,467.00</u>
							Vendor Total:	30,467.00

Auburn Sewerage District
Accounts Payable Alpha Check Register
August 18, 2012 thru September 14, 2012

9/13/2012

<u>Check #</u>	<u>Date</u>	<u>Per</u>	<u>Vendor</u>	<u>Invoice Date</u>	<u>Inv #</u>	<u>Description</u>	<u>Amount</u>
2581	9/14/2012	9	Weston & Sampson	9/6/2012	413457	IT Study	24,615.93
Vendor Total:							24,615.93
<u>Grand Total:</u>							<u>445,643.71</u>

Net Payroll + taxes

24,118.50

 469,762.21

ASD BILLS PAID
8/31/2012

VENDOR	REF	AWD G/L #	ASD G/L #	Amount
Auburn Water District	shared employees benefit allocation - Aug	1604-000	2604-000	1,307.54
Auburn Water District	shared employees wage allocation - Aug	1685-000	2601-600	2,905.64
City of Auburn	gas for month of -August	1231-010	2650-120	200.00
City of Auburn	gas for month of -August	1231-010	2650-121	200.00
City of Auburn	gas for month of -August	1231-010	2650-190	100.00
City of Auburn	street permits	1231-010	2620-600	1,000.00
Virginia Anderson	cater for Measuring of the Lake meal	1231-010	2675-500	1,055.50
Beltone Answering Service	answering service - Aug	1231-010	2675-800	31.00
Bisson Enterprises, Inc.	office cleaning - Aug	1231-010	2675-500	282.50
Central Maine Power	power @ 268 Court Street -	1231-010	2615-500	184.31
Central Maine Power	power @ 268 Court Street -	1231-010	2615-800	92.16
Constellation NewEnergy	energy charge @ 268 Court Street - July	1231-010	2615-500	400.62
Constellation NewEnergy	energy charge @ 268 Court Street - July	1231-010	2615-800	200.31
Dig Safe System, Inc.	estimated cost - August	1231-010	2675-600	296.30
DirigoNet	domain fee - email spam - August	1231-010	2675-800	25.00
Home Depot	Aug.- E-1 =60.32	1231-010	2620-213	60.32
Home Depot	Aug.- pump=11.96	1231-010	2620-600	11.96
KL Jack	shop-screws	1231-010	2620-500	29.50
Laboratory Corp	drug test-Aug	1231-010	2675-600	30.22
MM Health Ins	health insurance premium adjustment for David Hamann -	1241-070	2241-070	33.60
MM Health Ins	health insurance premium adjustment for David Hamann -	1241-050	2241-050	9.38
MM Health Ins	health insurance premium adjustment for David Hamann -	1241-065	2241-065	27.10
City of Lewiston	wages and benes - Dan Rodrigue - Aug	1231-010	2601-600	1,652.36
City of Lewiston	wages and benes - Dan Rodrigue - Aug	1231-010	2604-000	896.65
City of Lewiston	wages and benes - Dan Rodrigue - Aug	1231-010	2658-000	52.54
Maine State Retirement System	retirement contribution - August	1231-010	2241-040	10.63
Maine State Retirement System	retirement contribution - August	1231-010	2604-000	1,567.01
Maine State Retirement System	retirement contribution - August	1231-010	2241-040	27.27
Maine Water Company	accounting services - Greg Leighton - August	1231-010	2632-800	1,926.00
WB Mason	paper, pens, clipboards	1231-010	2620-800	46.36
WB Mason	trash bags	1231-010	2620-500	8.65
WB Mason	pens, tape	1231-010	2620-800	21.98
WB Mason	dust cleaner for computer keyboards	1231-010	2620-800	12.49
WB Mason	labels	1231-010	2620-800	36.39
WB Mason	trash bags	1231-010	2620-500	23.48
McMaster-Carr	adapter	1231-010	2620-500	12.29
Napa	August - oil shop	1231-010	2620-500	23.73
Ness Oil	Poland sewer project	1231-010	2105-858	127.97
Northern Data Systems	customer billing - August	1231-010	2675-700	707.49
Occupational Health	drug test	1231-010	2675-600	21.50
Oxford Networks	telephone service - June, July, Aug	1231-010	2676-800	365.52
Petro's	trimmer line	1231-010	2620-500	2.99
Pine Tree Waste	bulk waste - Aug	1231-010	2675-500	54.17
Pitney Bowes	meter rental 8/1 to 10/31	1231-010	2675-800	52.50
Redion & Johnson	268 Court Street -	1231-010	2620-500	62.51
Skellon, Taintor & Abbott	July calls with John	1231-010	2633-800	42.75
Spillers	marking paint	1231-010	2620-600	84.71
Spillers	engineering dept copy paper	1231-010	2620-500	201.00
John Storer	business mileage reimbursement - August	1231-010	2675-500	175.00
Thayer Corp	contract 8/1 to 10/31/12	1231-010	2675-500	366.43
TW Paving	paving	1231-010	2675-600	456.00
TW Paving	paving	1231-010	2675-600	503.34
U.S. Cellular	cell phones - Aug	1231-010	2676-500	183.13
United Way	employee contribution - Aug	1231-010	2241-000	24.00
Unitil	268 Court Street - August	1231-010	2620-500	8.73
Wells Fargo Financial	Konica Digital Copier - lease - Aug	1231-010	2675-800	107.10
Maine State Retirement System	retirement contribution - life insurance - June	1231-010	2241-030	(90.36)
Maine State Retirement System	retirement contribution - maine state retirement - June	1231-010	2604-000	(1,608.45)
Maine State Retirement System	retirement contribution - retiree's - June	1231-010	2241-040	(10.63)
				16,638.19

