



**City Council Workshop & Meeting  
Agenda  
February 22, 2022  
Auburn Hall, Council Chambers**

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

- A. Capital Investment and Purchasing Department Update – Dan Goyette (30 minutes)
- B. Assessing update – Karen Scammon (30 minutes)
- C. Executive Session, contract agreement, pursuant to 1 MRSA Sec. 405(6)(D)

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

**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.
- 1. **Order 24-02222022\***  
Confirming Chief Moen's appointment of Timothy Robinson as Constable with Firearm for the Auburn Police Department.
- 2. **Order 25-02222022\***  
Appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.
- 3. **Order 26-02222022\***  
Appointing Paul Jacques to the Planning Board as associate member with a term expiration of 1-1-2023.
- 4. **Order 27-01182022\***  
Re-appointing Steve Ness to the Auburn Sewer District Board of Trustees with a term expiration of 3-1-2026.
- 5. **Order 28-01182022\***  
Appointing Eric Gould to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

**6. Order 29-01182022\***

Re-appointing Dan Bilodeau to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

**II. Minutes – February 7, 2022 Regular Council Meeting**

**III. Communications, Presentations and Recognitions**

- Recognition – Bettyann Sheats
- New Auburn Lewiston Airport Manager
- Age Friendly Committee Update
- Public Works Department Overview
- Communications Overview
- IT (Information Technology) Overview
- Council Communications (about and to the community)

**IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.***

**V. Unfinished Business**

**1. Ordinance 05-02072022**

Adopting a Disorderly House ordinance. Second reading.

**2. Ordinance 06-02072022**

Amending the Auburn Code of Ordinances, Chapter 2, Administration, Article V. Boards, Commissions and Committees by striking Division 5 Conservation Commission and Division 8, Agriculture Committee and replacing Division 5 with Sustainability and Natural Resource Management Board. Second reading.

**VI. New Business**

**1. Order 30-02222022**

Amending Tambrands II Municipal Development and Tax Increment Financing District. Public hearing and vote.

**3. Ordinance 07-02072022**

Adopting a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. Public hearing and first reading.

**VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda***

**VIII. Reports (from sub-committees to Council)**

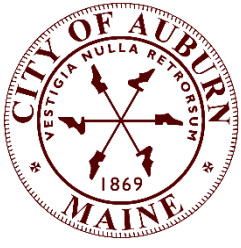
- a. Mayor's Report
- b. City Councilors' Reports
- c. City Manager Report
- d. Jill Eastman, Finance Director – January 2022 Final Monthly Report

**IX. Executive Sessions:**

Economic development, pursuant to 1 MRSA Sec. 405(6)(C)

Economic development, pursuant to 1 MRSA Sec. 405(6)(C)

**X. Adjournment**



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 22, 2022

**Author:** Dan Goyette

**Subject:** Capital Investment and Purchasing Department Overview

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**Information:** The Department will be presenting an overview of Departmental Functions and ongoing projects.

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**City Budgetary Impacts:** None.

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**Staff Recommended Action:** Review and discussion

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

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**City Manager Comments:**

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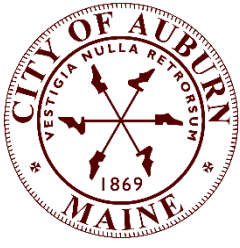
I concur with the recommendation. Signature:

*Phillip Crowell Jr.*

**Attachments:**

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**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 22, 2022

**Author:** Karen Scammon, City Assessor

**Subject:** Assessing Standards

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**Information:** Title 36 Section 327, Minimum Assessing Standards, governs the requirements of assessment ratios. The Assessor and Deputy Assessor will explain and discuss the current assessment ratios and the action to be taken to comply with all assessing standards. Additionally, staff will seek recommendation from the council on a future city wide revaluation.

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**City Budgetary Impacts:** To be determined

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**Staff Recommended Action:** Review and discussion

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**Previous Meetings and History:** None

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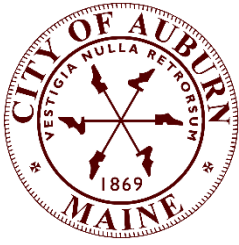
**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** None



## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** February 22, 2022

**Subject:** Executive Session

**Information:** Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D).

**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;

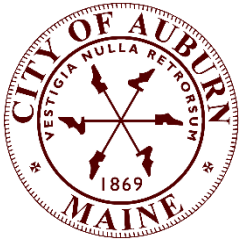
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both 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 22, 2022

**Order:** 24-0222022

**Author:** Jason D. Moen, Chief of Police

**Subject:** Confirm Chief Moen's appointment of Timothy Robinson as a Constable with firearm for the Auburn Police Department.

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**Information:** The Auburn Police Department requests City Council appointment of Timothy Robinson as a Constable with firearm for the City of Auburn.

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**City Budgetary Impacts:** N/A

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**Staff Recommended Action:** Motion to confirm Chief Moen's appointment of Timothy Robinson as a Constable with firearm for the Auburn Police Department.

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**Previous Meetings and History:** None

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** N/A



**ORDER 24-02222022**

# City Council Order

## IN CITY COUNCIL

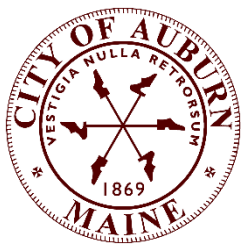
**ORDERED**, that the Auburn City Council hereby confirms Chief Moen's appointment of Timothy Robinson as a Constable with firearm for the Auburn Police Department.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 22, 2022

**Orders:** 25-02222022 through 29-02222022

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

**Subject:** Board and Committee Appointments

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The Appointment Committee met on February 14, 2022 to review applications and make their nominations for various boards and committees of the City as follows:

**Planning Board** – Paul Jacques (new appointment), associate member with a term expiration of 1-1-2023.

**Regulatory Advisory board** – Kathy Shaw (new appointment), term expiration of 6-1-2022.

**Sewer District Board of Trustees** - Stephen Ness (re-appointment), term expiration of 3-1-2026.

**Water District Board of Trustees** – Eric Gould (new appointment) and Dan Bilodeau (re-appointment) , term expirations of 3-1-2026.

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Motion to appoint members as recommended by the Appointment Committee.

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**Previous Meetings and History:** The Appointment Committee met on February 14, 2022 to make their recommendations.

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**City Manager Comments:**

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*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** Vacancies, Application Spreadsheet, Applications, Orders

February 14, 2022

Applicant List

Board or Committee	Ward	Last Name	First Name	Address
<b>Planning Board</b>				
	2	Cullen	Brian	166 Everett Road
	2	Hayes	Robert	172 Allen Avenue
	2	Heisey	Caroline	250 Main Street
	3	Jacques	Paul	1685 Minot Avenue
<b>Regulatory Advisory Board</b>				
	5	Shaw	Kathy	1200 Sopers Mill Road
<b>Sewer District</b>				
	4	Ness	Stephen	90 Brentwood Drive
<b>Water District</b>				
	1	*Bilodeau	Dan	207 North Auburn Road
	5	*Geiger	KC	1464 Pownal Road
	1	Gould	Eric	65 Quail Run
	1	Rhoades	Rex	880 Lake Shore Drive

\* Indicates this applicant is seeking re-appointment

\*\* Indicates this person is an associate/alternate member seeking full member status

## **VACANCIES**

[Audit Committee](#) - 1 vacancy, term expiration TBD

[City Council Student Representative](#) - 2 appointments

[Complete Streets Committee](#) - 1 vacancy, term expiration January 1, 2025

[Conservation Commission](#) - 1 vacancy, term expiration June 1, 2024

[Lewiston Auburn Transit Committee \(LATC\)](#) - 1 vacancy with a term expiration of July 1, 2024

[Parks & Recreation Advisory Board](#) - 1 vacancy, term expiration October 1, 2023

[Planning Board](#) - 1 vacancy, associate position with a term expiration January 1, 2023

[Registration Appeals Board Chair](#) - 1 vacancy with a 4 year term

Regulatory Advisory Board - 4 vacancies, term expirations are June 1, 2022, and June 1, 2024

[Sewer District Board of Trustees](#) - 3 vacancies, term expirations are March 1, 2024 and March 1, 2026

[Water District Board of Trustees](#) - 2 vacancies, term expirations are March 1, 2026

**BRIAN M. CULLEN**

166 EVERETT ROAD  
AUBURN, MAINE 04210  
(207) 346-4650

FEB 03 2022

January 31, 2022

Susan Clements-Dallaire, City Clerk  
60 Court Street  
Auburn, ME 04210

Re: City of Auburn Planning Board

Dear Ms. Clements-Dallaire:

Enclosed please find my application to serve on the City of Auburn Planning Board, together with my resume, as requested.

I would be happy to further discuss my interest and qualifications for this position.

Thank you for your attention to this matter and please let me know if you need any additional information.

Very truly yours,

  
Brian M. Cullen



## **BRIAN M. CULLEN**

166 EVERETT ROAD  
AUBURN, MAINE 04210  
(207) 346-4650

### **EXPERIENCE**

**2005 – 2020 St. Paul Travelers Staff Counsel Office – Boston, MA**

Liability Practice Group Leader - assist Managing Attorney in establishing and enforcing high professional and practice standards among 12 liability attorneys and manage own liability caseload which includes CCU, MCU, Construction, Construction Defect and Product Liability cases. Major responsibilities include conducting jury and non-jury trials; engaging in internal file reviews, trial round tables, training presentations, claim department meetings and monthly liability attorneys meetings; supervising the workflow of 2 liability paralegals; serving on National Construction Leadership Team and serving as State Appellate Counsel for Massachusetts.

**2005 – 2020 Travelers Staff Counsel Office – Boston, MA**

Managing Attorney – established and enforced high professional and practice standards among 18 attorneys in 3 practice areas: Liability, Workers Compensation and Subrogation; managed support staff and the administrative and financial aspects of the office's operations; also managed own reduced liability caseload. Major responsibilities included recruitment, retention, development, and performance of professional and administrative staff; management of all aspects of office operations including case assignment, attorney billing, monthly reporting, quality control, expense management, Claim relationships, trial practice and internal and external training; also assisted with initiatives of regional and national management.

**1991-2000 Gallagher & Gallagher, P.C.– Boston, MA**

Shareholder, Senior Trial Attorney and Team Leader  
Conducted 30 trials including 11 Superior Court jury trials. Supervised a litigation practice group of 2 associate attorneys, 1 paralegal and 1 secretary. Developed own client base of construction clients. Areas of practice included construction law, employment law and defense of personal injury cases.

**1990-1991 Sally & Fitch – Boston, MA**

Civil Litigation Attorney  
Prepared and argued motions, conducted depositions and performed all aspects of pretrial case development. Areas of practice included business litigation, product liability law and personal injury.

**1987-1989 Bingham, Dana & Gould– Boston, MA**

Civil Litigation Attorney  
Prepared and argued motions, presented cases at arbitration, conducted depositions and performed all aspects of pretrial case development. Areas of

practice included business litigation, product liability law and employment law. Completed internal year long associate training program including NITA style trial program.

- 1986-1987    **Deutsch, Williams, Brooks & DeRensis– Boston, MA**  
Civil Litigation Attorney  
Prepared and argued motions, attended evidentiary hearings, assisted at trials, conducted depositions and performed all aspects of pretrial case development. Areas of practice included business litigation, municipal law, white collar criminal law, employment and personal injury.
- 1985-1986    **Superior Court of Massachusetts– Boston, MA**  
Law Clerk to Justices of Superior Court  
Worked as a judicial law clerk to several superior court judges. Attended trials and hearings, performed legal research and prepared drafts of judicial decisions.

### **VOLUNTEER PROFESSIONAL ACTIVITIES**

- 2006 - 2020    **Massachusetts Defense Lawyers Assoc.**  
Director – served on Board of Directors of MDLA, which is the state affiliate of the Defense Research Institute (DRI). Member of Construction and Member Communications committees.
- 1994 – 2020    **Middlesex County Bar Association**  
Past President and Director Law Day committees.
- 2000 – 2016    **Boston Municipal Court**  
Pre-Trial Conferencer – served as a Pre-Trial Conferencer at Boston Municipal Court as part of a pro bono project run by the Boston Bar Association.
- 1994 – 1999    **City of Melrose Human Rights Commission**  
Past Vice Chairman and Commissioner of municipal commission responsible for enforcing and promoting municipal and state anti-discrimination laws.

### **EDUCATION**

**Suffolk University Law School, Boston, MA**  
J.D. cum laude, 1985  
Suffolk University Law Review, 1983-1985, Staff and Associate Editor  
Best Appellate Brief, Moot Court Competition, 1982

**Colby College, Waterville, ME**  
B.A. 1978 in American Studies

### **PEER RATING**

Achieved Martindale – Hubbell peer rating of AV signifying legal abilities, professional ethics and conduct of the highest standard.

## CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: Jan. 31, 2022

Last name: Cullen First name: Brian Middle initial: M

Residence address: 166 Everett Road Ward: 2

City: Auburn State: ME Zip code: 04210

Home phone: \_\_\_\_\_ Work phone: \_\_\_\_\_ Cell phone: 207/346-4650

Email address: kingkull73@gmail.com

Current occupation: retired

Previous occupation (if retired or no longer working): attorney for Travelers Insurance

Educational and/or experience (or attach your resume): see attached resume

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- |   |  |
|---|--|
| <input type="checkbox"/> 9-1-1 Committee              | <input type="checkbox"/> Complete Streets Committee        |
| <input type="checkbox"/> Age Friendly Committee       | <input type="checkbox"/> Ethics Panel                      |
| <input type="checkbox"/> Agriculture Committee        | <input type="checkbox"/> L/A Transit Committee             |
| <input type="checkbox"/> Airport Board                | <input type="checkbox"/> Parks & Recreation Advisory Board |
| <input type="checkbox"/> Auburn Housing Authority     | <input checked="" type="checkbox"/> Planning Board         |
| <input type="checkbox"/> Audit Committee              | <input type="checkbox"/> Regulatory Advisory Board         |
| <input type="checkbox"/> Cable TV Advisory Board      | <input type="checkbox"/> Sewer District                    |
| <input type="checkbox"/> CDBG Loan Committee          | <input type="checkbox"/> Water District                    |
| <input type="checkbox"/> Citizen's Advisory Committee | <input type="checkbox"/> Other _____                       |
| <input type="checkbox"/> Community Forest Board       |  |
| <input type="checkbox"/> Conservation Commission      |  |

Is this application for a X new appointment or \_\_\_\_ reappointment or \_\_\_\_ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). To help promote beneficial growth and improve residential life for current and future City residents.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). To learn more about diverse residential, business, industrial and agricultural districts and to assist in balancing the diverse needs of each.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? N/A

Dates served (if known)? \_\_\_\_\_

Have you previously served on a City or Community Board or Committee? If so, which one(s)?

Not in Auburn. Prior service on City of Melrose (MA) Human Right Commission

Dates served (if known)? mid 1990's

How did you learn of this vacancy? City of Auburn website

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Brian M. Cullen Date: Jan 31, 2022

Please submit your application to;  
Susan Clements-Dallaire, City Clerk  
60 Court Street, Auburn, ME 04210  
207-333-6601, extension 1126 [sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)

**FOR OFFICE USE ONLY**

DATE APPLICATION RECEIVED: 2/3/2022  
APPOINTMENT DATE: \_\_\_\_\_  
TERM EXPIRATION DATE: \_\_\_\_\_  
OATH DATE: \_\_\_\_\_

## Susan Clements-Dallaire

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**From:** Robert Hayes <jlhayes1868@yahoo.com>  
**Sent:** Thursday, February 3, 2022 3:40 PM  
**To:** Susan Clements-Dallaire  
**Subject:** Re: Planning Board

Again, thank you for informing me of another opening on the Planning Board. Yes, if you could resubmit my resent application, I would certainly appreciate you doing that for me. ... Thank you, Bob  
On Thursday, February 3, 2022, 01:33:29 PM EST, Susan Clements-Dallaire <sdallaire@auburnmaine.gov> wrote:

Good afternoon,

We currently have one associate position to fill on the Planning Board. The deadline to submit applications for that position is Wednesday, February 9<sup>th</sup>. If you would like to be considered for this position, please either submit a new application [Boards and Committees \(auburnmaine.gov\)](https://www.auburnmaine.gov/boards-and-committees), or let me know via email that you are interested in being considered for that position. The Appointment Committee is scheduled to meet on Monday, February 14, 2022 to review applications.

Thank you,

Sue

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**From:** Susan Clements-Dallaire  
**Sent:** Wednesday, January 12, 2022 6:01 PM  
**To:** J LHAYES1868@yahoo.com  
**Subject:** Planning Board

Good evening,

Thank you for your interest in volunteering to serve on the Planning Board. The Appointment Committee met today to make their nominations to present to the City Council. I regret to inform you that you were not nominated for appointment at this time.

## Susan Clements-Dallaire

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**From:** donotreply@auburnmaine.gov  
**Sent:** Wednesday, January 5, 2022 8:45 AM  
**To:** Susan Clements-Dallaire  
**Subject:** A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Robert (Bob)

Middle Initial:

Last Name: Hayes

Residence Address: 172 Allen Ave.

Ward: Ward 2

City: Auburn

Home Phone: 2077821386

Cell Phone: 2072323903

E-mail Address: jlhayes1868@yahoo.com

Current Occupation: retired

Previous Occupation (if retired or no longer working): small business management: J L Hayes Co.

Education and/or experience: ELHS, Union College (N.Y.), USM, USN Supply School / USNavy, E.C. Jordan Co.,

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Planning Board

OTHER (Ad-Hoc Committees not on the list above):

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): Having served as a Planning Board member and as a Counselor for over a period of 23 years, I would like to actively reengage in discussions and decisions that impact Auburn's future.

What do you hope to accomplish?: Through thoughtful and respectful discussion, I would hope to provide some reflective balance to past, current and futuristic thinking as it impacts planning, policy, programs and local legislation.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Planning Board, Council, Railroad Company, Airport Board, BAR

Dates served (if known): P.B. (77-90), Council (05-15,18-19)

How did you learn of this vacancy?: City Site

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Robert P Hayes

Date of Electronic Signature: 1/5/2022

## Susan Clements-Dallaire

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**From:** donotreply@auburnmaine.gov  
**Sent:** Sunday, January 23, 2022 9:54 AM  
**To:** Susan Clements-Dallaire  
**Subject:** A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Caroline

Middle Initial:

Last Name: Heisey

Residence Address: 250 MAIN ST

Ward: Ward 2

City: Auburn

Home Phone: 2074152149

Cell Phone: 2074152149

E-mail Address: Carolineheisey@outlook.com

Current Occupation: Legal assistant

Previous Occupation (if retired or no longer working):

Education and/or experience: B.A. in Philosophy of Law and Ethics

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Planning Board

OTHER (Ad-Hoc Committees not on the list above):

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I recently bought property here in Auburn. I want to raise a family in this city. The future of my children is in this city as is my own. I want to be a part of what makes Auburn exceptional. I have a deep investment in municipal politics and believe strongly in my ability to provide perspective and valuable insight.

I've come to know many residents so far. Neighbors, business owners, coworkers, etc. They face difficulties every day that may go unseen because they are incapable of finding someone to tell. I want to promote not only the established plan of improvement, but speak for those who can't do so themselves.



I have been looking for ways to volunteer in Auburn and I believe this position could be the best use of my knowledge and capabilities.

What do you hope to accomplish?: I hope to problem solve. There are many issues facing the city that have complicated, multivariate solutions.

The primary area I want to help plan is infrastructure improvement. However, improving infrastructure involves the alteration and consideration of more than bridges and sidewalks, hence my desire to volunteer on the Planning Board rather than a more specialized committee. I want to show how solutions may affect all areas of city development.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: City of Auburn website

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Caroline Heisey

Date of Electronic Signature: 01/23/2022

## Susan Clements-Dallaire

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**From:** Paul Jacques <snowbirdut69@gmail.com>  
**Sent:** Thursday, February 3, 2022 4:19 PM  
**To:** Susan Clements-Dallaire  
**Subject:** Re: Planning Board

Hi Sue, Yes, I am still interested in the planning board position. The associate position sounds like a good place to start.

On Thu, Feb 3, 2022 at 1:32 PM Susan Clements-Dallaire <[sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)> wrote:

Hello, Mr. Jacques,

We currently have one associate position to fill on the Planning Board. The deadline to submit applications for that position is Wednesday, February 9<sup>th</sup>. If you would like to be considered for this position, please either submit a new application [Boards and Committees \(auburnmaine.gov\)](#), or let me know via email that you are interested in being considered for that position. The Appointment Committee is scheduled to meet on Monday, February 14, 2022 to review applications.

Thank you,

Sue

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**From:** Susan Clements-Dallaire  
**Sent:** Wednesday, January 12, 2022 6:04 PM  
**To:** [snowbirdut69@gmail.com](mailto:snowbirdut69@gmail.com)  
**Cc:** Eric Cousens <[ECousens@auburnmaine.gov](mailto:ECousens@auburnmaine.gov)>; John Blais <[jblais@auburnmaine.gov](mailto:jblais@auburnmaine.gov)>  
**Subject:** Planning Board

Good evening, Mr. Jacques,

Thank you for your interest in volunteering to serve on the Planning Board. The Appointment Committee met today to make their nominations to present to the City Council. I regret to inform you that you were not nominated for appointment at this time.

I would like to encourage you to apply in the future should you be interested. Vacancies are posted on our webpage at [www.auburnmaine.gov](http://www.auburnmaine.gov), Boards and Committees, Vacancies.

Again, thank you for your willingness to serve your community.

Best,

Sue

*Susan Clements-Dallaire*

Susan Clements-Dallaire, CCM, CMC

City Clerk & Registrar of Voters - [City of Auburn](http://www.cityofauburn.com)

[60 Court Street](#) | [Auburn, Maine 04210](#) | 207.333.6601 X1126



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

## Susan Clements-Dallaire

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**From:** donotreply@auburnmaine.gov  
**Sent:** Thursday, January 6, 2022 10:27 PM  
**To:** Susan Clements-Dallaire  
**Subject:** A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Paul

Middle Initial: D

Last Name: Jacques

Residence Address: 1685 Minot Ave

Ward: Ward 3

City: Auburn

Home Phone: 2077499556

Cell Phone: 2077499556

E-mail Address: snowbirdut69@gmail.com

Current Occupation: Teacher

Previous Occupation (if retired or no longer working):

Education and/or experience: Bachelors in economics and experience in the field and a Master of Education

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I'd like to be more involved in the economic development of and planning for sustainable growth in Auburn. I attended and contributed to the meetings of the complete streets committee in Lewiston and Auburn and on a similar committee in Windham.

What do you hope to accomplish?: Meet the the needs of Auburn?s citizens.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Auburn

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Auburn

Dates served (if known):

How did you learn of this vacancy?: Planning Board member

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.  
By typing your full name below, you are "signing" this electronic application.: Paul Jacques

Date of Electronic Signature: 01/06/22

## Susan Clements-Dallaire

---

**From:** Kathy Shaw <kath@valleyviewfarm.me>  
**Sent:** Friday, January 21, 2022 5:09 PM  
**To:** Susan Clements-Dallaire  
**Subject:** Re: Ag Committee or Reg Advisory Board

Ok then as I do not like to leave things unfinished I will stay on the ag committee , please do put my name back on the list for the regulatory board for the next round of nominations.

Thankyou for checking.....

Kath

On Fri, Jan 21, 2022 at 4:54 PM Susan Clements-Dallaire <[sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)> wrote:

Hi Kathy,

I wanted to follow up with you on your question from yesterday and whether or not you can attend the Ag meeting on Tuesday and then decide which of the two boards/committees you will serve on.

Because the ordinance amendment goes into effect on January 23<sup>rd</sup> and we (staff) do not have the authority to override an ordinance, you would not be able to attend as a member of the Ag committee unless you opt to continue to serve on that committee vs. the Regulatory Advisory Board.

Let me know what you decide.

Thank you, Kathy!

Sue

--

*Kathy Shaw*  
**Valley View Farm**  
1200 Sopers Mill Rd.  
Auburn, Maine 04210

Email: [kath@valleyviewfarm.me](mailto:kath@valleyviewfarm.me)  
Phone: 207-320-1969

For our continuously changing Product List, go to: <https://www.valleyviewfarm.me/products>

We are in the process of preparing our new farm store at Valley View Farm! More updates to come. In the meantime, see our animal photo gallery at:

## Susan Clements-Dallaire

---

**From:** donotreply@auburnmaine.gov  
**Sent:** Monday, January 3, 2022 8:09 AM  
**To:** Susan Clements-Dallaire  
**Subject:** A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Kathleen

Middle Initial: A

Last Name: Shaw

Residence Address: 1200 Sopers Mill road

Ward: Ward 5

City: Auburn

Home Phone: 207-320-1969

Cell Phone: 207-320-1969

E-mail Address: Kath@valleyviewfarm.me

Current Occupation: Self employed, farmer

Previous Occupation (if retired or no longer working):

Education and/or experience: USM leadership institute graduate, supervisor for Soil and Water conservation district, president of farmers market association,

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Regulatory Advisory Board

OTHER (Ad-Hoc Committees not on the list above):

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am interested in learning and participating in the regulatory commission, , I believe that citizen involvement makes a more effective, livable and dynamic city that offers opportunity for growth.

What do you hope to accomplish?: I would like to see a well rounded committee that functions as an advocate for our community and businesses

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Chair or Agricultural Committee

Have you previously served on a City or Community Board or Committee? If so, which one(s)? : Mayor?s AG-ARP committee

Dates served (if known): 2020

How did you learn of this vacancy?: Mayor?s letter to the conservation Chair and Ag committee chair

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.  
By typing your full name below, you are "signing" this electronic application.: Kathleen shaw

Date of Electronic Signature: January 3 2022



## Susan Clements-Dallaire

---

**From:** melness@roadrunner.com  
**Sent:** Wednesday, February 2, 2022 9:57 AM  
**To:** Susan Clements-Dallaire  
**Subject:** sewer district appointments

Dear Susan, I would like to be considered for another term on the Sewer Board.

Stephen Ness



## CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 1-22-18

Last name: Ness First name: Stephen Middle initial: G.

Residence address: 90 Brentwood Dr. Ward: 4

City: Auburn State: Maine Zip code: 0420

Home phone: 207-784-4758 Work phone: 207-783-6764 Cell phone: 207-280-1413

Email address: melness@roadrunner.com

Current occupation: President & Treasurer Ness Oil Co

Previous occupation (if retired or no longer working): \_\_\_\_\_

Educational and/or experience (or attach your resume): \_\_\_\_\_

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- |   |  |
|---|--|
| <input type="checkbox"/> 9-1-1 Committee            | <input type="checkbox"/> Airport Board                     |
| <input type="checkbox"/> Auburn Housing Authority   | <input type="checkbox"/> Audit & Procurement Committee     |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Cable TV Advisory Board           |
| <input type="checkbox"/> CDBG Loan Committee        | <input type="checkbox"/> Community Forest Board            |
| <input type="checkbox"/> Complete Streets Committee | <input type="checkbox"/> Conservation Commission           |
| <input type="checkbox"/> Ethics Panel               | <input type="checkbox"/> Finance Committee                 |
| <input type="checkbox"/> L/A Transit Committee      | <input type="checkbox"/> Parks & Recreation Advisory Board |
| <input type="checkbox"/> Planning Board             | <input checked="" type="checkbox"/> Sewer District         |
| <input type="checkbox"/> St. Louis Bells Committee  | <input type="checkbox"/> Water District                    |
| <input type="checkbox"/> Zoning Board of Appeals    |  |

Is this application for a \_\_\_ new appointment or X reappointment or \_\_\_ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). \_\_\_\_\_

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). \_\_\_\_\_

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? \_\_\_\_\_  
Sewer District

Dates served (if known)? Since 1990

Have you previously served on a City or Community Board or Committee? If so, which one(s)?

\_\_\_\_\_ Auburn Planning Board 1980's

Dates served (if known)? \_\_\_\_\_

How did you learn of this vacancy? my appointment is up

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Stephen J. Ness Date: 1-22-18

Please submit your application to;  
Susan Clements-Dallaire, City Clerk  
60 Court Street, Auburn, ME 04210  
207-333-6601, extension 1126 [sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 1-23-2018  
APPOINTMENT DATE: \_\_\_\_\_  
TERM EXPIRATION DATE: \_\_\_\_\_  
OATH DATE: \_\_\_\_\_

**Stephen G. Ness**

**High School :** Edward Little H.S.

**College :** Bentley College  
U of M Portland

**Employment:** President and Treasurer of Ness Oil Co.

**Community Involvement**

Board member and director Maine Energy Marketers Assoc.  
Corporator Mechanics Savings Bank  
Corporator Auburn Public Library  
Past member Auburn Planning Board (1980 s)  
Current Trustee Auburn Sewer District (since 1990)  
Past board member and president of Great Falls Balloon Festival  
Current volunteer Great Falls Balloon Festival  
Member of other organizations

I would be pleased to continue my service as Ward 4 representative to the Auburn Sewer District for another term. Since becoming a trustee the district has seen sewer extensions to many existing and new developments. The most recent major project has been the CSO separation project with the City of Auburn. The remaining issue at hand is the inflow and infiltration processes. Great progress has been made in the control of the amount of storm and ground water entering the system, however the current system needs to be tightened up as well as the elimination of roof drains and sump pumps from the system. I would like to work with the district to continue to replace and reline the current system.

## Susan Clements-Dallaire

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**From:** donotreply@auburnmaine.gov  
**Sent:** Thursday, February 3, 2022 1:27 PM  
**To:** Susan Clements-Dallaire  
**Subject:** A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Daniel

Middle Initial: L

Last Name: BILODEAU

Residence Address: 207 North Auburn Road

Ward: Ward 1

City: AUBURN

Home Phone: 2076502398

Cell Phone: 2076502398

E-mail Address: dan.bilodeau@yahoo.com

Current Occupation: Airline Pilot and Watershed/trail volunteer

Previous Occupation (if retired or no longer working):

Education and/or experience: Edward Little class of 1985; Embry-Riddle BS Aeronautical Science; President LA Watershed Neighborhood Association

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Water District

OTHER (Ad-Hoc Committees not on the list above):

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have been either on the Planning Board, Forestry Board, Water District and now the Protection Commission since 2007. I would like to continue to serve out one final 3 year term to insure the City of Auburn and its City Council has a voice for it's concerns regarding Lake Auburn and its watershed. It is also my past and present goal to achieve fair cost apportionment, not any different than sewer, for the rate payers of Auburn. Lastly, updating the Lake Auburn By-laws by taking a modern approach to development and recreational opportunities all while insuring the Lake remains viable to deliver safe, reliable and great tasting water to its community.

What do you hope to accomplish?: Continue representing Auburn rate payers and accomplish the task of revising the AWD By-Law for the Protection of Lake Auburn referencing the City's recent Lake Auburn Study. Continue the pursuit of determining ALL watershed costs, accounting for what the City of Lewiston takes for granted like Auburn's overlay ordinances. I also hope to accomplish removing any perceived conflicts of interests with the long standing land acquisition policy the Superintendent has historically administered.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Auburn Water District

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Planning Board; Comp Plan Committee x2, Forestry Board and Flag Committee; Airport Manger hiring Com

Dates served (if known): 2007 to present day

How did you learn of this vacancy?: I knew my term was up in 2022

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Daniel Leo Bilodeau

Date of Electronic Signature: February 3, 2022

## Susan Clements-Dallaire

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**From:** donotreply@auburnmaine.gov  
**Sent:** Friday, January 14, 2022 12:10 PM  
**To:** Susan Clements-Dallaire  
**Subject:** A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: KC

Middle Initial:

Last Name: Geiger

Residence Address: 1464 Pownal Rd

Ward: Ward 5

City: Auburn

Home Phone: 207-784-0204

Cell Phone: 207-240-5649

E-mail Address: kcgeiger@roadrunner.com

Current Occupation: Retired

Previous Occupation (if retired or no longer working): VP Materials Mgmt - Geiger Bros

Education and/or experience: BS Mechanical Engineering - Notre Dame

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Water District

OTHER (Ad-Hoc Committees not on the list above):

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have had a long interest in volunteering my time and giving back to the community. One way has been serving as an Auburn Water District Trustee for over 20 years, many years as Treasurer or President. I rarely miss any meetings and study all issues that come before us. I attend most Sewer District and Lake Water Protection meetings so I can better understand issues that come before those boards as well. My degree in Mechanical Engineering, my years as a Purchasing VP and business owner give me a well rounded experience to complement the other District Trustees.

The Trustees are volunteers responsible for a very important business that provide clean safe drinking water 24 hours a day - 365 days a year. Plus we must take any steps necessary to keep our water source pure for generations to come. I have learned about a lot of complex issues over the years and believe that my institutional knowledge is a valuable asset to the District and would like to continue to serving as Trusee

What do you hope to accomplish?: Before the Trustees are issues of algae growth that is risking Lake Auburn's purity and an aging infrastructure of water pipes that we are not replacing as fast as we should. We need to do more in the future and still balance our investments with water rates that are fair to our customers.  
I believe that we can continue to provide safe and economical water to the City of Auburn with a vision to protect our lake and replace pipes that are 75-100 years old.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Auburn Water District

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: Expiration of my term.

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.  
By typing your full name below, you are "signing" this electronic application.: KC Geiger

Date of Electronic Signature: 1/14/2022



## Susan Clements-Dallaire

---

**From:** donotreply@auburnmaine.gov  
**Sent:** Monday, January 24, 2022 1:57 PM  
**To:** Susan Clements-Dallaire  
**Subject:** A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Eric

Middle Initial:

Last Name: Gould

Residence Address: 65 Quail Run

Ward: Ward 1

City: Auburn

Home Phone: 2072409783

Cell Phone: 2072409783

E-mail Address: Gouldgoose@aol.com

Current Occupation: Retired

Previous Occupation (if retired or no longer working): Chief Engineer US Merchant Marine

Education and/or experience: BS Mechanic Engineer

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Water District

OTHER (Ad-Hoc Committees not on the list above):

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I believe my broad base practical engineering knowledge coupled with the fact that I live in the watershed make me good candidate. Also recently running for City Council got me talking to much of the community about various issues which are current.

What do you hope to accomplish?: I would like to see the same set of building standards apply for all of the watershed, regardless of the town for the benefit of it.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? No

Have you previously served on a City or Community Board or Committee? If so, which one(s)? Ran for city council 2021

Dates served (if known):

How did you learn of this vacancy?: City website

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.  
By typing your full name below, you are "signing" this electronic application.: Eric Gould

Date of Electronic Signature: January 24, 2022

## Susan Clements-Dallaire

---

**From:** donotreply@auburnmaine.gov  
**Sent:** Sunday, January 9, 2022 5:26 PM  
**To:** Susan Clements-Dallaire  
**Subject:** A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Rex

Middle Initial: H

Last Name: Rhoades

Residence Address: 880 Lake Shore Drive

Ward: Ward 1

City: Auburn

Home Phone: 207-754-9163

Cell Phone: Same

E-mail Address: Rrhoades360@gmail.com

Current Occupation: Retired

Previous Occupation (if retired or no longer working): Management

Education and/or experience: BA University of Pittsburgh (1976) and more than 40 years of business experience

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Water District

OTHER (Ad-Hoc Committees not on the list above): None

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I took a tour of the plant years ago and have always been interested in how the system works. One of my heroes in a different time and place was a man named Sonny Burke, who served on many low-profile government boards, stayed out of politics and always had the community's good at heart.

What do you hope to accomplish?: Just to do the right thing and help keep the great ball of progress moving forward.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? No

Have you previously served on a City or Community Board or Committee? If so, which one(s)? No

Dates served (if known): N/A

How did you learn of this vacancy?: I?m not sure there is one, but if there is I?m interested

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.  
By typing your full name below, you are "signing" this electronic application.: Rex Hardy Rhoades

Date of Electronic Signature: 9 Jan. 2022



**ORDER 25-02222022**

# City Council Order

## IN CITY COUNCIL

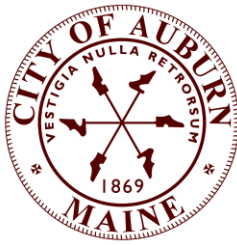
**ORDERED**, that the City Council hereby appoints Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**ORDER 26-02222022**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Council hereby appoints Paul Jacques to the Planning Board as an associate member with a term expiration of 1-1-2023.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**ORDER 27-02222022**

# City Council Order

## IN CITY COUNCIL

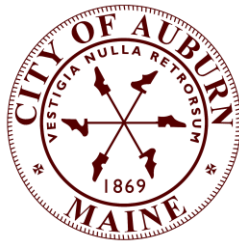
**ORDERED**, that the City Council hereby re-appoints Stephen Ness to the Auburn Sewer District with a term expiration of 3-1-2026.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**ORDER 28-02222022**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Council hereby appoints Eric Gould to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

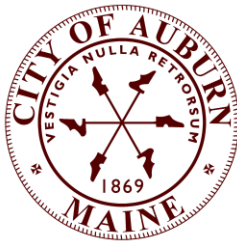
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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager





**ORDER 29-02222022**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Council hereby re-appoints Dan Bilodeau to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager

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.

Workshop items that we did not get to during the workshop were carried over to the meeting.

**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.

**1. Order 19-02072022\***

Appointing a representative (City Manager, Phil Crowell) and alternate (Assistant City Manager, Brian Wood) to vote at the Maine service Centers Coalition business meetings.

Motion was made by Councilor Milks and seconded by Councilor Walker for passage of the one consent item.

Passage 7-0.

**II. Minutes – January 18, 2022 Regular Council Meeting**

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the January 18, 2022 Regular Council Meeting.

Passage 7-0.

**III. Communications, Presentations and Recognitions**

- Conservation Commission Communication/Update – Sam Boss (annual report)
- Auburn Public Library Overview – Mamie Anthoine Ney
- City Clerk Overview – Sue Clements-Dallaire
- Community and Business Development Overview – Glenn Holmes
- Planning Overview – Eric Cousens
- Council Communications (about and to the community)

**Councilor Whiting** noted that there is a new exhibit at Museum L-A.

**Councilor Walker** provided information on the upcoming Snow Ball event scheduled for Valentine's Day, February 14, 2022 at the Auburn Senior Community Center.

**IV. Open Session:**

David Griswold, 199 Gamage Avenue announced that next Thursday at 7:00 pm a webinar will be held in lieu of the regular Forest Board meeting focusing on Browntail

moths and other invasive insects featuring speaker Allison Kanoti. There will be a follow up Saturday the 19<sup>th</sup> with a field session.

**V. Unfinished Business – None**

The Mayor called for a 5 minute recess.

**VI. New Business**

**1. Resolve 01-02072022**

Approving the Auburn Water District \$2 million dollar bond to be used for pipe replacement.

Motion was made by Councilor Gerry and seconded by Councilor Whiting for passage.

Public comment - No one from the public spoke.

Passage 7-0.

**2. Order 20-02072022**

Authorizing the City Manager to negotiate for the purchase of property located at 424 Mt. Auburn Avenue.

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

Public comment – No one from the public spoke.

Passage 7-0.

**3. Order 21-02072022**

Approving the ARPA funding allocation for Employee Retention.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Milks and seconded by Councilor Walker to amend with the following language:

***Ordered, that the Auburn City Council hereby approves the allocation of \$565,000.00 from the American Rescue Plan Act (ARPA) funding to support the premium pay and retention efforts for Municipal employees.***

Passage 7-0.

Passage of Order 21-02072022 as amended 7-0.

4. **Order 22-02072022**

Approving the ARPA funding allocation for Information Technology (IT).

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

Public comment – No one from the public spoke.

Passage 6-0-1 (Councilor Staples abstained).

5. **Order 23-02072022**

Approving the ARPA funding allocation for water and sewer studies and implementation stemming from studies.

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

Public comment – No one from the public spoke.

Passage 7-0.

6. **Ordinance 03-02072022**

Amending Auburn's Code of Ordinances, Chapter 14, Article XIV, Taxi Cabs. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

The Mayor asked to dispense of the second reading on two separate days, which requires a unanimous vote of the Councilors present and voting.

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

7. **Ordinance 04-02072022**

Amending Auburn's Code of Ordinances, Appendix A Fees and Charges. Public hearing and first reading.

Public hearing – No one from the public spoke.

The Mayor asked to dispense of the second reading on two separate days, which requires a unanimous vote of the Councilors present and voting.

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

8. **Ordinance 05-02072022**

Adopting a Disorderly House ordinance. Public hearing and first reading.

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

Public hearing - No one from the public spoke.

Passage 7-0.

**9. Ordinance 06-02072022**

Board and Committee restructure Ordinance. Public hearing and first reading.

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

Public hearing:

Sam Boss, Chair of the Conservation Commission highlighted a few points that he would like the Council to consider. He asked how the appointment process will work, adding that he would like to see current members be retained as part of the restructure. He noted that a change in the language of the proposed ordinance before them reflects a change the focus by changing the Agriculture Committee to the Natural Product Committee noting that he would like to see the Council restore the language and focus on food and agriculture.

Dave Griswold echoed the statements brought up by the previous speaker, Sam Boss. He also added that the inclusion of a sustainability working group with the idea of adding a sustainability manager to the staff is a plus. He noted that the priorities that were a focus in the past of promoting local agriculture and local food seem to be omitted in the proposed draft before them. He said we should retain the verbiage of agriculture and forestry.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to amend the Natural Products Working Group title to Natural Products and Agriculture Working Group and to add section "g" to promote local food supply and address local hunger issues.

Passage of amendment 7-0.

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

Motion was made by Councilor Milks and seconded by Councilor Whiting to suspend rules and add item to the agenda.

Passage 7-0.

Ordered that the Council hereby approves the allocation of \$250,000 of American Rescue Plan Act (ARPA) funding to support the evaluation and analysis of transportation efforts throughout the city and the region.

Passage 7-0.

**VII. Open Session – There were no members of the public present.**

**VIII. Reports (from sub-committees to Council)**

**Mayor Levesque** noted that there are a lot of meetings going on, a lot of positives, he is working at State level on legislative issues. He reported on the School Committee adding that he is impressed with the level of professionalism and analytics used. He stated that he sits on Curriculum Committee as well as the Finance Committee for the School Department.

**Councilor Staples** reported that the Auburn Library board met on January 25<sup>th</sup>, their next meeting February 22<sup>nd</sup> via zoom, and LATC will be meeting on Thursday at 4:00 pm via Zoom.

**City Manager Crowell** reminded everyone that the next Council meeting is scheduled for **Tuesday**, February 22<sup>nd</sup>. Planning for the naming of the John Jenkins footbridge will be underway soon. Staff is watching the winter operations closely adding that storms have been challenging, and overtime is up. The Public Safety Building Committee is meeting weekly, and things are moving along. There is a Planning meeting tomorrow, there is still time to register to participate via zoom.

**Finance Director Eastman**, December 2021 Monthly Finance Report.

Motion was made by Councilor Walker and seconded by Councilor Whiting to accept and place on file the December 2021 Monthly Finance Report.

Passage 7-0.

- IX. Executive Session** - Economic Development, pursuant to 1 MRSA Sec. 405(6)(C) was not needed.
- X. Adjournment** – Motion was made by Councilor Staples and seconded by Councilor Morin to adjourn. Unanimously approved, the meeting adjourned at 9:36 pm.

A TRUE COPY

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

**AGE-FRIENDLY  
ANNUAL REPORT  
January 1 through December 31, 2021**

Good evening, Mayor Levesque, City Manager Crowell, City Councilors and City Staff

As the pandemic persisted, our events were challenging, and continued to be changed and limited, but as you will see, it did not stop us! Our thirteen-member committee has been meeting every month, all year long, with some attending from the general public.

The Age-Friendly Community Committee hosted a combination Christmas Party and New Year's Day Celebration on January 1, 2021, complete with a luncheon of finger rolls, chips, pickles, olives, dessert and beverage, served free of charge. We were able to find the previous night's ball drop from Times Square in New York, and replayed it at 11:59 a.m. with the ball dropping at 12:00 Noon. Attendees celebrated with hats and noise makers. They played games and had a great time.

February 14<sup>th</sup>, we hosted a Valentine's Day luncheon of spaghetti and meatballs, salad, bread and butter, dessert and beverages. We took in \$370.00 in donations. Our sponsor for the event was John Morrison from Cure Cannabis Co., who gave \$1000.00 toward this and future events.

Beginning March 17<sup>th</sup>, Age-Friendly started showing movies on the first and third Wednesdays of each month, in lieu of the First Auburn Senior Citizens meetings. No food was allowed at this time. Masks were mandatory and we had a 30 person maximum, with pre-registration being required. Attendees were permitted to bring a beverage.

March 30, 2021, Age-Friendly held a "Walk in the Park", a guided tour of the parks in Auburn, lead by Alan Manoian. The walk began at Festival Plaza and continued down Main Street to the new Anniversary Park. A total of 42 people attended, and masks were mandatory.

On April 23, 2021, Age-Friendly hosted a luncheon from 12:00 to 2:00 p.m., of beef stew, bread and butter, cookies and bottled water. A total of 250 people were served, between the eat-in and take-out meals. Donations of \$330.00 were received.

At our April meeting, we discussed purchasing benches and trash receptacles to be placed at the art wall on Main Street and at the Esplanade, so that walkers would have a place to sit and rest. In June, we applied for a grant through the City of Auburn and recently received word that the grant was approved. The items will be ordered, and we will coordinate with Public Works to install the benches and trash receptacles once they are received.

Movies continued to be held each month. We would like to see more participation, however, the movies are very well received, and we are now allowed to serve refreshments, including cookies and popcorn.

In June, the mass gathering rules were lifted and mask wearing became optional. Seniors groups were able to start meeting again, which made it easier for us to get our event information out to the public. People were ready and even anxious to get out and do something.

In July, the group met with Theresa Lamare, In-Service Coordinator from Aging Excellence, who spoke to us about in-home assistance and other help that Aging Excellence offers, in order for people of all ages to stay in their homes. We hope to partner with Aging Excellence to help to reach our goal of enabling

our elderly population to live independently. The agency also offered to sponsor a dessert for one of our senior meals. A representative from Seniors Plus in Lewiston is also on our board.

In August, our movies continued to be held, but attendance was low. Unfortunately, because of licensing restrictions, we are unable to advertise the name of the movies we will be showing and that could be the reason for low attendance.

There was no Balloon Festival in August, so we lost an opportunity to raise money for the Age-Friendly Community Committee coffers, as we did with the beverage booth in 2020, raising approximately \$3000.00.

Larry Pelletier, one of our committee members, discovered graffiti at Bonney Park, while he was taking a walk, and it was reported to Public Works. The graffiti has since been removed. By having our members report anything that is amiss, we can get it addressed and rectified in a timely manner. Earlier in the season it was identified that the sidewalk on Court Street was dangerously in disrepair. Public Works was notified by Age-Friendly, and the sidewalk was subsequently repaired. We'd like to take this opportunity to thank Public Works for their responses to our requests.

In September, movies continued to be shown, and plans were made for our future events.

On October 23<sup>rd</sup>, Age-Friendly hosted an "Eat-In" and "To Go" beans and hot dogs luncheon from 12:00 to 1:30 p.m. No fee was charged, but donations were gratefully accepted. A total of \$207.00 was donated to go toward future events, and Mr. William Pepin generously sponsored this event.

On November 25, 2021, Thanksgiving Dinner was sponsored by John Morrison from Cure Cannabis Co, and David McCutcheon from Re-Energy Holdings, LLC. Approximately 200 dinners were served to people who otherwise would not have had a Thanksgiving meal available to them. Donations of \$386.12 were received to help with future events.

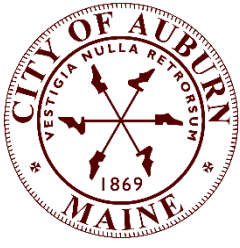
On December 22, 2021, we held a luncheon to celebrate the holidays with finger rolls, chips, pickles, olives, dessert and bottled water. Donations of \$59.00 were received at this event. Unfortunately, the weather was stormy and only about 40 people braved the weather and came out to the event. Everyone played card games and Corn Hole, and had a great time. Carol LePage, a member of First Auburn Senior Citizens, generously donated a diamond art picture to be raffled off. The winner was drawn at this event.

Plans were made for our New Year's Day celebration, but I won't tell you how that turned out until next year's report!

Respectfully submitted,  
AGE-FRIENDLY COMMUNITY COMMITTEE

Jan Biron  
Secretary





**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 22, 2022

**Ordinance:** 05-02072022

**Author:** Phil Crowell, City Manager

**Subject:** Disorderly Housing

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**Information:** It is the responsibility of the city to protect the health, safety, and welfare of the residents of the Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Often, these incidents are occurring in housing units or rentals which are unoccupied by the owners. Inquiries have been done with other municipalities to determine how enforcement is being handled.

Many communities over the past few years have adopted a Disorderly Housing Ordinance. Communities have found that chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

Most ordinances define a "disorderly house" as any building which the Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, cohabitees, residents, guests or invitees and that would have a tendency to unreasonably disturb the community, the neighborhood or an ordinary individual in the vicinity of said building. This ordinance would not have an impact for someone calling for service as it relates to protection like a domestic assault, sexual assault, or protection from abuse orders.

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**City Budgetary Impacts:** N/A

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**Staff Recommended Action:** Consider adopting the proposed ordinance.