SERVICES

Location	Ck'd	Comments	New	OK	Misc.	Cut
126 Loring Av	1	Plugged service on owner		1		
24 Chestnut St	1	Install 4" service - City of Auburn	1			
215 Winter St	1	Back up on owner		1		
33 Omni Cir	1	Dye test roof drain - doesn't connect			1	
21 West Dartmouth ST	1	On owner		1		
57 Dennison St	1	Plugged in trap		1		
15 Evergreen Rd	1	New service connection	1			
Center St - Enterprise Rental	1	Dye test floor drains - connects to CB			1	
Monthly Totals	8		2	4	2	0
2011 Monthly Totals			0	0	0	0
YTD Totals	27		5	13	8	1

LIFT STATIONS

Location	No.	Comments
Moose Brook	1	Check station
Green Turtle	1	Check station
Washington St	1	Check station
W-2	1	Check station
Worthley Brook	1	Check station
E-1	1	Reset pumps
E-6	1	Pull pumps 1&2 - plugged with tampons/wet wipes
E-1	1	Check station - conflict w/ homeowner on property line
Worthley Brook	1	Paint station
Evergreen Rd	1	Check station
Bradman St	1	Check station
Merrow Rd	1	Check station
River Station	1	Generator leaking coolant - Power Products to repair
E-5	1	Transfer pump from E-1 to E-5
Monthly Totals	14	
2011 Monthly Totals	16	
YTD Totals	122	

OVERFLOWS

Item		Comments
Miller St - CSO 005	1	Overflow
Download CSO's	1	
Check River Cross & Troy	1	
Monthly Totals	3	
YTD Totals	20	

WEATHER*

Month	Precipitation					Temperature			
	Snowfall (in.)	Total (in.)	Heating Degree Days	Normal Precip	Days of Precip.	Max. (°F)	Min. (°F)	Avg. (°F)	Dep. from Norm
January	14.7	1.91	1308	3.26	9	51	-11	23	3.5
February	5.5	1.03	975	2.55	7	48	0	28	5.1
March	0.0	1.08	783	3.64	6	82	12	40	7.5
April	0.0	4.31	593	3.78	7	82	21	45	1.3
May	0.0	5.21	286	3.9	11	82	33	56	0.6
June	0.0	11.73	148	3.58	11	93	44	62	-2.4
July	0.0	1.95	3	3.43	13	86	48	70	-0.1
August	0.0	3.72	13	3.25	10	86	46	69	0.3
September									
October									
November									
December									
YTD Totals	20.20	30.94							

* From www.wunderground.com

DIG SAFE

Month	Total	Contractors	MDOT	AHD	School Dept.	Lewiston Water	Fairpoint	AWD	CMP	ASD	GAS	MTA
January	34	19	0	3	0	0	1	6	4	0	1	0
February	32	13	0	8	0	0	3	2	5	1	0	0
March	91	36	6	31	0	0	0	4	4	2	8	0
April	119	71	0	18	0	0	1	6	8	2	12	1
May	142	74	2	27	0	0	2	12	17	1	7	0
June	138	70	9	26	0	0	0	8	5	1	16	3
July	153	74	1	44	0	0	0	7	5	1	21	0
August	168	83	3	45	1	0	0	7	5	0	22	2
September												
October												
November												
December												
YTD Totals	877	440	21	202	1	0	7	52	53	8	87	6
2011 Totals	750	399	11	174	1	3	6	46	41	2	63	4