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**Previous Meetings and History:** Presented and discussed at the 1/18/2022 Council Workshop. Public hearing and passage of first reading on 2/7/2022.

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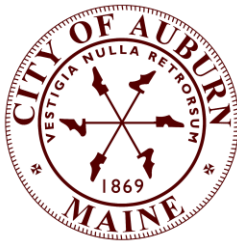
**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** Ordinance



**ORDINANCE 05-02072022**

# City Council Ordinance

## IN CITY COUNCIL

### **ADOPTING A DISORDERLY HOUSING ORDINANCE**

**Be it ordained,** that the City Council hereby adopt the Disorderly Housing Ordinance (attached).

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager

**CITY OF AUBURN  
DISORDERLY HOUSE ORDINANCE**

**SECTION 1. TITLE.**

This Ordinance shall be known as the "City of Auburn Disorderly House Ordinance."

**SECTION 2. PURPOSE.**

The purpose of this Ordinance is to protect the health, safety, and welfare of the residents of the City of Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Nothing contained in this Ordinance is intended to dissuade, discourage or prohibit any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities, including, but not limited to, the Auburn Police Department.

**SECTION 3. LEGISLATIVE FINDINGS.**

The City Council hereby finds that:

(a) The City has a substantial and compelling interest in protecting the health, safety, property, and welfare of its citizens and the neighborhoods affected by chronic unlawful or nuisance activity as well as in not dissuading, discouraging or prohibiting any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities.

(b) Chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

(c) The existing ordinances and enforcement processes of the City do not adequately control chronic unlawful or nuisance activity or its detrimental effects on citizens and neighborhoods where such chronic activity occurs.

(d) Establishing the regulatory framework contained herein will alleviate the problems created by chronic unlawful or nuisance activity through early intervention by the Police Department.

**SECTION 4. DISORDERLY HOUSES PROHIBITED.**

(a) No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, or rooming house (hereinafter jointly and severally "building") which is a disorderly house as defined herein.

(b) A "disorderly house" is any building which:

(1) The Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, or owner's or tenants' cohabitantes, guests or invitees and that would have a tendency to unreasonably

disturb the community, the neighborhood or an ordinary individual in the vicinity of said building, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are audible outside the building; loud noise or fights within the building or in its vicinity involving tenants of the building or their invitees (excluding any request for police protection or any police intervention in the face of a threat or a perceived threat to person or property, or any request for the assistance of the police to enforce a court order, including, but not limited to, circumstances in which the request for assistance or other police intervention arises from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or near the building); owners, tenants, or invitees of owners or tenants being intoxicated on public ways in the vicinity of the building; other similar activities in the building or outside the building itself; or

- (2) The police have visited three (3) or more times in any thirty (30) day period in response to situations which are created by the owner, tenants, or owner's or tenants' cohabitantes, guests or invitees and involve the arrest or summons of owners or tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law (excluding arrests or summonses arising from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or near the building), or create a reasonable suspicion that illegal drug use or sales under 17-A M.R.S.A. Chapter 45 or prostitution or public indecency under 17-A M.R.S.A. Chapter 35 has occurred at the property.

Unit per Building	Number of Visits by Police in any 30-day Period
5 or less	3 Visits
6 – 10	4 Visits
11 or more	5 Visits

(c) The situation to which the visit pertains shall be documented by the Police Department. Such documentation may include sworn affidavits by named citizens that may be sufficient to create a reasonable suspicion said illegal activity has occurred.

## SECTION 5. NOTICE OF DISORDERLY HOUSE.

(a) Whenever the Police Department has identified a building as a disorderly house, it shall cause written notification of the events that form the basis for that designation to be given to the owner. The notice shall require the owner to meet with representatives of the City (including the Police Department) within five (5) business days from the date of the written notification, or such other time as is agreed upon by the Police Chief or his/her designee, to identify ways in which the problems that have been identified will be eliminated.

(b) At the time of said meeting, the owner shall be obligated to provide to the City the following documentation:

- (1) A list of the names of all tenants or other persons authorized to reside or presently residing in the building and the units they occupy;

(2) Copies of all leases or occupancy agreement(s) with tenants or other persons residing in the building (confidential personal or financial information may be omitted);

(3) Contracts with any property manager or other person responsible for the orderly operation of the building; and

(4) Proof of building ownership.

In addition, the owner shall agree to take effective measures to address the disorderly house, which measures shall be memorialized in a written agreement at the conclusion of the meeting with the City and shall be implemented within one (1) week of said meeting unless another date is agreed upon by the Police Department. The Police Chief or his or her designee has authority to execute such agreements on behalf of the City. Failure to enter into such an agreement at the conclusion of the meeting will be deemed a violation of this Ordinance, and the City may file a complaint in court seeking all remedies permitted by law as set forth in Section 7 of this Ordinance.

(c) If the same building should be classified as a disorderly house by the Police Department on a subsequent occasion within three (3) years, then the City is under no obligation to meet with the owner but may, after notice and hearing before the City Council, condemn and post the building or any units therein against occupancy as set forth in Section 7(a), and/or proceed directly with a complaint in court seeking all remedies permitted by law as set forth in Section 7(a).

(d) The notices provided for in this section may be given to any person, including any legal entity having the right of legal title or the beneficial interest in the disorderly house or any portion thereof, as that interest is recorded in the assessing records of the City or the Registry of Deeds of Androscoggin County, which shall be sufficient for all legal purposes. Notice shall be provided to the owner and any non-owner occupants of the building (if known).

## SECTION 6. ENFORCEMENT.

(a) It shall be the duty of the Police Department to administer and enforce the provisions of this Ordinance. If the owner (a) refuses to meet with representatives of the City as set forth in Section 5 above, (b) refuses to agree to take effective measures to address the disorderly house, (c) takes ineffective measures to address the disorderly house as determined by the City, (d) fails to implement the agreement reached with the City to address the disorderly house, or (e) if, in the discretion of the City, the disorderly house requires immediate posting in order to protect the public health, safety or welfare, the City may condemn and post the building or any units therein against occupancy, and/or may file a legal action against the owner and/or violator seeking any and all remedies to which it is entitled pursuant to State and local laws, including, without limitation, declaratory and injunctive relief.

(b) In the event that condemnation and posting the building or any units therein against occupancy is necessary to address the disorderly house, the City shall provide all non-owner occupants of the building with written notice of said condemnation at least thirty (30) days in advance of the act of condemnation or the posting against occupancy, if the list of tenants is known to the City.

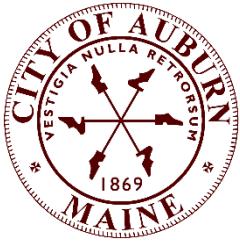
(c) In the event of legal action against an owner and/or violator for a disorderly house violation, the City shall name the non-owner occupants of the building (if known) as parties-in-interest to said legal action.

## SECTION 7. VIOLATIONS.

Any person violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Police Department issued hereunder shall be subject to a penalty as provided herein.

## SECTION 8. CIVIL PENALTIES.

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than one thousand dollars (\$1,000.00) and not more than two thousand dollars (\$2,000.00), or as otherwise provided by 30-A M.R.S.A. § 4452, as may be amended from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the City is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the City in the enforcement of this Ordinance, including, but not limited to, staff time, attorney's fees, and costs. All civil penalties shall inure to the benefit of the City of Auburn.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 22, 2022

**Ordinance:** 06-02072022

**Author:** Jason Levesque, Mayor

**Subject:** Alignment of board and commission scope and responsibility

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**Information:** As a follow-up to the December 18<sup>th</sup> meeting announcement of my intent to complete the work of modernization of our committees and boards that we started last year, I reconvened the committee for one meeting on January 10<sup>th</sup> to specifically redesign the ad hoc committee on sustainability, conservation and its sub committees, and agriculture.

After input from the ad-hoc committee and Conservation Commission, Agriculture Board, and Forestry Board the proposed ordinance is being submitted for council adoption.

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**City Budgetary Impacts:** NA

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**Staff Recommended Action:** Consider the proposed ordinance amendment.

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**Previous Meetings and History:** As noted above under information, and a public hearing and passage of first reading on 2/7/2022.

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** Proposed Ordinance Language

***DIVISION 5. ~~CONSERVATION COMMISSION~~***

**Sec. 2-477. Commission established.**

~~A conservation commission is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of seven members appointed by the city council, all of whom shall be residents of the city. The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, two members for terms of two years, and two members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. There shall be one ex-officio member of the board consisting of the city manager or his/her designee.~~

~~(Ord. No. 07-02022015, § 1, 2-17-2015)~~

**Sec. 2-478. Purpose.**

~~The purpose of the conservation commission shall be to serve as a research, advisory and advocacy group on environmental and conservation issues relating to the city.~~

~~(Ord. No. 07-02022015, § 2, 2-17-2015)~~

**Sec. 2-479. Qualifications.**

~~All members of the commission shall be selected upon the basis of their knowledge of or interest in conservation, environmental science or related fields.~~

~~(Ord. No. 07-02022015, § 3, 2-17-2015)~~

**Sec. 2-480. Powers and duties.**

~~The commission:~~

- ~~(1) Shall keep records of its meetings and activities and make an annual report to the city council;~~
- ~~(2) Shall conduct research, in conjunction with the planning board, into local land areas, which shall be initiated by majority votes of both the commission and the planning board;~~
- ~~(3) Shall seek to coordinate the activities of conservation bodies organized for similar purposes;~~
- ~~(4) Shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may recommend to the city council or to any board of the city or to any body politic or public agency of the state a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements;~~



- 
- ~~(5) May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;~~
  - ~~(6) Shall assist staff in the preparation of park and trail plans, the identification of new sites to be added to the park system, recommendations on designation of open space areas, and grant assistance;~~
  - ~~(7) Shall coordinate applications for grants from the federal or state governments, or private sources, to improve conservation assets for the city including parks, trail and the community forest.~~
  - ~~(8) Shall undertake any other conservation or environmental activity referred to it by the city council.~~
  - ~~(9) May recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes.~~
  - ~~(10) Shall develop a plan for and provide advice to city staff and agencies regarding the management of the community forest including the anticipated impact of proposed development;~~
  - ~~(11) Shall raise community awareness regarding the importance of the community forest;~~
  - ~~(12) May raise funds to establish a community forest trust fund;~~
  - ~~(13) Shall adopt by laws to govern the internal affairs of the commission; and~~
  - ~~(14) May perform such other functions as are permitted by this Code.~~

~~(Ord. No. 07-02022015, § 4, 2-17-2015)~~

## **Sec. 2-481. Officers, meetings and records.**

- ~~(a) The members shall elect from their membership a chairperson, treasurer, a vice-chairperson and a secretary. Officers shall serve two-year terms.~~
- ~~(b) All meetings of the commission shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.~~
- ~~(c) Minutes shall be kept of all meetings.~~

~~(Ord. No. 07-02022015, § 5, 2-17-2015)~~

## **Sec. 2-482. Committees.**

- ~~(a) *Establishment:* The chairperson may appoint special committees for purposes and terms approved by the conservation commission.~~
- ~~(b) *Lewiston-Auburn Community Forest Board:* The Lewiston-Auburn Community Forest Board will be a standing subcommittee of the Auburn Conservation Commission. The purpose of the community forest board is to plan for and provide advice to city staff and the conservation commission regarding the management of the community forest. The conservation commission shall designate two members to serve on the Lewiston-Auburn Community Forest Board. The Lewiston-Auburn Community Forest Board shall develop and implement a community forest program that enhances, preserves, protects, and maintains the community forest. Primary activities are to:
  - ~~(1) Advocate for the community forest;~~
  - ~~(2) Develop a plan for and provide advice on the management of the public sector portion of the community forest;~~
  - ~~(3) Educate the communities about the community forest and how to care for it;~~~~

- 
- ~~(4) — Raise funds, including grants, and establish a community forest trust;~~
  - ~~(5) — Develop and advise on policy changes for approval by the city councils;~~
  - ~~(6) — Advise and consult on community forest issues and projects;~~
  - ~~(7) — Communicate and coordinate with city staff, planning boards, and other community programs to avoid duplications of efforts and to combine resources to meet goals.~~
- ~~(Ord. No. 07-02022015, § 6, 2-17-2015)~~

### **Sec. 2-482.1. Limits of authority.**

~~Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by conservation commissions under state statute which are not explicitly provided in this article may be exercised by the commission created herein.~~

~~(Ord. No. 07-02022015, § 7, 2-17-2015)~~

## ***DIVISION 8. AGRICULTURE COMMITTEE<sup>1</sup>***

### **~~Sec. 2-482.11. Purpose.~~**

~~The purpose of the agriculture committee shall be to proactively build a stronger food, agricultural, and resource economy in the city and to address the ongoing needs of protecting and promoting farms, farmland, forestry businesses, woodlots, local agriculture economy and local forestry economy.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

### **~~Sec. 2-482.12. Established.~~**

~~An agriculture committee is hereby established to consist of nine members, of whom seven members shall be appointed by the city council and shall be residents of the city with highest priority given to selecting members who are actively engaged in agriculture or forestry. At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the city council shall appoint up to two nonvoting members.~~

~~The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint one members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one third of the members shall expire each year. Subsequent appointments shall be for a term of three years.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

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<sup>1</sup>Editor's note(s)—Ord. No. 14-12022019, adopted December 9, 2019, set out provisions intended for use as Div. 8, §§ 2-485.1—2-485.7. To preserve the style of this Code, and at the editor's discretion, these provisions have been included here as Div. 8, §§ 2-482.11—2-482.17.

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### **~~Sec. 2-482.13. Qualifications.~~**

~~All members of the committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, food system economics, public policy or related fields. All voting members shall be residents of the city.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

### **~~Sec. 2-482.14. Powers and duties.~~**

~~The committee shall:~~

- ~~(1) Make recommendations to the planning board and city council and consult with the conservation commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in the city.~~
- ~~(2) Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of the city's agricultural and forestry products;~~
- ~~(3) Seek to coordinate the activities of local, state and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;~~
- ~~(4) Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.~~
- ~~(5) Periodically review the city comprehensive plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify the city's policies and ordinances to better support agriculture and forestry.~~
- ~~(6) Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.~~
- ~~(7) Review applications for a voluntary municipal farm support program and perform related duties as requested by the city council.~~
- ~~(8) Keep records of its meetings and activities and make an annual report to the city council;~~
- ~~(9) Undertake any other agricultural or forestry related activity referred to it by the city council;~~
- ~~(10) Adopt by-laws to govern the internal affairs of the committee including meeting frequency;~~
- ~~(11) May perform such other functions as are permitted by this Code.~~
- ~~(12) Should any project in the city require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the planning board within 60 days.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

### **~~Sec. 2-482.15. Officers, meetings and records.~~**

- ~~(a) The members shall elect from their membership a chairperson, a vice chairperson and a secretary. Officers shall serve two-year terms.~~

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~~(b) All meetings of the committee shall be open to the public, and notice, shall be provided to the public about such meetings.~~

~~(c) The committee may request that testimony provided during public hearings in front of the committee be provided under oath.~~

~~(d) Minutes shall be kept of all meetings.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

#### **~~Sec. 2-482.16. Committees.~~**

~~The committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

#### **~~Sec. 2-482.17. Quorum and necessary vote.~~**

~~As to any matter requiring a public hearing, no business shall be transacted by the committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~



**ORDINANCE 06-02072022**

# City Council Ordinance

## IN CITY COUNCIL

**Be it ordained,** that the City Council hereby amends the Auburn Code of Ordinances, Chapter 2 – Administration, Article V. Boards, Commissions and Committees by striking Division 5, Conservation Commission and Division 8, Agriculture Committee and replacing Division 5 with Sustainability and Natural Resource Management Board as attached.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager

PART II - CODE OF ORDINANCES  
Chapter 2 - ADMINISTRATION  
ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES  
DIVISION 5. Sustainability and Natural Resource Management Board

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***DIVISION 5. SUSTAINABILITY AND NATURAL RESOURCE MANAGEMENT BOARD  
(SNRB)***

**Sec. 2-477. Board established.**

A Board is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of six members, including representatives of the city council, planning board, and four standing working groups on agriculture, conservation, the community forest, and sustainability. The planning board chair and the mayor may either serve on this board or appoint a representative to serve as members of the SNRB for a term of two years. The standing working groups on agriculture, conservation, the community forest, and sustainability shall nominate one representative each for approval by the Council; these members shall serve staggered three-year terms. There shall be one ex officio member of the board, consisting of the city manager or his/her designee.

**Sec. 2-478. Purpose.**

The purpose of the SNRB shall be to advance Auburn's commitment to sustainability by serving as a research, advisory and advocacy group on environmental issues and natural resource management within the City. The SNRB is created with the purpose of improving the relationship and communication between the City Council, existing committees, and staff with the aim of creating more effective organization of city sustainability efforts.

**Sec. 2-479. Qualifications.**

All members of the SNRB shall be selected on the basis of their knowledge of or interest in conservation, environmental science, agriculture, forestry, energy or related fields.

**Sec. 2-480. Powers and duties.**

- (1) SNRB will provide an interface between City leadership (City Council/ Mayor/City Manager), and four standing working groups (Conservation, Community Forest, Agriculture, Sustainability). SNRB will assure communication and coordination among the standing working groups, Council, and city staff.
- (2) SNRB will meet quarterly or as needed to set priorities for the standing working groups, review working group accomplishments, coordinate efforts, provide operating funds approved by the City Council for working group events, publications, etc. and develop brief quarterly updates for the Council. SNRB shall maintain a working relationship with the Planning Board.
- (3) The City shall identify staff to be resources for SNRB . It is not expected that staff attend all meetings, but rather attend or provide advice as needed.
- (4) SNRB may, upon approval by the City Manager or City Council advertise, and in coordination with the working groups, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;
- (5) SNRB shall coordinate with City Manager any applications for grants from the federal or state governments, or private sources, to carry out the City's commitments to sustainability and responsible natural resource management;

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PART II - CODE OF ORDINANCES

Chapter 2 - ADMINISTRATION

ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 5. Sustainability and Natural Resource Management Board

- (6) SNRB may recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes;
- (7) SNRB may perform such other functions as are permitted by this Code.

**Sec. 2-481. Officers, meetings and records.**

- (1) SNRB shall appoint a chair and secretary.
- (2) SNRB shall appoint members of the 4 standing working groups. Working group membership will be between 5 and 11 depending on need and volunteer interest.
- (3) Standing working groups shall provide a quarterly report to the SNRB.
- (4) All meetings of the SNRB and standing working groups shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.
- (5) Minutes shall be kept of all meetings. Minutes and agendas will be made public through the City's website.

**Sec. 2-482. Standing Working Groups**

*Establishment:* The SNRB will oversee four standing working groups, each of which will have a distinct focus on agriculture, conservation, the community forest, or sustainability. Goals of the working groups are outlined below.

**Conservation Working Group**

The Conservation Working Group will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The purpose of the Conservation Working Group shall be to promote responsible stewardship of the natural environment in Auburn through research, advocacy, and education.

The Conservation Working Group:

- a) Shall seek to coordinate the activities of conservation and recreation bodies organized for similar purposes;
- b) In coordination with the City GIS staff shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The working group may recommend to the city council or to any Board of the city a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements.
- c) Shall promote public awareness and appreciation for Auburn's natural environment through a broad education program. This may include organizing events, distributing educational materials, and coordinating with local conservation organizations, both private and public.
- d) Shall support and advise City staff on the sustainable management of Auburn's natural resources, and promote cooperation and information-sharing with regional, state, and federal agencies.
- e) Shall provide advisory opinions and recommendations to the City Council, Planning Board, and other municipal elected or appointed officials on matters pertaining to natural resource management in Auburn.
- f) Shall assist with and coordinate applications for grants from the Federal or State governments, or private sources, to improve conservation assets for the city including parks, trails, and the community forest.

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PART II - CODE OF ORDINANCES

Chapter 2 - ADMINISTRATION

ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 5. Sustainability and Natural Resource Management Board

- g) Shall undertake any other conservation or environmental activity referred to it by the city council.

**Community Forest Working Group**

The Lewiston-Auburn Community Forest Board will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The Community Forest Working Group shall develop and implement a program that promotes the socio-economic, environmental, and esthetic values of the Community Forest.

The Community Forest Working Group:

- a) Shall advocate for Auburn's Community Forest, defined as the sum of street trees, trees associated with public facilities including parks and schools, and public woodlots under the jurisdiction of the City or the School Department.
- b) Shall maintain Auburn's Tree City USA certification which includes Maine Arbor Week Activities.
- c) Shall raise funds and develop grant applications to support the Community Forest.
- d) Shall collaborate and coordinate with public and private organizations including the working groups of the Sustainability & Natural Resources Board, Planning Board and City Council to provide advice, information and policy recommendations.
- e) Shall advise staff concerning the Street Tree Inventory and Public Woodlots Forest Management Plan.
- f) Shall meet jointly with representatives from Lewiston to maintain the Lewiston-Auburn Community Forest Board (LACFB) established and continually operating since 2001. LACFB jointly established and manages the tree nursery on North Auburn Road under an easement for the benefit of both cities.
- g) Shall provide education opportunities to the public to enhance understanding and appreciation of issues related to the Community Forest, including tree planting, tree care, invasive plant and insect issues, and the socio-economic benefits of the Community Forest.

**Natural Products [and Agriculture](#) Working Group**

The Natural Products Working Group will be a standing working group of the Sustainability and Natural Resource Management Board. The purpose of Auburn's Natural Products Working Group shall be to proactively build a stronger natural resource economy in Auburn and to address the ongoing needs of protecting and promoting farms, farmland, woodlots, and natural resources based industries.

The Natural Products Working Group shall:

- a) Work to protect soils of statewide importance
- b) Promote local resource based economies
- c) Undertake education and community outreach to promote local commodities
- d) Provide assistance and contacts for local agricultural and resource based commercial initiatives at the state and federal levels



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PART II - CODE OF ORDINANCES

Chapter 2 - ADMINISTRATION

ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 5. Sustainability and Natural Resource Management Board

- e) Raise funds and develop grant applications to support the goals of promoting natural products in Auburn.
- f) Review and provide recommendations concerning solar installations in AGRP zoned areas
- ~~f)g)~~ [Promote local food supplies and address local hunger issues.](#)

**Sustainability Working Group**

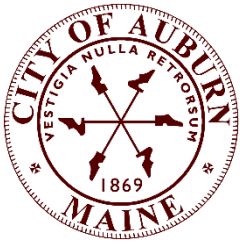
The Sustainability Working Group will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The mission of the Sustainability Working Group is to assist citizens of Auburn in making Auburn a Sustainable Community in the domains of environment, government operations, and culture.

The Sustainability Working Group:

- a) Through application of existing research and data acquired at the local level shall assist the city in developing policies and actions in sustainability that are aligned with the state's climate focus areas: modernization of buildings, transportation, emission reductions, environmental protection, healthy and resilient communities, investment in climate-ready infrastructure, and engagement of our citizens
- b) Shall assist City staff in identifying and securing grant funding to supplement city budget outlays for sustainability work.
- c) Shall work with the city staff and community partners to develop outcome metrics to measure the effectiveness of sustainability policies and actions. For example: do participation rates for curbside recycling or food composting increase with new recycling/compost bins and a targeted community education program?
- d) Shall collaborate with other community groups, the city and quasi-governmental groups to share resources and avoid duplication of efforts in pursuit of shared sustainability goals.
- e) Shall assist the city in budget planning to fund a Sustainability Manager position overseeing development of an Auburn Climate Action Plan, as well as current/future sustainability initiatives. Assist the city and the Sustainability Manager with the development of the Auburn Climate Action Plan.

**Sec. 2-482.1. Limits of authority.**

Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by commissions under state statute which are not explicitly provided in this article may be exercised by the Board created herein.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 22, 2022

**Order:** 30-02222022

**Author:** Glen E. Holmes, Director of Business & Community Development

**Subject:** Tambrands II Municipal Development and Tax Increment Financing District Amendment

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**Information:** The Current Tambrands TIF allows for 40% Credit enhancement. Tambrands has incurred substantial unforeseen costs in their facility's six million dollar expansion, and the current TIF ends in nine years. We seek to amend the TIF to allow for a 75% Credit enhancement to recoup a portion of the unforeseen costs over the remaining nine years.

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**City Budgetary Impacts:** estimated reduction in TIF Revenue of \$150,000 Year one and estimated \$35,000 reduction in years 2 thru 9

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**Staff Recommended Action:** Approve the Amendment as presented

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**Previous Meetings and History:** In the spring of 2021 Council authorized the sale of Airport property to Tambrands and was briefed on the need to amend the TIF.

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** TIF Amendment as prepared by Bernstein Shur & City Staff

**City Council Order**

**Amending the #6 Proctor & Gamble (Tambrands II) Municipal Development Tax Increment Financing Development Program**

**WHEREAS**, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the Tambrands II Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program"); and

**WHEREAS**, on November 6, 2000 the Auburn City Council designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department"); and

**WHEREAS**, the City desires to adopt the First Amendment to the District and Development Program (the "First Amendment") to continue to achieve the District's original goals by revising the percentage of taxes paid on captured assessed value allocated to Tambrands Inc. ("the Company") in the Credit Enhancement Agreement; and

**WHEREAS**, the City Council has held a public hearing on February 21, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Original Development Program and Credit Enhancement Agreement in accordance with the requirements of 30-A M.R.S.A. § 5226; and

**WHEREAS**, the City Council has considered the comments provided at the public hearing, both for and against the adoption of the First Amendment, if any; and

**WHEREAS**, it is expected that approval will be sought and obtained from the Department, approving the First Amendment; and

**NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF AUBURN, MAINE:**

**Section 1** The proposed First Amendment will contribute to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City. Pursuant to Title 30-A M.R.S.A. Section 5226(5), this First Amendment does not result in the District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which include the percentage of area the District that is suitable for commercial use or other allowable uses, the acreage caps for single TIF districts and for all TIF districts in the City, and the total TIF district valuation cap. The City Council has considered any evidence presented regarding potential substantial detriments to a party's existing business and determined that any adverse economic effect of the proposed First Amendment on a party's existing business is outweighed by the contribution made by the First Amendment to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

**Section 2** Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City Council hereby amends the Tambrands II Municipal Development Tax Increment Financing Development Program and adopts the First Amendment, all as more particularly described in the First Amendment presented to the

City Council herewith. Such First Amendment is hereby incorporated by reference into this vote as the Development Program for the District.

**Section 3.** The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed First Amendment to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2). In addition, the City Manager, or his duly appointed representative is hereby authorized, empowered, and directed to execute the amended Credit Enhancement Agreement on terms that are consistent with the First Amendment.

**Section 4.** The foregoing adoption of the First Amendment shall automatically become final and shall take full force and effect upon receipt by the City of approval of adoption of the First Amendment by the Department, without requirement of any further action by the City, the City Council, or any other party.

**Section 5.** The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the First Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the First Amendment by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the First Amendment.

Approved February 22, 2022, by the City Council, at a meeting duly convened and conducted at Auburn, Maine.

**ECONOMIC DEVELOPMENT  
CITY OF AUBURN, MAINE**

*An Application for a Municipal Development and Tax Increment Financing District*

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**FIRST AMENDMENT TO  
#6 PROCTOR & GAMBLE (TAMBRANDS II ) MUNICIPAL DEVELOPMENT AND  
TAX INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM**

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*Approved by:*  
**CITY OF AUBURN  
February 22, 2022**

*Presented to:*  
**CITY OF AUBURN CITY COUNCIL**

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### **EXHIBITS:**

EXHIBIT A	ORIGINAL DISTRICT DEVELOPMENT PROGRAM MATERIALS
EXHIBIT B	ESTIMATED INCREASED ASSESSED VALUES FOR DISTRICT & ESTIMATED TAX SHIFT BENEFITS
EXHIBIT C	NOTICE OF PUBLIC HEARING FOR FIRST AMENDMENT
EXHIBIT D	CERTIFIED COPY OF THE PUBLIC HEARING MINUTES FOR FIRST AMENDMENT
EXHIBIT E	CITY COUNCIL ORDER FOR FIRST AMENDMENT
EXHIBIT F	APPLICATION COVER SHEET & EMPLOYMENT GOALS FOR FIRST AMENDMENT
EXHIBIT G	STATUTORY REQUIREMENTS AND THRESHOLDS FORM FOR FIRST AMENDMENT

## **I. Introduction**

### **A. Summary of the First Amendment to the #6 Proctor & Gamble (Tambrands II) TIF Development Program**

The City seeks its first amendment (the “First Amendment”) to the #6 Proctor & Gamble (Tambrands II) Tax Increment Financing (“TIF”) District (“District”) Development Program (“Development Program”). This First Amendment aims to (1) amend the percentage allocation of TIF revenues between the City and Tambrands Inc. (the “Company”) so that for the remainder of the term, the Company will receive seventy-five percent (75%) of TIF revenues rather than forty percent (40%); and (2) to authorize an amendment to the existing Credit Enhancement Agreement (the “CEA”) to modify the percentage allocations described above. The First Amendment is being undertaken to assist the Company with a new capital improvement project in the existing District. The Company plans to construct a 116,000-square foot manufacturing and warehouse building addition onto its existing facility, add 84,000-square feet of access drives and truck maneuvering areas, and associated stormwater and electrical infrastructure. Additionally, through these three changes, the City intends to further encourage and facilitate economic development within the District and in the City at large. To the extent this First Amendment does not address provisions of the original District and original Development Program, such original documents remain in full force and effect. Please note that the original Development Program for the District is attached as Exhibit A.

This First Amendment is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the “TIF Statute”).

### **B. The Existing District and Development Program**

On November 6, 2000, the City of Auburn (the “City”) designated the #6 Proctor & Gamble (Tambrands II) Municipal Development and Tax Increment Financing District and adopted the Development Program for the District. The Department of Economic and Community Development (“DECD”) approved the original District and the original Development Program in March 30, 2001. The City created the District in order to assist the Company with the acquisition and installation of machinery and equipment and the development of additional research and manufacturing facilities. Additionally, the District was intended to create and retain employment opportunities, improve the City’s tax base, and improve the general economy of the State. The term of the District is thirty (30) years. The acreage of the District is 84 acres and the original assessed value of the District is \$520,900. The District captured one hundred percent (100%) of the increase in the assessed value in the District as captured assessed value and the City retains sixty percent (60%) of the tax increment revenues from the District while paying the remaining forty percent (40%) to the Company through a CEA.

## **II. Development Program Amendment Narrative**

### **A. Financial Plan**

While the City will continue to capture the full one hundred percent (100%) of increased assessed value as captured assessed value, for the remaining nine years, starting in fiscal year 2022-2023, the City will retain twenty-five percent (25%) of the TIF revenues and allocate seventy-five percent (75%) for the Company through an amended CEA. This First Amendment authorizes and directs an amendment to the Credit Enhancement Agreement be executed to reflect this description. The District will expire on March 30, 2031. Please see Exhibit B for a projection of increased assessed values and tax shifts for the District.

The percentage of TIF revenues not obligated to be paid to the Company pursuant to the Credit Enhancement Agreement for each year will be deposited into the City's Project Cost Subaccount of the Development Program Fund for the District and will be used for various municipal economic development endeavors outlined in the original Development Program attached hereto as Exhibit A.

## **III. Approval Process for First Amendment**

### **A. Notice of Public Hearing**

Attached as Exhibit C is a copy of the Notice of Public Hearing published in the *Sun Journal*, a newspaper of general circulation in the City, a date at least ten (10) days prior to the public hearing on the First Amendment. The public hearing on the First Amendment was held on February 22, 2022, in accordance with the requirements of 30-A M.R.S.A. § 5226(1).

### **B. Minutes of Public Hearing**

Attached as Exhibit D, is a certified copy of the minutes of the public hearing held on February 22, 2022, at which time the proposed First Amendment was discussed by the public.

### **C. Authorizing Votes**

Attached as Exhibit E is an attested copy of the City of Auburn Council Order, which was approved by the City Council at a City Council meeting duly called and held on February 22, 2022, approving the First Amendment to the Development Program.



#### **IV. Maine Department of Economic and Community Development Forms**

##### **A. Application Cover & Employment Goals form**

Attached as Exhibit F is a completed application cover sheet & employment goals form for the First Amendment.

##### **B. Statutory Requirements & Thresholds form**

Attached as Exhibit G, is a completed statutory requirements and thresholds form for the First Amendment.

# **Exhibit A**

**(Original District and Development Program Materials)**

# **Exhibit B**

**(Estimated Increased Assessed Values for District &  
Estimated Tax Shift Benefits)**

## Exhibit B-1 - Captured Assessed Value & TIF Revenue Projections

*#6 Proctor & Gamble (Tambrands II) TIF District – City of Auburn*

Fiscal Year	TIF Year	Original Assessed Value	Actual Valuation	Initial Project IAV	New Project IAV	Total Project IAV	Percent of Value Captured in TIF	Estimated Assessment Ratio	TIF District Projected Captured Assessed Value	Projected Mil Rate 21/22: 23.82	Projected Total TIF Revenue	Developer TIF Revenue (75% yrs 22-30)	City TIF Revenue (25% yrs 22-30)
2019-2020	19	\$520,900	\$9,826,744	\$9,305,844	-	\$9,305,844	100%	100%	\$9,305,844	23.75	\$221,014	\$88,406	\$132,608
2020-2021	20	\$520,900	\$8,999,252	\$8,478,352	-	\$8,478,352	100%	100%	\$8,478,352	23.75	\$201,361	\$80,544	\$120,817
2021-2022	21	\$520,900	\$8,915,396	\$8,394,496	-	\$8,394,496	100%	100%	\$8,394,496	23.82	\$199,957	\$79,983	\$119,974
2022-2023	22			\$8,394,496	\$2,000,000	\$10,394,496	100%	100%	\$10,394,496	23.82	\$247,597	\$185,698	\$61,899
2023-2024	23			\$8,394,496	\$6,000,000	\$14,394,496	100%	100%	\$14,394,496	23.82	\$342,877	\$257,158	\$85,719
2024-2025	24			\$8,394,496	\$6,000,000	\$14,394,496	100%	100%	\$14,394,496	23.82	\$342,877	\$257,158	\$85,719
2025-2026	25			\$8,394,496	\$6,000,000	\$14,394,496	100%	100%	\$14,394,496	23.82	\$342,877	\$257,158	\$85,719
2026-2027	26			\$8,394,496	\$6,000,000	\$14,394,496	100%	100%	\$14,394,496	23.82	\$342,877	\$257,158	\$85,719
2027-2028	27			\$8,394,496	\$6,000,000	\$14,394,496	100%	100%	\$14,394,496	23.82	\$342,877	\$257,158	\$85,719
2028-2029	28			\$8,394,496	\$6,000,000	\$14,394,496	100%	100%	\$14,394,496	23.82	\$342,877	\$257,158	\$85,719
2029-2030	29			\$8,394,496	\$6,000,000	\$14,394,496	100%	100%	\$14,394,496	23.82	\$342,877	\$257,158	\$85,719
2030-2031	30			\$8,394,496	\$6,000,000	\$14,394,496	100%	100%	\$14,394,496	23.82	\$342,877	\$257,158	\$85,719

<b>Years 22-30 Projected Total:</b>	\$2,990,612	\$2,242,959	\$747,653
<b>Years 22-30 Projected Average:</b>	\$332,290	\$249,218	\$83,073

### Assumptions:

- Projections show anticipated increased assessed values, captured assessed values, and TIF revenues. They also show prior three years of actual captured values.
- Includes projection of remainder of 30-year district term with 100% capture. Assumes existing project value remains the same as FY21-22 and projects assessed value of new project within the District to include an initial \$3 million assessed value and a \$6 million assessed value when complete. Assumes a 30-year CEA during which Years 1-20 includes 40% allocation to Developer and 60% allocation to City, Years 22-30 includes 75% allocation to Developer and 25% allocation to City.
- Projections assume a flat mil rate of 23.82 for the remaining years in the TIF District.
- Assumes 100% of the increased assessed value is captured in the District and available for municipal project costs.
- Projections are much less likely to be accurate farther into the future and are for demonstrative purposes only.

## Exhibit B-2 - Tax Shift Benefits

### #6 Proctor & Gamble (Tambrands II) TIF District – City of Auburn

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Total Tax Benefit
2022-2023	22	-	-	-	\$0
2023-2024	23	-	-	-	\$0
2024-2025	24	-	\$9,698	\$25,663	\$35,361
2025-2026	25	\$73,801	\$13,371	\$35,476	\$122,648
2026-2027	26	\$102,201	\$13,371	\$35,476	\$151,048
2027-2028	27	\$102,201	\$13,371	\$35,476	\$151,048
2028-2029	28	\$102,201	\$13,371	\$35,476	\$151,048
2029-2030	29	\$102,201	\$13,371	\$35,476	\$151,048
2030-2031	30	\$102,201	\$13,371	\$35,476	\$151,048
2031-2032		\$102,201	\$13,371	\$35,476	\$151,048
2032-2033		\$102,201	\$13,371	\$35,476	\$151,048
2033-2034		\$102,201	-	-	\$102,201
<b>Totals:</b>		<b>\$891,408</b>	<b>\$116,666</b>	<b>\$309,472</b>	<b>\$1,317,547</b>
<b>Averages:</b>		<b>\$99,045</b>	<b>\$12,963</b>	<b>\$34,386</b>	<b>\$109,796</b>

#### Assumptions:

1. Data sources include the 2021-2022 mil rate/commitment reported by the City, Androscoggin County's FY2022 Budget reflecting Tax Allocation, the State Treasurer's Office Municipal Revenue Sharing projections for FY2022, published 07/02/2021, and the Maine Department of Education 01/18/22 2022-2023 ED 279 form for Auburn Schools. Based on these projections, the City of Auburn loses approximately 44 cents out of every new tax dollar to subsidy losses and increased County taxes.
2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur a couple of years following the year in which the new assessed value is first recognized in the assessment. No tax shift losses occur when a TIF captures all of the new value.
3. These projections assume that the formulas and general inputs for state subsidies and county taxes do not change over time and they assume that all other values in other communities are static relative to one another except for the new value assessed. The projections are less likely to be accurate farther into the future.
4. Assumes the assessment ratio in the City is 100% when new property value arrives, such that the market value of new property is used for assessment purposes.
5. The projections above assume that no tax increment financing district is put in place, thus the mil rate is reduced by the influx of new value in the City. This analysis factors in tax shift impacts resulting from the project's new assessed value into future commitments and mil rate calculations to arrive at projected property tax payments.

# **Exhibit C**

**(Notice of Public Hearing for First Amendment)**

## **NOTICE OF PUBLIC HEARING**

### **CITY OF AUBURN NOTICE OF PUBLIC HEARING**

**Regarding  
An Amendment to the Municipal Development and Tax Increment Financing District  
known as:**

**“#6 Proctor & Gamble (Tambrands II) Municipal Development and Tax Increment  
Financing District”**

Notice is hereby given that the City of Auburn will hold a public hearing on

February 22, 2022  
**at 60 Court Street Auburn , ME 04210**  
**The Public Hearing will be at 7:00 p.m.**

The purpose of the public hearing is to receive public comments on the amendment to the municipal development and tax increment financing district known as the Tambrands II Municipal Development and Tax Increment Financing District (the “District”) and the adoption of the amendment to the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The Tambrands II Municipal Development Tax Increment Financing District is comprised of approximately 84 acres and is located on Hotel Road. The proposed amendment involves an amendment to the existing Credit Enhancement Agreement with Tambrands, Inc. regarding a proposed new capital project.

A copy of the proposed Development Program Amendment materials will be on file with the City Office during normal business hours of 8:30 am – 4:00 pm. They can also be found at <https://www.auburnmaine.gov/> or one can call 207-333-6601 during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk at [sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov). Written comments will be accepted until 4:00PM on February 22, 2022.

# **Exhibit D**

**(Certified Copy of Public Hearing Minutes for First  
Amendment)**



# **Exhibit E**

**(City Council Order for First Amendment)**

**City Council Order**

**Amending the #6 Proctor & Gamble (Tambrands II) Municipal Development Tax Increment Financing Development Program**

**WHEREAS**, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the Tambrands II Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program"); and

**WHEREAS**, on November 6, 2000 the Auburn City Council designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department"); and

**WHEREAS**, the City desires to adopt the First Amendment to the District and Development Program (the "First Amendment") to continue to achieve the District's original goals by revising the percentage of taxes paid on captured assessed value allocated to Tambrands Inc. ("the Company") in the Credit Enhancement Agreement; and

**WHEREAS**, the City Council has held a public hearing on February 22, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Original Development Program and Credit Enhancement Agreement in accordance with the requirements of 30-A M.R.S.A. § 5226; and

**WHEREAS**, the City Council has considered the comments provided at the public hearing, both for and against the adoption of the First Amendment, if any; and

**WHEREAS**, it is expected that approval will be sought and obtained from the Department, approving the First Amendment; and

**NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF AUBURN, MAINE:**

**Section 1** The proposed First Amendment will contribute to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City. Pursuant to Title 30-A M.R.S.A. Section 5226(5), this First Amendment does not result in the District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which include the percentage of area the District that is suitable for commercial use or other allowable uses, the acreage caps for single TIF districts and for all TIF districts in the City, and the total TIF district valuation cap. The City Council has considered any evidence presented regarding potential substantial detriments to a party's existing business and determined that any adverse economic effect of the proposed First Amendment on a party's existing business is outweighed by the contribution made by the First Amendment to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

**Section 2** Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City Council hereby amends the Tambrands II Municipal Development Tax Increment Financing Development Program and adopts the First Amendment, all as more particularly described in the First Amendment presented to the

City Council herewith. Such First Amendment is hereby incorporated by reference into this vote as the Development Program for the District.

**Section 3.** The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed First Amendment to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2). In addition, the City Manager, or his duly appointed representative is hereby authorized, empowered, and directed to execute the amended Credit Enhancement Agreement on terms that are consistent with the First Amendment.

**Section 4.** The foregoing adoption of the First Amendment shall automatically become final and shall take full force and effect upon receipt by the City of approval of adoption of the First Amendment by the Department, without requirement of any further action by the City, the City Council, or any other party.

**Section 5.** The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the First Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the First Amendment by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the First Amendment.

Approved February 22, 2022, by the City Council, at a meeting duly convened and conducted at Auburn, Maine.

# **Exhibit F**

**(Application Cover Sheet and Employment Goals for First  
Amendment)**

## APPLICATION COVER SHEET

### MUNICIPAL TAX INCREMENT FINANCING

#### A. General Information

1. Municipality Name: City of Auburn		
2. Address: 60 Court Street, Auburn, ME 04210		
3. Telephone: 207-333-6601	4. Fax: 207-333-6623	5. Email: gholmes@auburnmaine.gov
6. Municipal Contact Person: Glen E. Holmes, Director of Business and Community Development		
7. Business Name: Procter and Gamble Tambrands		
8. Address: 2879 Hotel Road, Auburn, ME 04210		
9. Telephone: 207-753-4000	10. Fax: 513-854-4916	11. Email: bateman.jr@pg.com
12. Business Contact Person: John Bateman		
13. Principal Place of Business: 2879 Hotel Road, Auburn, ME 04210		
14. Company Structure (e.g. corporation, sub-chapter S, etc.): Corporation		
15. Place of Incorporation: Cincinnati, OH		
16. Names of Officers: Executive Chairman of the board – David Taylor; CEO – John Moeller COO – Shailesh G. Jejurikar		
17. Principal Owner(s) Name: David Taylor		
18. Address: 1 Proctor & Gamble Plaza, Cincinnati, OH 45202		

#### B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
<input type="checkbox"/> job creation	<input type="checkbox"/> job retention	<input checked="" type="checkbox"/> capital investment
<input type="checkbox"/> training investment	<input checked="" type="checkbox"/> tax base improvement	<input type="checkbox"/> public facilities improvement
<input type="checkbox"/> other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
<input type="checkbox"/> real estate purchase	<input type="checkbox"/> machinery & equipment purchase	<input type="checkbox"/> training costs
<input type="checkbox"/> debt reduction	<input checked="" type="checkbox"/> other (list): Please see development program for approved project costs.	

#### C. Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project (*please use next page*).

Attached.

**TAMBRANDS II MUNICIPAL TAX INCREMENT FINANCING DISTRICT  
FIRST AMENDMENT  
EMPLOYMENT GOALS**

Company Goals for Job Creation and Job Retention

<i>A. Job Creation Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
1. Executive, Professional & Technical	5		\$175,200 each annually
2. Administrative Support, inc. Clerical			\$
3. Sales & Service			\$
4. Agriculture, Forestry & Fishing			\$
5. Maintenance, Construction, Production, & Transportation	51		\$118,450 each annually
<i>B. Job Retention Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
1. Executive, Professional & Technical			\$
2. Administrative Support, inc. Clerical			\$
3. Sales & Service			\$
4. Agriculture, Forestry & Fishing			\$
5. Maintenance, Construction, Production, & Transportation			\$
<i>*Please use the Occupational Cluster descriptions on the next page to complete this form.</i>			

**INSTRUCTIONS**

**A. Job Creation Goals.** Please list the number, type and wage level of jobs created as a result of the economic development incentive. NOTE: For this form, “full-time” employment means 30 hours or more; “part-time” employment means less than 30 hours. “Wage level” means the average annual wage paid for jobs created within an occupational cluster, e.g. either their annual salary, or their hourly wage times their annual hours. Also, “type” means “occupational cluster” which refers to the 12 categories defined below. Please include the number of your employees (both full-time and part-time) working within the category that most closely reflects their job duties.

**B. Job Retention Goals.** Please list the number, type and wage level of jobs retained as a result of the economic development incentive. Part B should be completed using same definitions in Part A.

## OCCUPATIONAL CLUSTERS

### 1. EXECUTIVE, PROFESSIONAL & TECHNICAL

**Executive, administrative and managerial.** Workers in executive, administrative and managerial occupations establish policies, make plans, determine staffing requirements, and direct the activities of businesses and other organizations. Workers in management support occupations, such as accountant and auditor or underwriter, provide technical assistance to managers.

**Professional specialty.** This group includes engineers; architects and surveyors; computer, mathematical, and operations research occupations; life, physical, and social scientists; lawyers and judges; social, recreational, and religious workers; teachers, librarians, and counselors; health diagnosing, assessment, and treating occupations; and communications, visual arts, and performing arts occupations.

**Technicians and related support.** This group includes health technologists and technicians, engineering and science technicians, computer programmers, tool programmers, aircraft pilots, air traffic controllers, paralegals, broadcast technicians, and library technicians.

### 2. ADMINISTRATIVE SUPPORT, INCLUDING CLERICAL

**Administrative support, including clerical.** Workers in this group prepare and record memos, letters and reports; collect accounts; gather and distribute information; operate office machines; and handle other administrative tasks.

### 3. SALES AND SERVICE

**Marketing and sales.** Workers in this group sell goods and services, purchase commodities and property for resale, and stimulate consumer interest.

**Service.** This group includes a wide range of workers in protective, food and beverage preparation, health, personal, private household, and cleaning and building services.

### 4. AGRICULTURE, FORESTRY AND FISHING

**Agriculture, forestry and fishing.** Workers in these occupations cultivate plants, breed and raise animals, and catch fish.

### 5. MAINTENANCE, CONSTRUCTION, PRODUCTION & TRANSPORTATION

**Mechanics, installers, and repairers.** Workers in this group adjust, maintain, and repair automobiles, industrial equipment, computers, and many other types of machinery.

**Construction trades and extractive.** Workers in this group construct, alter, and maintain buildings and other structures or operate drilling and mining equipment.

**Production.** These workers set up, adjust, operate, and tend machinery and/or use hand tools and hand-held power tools to make goods and assemble products.

**Transportation and material moving.** Workers in this group operate the equipment used to move people and materials. This group also includes handlers, equipment cleaners, helpers, and laborers who assist skilled workers and perform routine tasks.