DUTY FOREMAN CALLS

(Overtime)

Districts	Total	High/Low Pressure	Water Quality	Alarms	Sewer Service	Leak	Misc.	Locates	Hydrants	Meter	Fire Calls
Sewerage District	0			0	0	0	0	0	0	0	0
Water District	6	0	0	3		0	2	0	0	0	1
Monthly Totals	6	0	0	3	0	0	2	0	0	0	1
2011 Monthly Totals	30	3	4	0	4	2	9	4	2	2	0
YTD Totals	123	7	4	8	17	22	24	11	4	22	4

OTHER ACTIVITIES

1. E-1 upgrade - Electrical service & underground conduits
2. Smoke testing manholes
3. Rt 122 Poland Pump Station - fix pond
- 4.
- 5.
- 6.

Please Help Protect Clean Water this November

Tough times or not, Maine residents expect their water to be safe to drink. They also expect wastewater to be adequately treated before it is discharged into our rivers, streams and coastal areas

Referendum Question #5

“Do you favor a \$7,925,000 bond issue to be expended over 2 years for revolving loan funds for drinking water systems and for wastewater treatment facilities, which will make the State eligible to secure \$39,625,000 in federal grants?”

What is the State Revolving Fund (SRF) and how does it affect YOU?

- The Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) were created to establish a funding source for public health improvement projects and to maintain water quality.
 - Examples of SRF projects:
 - Water main replacements to continue safe supply of drinking water
 - Wastewater treatment plant improvements to ensure water released into streams and rivers is clean
- The federal amount available now is \$39,625,000, requiring a state match of \$7,925,000. This represents a 5:1 return on the investment.
- A majority vote of the general election held in November is required for passage – we need your vote for clean water!
- If these funds are not available, local ratepayers will need to pay the entire cost of the higher conventional interest rate loan. In these tough times we cannot afford to miss out on this opportunity to bring in federal dollars to strengthen the infrastructure of the State.

Why do we need the SRF?

- Water and wastewater treatment facilities, pump stations, and collection and distribution systems operate on a 24/7/365 basis. Based on needs surveys it is estimated that water and wastewater facilities in Maine will require \$750 million for capital repairs and replacement projects over the next five years.

Benefits:

- Safe drinking water
- Clean water in streams, rivers, lakes, and oceans for recreation and a strong economy
- Good paying construction and engineering jobs
- Dependable water and wastewater infrastructure are essential for the attraction of new industries with vital jobs for our communities.
- Use of low interest infrastructure loans and grants save ratepayers across the state substantial amounts of money.

What happens if the bond doesn't pass:

- Higher interest rates for borrowing money in the future.
- Regulations require that many of these projects be completed whether the bond referendum passes or not. If the bond does not pass, financing for those projects will be more costly to ratepayers than SRF funding.
- A missed opportunity for creating good paying jobs

Please vote YES for this bond issue in November

Prepared by Maine Water Utilities Association (MWUA) & Maine WasteWater Control Association (MWWCA) – September 5, 2012

2012 SRF Bond Issue Fact Sheet

“Tough times or not, Maine residents expect their water to be safe to drink. They also expect wastewater to be adequately treated before it is discharged into our rivers, streams and coastal areas.” (J. McNelly, October 2008)

What?

- The Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) were created by Congress as amendments to the Safe Drinking Water Act and Clean Water Act to establish a funding source for public health improvement projects and to maintain water quality. The federal government through the budget process establishes the amount of money available to each state. This amount is called a Capitalization Grant. In order to obtain this federal money, the Capitalization Grant, the State must provide an annual 20% match. This match money is what is requested in the bond issue. The Capitalization Grant for 2012 and 2013 is \$39.625 million requiring a match of \$7.925 million. This represents a 5:1 return on the investment.
- Referendum question – “Do you favor a \$7,925,000 bond issue to be expended over 2 years for revolving loan funds for drinking water systems and for wastewater treatment facilities, which will make the State eligible to secure \$39,625,000 in federal grants?”
- A majority vote of the general election held in November is required for passage.
- The Treasurer of the State is authorized, under the direction of the Governor, to issue bonds. Usually bonds approved in November are sold in June. The Governor has said that he may not approve the sale of any bonds until 2014. Let’s work on the November vote now and appeal to the Governor later.
- Capitalization grants are only available for acceptance by the State for 2 years after they are allotted by the federal government. So prompt approval and issuance of the bond is essential.
- The bond issue provides the 5:1 State match money for federal fiscal years 2012 and 2013. The November election date already represents a delay in some construction projects for 2012. The 2013 money needs to be available in the spring of 2013 to avoid delays.
- The match money goes into capital improvements to water and wastewater facilities. So the \$7.925 million plus interest must be paid back to the Bond Bank by taxpayers over 10 years.
- A utility can get a loan from the State Revolving Fund for a 2% lower interest rate than a conventional market rate loan. For a \$1,000,000 loan over 20 years the interest savings would be \$223,000.
- If SRF funds are not available, local ratepayers will need to pay the entire cost of the higher conventional interest rate loan. In these tough times we cannot afford to miss out on this opportunity to bring in federal dollars to strengthen the infrastructure of the State.
- The bond package received strong bipartisan approval in the Maine Legislature and matching federal funds have received bipartisan support in Congress from our Representatives and Senators.
- Since its inception in 1997 the DWSRF has invested over \$179 million in public water systems. Since its inception in 1987 the CWSRF has made \$665 million in loans to municipalities and wastewater districts.

Why?

- Water and wastewater treatment facilities, pump stations, and collection and distribution systems operate on a 24/7/365 basis. Based on needs surveys, it is estimated that water facilities in Maine will require \$500 million for capital repairs and replacement projects over the next ten years. For wastewater facilities, it is estimated that \$500 million will be needed over the next five years to address combined sewer overflow issues and other facility needs.
- Many drinking water systems are over 100 years old and need upgrades to ensure the public has safe drinking water
- Some sewage collection systems are over 100 years old and are crumbling.
- A large number of Maine's wastewater treatment plants are over 25 years old. Sewage is very corrosive so eventually treatment plants and pump stations need major reconstruction and upgrades.
- Many sewage systems are combined systems which cannot handle heavy rain storms. They can overflow during storms and potentially contaminate our surface waters.
- Regulations are increasingly more stringent. We can now detect pollutants at lower levels. Upgrading water and wastewater treatment facilities to remove substances at part per billion and part per trillion levels is very costly.

Where?

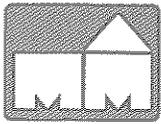
- The following communities will benefit from the 2012 Drinking Water SRF:
 - Bangor, Portland, Kennebunkport, Kennebunk, Wells, Camden, Rockland, Hampden, Eastport, Vinalhaven, Southwest Harbor, Presque Isle, Bucksport, Caribou, Calais, and Hartland.
- The following communities are on the proposed 2012 Clean Water SRF list:
 - Eastport, St. Agatha, Mechanic Falls, Fairfield, Dixfield, Sanford, Wiscasset, Mapleton, Pittsfield, Brunswick, Castine, Eliot, Farmingdale, Limestone, and Oxford.

Benefits:

- Safe and abundant water is critical to human health, sustainable development and economic growth.
- Proper conveyance and treatment of wastewater is extremely important for the protection of public health, protection of the environment and a strong economy.
- Safe drinking water, swimmable lake and ocean beaches, fishable lakes, rivers, and ocean flats are all important for our Maine quality of life and for the economy.
- These infrastructure construction projects provide good-paying engineering and construction jobs.
- Dependable water and wastewater infrastructure are essential for the attraction of new industries with vital jobs to our communities.
- Use of low interest infrastructure loans and grants save ratepayers across the state substantial amounts of money.

Effects of a defeat by the voters or a delay in the issuance of the bonds:

- At this time interest rates are very low. They can only go up increasing the cost of borrowing.
- Many projects are compliance driven and cannot be put off until the economy or State indebtedness improves. Interim financing for those projects will be more costly to ratepayers than SRF funding.
- A missed opportunity for creating good paying jobs



MAINE MUNICIPAL ASSOCIATION

Risk Management Services

60 Community Drive
P.O. Box 9109
Augusta, Maine 04332-9109

Telephone No.

(207) 626-5583
(800) 590-5583 Maine Only
Fax No. (207) 626-0513

DATE: August 31, 2012

TO: Members of the Workers Compensation Fund and the Property & Casualty Pool

FROM: Patricia Kablitz, CPCU, ARM
Director, Risk Management Services

RE: Dividend Payments

We are pleased to announce that the Board of Trustees of the **MMA Workers Compensation Fund** voted at its May 24, 2012 meeting to allow a dividend to the members of the Fund who meet the established criteria. Continuing members whose contributions are greater than \$25,000 annually, whose 2011 loss ratio is less than 40% and whose three-year loss ratio is less than 75% will receive a 6.94% dividend. Continuing members whose contributions are less than \$25,000 annually and whose loss ratio is less than 50% for the three years ending December 31, 2011, will receive a 6.94% dividend. All losses are valued as of June 30, 2012.