Assumptions:

1 new Morpheus line, 1 PE and 12 technicians.  
2 new pearl lines, 1 BL, 1PE, 1MP and 20 technicians  
New Warehouse, 1 BL, 9 technicians, 1 support  
FPD, 1 PE, 8 technicians

Fully loaded manager = \$175,300 each  
Fully loaded technician = \$118,450 each



# **Exhibit G**

**(Statutory Requirements and Thresholds Form for First  
Amendment)**

**STATUTORY REQUIREMENTS AND THRESHOLDS**  
**#6 Proctor & Gamble (Tambrands II) Municipal TIF District (#6) | AMD-1**

<b>SECTION A.   Acreage Caps</b>		
1. Total <b>municipal</b> acreage;		41,430
2. Acreage of <b>proposed</b> Municipal TIF District;		84
3. <b>Downtown-designation</b> <sup>1</sup> acres in proposed Municipal TIF District;		0
4. <b>Transit-Oriented Development</b> <sup>2</sup> acres in proposed Municipal TIF District;		0
5. Total acreage [=A2-A3-A4] of proposed Municipal TIF District counted toward 2% limit;		84
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).		.203%
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality <b>including</b> Municipal Affordable Housing Development districts: <sup>3*</sup>  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> #6 Proctor &amp; Gamble (Tambrands II)/84 acres  #10 Downtown Omnibus/264.18 acres  #13 Retail Development/29.67 acres  #15 Mall Area Hotel/1.5 acres  #18 Norway Savings Bank Arena/8.53 acres  #20 62 Spring Street/.81  #22 Hampshire Street/1.01  #24 Gracelawn/2.92 </div> <div style="width: 45%;"> #9 Mall Area/57.74 acres  #12 Auburn Industrial Park/144 acres  #14 Mall Revitalization/38.91  #16 Webster School AHTIF/1.4 acres  #19 Hartt Transportation Industrial Park/43 acres  #21 477 Minot Ave/3.83  #23 Memory Care/8.61  #25 FutureGuard/26.2 </div> </div>	Existing	632.31
	Proposed	84
	Total:	716.31
<b>30-A § 5223(3) EXEMPTIONS<sup>4</sup></b>		
8. Acreage of an <u>existing/proposed</u> <b>Downtown</b> Municipal TIF district;		264.18
9. Acreage of all <u>existing/proposed</u> <b>Transit-Oriented Development</b> Municipal TIF districts:		0
10. Acreage of all <u>existing/proposed</u> <b>Community Wind Power</b> Municipal TIF districts:		0
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts <b>common to</b> <sup>5</sup> Pine Tree Development Zones per 30-A § 5250-I (14)(A) <b>excluding</b> any such acreage also factored in Exemptions 8-10 above:		0
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;		452.13
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).		1.091%
14. Real property in proposed Municipal TIF District that is:	ACRES	% [=Acres÷A2]
a. A blighted area;	0	0
b. In need of rehabilitation, redevelopment or conservation;	0	0
c. Suitable for commercial or arts district uses.	84	100%
<b>TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)</b>		<b>100%</b>

\*The acreages for existing TIF districts are consistent with existing approved TIF development program documentation and do not necessarily represent revisions that might result in time to acreages from updated surveys and assessing software information.

<sup>1</sup> Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

<sup>2</sup> For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

<sup>3</sup> For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

<sup>4</sup> Downtown/TOD overlap nets single acreage/valuation caps exemption.

<sup>5</sup> PTDC districts approved through December 31, 2008.

**STATUTORY REQUIREMENTS AND THRESHOLDS**  
**#6 Proctor & Gamble (Tambrands II) Municipal TIF District (#6) | AMD-1**

SECTION B.   Valuation Cap			
1. <b>Total TAXABLE</b> municipal valuation—use most recent April 1;	\$1,973,954,411		
2. <b>Taxable Original Assessed Value (OAV)</b> of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	\$520,900		
3. <b>Taxable OAV of all existing/proposed</b> Municipal TIF districts in municipality <b>excluding</b> Municipal Affordable Housing Development districts:  <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="width: 45%;"> #6 Proctor &amp; Gamble (Tambrands II)/\$520,900  #10 Downtown Omnibus/\$83,168,800  #13 Retail Development/\$5,425,400  #15 Mall Area Hotel/\$4,900  #19 Hartt Transportation Center/\$1,278,600  #23 Memory Care/\$327,100  #25 FutureGuard/\$3,838,700 </div> <div style="width: 45%;"> #9 Mall Area/\$5,956,300  #12 Auburn Industrial Park/\$334,200  #14 Mall Revitalization/\$11,328,400  #18 Norway Savings Bank Arena/\$1,564,100  #20 62 Spring Street/\$474,300  #24 Gracelawn/\$262,600 </div> </div>	Existing	\$113,963,400	
	Proposed	\$520,900	
	Total:	\$114,484,300	
<b>30-A § 5223(3) EXEMPTIONS</b>			
4. <b>Taxable OAV</b> of an <u>existing/proposed</u> <b>Downtown</b> Municipal TIF district;	\$83,168,800		
5. <b>Taxable OAV</b> of all <u>existing/proposed</u> <b>Transit-Oriented Development</b> Municipal TIF districts:	0		
6. <b>Taxable OAV</b> of all <u>existing/proposed</u> <b>Community Wind Power</b> Municipal TIF districts:	0		
7. <b>Taxable OAV</b> of all <u>existing/proposed</u> <b>Single Taxpayer/High Valuation</b> <sup>6</sup> Municipal TIF districts:	0		
8. <b>Taxable OAV</b> in all <u>existing/proposed</u> Municipal TIF districts <b>common to</b> Pine Tree Development Zones per 30-A § 5250-I (14)(A) <b>excluding</b> any such OAV also factored in Exemptions 4-7 above:	0		
9. <b>Total taxable OAV</b> [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$31,315,500		
10. <b>Percentage of total taxable OAV</b> [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	1.586%		

## COMPLETED BY

PRINT NAME Shana Cook Mueller

SIGNATURE



DATE

February 11, 2022

If this form has **not** been completed by the municipal or plantation assessor, the assessor must sign and date below, acknowledging he/she agrees with the information reported on this form, and understands the OAV stated in Section B, line 2, will be used to determine the IAV for this District.

PRINT NAME Karen Scammon, CMA-4, City Assessor

SIGNATURE



DATE

2-11-22

<sup>6</sup> For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.

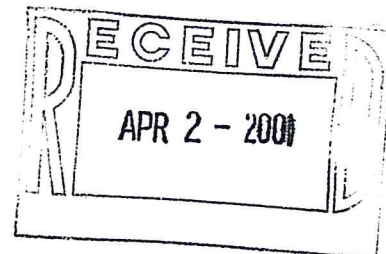


ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF  
ECONOMIC AND COMMUNITY DEVELOPMENT  
33 STONE STREET  
59 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0059

STEVEN H. LEVESQUE  
COMMISSIONER

March 30, 2001



Patricia Finnigan  
City Manager  
City of Auburn  
45 Spring Street  
Auburn, ME 04210

Dear Ms. Finnigan:

The Maine Department of Economic and Community Development ("the department") has reviewed and conditionally approved the City of Auburn's application to create the Procter & Gamble (Tambrands II) Municipal Development Tax Increment Financing District ("the district"). The district takes effect today and is designated for a period of thirty (30) years. Approval is subject to the following provision: should Tambrands or any other employer in this district receive TIF payments that exceed \$10,000 in a calendar year, **they must submit an annual written report no later than August 1<sup>st</sup> of the following year, in accordance with 5 MRSA §13070-J(3).**

The City of Auburn is authorized to use the tax increment arising from captured value expressly for the credit enhancement agreement components defined in the development program. **The department is withholding approval of all other economic development projects and public improvements identified in the proposal pending receipt of further information from the City regarding these projects.** Any changes to the approved development program require an amendment that is adopted in the same manner as the initial designation, and approved by the department.

In the event that tax increment revenues derived from the district are deposited into the City's general fund, or spent on unapproved projects, the incremental property values generating those revenues must be included with the City's equalized assessed value, and therefore not subject to capture.






Patricia Finnigan  
March 30, 2001

Page 2

The district designation remains in effect for the term described above or until the authorized project costs are expended. If for any reason the City decides to forfeit this designation, it must promptly notify the department.

If you have questions regarding this approval or the annual economic development incentive reporting requirements, please do not hesitate to contact Jim Nimon, TIF Program Manager, at 287-2656.

Sincerely,

  
Steven H. Levesque  
Commissioner

cc: Anthony Neves, State Tax Assessor  
Larry Record, Director of Property Tax  
Roland Miller, Community Services Director







# City of Auburn

## City Council

### AGENDA

#### Information Summary

Date: November 6, 2000

Item #

6

**ITEM:** **Resolve** – Authorizing the City Manager to Submit the Tambrands, Inc. Tax Increment Finance District (TIF #6) to the State Dept. of Economic and Community Development.

**SUMMARY:** This Resolve would establish a TIF District which creates an incentive for Tambrands to make investments of not less than \$25 million in machinery and equipment as part of its continued modernization and re-engineering efforts to stay competitive in a global market.

**STAFF RECOMMENDATION:** The City has established a TIF policy which creates performance standards that businesses must adhere to in order to be eligible for consideration as a TIF district. These include a substantial increase in their investment in Auburn, significant additions to the tax base, creation or retention of high quality, high skill jobs which pay livable wages and provide benefits, and which are committed to elevating employees' skill levels especially with respect to technology. As Auburn's largest high tech employer, Tambrands meets or exceeds each of these criteria.

**REQUESTED ACTION:** Approval of the Resolve.

**MOTION:** Motion to Authorize the City Manager to Submit TIF District # 6 to the State Dept. of Economic and Community Development for Approval.

### **VOTE:**

Circle denotes vote of each councilor

Mayor* Young		Ward 1 Levine		Ward 2 Livingston		Ward 3 DeFilipp		Ward 4 Carbonneau		Ward 5 Dennison		At- Large 1 Guay		At- Large 2 Matzen	
Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N

City Clerk \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/20\_\_\_\_



## City of Auburn, Maine

City Council, Auburn, Maine

Date: November 6, 2000

**TITLE: RESOLVE** - Authorizing the City Manager to Submit the Tambrands, Inc. Municipal Development and Tax Increment Financing District Development Plan (TIF #6) to the State Department of Economic and Community Development.

WHEREAS, the City of Auburn, Maine ("City") is considering whether to designate the Tambrands, Inc. Municipal Development and Tax Increment Financing District #6 and adopt the Development Program for the District presented to the City Council, designation and adoption to be pursuant to the following terms and provisions; and

WHEREAS, the City is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the City as a Municipal Development and Tax Increment Financing District (the "District") and to adopt a Development Program for such District; and

WHEREAS, there is a need for commercial development in the City; and

WHEREAS, there is a need to provide continuing employment opportunities for the citizens of the City and the surrounding region to improve and broaden the tax base of the City and to improve the general economy of the City, the surrounding region and the State of Maine; and

WHEREAS, the expansion will help to provide continued employment for the citizens of Auburn and the surrounding region; improve and broaden the tax base in the City, and improve the economy of the City and the State of Maine; and

WHEREAS, the Public Improvements contemplated by the Development Program will enable the City to expand its tax base, and to improve the economic environment within the City in order to attract additional businesses to the City; and

WHEREAS, there is a need to encourage the expansion, improvement and continuation of commercial facilities through the establishment of Municipal Development and Tax Increment Financing Districts in accordance with the provisions of Chapter 207 of Title 30-A; and

WHEREAS, on November 6, 2000 the City will hold a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. § 5253, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City; and

WHEREAS, the City desires to designate the Tambrands, Inc. Municipal Development and Tax Increment Financing District #6 and adopt a Development Program for such District; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development approving the designation of the District and the adoption of the Development Program for the District;

NOW, THEREFORE, BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF AUBURN:

**Section 1.** The City hereby finds and determines that:

a. At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for industrial sites as defined in 30-A M.R.S.A. 5253; and

b. The total area of the District does not exceed two percent (2%) of the total acreage of the City, and the total area of all development district within the City (including the District) does not exceed five percent (5%) of the total acreage of the City; and

c. The total equalized value of taxable property within the District as of April 1, 2000 together with the equalized value of taxable property in other existing districts measured as of the April 1 preceding the designation of each such district, does not exceed five percent (5 %) of the total equalized value of taxable property within the City as of the date hereof, and

d. The aggregate value of municipal indebtedness financed by the proceeds from tax increment financing districts within Androscoggin County, including the proposed District, does not exceed \$50 million: and

e. The designation of the District and pursuit of the Development Program will generate substantial economic benefits for the City and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

f. The proposed District and Development Program will make a contribution to the economic growth or well-being of the City. The Public Improvements contemplated by the Development Program will enable the City to improve its economic climate and construct improvements and other collateral economic inducements to attract new businesses to the City.

**Section 2.** Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the Proctor & Gamble Co. Municipal Development and Tax increment Financing District #7, designated and described as more particularly set forth in the "Tambrands, Inc. Municipal Development and Tax Increment Financing District (#6) Development Program" presented to the City Council in the form attached hereto and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.



**Section 3.** Pursuant to the provisions of 30-A M.R.S.A. § 5254, the percentage of captured assessed value to be retained in accordance with the Development Program is hereby established as set forth in the Development Program.

**Section 4.** The City Manager be, and hereby is, authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5253(l)(F).

**Section 5.** The City Manager be and hereby is authorized and empowered, at her discretion, from time to time, to make such technical revisions to the Development Program for the District as may be reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the Department of Economic and Community Development, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

**Section 6.** The foregoing designation of the District and the adoption of the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the designation of the District in adoption of the Development Program by the Department of Economic and Community Development, without requirements of further action by the City, the City Council, or any other party.

**Section 7.** The City Manager be and hereby is authorized and directed to enter into the Credit Enhancement Agreement contemplated by the Development Program, and in the name of and on behalf of the City, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the City Manager may approve, such approval to be conclusively evidenced by such execution thereof.

Motion for acceptance:

Yeas          Nays

Seconded by:

Action by the City Council:

Date: November 60, 2000

ATTESTED:  
City Clerk

**CITY OF AUBURN, MAINE**

**MALL AREA MUNICIPAL  
DEVELOPMENT AND TAX INCREMENT  
FINANCING DISTRICT #6 DEVELOPMENT PROGRAM**

**DATED: November 6, 2000**

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## **ARTICLE I**

### **Development Program Narrative**

#### **Section 1.01. Introduction**

##### **a. General Description of the District**

The City of Auburn desires to attract and retain quality jobs and commercial development, to create and maintain a healthy tax base, to improve the economy of the City and the State of Maine and to provide for construction of new public infrastructure and improvements to facilitate economic development. In order to fulfill these goals, the following property is being designated as the Tambrands, Inc. Municipal Development and Tax Increment Financing District #6: An area consisting of approximately 84 acres, comprising a portion of the following City of Auburn parcels as described below.

The property which is located at and is bounded on the North by Kittyhawk Avenue, on the east by Hotel Road, and on the south by the Saint Lawrence and Atlantic Railroad tracks, has been preliminarily designated as the Tambrands, Inc. Municipal Development and Tax Increment Financing District #6 ( the "District") by the City of Auburn, Maine (the "City"). The Property consists of a portion of Auburn Tax Map No. 2A, Lot 18A , 2A-18B and 2A-113 which is owned by Tambrands, Inc. (the "Company"). A plan depicting the District is attached as **Exhibit A**. The property outlined in black is specifically excluded from the District. The Development Program described herein is proposed for the purpose of administering the District as a municipal development and tax increment financing district pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended (the "Development Program"). Upon resolution of the Auburn City Council designating the District and adopting this Development Program, the designation of the District and adoption of the Development Program will immediately become final subject only to approval by the Maine Department of Economic and Community Development ("DECD").

The purpose of the District is (a) to assist the Company with the acquisition and installation of certain machinery and equipment and the development of additional research and manufacturing facilities within the District; (b) to finance costs associated with certain public improvements within the District consisting of infrastructure improvements, including, but not limited to, roadways, access roadways, water, sewer, storm drains, road junctions, sidewalks and landscaping ("Public District Improvements") and (c) to finance costs associated with certain economic development and infrastructure improvements within the City (the "Public Improvements") as hereinafter identified.

##### **b. The Company Project**

As described above, the District contemplates both Public Improvements and development by the Company. One purpose of the District is to assist the Company in financing the acquisition and installation of manufacturing machinery and equipment in the District (the "Project"). The Project is ongoing and the full extent of the Project has not yet been decided. At a minimum the Project is currently expected to allow for a



major expansion of the Company's manufacturing capacity through a substantial addition of machinery and equipment.

For purposes of this Development Program and for purposes of calculating captured assessed value, all additions by the Company to its manufacturing machinery and equipment and related assets after April 1, 2000 and all additions and new plants and facilities constructed after April 1, 2000 at its complex in Auburn, shall be deemed to be in the District on April 1<sup>st</sup> of each subsequent year until disposed of or moved away from the complex.

During the term of the Development Program the City will capture 100% of the increase in the assessed value in the District, and will retain 60% of the retained tax increment revenues from the District for its own use to finance some or all of the estimated cost of public improvements. The City will allocate the remaining balance of the retained tax increment revenues from the District to the Company pursuant to a Credit Enhancement Agreement between the City and the Company (the "Credit Enhancement Agreement") provided that the total amount paid to the Company in any year shall not exceed 40% of the tax increment of that year, and the aggregate amount paid under the Development Program may not exceed total project costs incurred by the Company during the term of the Development Program.

These tax increment revenues will be used by the Company either to pay a portion of the capital costs of the Project directly or to assist in paying debt service on monies borrowed by the Company to finance the cost of the Project. The cost so financed will represent only a portion of the Company's Project costs. All additional costs will be the sole responsibility of the Company. (See Section 1.05 "Uses of Private Property" and Section 2.03 "Indebtedness" herein).

### **c. Public Improvements**

In addition to the Company's Project in the District, the City will use the captured tax increment revenues from the District to finance some or all of the costs of the following types of projects (being the Public Improvements and Public District Improvements): (i) to fund the infrastructure improvements within and abutting the District, including, but not limited to, roadways, access roads, junctions, traffic signals, sewer, water, storm drains, sidewalks and landscaping (hereinafter called the Public District Improvements) (ii) to develop new employment opportunities in the City and to pay other Project Costs as described in 30-A MRSA §5252(8)(B)(11); (iii) to provide for costs reasonably related to the construction, alteration or expansion of facilities not located within the district that are required due to improvements or activities within the District as described in 30-A MRSA §5252(8)(B)(9), including road, water, sewer, stormwater and environmental protection improvements and fire and public safety projects; (iv) to fund the City's economic development programs including, but not limited to, the implementation of the Auburn Downtown Action Plan For Tomorrow being the City's downtown revitalization program; (iv) to fund environmental improvement programs; and (v) to fund infrastructure improvements, and other Project Costs, all as permitted under 30-A M.R.S.A. § 5252(8)(B) (herein collectively called the "Project Costs"). The Public Improvements are further described in Section 1.04 hereof. The City Council finds that each of the specific projects described herein will either directly



or indirectly provide or encourage new employment opportunities within the City, encourage and promote economic development that will broaden the City's tax base, and improve the general economy of the City.

The estimated costs of the projects which may be included as part of the Development Program are identified in **Exhibit B** attached hereto. The specific public improvement projects to be financed with the City's portion of the tax increment financing revenues will be approved through subsequent City Council action pursuant to the City's Charter.

The Project and all associated improvements acquired or financed under this Development Program other than the Public Improvements and other Project Costs will be located within the District. The proposed District will encompass approximately 91 acres and will be located on the premises of the Company's manufacturing facility and complex in Auburn, Maine.

## **Section 1.02. Statement of Means and Objectives.**

### **a. Development District**

The Company constantly searches for ways to improve its operations in order to remain competitive and to service its markets. The Project represents an investment in the Company's future and is intended to increase the Company's capabilities and is a necessary component of the capital investment needed to ensure adequate capacity and a top-quality product. The Project continues the Company's long-standing goal of capital investment with the goal of long-term benefits. The Company plans to undertake this Development Program in order to improve its manufacturing efficiency, capabilities, and working environment.

The Company's investment will create additional tax base within the City and help retain employment within the region and will upgrade necessary production equipment to ensure the continued long-term success of the Company in the City. The Project will also assist the Company in expanding its production capabilities by adding incremental production capacity, enhancing cost competitiveness, and enabling it to sustain its operations in Auburn. See Section 1.05 Uses of Private Property.

In summary, the means and objectives of the District are to finance certain Public Improvements intended to promote economic development and expand the tax base of the City for the benefit of the citizens of the City and to assist the Company in the continuing improvement and modernization of its manufacturing facility and complex. The City recognizes that the Company competes in an increasingly competitive market. The City's assistance provided through the Development Program is intended to help the Company to become more cost competitive and to modernize its operations. To the extent the City can assist the Company in its objective of keeping the Tambrands facility cost competitive, the following public benefit results:

- a. Increased property tax base;
- b. Creation of an environment that will encourage future investment by the Company at its Auburn facility;



- C. Retained employment;
- d. Increased flow of revenues to the state and local area; and
- e. Increased consumption of goods and services in the Auburn, Maine area.

### **Section 1.03. Brief Discussion of Financial Plan**

The financial plan for the District is set forth in greater detail in Article II below. The following is a brief summary of the plan. The anticipated investment in the District is initially \$5,000,000, with similar investments occurring annually for at least the next 5 years.

The Project has already started and following DECD approval, completion of the Project will be phased in over the life of the Development Program. As part of the Development Program, the Company is requesting that the City assist it with the Project (i) by capturing one hundred percent (100%) of the increase in assessed value in the District and (ii) by entering into the Credit Enhancement Agreement with the Company pursuant to which the City will retain sixty percent (60%) of the retained captured municipal tax increment, to finance some or all of the Public Improvements, and make available to the Company the balance of the retained captured municipal tax increment revenues on the captured assessed value of the District to assist the Company in financing a portion of the Project. The Development Program will remain in effect for a period of thirty (30) years. The revenues allocated to the Company will be used by the Company either to assist it in paying debt service related to financing the Project or as direct payments toward a portion of the cost of the Project.

### **Section 1.04. Description of Public Facilities to be Constructed**

The City's existing infrastructure is anticipated to be adequate to service the Project, so no public sewer, water, transportation or other infrastructure facilities must be constructed in connection with the Project, although certain street improvements including traffic signals at strategic locations may be undertaken in the future. Other Public Improvements will be completed to assist the City in its efforts to increase employment and economic development in general and specifically to implement the Auburn Downtown Action Plan For Tomorrow being the City's downtown revitalization Program. These improvements will be approved by the City Council on an as needed basis as the various projects are considered and implemented.

### **Section 1.05. Uses of Private Property**

The Project involves the acquisition and/or construction by the Company of approximately \$5,000,000 of new machinery and equipment and the expansion of its manufacturing facility per year for five years within the District and to fund certain feasibility studies with respect to proposed construction of a new research and manufacturing facility at the Company's complex and the development of new product lines. Some of the machinery and equipment will be located in the Tambrands, Inc. Development and Tax Increment Financing District Development Program District dated March 6, 1998 and approved by the Maine Department of Economic Community Development effective March 27, 1998. The acquisition and installation of all improvements will be supervised by the Company and will be subject to all required



state and local approvals. All capital improvements related to the Project will be located in the District except for certain machinery and equipment which will be located in Tambrands, Inc. Development and Tax Increment Financing District accepted by the Maine Department of Economic and Community Development on March 27, 1998. The actual and proposed use of the District is in keeping with current zoning requirements, as manufacturing facilities are a permitted use in the zone in which the District is located.

#### **Section 1.06. Relocation of Displaced Persons**

Not applicable.

#### **Section 1.07. Proposed Regulations and Facilities to Improve Transportation**

The Project, as it is currently proposed, will not affect vehicular and pedestrian transportation. Existing transportation facilities are adequate to accommodate the Project.

#### **Section 1.08. Environmental Controls**

The improvements contemplated by the capital improvement program will comply with all requirements of the City's ordinances, including its Zoning Ordinance. With the exception of (i) any building, site plan and other construction permits to be applied for in the ordinary course, and (ii) any occupancy permits, no further zoning permits, licenses or other local approvals are anticipated to be necessary in connection with the improvements.

The Company will take all steps required by the Maine Department of Environmental Protection ("DEP") in order to ensure that the acquisition, installation, construction and operation of the improvements complies with all state environmental rules and regulations. All air emission, waste water discharge or other licenses required in connection with the Project either have been, or will be, applied for and obtained by the Company as required by applicable law, rule and regulation.

#### **Section 1.09. Plan of Operation Upon Completion**

The improvements in the District will at all times be owned by the Company, its successors or assigns, which will be responsible for payment of all maintenance expenses, insurance and taxes on said improvements. During the life of the District, the City Manager or the Manager's designee will be responsible for all administrative matters concerning the implementation and operation of the District. The Company shall be solely responsible for implementation of the Project in the District.

#### **Section 1.10. Program Duration**

The duration of the District will begin on the designation of the District and the effective date of its approval by the Maine Department of Economic and Community Development and end on the earlier of 30 years thereafter or payment of all Project costs.



## **ARTICLE II**

### **Financial Plan**

#### **Section 2.01. General Characteristics**

The proposed tax increment financing district will encompass approximately 84 acres of taxable property with a total value of land and buildings as of April 1, 2000, in the amount of \$520,900.

This Development Program requires the establishment of a Development Program Fund consisting of a Project Cost Account (with a Tambrands Project Cost subaccount and a Public Improvement Project Cost subaccount) pledged to and charged with payment of project costs and a Development Program Sinking Fund Account to pay debt service on any debt financed Project costs.

#### **Section 2.02. Cost Estimates for Development Program**

The estimated initial cost of the Company's Project under the Development Program is approximately \$5,000,000 per year for five years.

#### **Section 2.03. Indebtedness**

None of the costs of the Project will be financed through issuance of any municipal indebtedness. If the Company incurs indebtedness with respect to the Project, revenues in the Tambrands Project Cost subaccount in the Project Cost Account of the Development Program Fund established hereunder, which shall consist of the Company's allocable share of tax increment revenues on the retained captured assessed values of the District and any earnings thereon, may be applied to such indebtedness.