The Board of Directors of the **MMA Property & Casualty Pool** voted at its May 24, 2012 meeting to allow a dividend to current members of the Pool who meet the established criteria. To earn a dividend, a member must have a loss ratio of 50% or less for the qualifying year of July 1, 2010 to June 30, 2011, calculated and valued as of June 30, 2012. Continuing members whose participation began on July 1, 2006 or prior will earn a 5.48% dividend and members who joined after July 1, 2006 will receive a 4.48% dividend.

Cost savings are realized in providing services to members who participate in both the Property & Casualty Pool and the Workers Compensation Fund. In recognition of the savings, both boards voted to add 1% to the dividends for each program for members who qualify and earn a dividend. You are among the members who participate in both the Workers Compensation Fund and the Property & Casualty Pool. Therefore, if you earned a dividend for either or both programs, the additional 1% has been included in the calculation.

Dividends are being paid in the Workers Compensation Fund and Property & Casualty Pool totaling \$1,148,950. Both governing boards are very pleased with the results of their respective programs and thank you for your support and continued participation. Good management practices and sound loss prevention measures on the part of all of the members have contributed to the success of these programs. Your entity is a big part of this success.

Your check is enclosed with this letter. We have also enclosed a press release that may be used to announce the result of your successful risk management activities and good loss experience to your community. If you have any questions about the dividends or any of the Risk Management Services programs, please call me at 800-590-5583. Additional copies of this letter are included for your elected officials.

DATE	8/22/2012	CHECK NUMBER	BSBGF159370
------	-----------	--------------	-------------

INVOICE NUMBER	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
WC 2011 DIV	8/17/2012	Vchr: VO87156	\$790.00	\$0.00	\$790.00
<p style="text-align: center; font-size: 2em; font-family: cursive;">BK 12 2658-000 A</p>					
PRINT BATCH	VENDOR CODE	PAY TO NAME			NET TOTAL
2,334	39021	AUBURN SEWER DISTRICT			\$790.00

THIS DOCUMENT IS PRINTED WITH A COLORED BACKGROUND ON WHITE PAPER.
THE BACK OF THIS DOCUMENT CONTAINS A WATERMARK. SEE BACK FOR ADDITIONAL SECURITY FEATURE DETAILS.



Maine Municipal Association
60 Community Drive
Augusta, Maine 04330-9486

Bangor Savings Bank
Bangor ME 04401
Fed ID 01-6001159
Maine Sales Tax Exempt E45376

52-7438/2112

DATE	8/22/2012	CHECK #	BSBGF159370
------	-----------	---------	-------------

AMOUNT	\$790.00
--------	----------

PAY Seven hundred ninety and 00 / 100 Dollars Only *****

TO THE ORDER OF AUBURN SEWER DISTRICT
PO BOX 414
AUBURN, ME 04212-0414

Christybe Blodwin

Second Signature Required if over \$20,000

AUBURN SEWERAGE DISTRICT

Policy On Maine's Freedom of Access Law: Its Requirements and Compliance

The Auburn Sewerage District ("ASD" or the "District") has established the following policies and procedures to assure compliance with the requirements of the Freedom of Access Law, 1 M.R.S.A. § 401 *et seq.*, by the District and ASD officials. The Law gives citizens important rights of access to records and to proceedings. However, the Law does not require public officials to create new records, perform legal research, or provide legal advice to members of the public.

The contact person for FOAA requests is:

John Storer, P.E.
Superintendent of ASD
Auburn Sewerage District
268 Court Street, P.O. Box 414
Auburn, Maine 04212-0414
(207) 784-6469

(A) **Freedom of Access to Public Records and Proceedings**: Since 1959 Maine people have had a legal right by statute of access to public records and proceedings. In 1975 the Maine Legislature rewrote the Freedom of Access Law to make it broader, to correct perceived problems in the way it worked, and to overcome perceived abuses. It added to the Law a statement of purpose that public business be conducted openly and that the right to know law should be "liberally construed" to achieve that. The courts look to that statement of purpose when resolving disputed cases, and give the law a broad interpretation.