#### **Section 2.04. Sources of Anticipated Revenues**

The sources of anticipated revenues generated by the District and to be used to pay the Company under the Credit Enhancement Agreement are (i) municipal tax increment revenues on retained captured assessed values, which will be deposited as received into the Tambrands Project Cost subaccount in the Project Cost Account of the District's Development Program Fund, and (ii) earnings on such amounts. The Company will be responsible for making all arrangements for and payments with respect to all additional monies needed to fund the Project.

Separate subaccounts in the Project Cost Account shall be established for the Public Improvements and the Project. Upon receipt of each payment of property tax by the Company, the City shall, within fifteen (15) days, (a) deposit that portion of each payment of property tax allocated for Public Improvements into the public improvement subaccount; and (b) deposit that portion of each payment of property tax allocated to the Project to the project cost subaccount. The municipal tax increment revenues projected to be paid to the Company under the Credit Enhancement Agreement for 30 years are reflected in Table No. I below.

<b>TABLE NO. I</b>	
<b>Annual Tax</b>	
<b>Tax Year</b>	<b>Increment Revenues</b>
<b>Beginning April 1</b>	<b>Allocable to Company</b>
2000	Base Year
2001	\$ 56,000
2002	\$106,400
2003	\$161,760
2004	\$192,584
2005	\$229,320
2006	\$206,382
2007	\$185,740
2008	\$170,060
2009	\$158,917
2010	\$151,860
2011	\$148,784
2012	\$141,054

<b>Tax Year</b>	<b>Annual Tax</b>
<b>Beginning April 1</b>	<b>Increment Revenues</b>
	<b>Allocable to Company</b>
2013	\$ 134,000
2014	\$ 127,300
2015	\$ 120,937
2016	\$ 114,890
2017	\$ 112,000
2018	\$ 112,000
2019	\$ 112,000
2020	\$ 112,000
2021	\$ 112,000
2022	\$ 112,000
2023	\$ 112,000
2024	\$ 112,000
2025	\$ 112,000
2026	\$ 112,000
2027	\$ 112,000
2028	\$ 112,000
2029	\$ 112,000
2030	\$ 112,000
Total	\$3,973,988

The total projected tax increment, the City's share, and the tax shifts resulting from the District are shown on **Exhibit C** hereto.

*Note: Estimated Tax Rate of \$0.028/1000; assumes no increase in the tax rate and no depreciation or appreciation in value*



## Section 2.05. Financial and Statistical Data

A summary of financial and statistical information relating to the District's satisfaction of certain conditions imposed under Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, as a prerequisite to designation of the District, is set forth in **Exhibit D**. Additional information is set out below.

- a. Total value of equalized taxable property of the City as of April 1, 2000 \$1,058,900,000
- b. Total assessed value of the District as of April 1, 2000 \$ 520,900
- c. Total value of equalized taxable property as of April 1 preceding the date of designation of all other Tax Increment Financing Districts within the city \$ 2,753,500
- d. Percentage of total assessed value of the City represented by total assessed value of the District and other districts (the sum of lines b and c divided by line a) .003092265% .003092265%
- e. Aggregate original principal amount of municipal general obligation indebtedness financed by the proceeds from tax increment financing districts within Androscoggin County, does not exceed \$50,000,000.
- f. Total taxable acreage in the City of Auburn is 41,430 Acres.
- g. The acreage included in the existing financing Districts in the City of Auburn is 156.2 or .004% of the City's taxable acreage.

See the list of currently existing tax increment financing districts attached as **Exhibit E** hereto.

Attached hereto as **Exhibit F** is a certification of original assessed value executed by the City Assessor of the City of Auburn in accordance with the requirements of 30-A M.R.S.A. § 5254(2) certifying that the original assessed value of the District as of March 31, 2000 was \$520,900.

## Section 2.06. Estimated Impact of Financing Upon Taxing Jurisdiction

In accordance with Maine statutes governing the establishment of tax increment financing districts, the table set forth below identifies estimated tax shifts which will result during the term of the District from the establishment of the District, using formulas reviewed by the Department of Economic and Community Development.

**Table No. 2  
Tax Shifts**

Tax Shift Item	Average Annual Amount	Total Undiscounted Amount
Educational Aid	\$ 94,726.14	\$2,841,784.20
County Tax	\$ 15,761.07	\$ 472,832.10
State/Municipal Revenue Sharing	\$ 30,683.68	\$ 920,510.40
<b>Total All Tax Shifts:</b>	<b>\$ 141,170.89</b>	<b>\$4,235,126.70</b>

Attached hereto as **Exhibit G** is a summary of the methodology utilized in calculating tax shifts.

#### **Section 2.07. Duration of Development Program**

The Development Program shall continue in effect for thirty (30) years after approval by DECD.

### **ARTICLE III**

#### **Physical Description**

##### **Section 3.01. Description of District**

The District is the 84 acre parcel comprised of the Company's facility and complex located in Auburn, Maine. The District is delineated on **Exhibit A** hereto.

##### **Section 3.02. Site Location Map**

Set forth on **Exhibit A** is a tax map of the City reflecting the approximate location of the District within the City.

### **ARTICLE IV**

#### **Municipal Approvals**

##### **Section 4.01. Public Hearing**

Attached hereto as **Exhibit H** is a copy of the Notice of Public Hearing held in accordance with the requirements of 30-A M.R.S.A. §5253. The Notice was published in the *Lewiston Sun Journal*, a newspaper of general circulation in Auburn on October 23, 2000, a date at least ten (10) days prior to the public hearing. A public hearing was held at a City Council Meeting on November 6, 2000.

## **Section 4.02. Authorizing Votes**

Attached as **Exhibit I** is a copy of the votes adopted at a City Council Meeting of the City of Auburn at a meeting thereof duly called and held on November 6, 2000 preliminarily designating the District and adopting the Development Program.

## **ARTICLE V**

### **Agreement Regarding Valuation Issues**

a. There are certain assumptions regarding valuation and depreciation of assets, which underlie the analysis set forth in this Development Program. The City and the Company both covenant and agree that the assumptions, analysis and results set forth in this Development Program shall in no way prejudice the rights of either party or be used, in any way, by either party in either presenting evidence or making argument in any dispute which may arise in connection with valuation of the property within the District.

b. In the event of a revaluation of property within the City during the term of the District, the City and the Company agree that they will enter into good faith negotiations to amend the Credit Enhancement Agreement so that the Company and the City receive the benefits contemplated by this Development Program.



## **Exhibit B**

### **Potential Economic Development Projects that would be Funded with Tambrands TIF Revenues**

#### **I. Development Plans**

- A. To fund the costs associated with certain public improvements within and adjacent to the Tambrands Tif District consisting of infrastructure improvements.
- B. In general to pursue the goals and objectives contained in the Auburn Downtown Action Plan For Tomorrow adopted by the Auburn City Council on Feb. 1, 1999
- C. Purchase of land for a new Industrial Park.

#### **II. Project Categories for Tambrands Inc. Area Master Plan**

- A. *Capital Costs for the Construction of Public Infrastructure improvements (30-A MRSA Section 5252 (8)(B)1(a).*
  - Roadways
  - Access roadways
  - Water and Sewer drains
  - Road Junctions
  - Sidewalks
  - Landscaping
- B. *Capital costs for the purchase of land for a new industrial park (30-AMRSA Section 5252(8).*

#### **III. Project Categories for Downtown Economic Development Program:**

- A. *Developing new employment opportunities and funding the City's economic development program (30-A M.R.S.A. section 5252(8)(B)(11)*
  - Redevelopment of the downtown business district
  - Acquisition of land and construction of parking garage(s)
  - Construction of esplanade underground parking garage
  - Acquisition of land and construction of River Walk
  - Acquisition of land and construction of Festival Plaza
  - Professional Service Costs, including, but not limited to, architectural, planning, engineering and legal advice and services



## Tambrands T1F Projections

## ASSUMPTIONS

ASSUMPTIONS	
Years in projection	Mill Rate (per Thousand)
20	28

Mill Rate (per 1 thousand)  
Property Appreciation and Depreciation based  
on Discussions with Town Assessor

## EXHIBIT D

### Statistical Data Related to TIF District #6 (as required by Title 30-A Chapter 207)

- |  |              |
|--|--------------|
| 1. Total acreage of municipality:  | 41,430 acres |
| 2. Total acreage of proposed municipal tax increment financing district  | 84 acres     |
| 3. Percentage of total acreage in proposed municipal tax increment financing district:<br>(Line 3 divided by Line 1, cannot exceed 2%).                  | .0020275     |
| 4. Total acreage of all existing and proposed municipal tax increment financing districts in the municipality:   | 156.2 acres  |
| 5. Percentage of total acreage in all existing and proposed municipal tax increment financing districts:<br>(Line 4 divided by Line 1, cannot exceed 5%) | .0057977     |
| 6. Total acreage of all real property in the proposed tax increment financing district that is:  |              |
| (a) Blighted:  | 0 acres      |
| Line 6.a divided by Line 2:  | 0%           |
| (b) In need of rehabilitation or conversion:   | 0 acres      |
| Line 6.b divided by Line 2:  | 0%           |
| (c) Suitable for commercial sites:   | acres        |
| Line 6c divided by Line 2:   | 100%         |

The percentage resulting from either 6.a, 6.b or 6.c must be equal or exceed 25%



## Exhibit E

### Tax Increment Financing Districts Approved By The State Of Maine

MUNICIPALITY	DATE APPROVED	DEBT TERM	PROJECT DOCUMENTS/DISTRICT/COMPANY
Saco York County	06/05/85	15 years	Sewer Treatment plant and pump station
Rockland Knox County	06/05/85	3 years	Van Baalen Pacific Expansion; fire protection booster pump
Gardiner Kennebec County	08/29/85	10 years	Associated Grocers Warehouse: water main and pump station
Scarborough Cumberland County	01/24/86	20 years	City Center Facility
Brewer Penobscot County	04/09/86	15 years	Lemforder Z/F: construction of building and purchase of machinery and equipment
Caribou Aroostook County	04/17/86	10 years	Caribou Motor Inn: sewer line extension
Scarborough Cumberland County	04/17/86	20 years	Eight Corners Development Area (Payne Road); sewer/water
Saco York County	12/31/86	15 years	Relocation of utility lines and dredging of Saco River
South Portland Cumberland County	03/31/87	15 years	Sable Oaks Subdivision: widen public road
Wilton Franklin County	10/23/87	20 years	Sewer and water line extensions and pump station
Bath Sagadahoc County	07/05/88**	20 years	Office/retain building, parking
Pittsfield Somerset County	08/23/88 amended 09/11/95	3 years	Land Purchase
Brunswick Cumberland County	03/21/89	20 years	Sewer line extension
Auburn Androscoggin County	05/12/89	20 years	Sewer and water line extension, roadway construction
Freeport Cumberland County	08/16/89	20 years	Sewer line and roadway improvements
Topsham Sagadahoc County	05/12/89	20 years	Numerous infrastructure improvements
Auburn Androscoggin County	11/01/89	20 years	Land, acquisition, street, site, water, sewer improvements
Brewer Penobscot County	11/29/89	7 years	Land, building, and machinery and equipment acquisition
Augusta Kennebec County	03/19/90	18 years	Numerous infrastructure improvements
Old Orchard Beach York County	03/26/90	20 years	Sewer and downCity improvements
Wilton Franklin County	07/20/90	10 years	Purchase of machinery and equipment
Old City Penobscot County	11/02/99**	22 years	James River Corporation: paper machine purchase
Presque Isle Penobscot County	04/06/92; amended 06/15/92	3 years	Aroostook County Mall; rail relocation and Maysville St. reconstruction
Waterville Kennebec County	09/30/92; amended 12/19/94	15 years 18 years	Build Wal-Mart; widen/construct road, traffic signal Increase CAV to 80%; extend term to 18 years; establish downCity job retention fund
Auburn Androscoggin County	02/23/93	20 years	Stone & Webster infrastructure
Lewiston Androscoggin County	06/03/93	15 years	Lewiston Raceways Development; road/utilities
Lisbon Androscoggin County	01/24/94	20 years	Dingley Press: expansion; equipment

Standish Cumberland County	01/24/94**	20 years	Cargill Park: boat ramp, City park
North Berwick York County	03/14/94	20 years	Hussey Seating: expansion and equipment
North Berwick York County	03/14/94	20 years	Pratt & Whitney: equipment purchase
Pittsfield Somerset County	03/30/94; amended 09/14/95	12 years	E.G. Morse Building: acquisition, rehabilitation and lease of building
Portland Cumberland County	03/30/94	20 years	Nichols-Portland: building and equipment
South Portland Cumberland County	03/30/94; amended 11/06/95	10 years	National Semiconductor: expansion and capital equipment; municipal sewer
Sanford York County	03/30/94	10 years	Global Zero: plant expansion
Houlton Aroostook County	05/11/94	11 years	Smith & Wesson: plant expansion
Houlton Aroostook County	05/11/94	10 years	Smith & Wesson: equipment purchase
Bangor Penobscot County	07/11/94	20 years	B.L.A./General Electric Tif
Portland Cumberland County	08/02/94	11 years	Longfellow, Inc.
Portland Cumberland County	08/31/94	15 years	UNUM: building expansion
Bangor Penobscot County	11/21/94	10 years	B.L.A./General Electric STIF
Windham Cumberland County	12/29/94	5 years	Wal-Mart/Shaw's complex: funding of extensive groundwater studies in the district
Sanford York County	12/29/94	15 years	Millrock Corp.: expansion Tif and STIF
Bangor Penobscot County	02/28/95	20 years	Development of Waterworks site
Guilford Piscataquis County	02/28/95; amended 10/25/95	20 years	Guilford of Maine, Inc.: building construction; M&E
Brunswick Cumberland County	03/15/95	20 years	Building construction for Brunswick Technologies
Rockland Knox County	03/23/95	15 years	Van Baalen: warehouse expansion
Westbrook Cumberland County	04/25/95	15 years	Acadia Insurance Company and Glassworld: building and equipment
Madison Somerset County	05/10/95	5 years	Madison Paper Industries: building expansion and grinder purchase
Biddeford York County	06/22/95	20 years	Biddeford Industrial Park; expansion of Volk Packaging and other businesses
Lewiston Androscoggin County	06/30/95	15 years	Montello Heights Adult Living Complex \$750,000 Bond issue
Bangor Penobscot County	06/30/95	20 years	Main Street Development District: construction of Shaw's supermarket and related redevelopment costs
Portland Cumberland County	08/08/95	15 years	Auto Europe: renovation of Galt Block on Commercial Street
Winslow Kennebec County 3 districts	09/13/95	20 years	Scott Paper Co.; \$47M upgrade of recycled fiber facility, paper machine and tissue converting equipment
Biddeford York County	10/24/95	20 years	Airport Industrial Park – Atlantic Precision Products, CEA. 75% CAV
Biddeford York County	10/24/95	20 years	Airport Industrial Park – Soleras Ltd. CEA. 75% CAV years 1-20, 50% CAV years 11-20
Jay Franklin County 17 Districts	10/30/95	20 years	International Paper; \$304 M paper machine upgrade
South Portland Cumberland County	11/20/95	15 years	National Semiconductor, \$986 M plant expansion and equipment acquisition over 15 year period
Westbrook Cumberland County	01/17/96	20 years	Lanco Assembly Systems: building expansion
Westbrook Cumberland County	01/17/96	20 years	Jordan's Meats: warehouse expansion



Sanford York County	02/27/96	15 years	Rainbow Rugs: building expansion and equipment acquisition; 95% CAV years 1-5; 90% CAV years 6-10; 85% CAV years 11 – 15
Brewer Penobscot County	03/29/96	5 years	CMJ, Inc., CEA ; 100% CAV Years 1-4; 29% CAV Year 5
Brewer Penobscot County	03/29/96	20 years	Brewer Automotive Components: plant expansion; equipment acquisition
Jay Androscoggin County	03/29/96	20 years	Otis Specialty Papers
Livermore Falls Androscoggin County	03/29/96	20 years	Otis Specialty Papers
Mars Hill Aroostook County	03/23/96	15 years	Fresh Way, Inc.; 100% CAV
Topsham Sagadahoc County	06/26/96	20 years	Brunswick-Topsham Bypass/Highland CEA; 60% CAV. Max. estimated increase in assessed value;; \$13,400,000 (beginning year 5)
Winslow Kennebec County	10/04/96	20 years	Crowe Rope Industries acquisition of site and expansion. 100% CAV, allocated first to debt service, with an y remainder to Crowe under CEA. Max. CAV: \$9,000,000
Waterville Kennebec County	10/23/96	20 years	DownCity redevelopment Project. CEA to assist owners renovate/improve retail properties. CAV: 75% years 1-5; 50% years 6-20. Max. estimated increased assessed value: \$5,260,000 (years 3-20)
South Portland Cumberland County	01/27/97	15 years	Cummings Road Business Park; 50% CAV
Town of Cumberland Cumberland County	03/30/97	20 years	Town of Cumberland
Lewiston Androscoggin County	03/30/97	15 years	Promenade Mall
Portland Cumberland County	03/30/97	20 years	Bramhall Partners/Holt Hall
Clinton Kennebec County	03/31/97	15 years	Cooper-Weymouth
Fairfield Somerset County	03/31/97	10 years	M&M Associates
Brewer Penobscot County	03/31/97	20 years	Lemforder Corp.
Brewer Penobscot County	03/31/97	5 years	Bouchard Sports Complex
Westbrook Cumberland County	03/31/97	20 years	D&G Machine
Bucksport Hancock County	03/31/97	20 years	Champion International
Gorham Cumberland County	03/31/97	15 years	Gorham Industrial Park
Unity Waldo County	03/31/97	15 years	Unity Downtown
Gray Cumberland County	04/04/97	20 years	Northbrook
Bridgton Cumberland County	05/29/97	20 years	Stagecoach, Inc.
Bath Sagadahoc County	06/02/97	25 years	Bath Iron Works
Saco York County	06/02/97	20 years	First Light Technology
Ellsworth Penobscot County	07/21/97	10 years	Display Concepts

Pittsfield Somerset County	12/05/97	20 years	Pittsfield Woolen Yarns
Pittsfield Somerset County	12/05/97	15 years	Land Air Express
Rumford Oxford County	12/17/97	25 years	Maine Power Associates
Gray Cumberland County	02/18/98	20 years	Route 100
Madison Somerset County	02/19/98	10 years	Specialty Minerals (D2)
Madison Somerset County	02/19/98	10 years	MPI-Roll Wrapper (D3)
Madison Somerset County	02/19/98	10 years	Business Park (D4)
Veazie Penobscot County	03/27/98	21 years	Casco Bay Energy
Auburn Androscoggin County	03/27/98	21 years	Tambrands
Westbrook Cumberland County	03/27/98	15 years	JE Goold & Co.
Bradford Penobscot County	03/27/98	20 years	LaGrange Road
Casco Cumberland County	03/28/98/	10 years	Pipeline
Woodland Washington County	05/15/98	20 years	Georgia-Pacific
Ellsworth Hancock County	07/02/98	15 years	Hinckley Company
Topsham Sagadahoc County	07/22/98	20 years	Village Candle
Farmington Franklin County	07/25/98	15 years	Franklin Printing
Falmouth Cumberland County	07/29/98	25 years	West Falmouth Crossing
Bangor Penobscot County	08/03/98	20 years	Hammond Street Courtyard
Portland Cumberland County	08/03/98	15 years	Unum Life Ins. Co.
Saco York County	08/03/98	10 years	Transparent Audio
South Portland Cumberland County	09/09/98	10 years	Durastone
Old Town Penobscot County	09/10/98	15 years	Old Town Canoe
Mechanic Falls Androscoggin County	09/23/98	15 years	NE Public Warehouse
Portage Lake	10/19/98	20 years	Maine Woods Co.

Aroostook County			
Saco York County	01/15/99	10 years	Saco Plaza
Topsham Sagadahoc County	02/11/99	28 years	Bowdoin Mill
Lewiston Androscoggin County	03/31/99	9 years	Penmor Lithographers
Freeport Cumberland County	03/31/99	12 years	First Atlantic
Easton Aroostook County	06/28/99	10 years	McCain Foods
Old Town Penobscot County	06/29/99	15 years	The Riverfront Project
Fort Fairfield Aroostook County	06/29/99	5 years	Atlantic Custom Processors
Rockland Knox County	07/26/99	5 years	Fisher Snowplows
Freeport Cumberland County	08/09/99	10 years	Destination Freeport
Topsham Sagadahoc County	08/09/99	28 years	Bypass North
Auburn Androscoggin County	12/03/99	15 years	American Falcom
Brunswick Cumberland County	12/03/99	5 years	EnvisioNet
Weston Aroostook County	12/03/99	5 years	First Settler's Lodge
Hollis York County	12/23/99	25 years	Poland Spring
Lewiston Aroostook County	03/16/00	10 years	Butler Brothers
Lewiston Aroostook County	03/16/00	12 years	Diamond Phoenix
Fort Kent Aroostook County	03/16/00	18 years	East Main Street
Madison Somerset County	03/16/00	10 years	MPI (D5)
Oxford Oxford County	03/16/00	12 years	Route 26
Boothbay Lincoln County	03/20/00	20 years	Hodgdon Marine
Milo Piscataquis County	03/21/00	15 years	Bangor and Aroostook
Richmond Sagadahoc County	03/27/00	20 years	Pipeline/Compressor Station
Fairfield Somerset County	03/30/00	20 years	Chinet Company
Woodland	03/31/00	20 years	Maritimes & Northeast



Washington County			
Falmouth Cumberland County	03/31/00	20 years	Route One North
Falmouth Cumberland County	03/31/00	20 years	Route One South
Otisfield Oxford County	03/31/00	20 years	Natural Gas
Poland Androscoggin County	03/31/00	25 years	Poland Spring Bottling – I
Poland Androscoggin County	03/31/00	25 years	Poland Spring Bottling – II
Rockport Knox County	03/31/00	20 years	Commercial Street
Windham Cumberland County	03/31/00	10 years	Pipeline

[To be completed upon receipt of information from DECD]



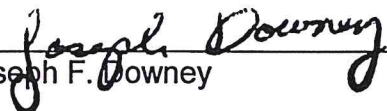
**EXHIBIT F**

**Certificate of City Assessor  
City of Auburn, Maine**

The undersigned City Assessor for the City of Auburn, Maine does hereby certify pursuant to the provisions of 30-A M.R.S.A. §5254 that the assessed value of the Tambrands Municipal Development Tax Increment Financing District, as described in the Development Program to which this Certificate is included, was \$520,900 as of March 31, 2000.

IN WITNESS WHEREOF, this Certificate has been executed as of this 6th day of November, 2000.

CITY ASSESSOR

  
\_\_\_\_\_  
Joseph F. Downey

## EXHIBIT G

### Tax Increment Financing Tax Shift Formulas

A tax increment financing district will result in certain tax shifts which result because the retained captured assessed value of the District will be excluded from the State Valuation of the property in the City. These tax shifts are noted in three basis formulae which use local property tax valuation as a basis for calculation. These three formulas are: (1) State Aid to Education; (2) Municipal Share of County Taxes; and (3) Revenue Sharing to the extent applicable. The following is the process used to derive each of these tax shifts.

**Education Tax Shift:** Computed by comparing State Department of Education Form ED 261 for the City with and without retained CAV, but not taking into account the hold harmless or hardship cushion that restores in additional State aid to education to the prior years level even through the calculation would have resulted in a reduction.

**County Tax Shift:** In order to compute this shift, we first obtained the most recent County State Valuation from the State Bureau of Taxation. We then determined the average Captured Assessed Value for the District over the life of the District. We then determined the City's current share of the County Tax by dividing the current City Valuation by the Current County Valuation. We then determined what the City's Share of the County Tax would be if the new value from the District were added by the City's Valuation without the creation of the District by dividing the sum of the current City Valuation plus the average new value by the sum of the current County Valuation plus the average new value. The difference is the factor representing the percentage of the County Tax Shift. Next, we determined the estimated average annual county tax over the life of the District. To arrive at this number, the average change in County Tax for the last five years was determined and the percentage increase projected to the middle of the district's life. This projected tax was then multiplied by the factor developed above to determine the County Tax Shift.

**Revenue Sharing Shifts:** The first step in determining the Revenue Sharing Tax Shifts was to obtain the total Municipal Revenue Sharing Amount from the State Treasurer. The five steps outlined in the following formula were then applied:

Step One: 
$$\frac{\text{Municipal Population} \times \text{Local Property Tax Levied}}{\text{State Local Valuation}} = \text{Current Factor}$$

Step Two: 
$$\frac{\text{Municipal Population} \times \text{Local Property Tax Levied}}{\text{State Local Valuation} + \text{Captured Assessed Value}} = \text{Adjusted Factor}$$

Step Three: 
$$\frac{\text{Current Factor}}{\text{Adjusted Factor}} = 1.X$$

Step Four: 
$$1.X - 1.0 = .X$$

Step Five: 
$$.X (\text{Total Municipal Revenue Sharing Amount}) = \text{Revenue Sharing Shift}$$
  
The relevant computations are attached.