(1) **It grants rights not to information, as such, but of access to (1) public records and (2) public proceedings.** 1 M.R.S.A. sections 403, 408. Any person "shall have the right to inspect and copy any public record during the regular business hours of the custodian" of such record provided that "such inspection may be scheduled to occur at such time as will not delay or inconvenience the regular activities of the agency or official having custody of the record sought." The law does not require the District to compile or analyze information. It only compels the District to grant access to "public records."

(2) **If the District or a District official denies a request for access, it must give written reasons for denial within five working days of the request.** The person making the request may appeal the denial to Superior Court, but must do so within five working days of the denial. 1 M.R.S.A. § 409(1).

(3) **Public Records** are all documents, records, written, printed or graphic matter "or any mechanical or electronic data compilations from which information can be obtained" which is in the possession or custody of a public official. 1 M.R.S.A. section 402(3). This includes computer data bases and electronic data compilations. This very broad definition is subject to certain exceptions. The most important is "records that have been designated **confidential by statute.**" For ASD, the most likely exceptions would be certain personnel records covered by Title 30-A (reproduced below), and records that would fall within the attorney-client privilege if the records or inspection is sought in connection with a court proceeding. The Legislature also maintains a helpful website for searching public records exceptions at <http://www.mainelegislature.org/legis/foa>.

(4) **Public Proceedings** means the "transactions of any functions affecting any or all citizens" by various government entities, in particular by "any board, commission, agency or authority of any county, municipality, school district or any regional or other political or administrative subdivision." 1 M.R.S.A. section 402(2)(C). Except authorized executive sessions, all public bodies must conduct their proceedings open to the public (and press) and with adequate notice to permit public attendance. 1 M.R.S.A. sections 403, 405, 406. Adequate notice does not require the preparation of a formal agenda. This right of access does not include meetings and work sessions of executive staff personnel, individual government officials, or members of an entity if no quorum is present. 1 M.R.S.A. Sections 402(3)(c), 406.

(5) Bodies shall give **Public Notice** in advance for all public proceedings (if the body consists of three or more persons and a quorum [usually a simple majority] is present). 1 M.R.S.A. section 406. The notice must be reasonably calculated to notify the public and must give ample time to allow public attendance. In case of an emergency meeting, whenever practical the body must notify local media representatives by the same or faster means used to notify its members.

(B) **Executive Sessions**: The Law only allows executive sessions (in private) subject to certain rigid conditions. Section 405 of Title 1 M.R.S.A. gives the following rules on executive sessions:

(1) They must not be used to defeat or circumvent the policy in favor of open meetings.

(2) No final action or approval can be taken in executive sessions.

(3) It takes a public vote of three-fifths of the body attending to approve an executive session.

(4) The motion to go into an executive session must state "the precise nature of the business" the body will discuss [which must be lawful business for an executive session].

(5) The body can discuss no other business.

(6) The body can legally take only the following matters up in an executive session:

a. Discussion or consideration of employment or discipline of public employees or officials, and then only if public discussion could damage his or her reputation or invade his or her privacy. The person being "charged or investigated" and any person bringing charges is allowed to be present. Any person being "charged or investigated" may request in writing that the meeting be conducted in an open session. Generally such a request must be honored. 1 M.R.S.A. § 405(6)(A).

b. School board proceedings regarding suspension or expulsion of students, provided that the student, legal counsel and the student's parents or guardians if that student is still an unemancipated minor, are permitted to attend. 1 M.R.S.A. § 405(6)(B).

c. Consideration of acquisition or use of real property or of "economic development," but only where premature disclosure would prejudice the position of the public body or agency. 1 M.R.S.A. § 405(6)(C).

d. Collective bargaining negotiations, unless both parties agree otherwise. 1 M.R.S.A. § 405(6)(D).

e. "Consultations between a body or agency and its attorney" regarding its legal rights or duties or litigation or other matters where public discussions "would clearly place [the government] at a substantial disadvantage." 1 M.R.S.A. § 405(6)(E).

f. Discussion of information in records made confidential by law, such as personnel records. 1 M.R.S.A. § 405(6)(F).

Remedies for Violations. If a body illegally takes a final action in an executive session, a court can declare the action null and void. 1 M.R.S.A. § 409(2). A willful violation is subject to a civil forfeiture of up to \$500 in an action brought by the Maine Attorney General. 1 M.R.S.A. § 410.

(C) **Municipal Personnel Records**: Pursuant to 30-A M.R.S.A. § 2702, certain personnel records are confidential and are not “public records” as defined in the Freedom of Access Law. The full section reads as follows:

§ 2702. Personnel records

1. Confidential records. The following records are confidential and not open to public inspection. They are not "public records" as defined in Title 1, section 402, subsection 3. These records include:

A. Except as provided in this paragraph, applications, resumes, letters and notes of reference, working papers, research materials, records, examinations and any other documents or records and the information they contain, solicited or prepared either by the applicant or the municipality for use in the examination or evaluation of applicants for positions as municipal employees.