## EXHIBIT G

### County Tax Shift

\$4,056,250,000 County Valuation  
\$11,796,633 Average Retained CAV

County Tax 2000	\$5,077,111	5.54%
1999	\$4,810,607	5.90 %
1998	\$4,542,675	(2.02)%
1997	\$4,636,447	1.12 %
1996	\$4,584,980	
Average Increase: 2.64%		

Midpoint Increase - 15 years \$7,505,269.79  
City Valuation = \$1,058,900,000  
Average CAV = \$11,796,633  
Projected County Tax = \$7,505,269.79  
Projected City Share (w/o CAV) = 26.11%  
Projected City Share (w/CAV) = 26.32%.  
Difference (w/CAV) = 0.21% x 7,505,269.79 =  
Average Annual County Tax Shift = \$15,761.07/year  

$\begin{array}{r} \times \quad 30 \text{ years} \\ \hline \$472,832.10 \end{array}$

### Educational Aid Tax Shift

From ED261	Current Local Allocation	Revised ED261 if \$11,796,633 in unsheltered Valuation were added
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Operating Costs (Line 30):	\$8,137,802.79	\$8,212,782.55
Program Costs (Line 39):	\$1,376,155.00	\$1,391,608.59
Debt Service (Line 47):	<u>\$ 378,980.44</u>	<u>\$ 383,273.23</u>
	\$9,892,938.23	\$9,987,664.37

Estimated Local Allocation of Costs  
if Valuation added without TIF:  
Current Local Allocation:

$\begin{array}{r} \$9,987,664.37 \\ -\$9,892,938.23 \\ \hline \$ 94,726.14 \\ \times 30 \text{ years} \\ \hline \$ 2,841,784.20 \end{array}$

## EXHIBIT G

### Revenue Sharing Tax Shifts

Population = 22,230

Total local tax levied = \$ 28,040,925

State Valuation = \$ 1,058,900,000

Average CAV = \$11,796,633

Revenue Sharing Amount = \$ 2,754,245.25

Step One:  $\frac{22,230 \times 28,040,925}{1,058,900,000} = 588.6767$  (Current Factor)

Step Two:  $\frac{22,230 \times 28,040,925}{1,058,900,000 + 11,796,633} = 582.1908$  (Adjusted Factor)

Step Three:  $\frac{588.6767}{582.1908} = 1.011140505$

Step Four:  $1.011140505 - 1.00 = 0.011140505$

Step Five:

$0.011140505 \times \$2,754,245.25 = \$30,683.68/\text{year}$  or \$920,510.40 over 30 years



## **EXHIBIT H**

### **CITY OF AUBURN PUBLIC NOTICE**

Notice is hereby given that the City of Auburn, Maine will hold a public hearing on November 6, 2000 at 7:00 p.m. at the City Council Chambers in the Auburn City Building for purposes of receiving public comments on the designation of its proposed Mall Area Municipal Development and Tax Increment Financing District and the adoption of a development program for the said Municipal Development and Tax Increment Financing District, pursuant to the provisions of Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended.

The proposed Municipal Development and Tax Increment Financing District consists of certain property consisting of 84 acres located off of Kittyhawk Avenue, Hotel Road and by the Saint Lawrence and Atlantic Railroad Tracks in Auburn, Maine.

A copy of the proposed development program for the district will be on file with the City Clerk and may reviewed at the offices of the City Clerk during normal business hours.

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Published - Lewiston Sun Journal Monday, October 23, 2000

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ebader@sunjournal.com  
Twitter @emilykbader

en favored nation status, over the next six to eight years, we probably lost, with federal agencies, in-

And it was not all just white birch dowels, "tarnish if it made it all the mission on Monday to us

Daily News that the onus to learn about new laws is on companies, not the fed-

places where they can find them, Kemp said. Most, if not all, of the other man-

BOSTON PROPER-	BXP	\$115.58	-0.95
BOSTON SCIENTIF-	BSX	\$43.75	-1.00
BP P.L.C.	BP	\$33.06	+0.07
Brighthouse Finan-	BHF	\$60.13	+0.69
BRISTOL-MYERS	BMJ	\$66.51	-0.63
BROADRIDGE	BR	\$146.45	-4.41
CALADRIUS BIO-	CLBS	\$0.78	-0.01
CALLON PETRO-	CPE	\$52.11	+0.15
CALLUMET SPE-	CLMT	\$15.96	+0.43
CAMDEN NATION-	CAC	\$48.71	+0.02
CAMDEN PROPER-	CPT	\$164.16	-3.68
CANADIAN NATU-	CNQ	\$51.64	+0.31
CAPRAL LIMITED	CAA	\$9.09	+0.09
CARDINAL HEALTH-	CH	\$52.81	-1.16
THE CARLYLE	CG	\$49.34	-1.30
CATERPILLAR INC.	CAT	\$203.09	-0.51
CEDAR FAIR UNT	FUN	\$59.90	
Celgene Corp	CELG	\$2,099.33	+5.23
CEMEX PUBLICLY	CX	\$5.59	-0.49
Canorus Energy Inc.	CVE	\$15.32	+0.26
CENTRUS ENERGY	LEU	\$44.86	-1.91
LUMEN TECHNOL-	LUMN	\$10.82	-2.00
CHENIERE ENER-	LNG	\$115.84	-0.11
CHESAPEAKE	#FIELDI	\$3.05	+0.05
CHEVRON CORPO-	CVX	\$136.04	-1.75
CHIMERA INVEST-	CIM	\$13.31	-0.29
China Mobile	CHL	\$27.68	+1.63
Chubb Ltd	CB	\$208.60	-0.36
CIGNA CORPO-	CI	\$230.27	-2.11
CISCO SYSTEMS,	CSOO	\$54.87	-1.42
CITIGROUP INC.	C	\$67.48	-0.36
THE CLOXCO COM-	CLX	\$141.38	-1.45
THE COCA-COLA	CO	\$61.37	+0.33
COEUR MINING,	CDE	\$4.80	-0.04
COGNEX CORPO-	CGNX	\$65.07	-2.11
COLGATE-PAL-	CL	\$79.72	-1.15
COMCAST CORPO-	CMCSA	\$48.92	-0.85
CONAGRA	CAG	\$34.92	-0.27
CONOCOPHILLIPS	COP	\$91.88	-1.07
CONSOLIDATED	ED	\$84.03	-2.35
CONSOLIDATED	CWCO	\$9.82	-0.10
Core Laborato-	CLB	\$25.98	+0.03
CORNING INCOR-	GLW	\$42.49	-0.46
Cracker Barrel Old	CBRL	\$125.83	-1.62
CSI COMPRESSCO	CCLP	\$1.40	-0.01
CSX Corporation	CSX	\$33.99	-0.75
CT BIOPHARMA	CTIC	\$2.07	
CUMMINS INC.	CM	\$223.22	-2.28
CVR ENERGY INC.	CVI	\$20.86	-0.33
CVR PARTNERS	UAN	\$101.20	-0.40
CVS HEALTH COR-	CVS	\$105.32	+0.53
D.R. HORTON INC.	DHI	\$85.03	-3.72
Mercedes-Benz	DDAIF	\$78.95	-1.96
Heliox Lithium &	HX	\$0.82	+0.01
DEERE & COMPANY	DE	\$393.13	-2.27
DELUXE CORPO-	DLX	\$29.86	-0.24
DEVON ENERGY	DVN	\$52.21	+0.09
DIEBOLD NIXDORF	DBD	\$7.96	-0.57
DIGITAL REALTY	DLR	\$140.21	-6.71
Aduro Clean Tech-	ACT	\$0.73	-0.04
DISCOVER FINAN-	DFS	\$124.76	-0.09
DOLLAR TREE INC.	DLTR	\$137.93	-3.67
Dominion Energy,	D	\$78.23	-2.09
Dow Inc.	DOW	\$60.92	-1.07
DUKE ENERGY	DUK	\$99.80	-4.91
DUKE REALTY	DRE	\$55.95	-2.59
DuPont de Ne-	DD	\$80.93	-1.16

Obsidian Energy Ltd.	OBE	\$7.07	-0.19
OCCIDENTAL	OXY	\$40.67	+0.37
Olin Corporation	OLN	\$52.71	-0.62
OMEGA HEALTH-	OH	\$28.42	-0.11
ON SEMICONDUCT-	ON	\$63.42	-3.66
ONEOK, INC.	OKE	\$63.02	-0.62
ORACLE CORPO-	ORCL	\$81.85	-1.60
PACCAR INC	PCAR	\$92.99	-1.69
PAYCHEX, INC.	PAYX	\$120.37	-3.75
PENN NATIONAL	PENN	\$50.13	-0.68
PEPSICO, INC.	PEP	\$168.37	-3.57
Brazilian Petroleum	PBR	\$13.60	+0.18
PFIZER INC.	PFE	\$60.59	-0.88
Phillips 66	PSX	\$89.48	+0.01
PINNACLE WEST	PNW	\$68.69	-2.22
PITNEY BOWES	PBI	\$4.94	-0.16
THE PNC FINAN-	PNC	\$210.63	-0.13
Polaris Inc.	PII	\$119.43	-1.06
POTLATCHDELTIC	PCH	\$55.02	-1.36
PPG INDUSTRIES,	PPG	\$153.81	-3.18
PPL CORPORATION	PPL	\$28.80	-0.73
PRINCIPAL FINAN-	PFG	\$78.59	-0.36
Principal Global	PGBAX	\$13.53	+0.05
THE PROCTER &	PG	\$157.14	-2.46
PRUDENTIAL FI-	PRU	\$121.38	+0.19
PUBLIC SERVICE	PEG	\$65.85	-1.58
PUDO INC.	PDO	\$0.80	+0.02
PVH CORP.	PVH	\$102.16	-0.92
QORVO, INC.	QROV	\$133.74	-2.98
QUALCOMM IN-	QCOM	\$174.07	-9.88
RAYONIER INC.	RYN	\$37.77	-0.98
Raytheon Co	RTN	\$169.96	-5.47
RAYTHEON TECH-	RTX	\$95.06	-0.94
Real Time Fiem Di-		\$516.84	+0.44
REALTY INCOME	O	\$67.22	-1.34
RELIU' INTERNA-	RELV	\$4.63	
RITE AID CORPO-	RAD	\$10.55	-0.57
ROCKWELL AUTO-	ROK	\$277.33	-9.10
RPM INTERNA-	RPM	\$86.19	-0.94
Schlumberger N.V.	SLB	\$39.17	-0.23
Seadrill Limited.	SDRLF	\$0.14	-0.01
SEAGATE TECH-	STX	\$110.08	-2.00
SEARS HOLDINGS	SHLDQ	\$0.02	-0.00
SEQUENTIAL	SBQO	\$0.00	+0.00
THE SHERWIN-WIL-	SHW	\$279.93	-6.69
SIMON PROPERTY	SPG	\$143.98	+0.89
Sino-German Unit-	SGU	\$0.62	-0.02
SIRIUS XM HOLD-	SIRI	\$6.33	-0.26
Smartshares US	USG	\$8.29	-0.18
SNAP-ON INCOR-	SNA	\$211.67	-3.06
THE SOUTHERN	SO	\$65.94	-2.14
SOUTHERN	SCCO	\$67.20	-0.62
Sprint Corp	S	\$86.02	+0.18
THE ST. JOE COM-	JOE	\$48.26	-0.98
STANLEY BLACK &	SWK	\$164.64	-4.34
STARBUCKS COR-	SBUX	\$95.31	-1.33
STATE STREET	STT	\$101.39	-0.28
STEEL DYNAMICS,	STLD	\$61.34	-1.21
STRYKER CORPO-	SYK	\$255.44	-4.78
STURM, RUGER &	RGR	\$67.09	-0.47
SUBURBAN PRO-	SPH	\$14.82	-0.14
SUNCOR ENERGY	SU	\$28.85	-0.04
SUNWIN STEVIA	SUNW	\$0.03	
SYSCO CORPO-	SY	\$82.94	+1.55
Taiwan Semicon-	TSM	\$124.71	-0.81

## posed revision. The 2016 guidance suc-

### CITY OF AUBURN NOTICE OF PUBLIC HEARING

Regarding  
An Amendment to the Municipal Development and Tax Increment Financing District known as:  
"6 Proctor & Gamble (Tambrands II) Municipal Development and Tax Increment Financing District"  
Notice is hereby given that the City of Auburn will hold a public hearing on February 22, 2022  
at 60 Court Street Auburn, ME 04210  
The Public Hearing will be at 7:00 p.m.  
The purpose of the public hearing is to receive public comments on the amendment to the municipal development and tax increment financing district known as the Tambrands II Municipal Development and Tax Increment Financing District (the "District") and the adoption of the amendment to the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.  
The Tambrands II Municipal Development Tax Increment Financing District is comprised of approximately 84 acres and is located on Hotel Road. The proposed amendment involves an amendment to the existing Credit Enhancement Agreement with Tambrands, Inc. regarding a proposed new capital project.  
A copy of the proposed Development Program Amendment materials will be on file with the City Office during normal business hours of 8:30 am - 4:00 pm. They can also be found at <https://www.auburn-maine.gov/or> one can call 207-333-6601 during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.  
Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk at [sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov). Written comments will be accepted until 4:00PM on February 22, 2022.

PURSUANT TO 10 M.R.S.A./Sect. 1371 et. Seq., goods/household goods in the following units shall be sold at auction at Easy Self Storage, 10 River Rd Lewiston, ME 04240 on February 12, 2022 at 10:00am  
Units: SC35, B9, CS7, D3, D39, 121/2CC and 131CC

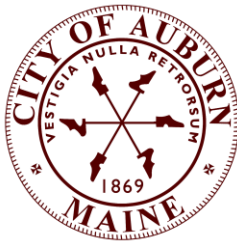
### CITY OF LEWISTON PUBLIC NOTICE

A hearing on the following liquor license applications will be held by the Lewiston City Council in the Council Chambers, City Hall on Tuesday, February 15, 2022, at 7:00 p.m., or as soon thereafter as they may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said applications.  
Saigon Pho  
791 Lisbon Street  
Owner - Bella Dang, LLC  
  
South of the Border  
997 Sabattus Street  
Owner - Michael Davis

The City of Lewiston is an EOE. For more information, please visit our website @ [www.lewistonmaine.gov](http://www.lewistonmaine.gov) and click on the Non-Discrimination Policy.

### NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered August 18, 2021 in the action entitled U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS COLLATERAL TRUST TRUSTEE OF FIRSTKEY MASTER FUNDING 2021- A COLLATERAL TRUST v. Robert W. Hall Jr., Personal Representative of the Estate of Robert W. Hall Sr. and Theresa Pietrowski, Personal Representative of the Estate of Robert W. Hall Sr., by the Lewiston District Court, Docket No. RE-20-37, wherein the Court adjudged the foreclosure of a mortgage granted by Robert W. Hall Sr., and Phyllis J. Hall., to GreenPoint Credit Corp. dated October 26, 1998 and recorded in the Androscoggin County Registry of Deeds Book 5859, Page 236, and the premises described in said mortgage, situated at 1 Micmar Lane, in the Town of Lisbon Falls, County of Androscoggin, and State of Maine. Please refer to said mortgage deed recorded in said Registry of Deeds for a more particular description of the premises. There will be a public sale of the premises, to-wit: 1. Micmar Lane, in the Town of Lisbon Falls, County of Androscoggin, and State of Maine. The public sale will be held on Monday, February 14, 2022, at 10:00 a.m. at the offices of Duane Morris LLP, 2 Monument Square, Suite 505, Portland, ME 04101-4079, for the premises described in said mortgage, situated at 1 Micmar Lane, in the Town of Lisbon Falls, County of Androscoggin, and State of Maine. Please refer to said mortgage deed recorded in said Registry of Deeds for a more particular description of the premises. There will be a public sale of the premises, to-wit: 1. Micmar Lane, in the Town of Lisbon Falls, County of Androscoggin, and State of Maine. 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Please refer to said mortgage deed recorded in said Registry of Deeds for a more particular description of the premises. There will be a public sale of



# City Council Order

## City Council Order

### Amending the #6 Proctor & Gamble (Tambrands II) Municipal Development Tax Increment Financing Development Program

**WHEREAS**, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the Tambrands II Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program"); and

**WHEREAS**, on November 6, 2000 the Auburn City Council designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department"); and

**WHEREAS**, the City desires to adopt the First Amendment to the District and Development Program (the "First Amendment") to continue to achieve the District's original goals by revising the percentage of taxes paid on captured assessed value allocated to Tambrands Inc. ("the Company") in the Credit Enhancement Agreement; and

**WHEREAS**, the City Council has held a public hearing on February 21, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Original Development Program and Credit Enhancement Agreement in accordance with the requirements of 30-A M.R.S.A. § 5226; and

**WHEREAS**, the City Council has considered the comments provided at the public hearing, both for and against the adoption of the First Amendment, if any; and

**WHEREAS**, it is expected that approval will be sought and obtained from the Department, approving the First Amendment; and

### **NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF AUBURN, MAINE:**

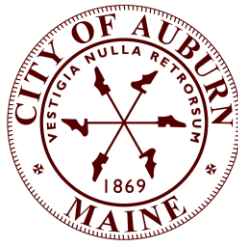
**Section 1.** The proposed First Amendment will contribute to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City. Pursuant to Title 30-A M.R.S.A. Section 5226(5), this First Amendment does not result in the District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which include the percentage of area the District that is suitable for commercial use or other allowable uses, the acreage caps for single TIF districts and for all TIF districts in the City, and the total TIF district valuation cap. The City Council has considered any evidence presented regarding potential substantial detriments to a party's existing business and determined that any adverse economic

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



## City Council Order

effect of the proposed First Amendment on a party's existing business is outweighed by the contribution made by the First Amendment to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

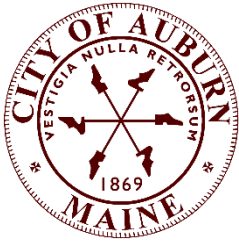
**Section 2.** Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City Council hereby amends the Tambrands II Municipal Development Tax Increment Financing Development Program and adopts the First Amendment, all as more particularly described in the First Amendment presented to the City Council herewith. Such First Amendment is hereby incorporated by reference into this vote as the Development Program for the District.

**Section 3.** The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed First Amendment to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2). In addition, the City Manager, or his duly appointed representative is hereby authorized, empowered, and directed to execute the amended Credit Enhancement Agreement on terms that are consistent with the First Amendment.

**Section 4.** The foregoing adoption of the First Amendment shall automatically become final and shall take full force and effect upon receipt by the City of approval of adoption of the First Amendment by the Department, without requirement of any further action by the City, the City Council, or any other party.

**Section 5.** The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the First Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the First Amendment by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the First Amendment.





**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** February 22, 2022

**Ordinance:** 07-02222022

**Author:** Phil Crowell, City Manager

**Subject:** Public Safety, Detention, and Correctional Facility Moratorium

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**Information:** The Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail.

The City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities.

The development of new or additional Public Safety, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation.

Staff is proposing the city council declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist.

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Adopt the moratorium

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**Previous Meetings and History:** NA

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**City Manager Comments:**

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*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** Proposed Moratorium



# City Council Ordinance

## CITY OF AUBURN

### **PUBLIC SAFETY, DETENTION AND CORRECTIONAL FACILITY MORATORIUM ORDINANCE**

**THE CITY OF AUBURN** adopts a Public Safety, Detention, and Correctional Facility Moratorium Ordinance as follows:

**WHEREAS**, the Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail;

**WHEREAS**, the current offices of the Androscoggin County Sheriff and the current Androscoggin County Jail are used for law enforcement, communications, emergency management, special operations, investigations, civil service, detention, including the holding and housing of persons in custody under process of law pending the outcome of legal proceedings, and corrections, including the holding and housing of persons for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense;

**WHEREAS**, the City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities;

**WHEREAS**, development of new or additional Public Safety Facilities, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation;

**WHEREAS**, the City is in the process of reviewing its Code of Ordinances, and needs additional time to study its Code of Ordinances to determine the implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

**WHEREAS**, the City Council and the Planning Board, with such professional advice and assistance as they deem necessary and appropriate, shall study the City's ordinances to determine the public safety, health, land use, environmental and other regulatory implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities and consider what regulations might be appropriate for such activity;

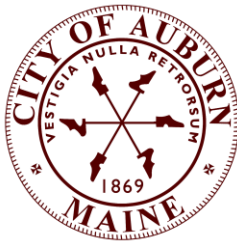
**WHEREAS**, the City's current ordinances are not adequate to prevent serious public harm from proposed development proposals involving Public Safety Facilities, Detention

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**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



# City Council Ordinance

Facilities and Correctional Facilities;

**WHEREAS**, the City's current ordinances do not contain sufficient standards to effectively provide municipal review and approval of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

**WHEREAS**, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City considers this moratorium on development proposals involving Public Safety Facilities, Detention Facilities, and Correctional Facilities;

**WHEREAS**, amendments to ordinances may require public hearings by the Planning Board and City Council and votes by the Planning Board and City Council; and

**WHEREAS**, in the judgment of the City, these facts create an emergency within the meaning of 30-A M.R.S.A. § 4356(1), and require this Ordinance as immediately necessary for the preservation of the public health, safety and welfare;

**NOW, THEREFORE**, the City does hereby ordain that the following Moratorium Ordinance be, and hereby is, enacted:

## Section 1. Moratorium Declared.

The City does hereby declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Ordinance, unless extended or modified by the City Council, for the express purpose of drafting an amendment or amendments to City ordinances to protect the public from health and safety risks including, but not limited to, the potential adverse public safety, health, land use compatibility, noise, environmental degradation and visual degradation effects of development proposals involving a Public Safety Facility, Detention Facility or Correctional Facility if not properly regulated; and

**BE IT FURTHER ORDAINED**, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall apply to any development proposals involving a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, which is the applicability date of this Ordinance; and

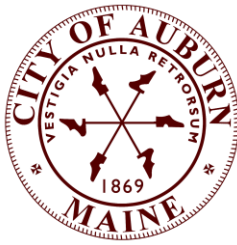
**BE IT FURTHER ORDAINED**, that no person or organization shall start or engage in the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



## City Council Ordinance

Planning Board prior to February 22, 2022, without complying with whatever ordinance amendment or amendments the City may enact as a result of this moratorium; and

**BE IT FURTHER ORDAINED**, that during the time this moratorium is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit, certificate of approved use, conditional use review, special exception review and/or any other permits, licenses or approvals related to a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022; and

**BE IT FURTHER ORDAINED**, that those provisions of the City's ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

**BE IT FURTHER ORDAINED**, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

### Section 2. Violations; Civil Penalties.

If the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility is initiated in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties in accordance with 30-A M.R.S.A. § 4452 or City ordinance, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.

### Section 3. Definitions.

**Correctional Facility** means a facility in which persons are held and housed primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense. This definition includes pre-release facilities, but does not include work release centers.

**City** means the City of Auburn, Maine, a municipal corporation organized and existing under the laws of the State of Maine.

**Detention Facility** means a facility in which persons are held and housed in custody under process of law, pending the outcome of legal proceedings, but not for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.

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# City Council Ordinance

**Public Safety Facility** means a facility in which the operations of law enforcement, communications, fire services, emergency management, special operations, investigations, or civil services are housed for emergency and public safety responses.

## **Section 4. Effective Date; Emergency Declaration**

The City Council declares the existence of an emergency because the Code of Ordinances is insufficient to prevent serious public harm that could be caused by the unregulated development of Public Safety Facilities, Detention Facilities, and Correctional Facilities, thereby necessitating a moratorium to provide an opportunity for the City to review the potential impacts and harm that may be caused by such development, and to amend its Code of Ordinances to mitigate the potential impact and harm on the City, its businesses and its residents. This Ordinance shall be effective immediately upon enactment by the City Council and shall remain in effect for one hundred and eighty (180) days from the date of enactment unless it is adopted as a regular ordinance within that time period.

Proposed: February 22, 2022

Approved: \_\_\_\_\_

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**Phillip L. Crowell, Jr.**, City Manager

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services



**TO: Phillip Crowell, City Manager**

**FROM: Jill Eastman, Finance Director**

**REF: January 2022 Financial Report**

**DATE: February 7, 2022**

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

The City has completed its seventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 58.3% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

### Revenues

Revenues collected through January 31st, including the school department were \$57,008,701 or 59.73%, of the budget. The municipal revenues including property taxes were \$38,628,892, or 59.29% of the budget which is less than the same period last year by 0.12%. The accounts listed below are noteworthy.