(1) Notwithstanding any confidentiality provision other than this paragraph, applications, resumes and letters and notes of reference, other than those letters and notes of reference expressly submitted in confidence, pertaining to the applicant hired are public records after the applicant is hired.

(2) Telephone numbers are not public records if they are designated as "unlisted" or "unpublished" in an application, resume or letter or note of reference.

(3) This paragraph does not preclude union representatives from access to personnel records which may be necessary for the bargaining agent to carry out its collective bargaining responsibilities. Any records available to union representatives which are otherwise covered by this subsection shall remain confidential and are not open to public inspection;

B. Municipal records pertaining to an identifiable employee and containing the following:

(1) Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;

(2) Performance evaluations and personal references submitted in confidence;

(3) Information pertaining to the creditworthiness of a named employee;

(4) Information pertaining to the personal history, general character or conduct of members of an employee's immediate family; and

(5) Complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or materials that may result in disciplinary action. If disciplinary action is taken, the final written decision relating to that action is no longer confidential after the decision is completed if it imposes or upholds discipline. The decision must state the conduct or other facts on the basis of which disciplinary action is being imposed and the conclusions of the acting authority as to the reasons for that action. If an arbitrator completely overturns or removes disciplinary action from an employee personnel file, the final written decision is public except that the employee's name must be deleted from the final written decision and kept confidential. If the employee whose name was deleted from the final written decision discloses that the employee is the person who is the subject of the final written decision, the entire final written report, with regard to that employee, is public.

For purposes of this subparagraph, "final written decision" means:

(a) The final written administrative decision that is not appealed pursuant to a grievance arbitration procedure; or

(b) If the final written administrative decision is appealed to arbitration, the final written decision of a neutral arbitrator.

A final written administrative decision that is appealed to arbitration is no longer confidential 120 days after a written request for the decision is made to the employer if the final written decision of the neutral arbitrator is not issued and released before the expiration of the 120 days; and [1997, c. 770, § 3 (AMD) .]

C. Other information to which access by the general public is prohibited by law.

2. Employee right to review. On written request from an employee or former employee, the municipal official with custody of the records shall provide the employee, former employee or the employee's authorized representative with an opportunity to review the employee's personnel file, if the municipal official has a personnel file for that employee. These reviews shall take place during normal office hours at the location where the personnel files are maintained. For the purposes of this subsection, a personnel file includes, but is not limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the municipal official may possess. The records described in subsection 1, paragraph B, may also be examined by the employee to whom they relate, as provided in this subsection.

(2) Written records of any refusal by the ASD Trustees to renew the contract of an employee or appointee, or the record of any decision involving the dismissal of a public official, employee or appointee (e.g. written decisions on grievances involving discipline or on employee appeals under section 501) are not confidential. 1 M.R.S.A. S 407 (2).

(3) An employee or former employee has the right to review his or her personnel file, upon written request during normal business hours, and to make copies at his or her expense.

GUIDELINES FOR RESPONDING TO FREEDOM OF ACCESS REQUESTS

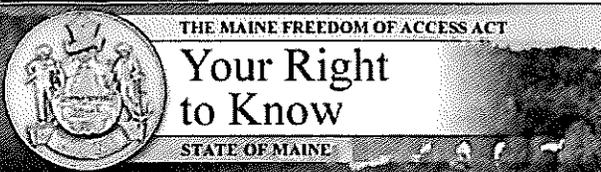
- Remember that all public records are normally accessible by any person upon request. This includes e-mail records, sound recordings, and computer files and databases.
- The wise thing to do is to draft every document and every written communication or record on the assumption that it will become public.
- However, if a document is confidential by law, consider stamping it or marking it "confidential" from the start. Then it will be less likely to be disclosed in error.
- If a person makes a vague or overly broad request, you can ask him or her to put the request in writing and to make it more specific so you can comply. The

reason is not to delay or obstruct the request. It is to make sure you respond properly and accurately without inefficient use of personnel.

- You should provide access as promptly as possible, but you do not have to disrupt the operation of the District to do so.
- If you can provide access to the records a person wants easily and quickly, then of course you should. But if it will take significant time to find the records or to put them aside, or if the request is so voluminous that it will disrupt operations, you can ask the person to wait a reasonable time. You can also ask the person to come back at a scheduled time when it will be more convenient.
- If a person requests copies, you can charge for them and can take the time you need to provide them without undue burdens on personnel. The right of access does not include the right to have copies made immediately. You can require payment in advance.
- Persons can copy computer data bases or sound recordings that contain public information. They can be asked to provide their own computer diskette or their own tapes. Right now it is unclear whether a person has a right to connect a computer hard drive or other electronic storage media to public infrastructure to copy records. If you receive such a request, promptly contact your legal counsel.
- If you are in doubt about whether records someone wants are “public records,” you can consult with the Clerk or Superintendent, who can consult with legal counsel.
- If you are going to deny access to all or part of a record, you have a duty to notify the person making the request within five (5) working days after you received the request. The notice must be in writing and must state the reason(s) why you denied access.
- You have a duty to permit reasonable access to public records. You do not have a duty to provide information, as such. If it will take more than an hour to identify and make the records requested available, the person making the request should be billed \$10 an hour for time over one hour. If you estimate the charges will be more than \$20, notify the person making the request first.
- Therefore, the Freedom of Access law does not require public officials to answer questions, collect or analyze information not already contained in public records, or perform research for people.

- However, if you can help a citizen or the press by answering questions, or by compiling information, and if you have the time to do so, you may choose to go beyond what the law requires. This promotes public confidence in the operation of government and of quasi-governmental organizations.

- If a person objects to an executive session, you may want to consider postponing it long enough to be sure the law permits it, including obtaining legal advice when in doubt.



FOAA INFORMATION

- [News & Updates](#)
- [How to Make a Request](#)
- [Frequently Asked Questions \(FAQ\)](#)
- [Training for Elected Officials](#)
- [Maine Freedom of Access Law](#)
- [Statutory Exceptions to the Freedom of Access Law](#)
- [State FOAA Contacts](#)
- [Right to Know Advisory Committee](#)
- [Related Websites](#)

Home > Training

Training For Elected Officials on Maine's Freedom of Access Law

Training related to public records and public proceedings

Beginning July 1, 2008, elected officials must complete training on the requirements of Maine's Freedom of Access laws relating to public records and proceedings. The law, enacted upon the recommendation of the Right to Know Advisory Committee, requires that those elected officials serving in office on July 1, 2008 must complete the training by November 1, 2008. Public officials elected after July 1st must complete the training within 120 days after the official takes the oath of office.

Minimum requirements for training

At a minimum, the training must be designed to be completed in less than 2 hours and include instruction in:

1. the general legal requirements regarding public records and public proceedings;
2. the procedures and requirements regarding complying with a request for a public record; and
3. the penalties and other consequences for failure to comply with the law.

Elected officials can meet the training requirement by conducting a thorough review of the material on the [Frequently Asked Question \(FAQ\) page](#) of this website or by completing another training course that includes all of this information but may include additional information. *Training courses do not need the approval of the Right to Know Advisory Committee, or any other State agency.*

Elected officials required to complete training

Elected officials required to complete the training include:

1. the Governor;
2. Attorney General, Secretary of State, Treasurer of State and State Auditor;
3. Legislators elected after November 1, 2008;
4. Commissioners, treasurers, district attorneys, registers of deeds, registers of probate and budget committee members of any county;
5. Municipal officers, clerks, treasurers, assessors and budget committee members of municipal governments;
6. Officials of school units and school boards; and
7. Officials of regional or other political subdivisions, including officials of water districts, sanitary districts, hospital districts, transit districts or regional transportation districts.

Certification and record of completed training

After completing the training, elected officials are required to make a written or electronic record attesting that the training has been completed. The record, which will be available to the public, must be kept by the elected official or filed with the public entity to which the official was elected. A sample training [completion form](#) (This file requires the free [Adobe Reader](#)) is available for use by elected officials.

CERTIFICATION OF COMPLETION OF
FREEDOM OF ACCESS TRAINING REQUIRED BY 1 M.R.S.A. § 412

I, _____, hereby certify that I have met the training
(Name of elected official)

requirements set forth in 1 M.R.S.A. § 412 on _____ by
(date of training)

completing the following training:

- A thorough review of all of the information made available on the Frequently Asked Questions portion of the State website, www.maine.gov/foaa/faq.

- Another training course that includes this information, identified as follows:

(Title of Course)

(Name of Course Provider)

Dated this _____ day of _____, 20_____.

Signature

Printed Name

Elected Office

Note: Training must be completed within 120 days after an elected official takes the oath of office.