- A. The current year tax revenue is at 57.84% as compared to 58.17% last year. This is a \$59,433 increase over last year. The second payment is due March 15<sup>th</sup>.
- B. Excise tax for the month of January is at 59.05%. This is a decrease of \$260,546 over FY 21. Our excise revenues for FY22 are 0.75% above projections as of January 31, 2022.
- C. State Revenue Sharing at the end of January is 98.56% or \$3,104,618. This is an increase of \$1,011,942 over last January.

### **Expenditures**

City expenditures through January 2022 were \$31,450,440, or 66.77%, of the budget. This is a decrease of 0.02% less than the same period last year. The percentage of expenditures is lower, but dollars are higher due to the higher budget. Noteworthy variances are:

- A. Administration is higher than last year by 2.52%. The major increases are Communications & Technology and Human Resources budgets being higher than last year.
- B. Public Safety is higher due to both Police and Fire/EMS are higher.
- C. Public Works is higher due to Winter Storm operations and overtime.

### **Investments**

This section contains an investment schedule as of January 31st. Currently the City's funds are earning an average interest rate of 0.15% compared to .58% in 2021.

Respectfully submitted,

A handwritten signature in black ink that reads "Jill M Eastman". The signature is written in a cursive, flowing style.

Jill M. Eastman  
Finance Director



**CITY OF AUBURN, MAINE**  
**BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND**  
**AS of January 2022, December 2021, and June 2021**

	January 31 2022	December 31 2021	Increase (Decrease)	UNAUDITED JUNE 30 2021
<b>ASSETS</b>				
CASH	\$ 20,392,763	\$ 22,235,704	\$ (1,842,941)	\$ 23,686,573
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,165,145	1,196,474	(31,329)	1,895,710
TAXES RECEIVABLE-CURRENT	21,084,942	21,795,718	(710,776)	55,238
DELINQUENT TAXES	405,055	401,870	3,185	809,349
TAX LIENS	609,838	747,604	(137,766)	1,091,138
NET DUE TO/FROM OTHER FUNDS	2,495,595	927,093	1,568,502	-
<b>TOTAL ASSETS</b>	<b>\$ 46,153,338</b>	<b>\$ 47,304,463</b>	<b>\$ (1,151,125)</b>	<b>\$ 27,538,008</b>
<b>LIABILITIES &amp; FUND BALANCES</b>				
ACCOUNTS PAYABLE	\$ (2,266)	\$ (1,897)	\$ (369)	\$ (985,754)
PAYROLL LIABILITIES	1,609,155	1,933,735	(324,580)	(858,084)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(45,274)	(34,982)	(10,292)	-
ESCROWED AMOUNTS	(141,194)	(29,183)	(112,011)	(27,653)
DEFERRED REVENUE	(21,925,101)	(22,770,564)	845,463	(1,916,073)
DUE TO OTHER FUNDS	-	-	-	(3,460,216)
<b>TOTAL LIABILITIES</b>	<b>\$ (20,504,771)</b>	<b>\$ (20,902,982)</b>	<b>\$ 398,211</b>	<b>\$ (11,211,574)</b>
FUND BALANCE - UNASSIGNED/ASSIGNED	\$ (22,850,931)	\$ (23,603,845)	\$ 752,914	\$ (13,291,007)
FUND BALANCE - RESTRICTED	(1,364,114)	(1,364,114)		(2,273,457)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(1,433,522)	-	(761,970)
<b>TOTAL FUND BALANCE</b>	<b>\$ (25,648,567)</b>	<b>\$ (26,401,481)</b>	<b>\$ 752,914</b>	<b>\$ (16,326,434)</b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ (46,153,338)</b>	<b>\$ (47,304,463)</b>	<b>\$ 1,151,125</b>	<b>\$ (27,538,008)</b>

**CITY OF AUBURN, MAINE**  
**REVENUES - GENERAL FUND COMPARATIVE**  
**THROUGH January 31, 2022 VS January 31, 2021**

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU Jan 2021	% OF BUDGET	VARIANCE
<b>TAXES</b>							
PROPERTY TAX REVENUE-	\$ 50,042,450	\$ 28,945,366	57.84%	\$ 49,655,498	\$ 28,885,933	58.17%	\$ 59,433
PRIOR YEAR TAX REVENUE	\$ -	\$ 475,800		\$ -	\$ 481,767		\$ (5,967)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 1,650,000	\$ 1,290,048	78.18%	\$ 1,420,000	\$ 1,405,540	98.98%	\$ (115,492)
EXCISE	\$ 4,425,000	\$ 2,612,890	59.05%	\$ 4,112,861	\$ 2,873,436	69.86%	\$ (260,546)
PENALTIES & INTEREST	\$ 120,000	\$ 62,130	51.78%	\$ 150,000	\$ 67,866	45.24%	\$ (5,736)
<b>TOTAL TAXES</b>	<b>\$ 56,237,450</b>	<b>\$ 33,386,235</b>	<b>59.37%</b>	<b>\$ 55,338,359</b>	<b>\$ 33,714,542</b>	<b>60.92%</b>	<b>\$ (328,307)</b>
<b>LICENSES AND PERMITS</b>							
BUSINESS	\$ 166,000	\$ 173,417	104.47%	\$ 166,000	\$ 139,609	84.10%	\$ 33,808
NON-BUSINESS	\$ 300,200	\$ 214,588	71.48%	\$ 392,400	\$ 239,821	61.12%	\$ (25,233)
<b>TOTAL LICENSES</b>	<b>\$ 466,200</b>	<b>\$ 388,005</b>	<b>83.23%</b>	<b>\$ 558,400</b>	<b>\$ 379,430</b>	<b>67.95%</b>	<b>\$ 8,575</b>
<b>INTERGOVERNMENTAL ASSISTANCE</b>							
STATE-LOCAL ROAD ASSISTANCE	\$ 390,000	\$ 421,592	108.10%	\$ 400,000	\$ 390,976	97.74%	\$ 30,616
STATE REVENUE SHARING	\$ 3,150,000	\$ 3,104,618	98.56%	\$ 2,708,312	\$ 2,092,676	77.27%	\$ 1,011,942
WELFARE REIMBURSEMENT	\$ 90,656	\$ 25,852	28.52%	\$ 90,656	\$ 21,704	23.94%	\$ 4,148
OTHER STATE AID	\$ 32,000	\$ 15,763	49.26%	\$ 32,000	\$ 10,269	32.09%	\$ 5,494
CITY OF LEWISTON	\$ 228,384	\$ -	0.00%	\$ 228,384	\$ 29,877	13.08%	\$ (29,877)
<b>TOTAL INTERGOVERNMENTAL ASSISTANCE</b>	<b>\$ 3,891,040</b>	<b>\$ 3,567,825</b>	<b>91.69%</b>	<b>\$ 3,459,352</b>	<b>\$ 2,545,502</b>	<b>73.58%</b>	<b>\$ 1,022,323</b>
<b>CHARGE FOR SERVICES</b>							
GENERAL GOVERNMENT	\$ 184,400	\$ 105,324	57.12%	\$ 198,440	\$ 88,673	44.69%	\$ 16,651
PUBLIC SAFETY	\$ 176,600	\$ 82,574	46.76%	\$ 181,600	\$ 80,280	44.21%	\$ 2,294
EMS TRANSPORT	\$ 1,250,000	\$ 841,078	67.29%	\$ 1,200,000	\$ 668,864	55.74%	\$ 172,214
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 1,611,000</b>	<b>\$ 1,028,975</b>	<b>63.87%</b>	<b>\$ 1,580,040</b>	<b>\$ 837,817</b>	<b>53.03%</b>	<b>\$ 191,158</b>
<b>FINES</b>							
PARKING TICKETS & MISC FINES	\$ 41,500	\$ 25,750	62.05%	\$ 55,000	\$ 15,455	28.10%	\$ 10,295
<b>MISCELLANEOUS</b>							
INVESTMENT INCOME	\$ 40,000	\$ 13,268	33.17%	\$ 80,000	\$ 32,095	40.12%	\$ (18,827)
RENTS	\$ 125,000	\$ 7,839	6.27%	\$ 35,000	\$ 28,632	81.81%	\$ (20,793)
UNCLASSIFIED	\$ 20,000	\$ 25,150	125.75%	\$ 10,000	\$ 134,101	1341.01%	\$ (108,951)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 37,877		\$ -	\$ 37,667		\$ 210
SALE OF PROPERTY	\$ 120,000	\$ 2,936	2.45%	\$ 25,000	\$ 70,147	280.59%	\$ (67,211)
RECREATION PROGRAMS/ARENA							\$ -
MMWAC HOST FEES	\$ 234,000	\$ 135,398	57.86%	\$ 230,000	\$ 115,750	50.33%	\$ 19,648
TRANSFER IN: TIF	\$ 1,140,000	\$ -	0.00%	\$ 1,117,818	\$ -	0.00%	\$ -
TRANSFER IN: Other Funds	\$ 473,925	\$ -	0.00%	\$ 578,925	\$ -	0.00%	\$ -
ENERGY EFFICIENCY							\$ -
CDBG	\$ 252,799	\$ -	0.00%	\$ 214,430	\$ -	0.00%	\$ -
UTILITY REIMBURSEMENT	\$ 20,000	\$ 9,634	48.17%	\$ 20,000	\$ 8,877	44.39%	\$ 757
CITY FUND BALANCE CONTRIBUTION	\$ 475,000	\$ -	0.00%	\$ 527,500	\$ -	0.00%	\$ -
<b>TOTAL MISCELLANEOUS</b>	<b>\$ 2,900,724</b>	<b>\$ 232,102</b>	<b>8.00%</b>	<b>\$ 2,838,673</b>	<b>\$ 427,269</b>	<b>15.05%</b>	<b>\$ (195,167)</b>
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 65,147,914</b>	<b>\$ 38,628,892</b>	<b>59.29%</b>	<b>\$ 63,829,824</b>	<b>\$ 37,920,015</b>	<b>59.41%</b>	<b>\$ 708,877</b>
<b>SCHOOL REVENUES</b>							
EDUCATION SUBSIDY	\$ 28,900,061	\$ 17,894,242	61.92%	\$ 26,217,074	\$ 15,618,568	59.57%	\$ 2,275,674
EDUCATION	\$ 518,821	\$ 471,335	90.85%	\$ 717,415	\$ 259,073	36.11%	\$ 212,262
SCHOOL FUND BALANCE CONTRIBUTION	\$ 879,404	\$ 14,232	1.62%	\$ 970,862	\$ -	0.00%	\$ 14,232
<b>TOTAL SCHOOL</b>	<b>\$ 30,298,286</b>	<b>\$ 18,379,809</b>	<b>60.66%</b>	<b>\$ 27,905,351</b>	<b>\$ 15,877,641</b>	<b>56.90%</b>	<b>\$ 2,502,168</b>
<b>GRAND TOTAL REVENUES</b>	<b>\$ 95,446,200</b>	<b>\$ 57,008,701</b>	<b>59.73%</b>	<b>\$ 91,735,175</b>	<b>\$ 53,797,656</b>	<b>58.64%</b>	<b>\$ 3,211,045</b>

**CITY OF AUBURN, MAINE**  
**EXPENDITURES - GENERAL FUND COMPARATIVE**  
**THROUGH January 31, 2022 VS January 31, 2021**

DEPARTMENT	FY 2022 BUDGET	EXP THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	EXP THRU Jan 2021	% OF BUDGET	VARIANCE
<b>ADMINISTRATION</b>							
MAYOR AND COUNCIL	\$ 104,850	\$ 80,660	76.93%	\$ 99,000	\$ 55,935	56.50%	\$ 24,725
CITY MANAGER	\$ 447,401	\$ 320,034	71.53%	\$ 776,095	\$ 383,300	49.39%	\$ (63,266)
COMMUNICATIONS & TECHNOLOGY	\$ 911,637	\$ 643,028	70.54%	\$ 609,260	\$ 517,262	84.90%	\$ 125,766
CITY CLERK	\$ 237,474	\$ 135,130	56.90%	\$ 216,946	\$ 122,620	56.52%	\$ 12,510
FINANCIAL SERVICES	\$ 810,303	\$ 440,050	54.31%	\$ 751,849	\$ 428,102	56.94%	\$ 11,948
HUMAN RESOURCES	\$ 220,250	\$ 117,957	53.56%	\$ 157,057	\$ 86,559	55.11%	\$ 31,398
<b>TOTAL ADMINISTRATION</b>	<b>\$ 2,731,915</b>	<b>\$ 1,736,859</b>	<b>63.58%</b>	<b>\$ 2,610,207</b>	<b>\$ 1,593,778</b>	<b>61.06%</b>	<b>\$ 143,081</b>
<b>COMMUNITY SERVICES</b>							
PLANNING & PERMITTING	\$ 900,583	\$ 449,636	49.93%	\$ 1,339,047	\$ 559,082	41.75%	\$ (109,446)
ECONOMIC DEVELOPMENT	\$ 108,469	\$ 59,978	55.30%				\$ 59,978
BUSINESS & COMMUNITY DEVELOPMENT	\$ 512,260	\$ 160,303	31.29%				\$ 160,303
HEALTH & SOCIAL SERVICES	\$ 119,875	\$ 55,598	46.38%	\$ 199,282	\$ 72,389	36.32%	\$ (16,791)
RECREATION & SPORTS TOURISM	\$ 584,056	\$ 335,439	57.43%	\$ 520,474	\$ 351,285	67.49%	\$ (15,846)
PUBLIC LIBRARY	\$ 1,052,163	\$ 613,762	58.33%	\$ 1,031,533	\$ 687,689	66.67%	\$ (73,927)
<b>TOTAL COMMUNITY SERVICES</b>	<b>\$ 3,277,406</b>	<b>\$ 1,674,716</b>	<b>51.10%</b>	<b>\$ 3,090,336</b>	<b>\$ 1,670,445</b>	<b>54.05%</b>	<b>\$ 4,271</b>
<b>FISCAL SERVICES</b>							
DEBT SERVICE	\$ 7,734,169	\$ 6,955,516	89.93%	\$ 7,577,735	\$ 6,859,092	90.52%	\$ 96,424
FACILITIES	\$ 677,872	\$ 457,614	67.51%	\$ 667,494	\$ 437,758	65.58%	\$ 19,856
WORKERS COMPENSATION	\$ 642,400	\$ 642,400	100.00%	\$ 641,910	\$ 641,910	100.00%	\$ 490
WAGES & BENEFITS	\$ 7,334,932	\$ 3,752,241	51.16%	\$ 6,840,635	\$ 3,723,435	54.43%	\$ 28,806
EMERGENCY RESERVE (10108062-670000)	\$ 461,230	\$ -	0.00%	\$ 461,230	\$ (2,500)	-0.54%	\$ 2,500
<b>TOTAL FISCAL SERVICES</b>	<b>\$ 16,850,603</b>	<b>\$ 11,807,771</b>	<b>70.07%</b>	<b>\$ 16,189,004</b>	<b>\$ 11,659,695</b>	<b>72.02%</b>	<b>\$ 148,076</b>
<b>PUBLIC SAFETY</b>							
FIRE & EMS DEPARTMENT	\$ 5,446,588	\$ 3,352,479	61.55%	\$ 5,302,131	\$ 3,118,696	58.82%	\$ 233,783
POLICE DEPARTMENT	\$ 4,343,924	\$ 2,520,162	58.02%	\$ 4,332,339	\$ 2,450,191	56.56%	\$ 69,971
<b>TOTAL PUBLIC SAFETY</b>	<b>\$ 9,790,512</b>	<b>\$ 5,872,641</b>	<b>59.98%</b>	<b>\$ 9,634,470</b>	<b>\$ 5,568,887</b>	<b>57.80%</b>	<b>\$ 303,754</b>
<b>PUBLIC WORKS</b>							
PUBLIC WORKS DEPARTMENT	\$ 5,077,370	\$ 2,739,695	53.96%	\$ 4,979,329	\$ 2,567,678	51.57%	\$ 172,017
SOLID WASTE DISPOSAL*	\$ 1,089,950	\$ 497,355	45.63%	\$ 1,051,318	\$ 526,902	50.12%	\$ (29,547)
WATER AND SEWER	\$ 792,716	\$ 585,902	73.91%	\$ 792,716	\$ 585,902	73.91%	\$ -
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 6,960,036</b>	<b>\$ 3,822,952</b>	<b>54.93%</b>	<b>\$ 6,823,363</b>	<b>\$ 3,680,482</b>	<b>53.94%</b>	<b>\$ 142,470</b>
<b>INTERGOVERNMENTAL PROGRAMS</b>							
AUBURN-LEWISTON AIRPORT	\$ 177,000	\$ 176,115	99.50%	\$ 170,000	\$ 167,110	98.30%	\$ 9,005
E911 COMMUNICATION CENTER	\$ 1,161,479	\$ 870,941	74.99%	\$ 1,134,304	\$ 850,916	75.02%	\$ 20,025
LATC-PUBLIC TRANSIT	\$ 225,000	\$ -	0.00%	\$ 331,138	\$ -	0.00%	\$ -
ARTS & CULTURE AUBURN	\$ 10,000	\$ 10,000		\$ 10,000	\$ 10,000		\$ -
TAX SHARING	\$ 260,000	\$ -	0.00%	\$ 260,000	\$ -	0.00%	\$ -
<b>TOTAL INTERGOVERNMENTAL</b>	<b>\$ 1,833,479</b>	<b>\$ 1,057,056</b>	<b>57.65%</b>	<b>\$ 1,905,442</b>	<b>\$ 1,028,026</b>	<b>53.95%</b>	<b>\$ 29,030</b>
<b>COUNTY TAX</b>	<b>\$ 2,611,080</b>	<b>\$ 2,611,080</b>	<b>100.00%</b>	<b>\$ 2,629,938</b>	<b>\$ 2,629,938</b>	<b>100.00%</b>	<b>\$ (18,858)</b>
<b>TIF (10108058-580000)</b>	<b>\$ 3,049,803</b>	<b>\$ 2,867,365</b>	<b>94.02%</b>	<b>\$ 3,049,803</b>	<b>\$ 2,845,623</b>	<b>93.31%</b>	<b>\$ 21,742</b>
<b>OVERLAY</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>
<b>TOTAL CITY DEPARTMENTS</b>	<b>\$ 47,104,834</b>	<b>\$ 31,450,440</b>	<b>66.77%</b>	<b>\$ 45,932,563</b>	<b>\$ 30,676,874</b>	<b>66.79%</b>	<b>\$ 773,566</b>
<b>EDUCATION DEPARTMENT</b>	<b>\$ 48,341,366</b>	<b>\$ 18,361,000</b>	<b>37.98%</b>	<b>\$ 45,802,612</b>	<b>\$ 20,831,516</b>	<b>45.48%</b>	<b>\$ (2,470,516)</b>
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$ 95,446,200</b>	<b>\$ 49,811,440</b>	<b>52.19%</b>	<b>\$ 91,735,175</b>	<b>\$ 51,508,390</b>	<b>56.15%</b>	<b>\$ (1,696,950)</b>

**CITY OF AUBURN, MAINE  
INVESTMENT SCHEDULE  
AS OF January 31, 2022**

INVESTMENT		FUND	BALANCE January 31, 2022	BALANCE December 31, 2021	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 6,347,517.59	\$ 6,344,838.15	0.15%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,051,531.28	\$ 1,051,084.98	0.15%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 12,266,660.74	\$ 9,487,185.88	0.15%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 52,530.62	\$ 52,508.32	0.15%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 339,645.02	\$ 339,500.87	0.15%
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	\$ 226,783.08	\$ 226,686.84	0.15%
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	\$ 62,651.72	\$ 62,625.14	0.15%
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	\$ 154,117.27	\$ 142,357.48	0.15%
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	\$ 15,370.38	\$ 15,363.86	0.15%
NOMURA		ELHS Bond Proceeds	\$ 40,529,598.00	\$ 48,303,196.00	0.15%
ANDROSCOGGIN BANK	5127	ARPA Funds	\$ 6,002,958.81	\$ 6,001,765.86	0.15%
<b>GRAND TOTAL</b>			<b>\$ 67,049,364.51</b>	<b>\$ 72,027,113.38</b>	<b>0.15%</b>

**EMS BILLING**  
**SUMMARY OF ACTIVITY**  
**July 1, 2021 - June 30, 2022**  
**Report as of January 31, 2022**

	Beginning Balance 1/1/2022	January 2022				Write-Offs	Ending Balance 1/31/2022
		New Charges	Payments	Refunds	Adjustments		
Bluecross	\$ 19,810.94	\$ 5,044.60	\$ (6,202.84)		\$ (8,454.84)		\$ 10,197.86
Intercept	\$ 100.00	\$ -	\$ -				\$ 100.00
Medicare	\$ 147,267.33	\$ 140,776.20	\$ (37,467.30)		\$ (99,306.23)		\$ 151,270.00
Medicaid	\$ 59,629.53	\$ 54,005.60	\$ (35,323.54)		\$ (21,613.69)		\$ 56,697.90
Other/Commercial	\$ 106,438.10	\$ 18,878.80	\$ (21,105.47)		\$ (11,427.52)		\$ 92,783.91
Patient	\$ 135,191.78	\$ 11,443.60	\$ (12,620.07)		\$ 21,165.95	\$ (30,449.11)	\$ 124,732.15
Worker's Comp	\$ -						\$ -
<b>TOTAL</b>	<b>\$ 468,437.68</b>	<b>\$ 230,148.80</b>	<b>\$ (112,719.22)</b>	<b>\$ -</b>	<b>\$ (119,636.33)</b>	<b>\$ (30,449.11)</b>	<b>\$ 435,781.82</b>

**EMS BILLING**  
**BREAKDOWN -TOTAL CHARGES**  
**July 1, 2021 - June 30, 2022**  
**Report as of January 31, 2022**

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Totals	% of Total
Bluecross	\$ 6,623.27	\$ 9,833.80	\$ 13,473.60	\$ 5,116.80	\$ 12,429.20	\$ 13,425.20	\$ 5,044.60	\$ 65,946.47	3.20%
Intercept			\$ 400.00	\$ 400.00	\$ 100.00	\$ 100.00	\$ -	\$ 1,000.00	0.05%
Medicare	\$ 194,354.65	\$ 158,483.00	\$ 204,199.40	\$ 161,026.60	\$ 208,080.60	\$ 152,210.38	\$ 140,776.20	\$ 1,219,130.83	59.14%
Medicaid	\$ 68,121.50	\$ 50,785.00	\$ 90,618.80	\$ 59,852.00	\$ 67,343.00	\$ 44,175.40	\$ 54,005.60	\$ 434,901.30	21.10%
Other/Commercial	\$ 25,704.69	\$ 27,604.40	\$ 44,861.20	\$ 40,310.40	\$ 47,752.60	\$ 33,461.40	\$ 16,369.00	\$ 236,063.69	11.45%
Patient	\$ 20,928.65	\$ 18,060.40	\$ 11,284.20	\$ 12,239.40	\$ 14,619.20	\$ 8,974.40	\$ 11,443.60	\$ 97,549.85	4.73%
Worker's Comp	\$ 915.20		\$ 2,475.00	\$ 908.00			\$ 2,509.80	\$ 6,808.00	0.33%
<b>TOTAL</b>	<b>\$ 316,647.96</b>	<b>\$ 264,766.60</b>	<b>\$ 367,312.20</b>	<b>\$ 279,853.20</b>	<b>\$ 350,324.60</b>	<b>\$ 252,346.78</b>	<b>\$ 230,148.80</b>	<b>\$ 2,061,400.14</b>	<b>100.00%</b>

**EMS BILLING**  
**BREAKDOWN -TOTAL COUNT**  
**July 1, 2021 - June 30, 2022**  
**Report as of January 31, 2022**

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Totals	% of Total
Bluecross	10	10	13	5	12	13	5	68	2.88%
Intercept	0		4	4	1	1	0	10	0.42%
Medicare	244	172	227	174	226	186	168	1397	59.22%
Medicaid	82	54	100	64	80	48	60	488	20.69%
Other/Commercial	34	32	48	44	51	35	20	264	11.19%
Patient	45	19	12	13	15	10	11	125	5.30%
Worker's Comp	1	0	2	1	0	0	3	7	0.30%
<b>TOTAL</b>	<b>416</b>	<b>287</b>	<b>406</b>	<b>305</b>	<b>385</b>	<b>293</b>	<b>267</b>	<b>2359</b>	<b>100.00%</b>

**EMS BILLING  
AGING REPORT  
July 1, 2021 to June 30, 2022  
Report as of December 31, 2021**

	Current		31-60		61-90		91-120		121+ days		Totals							
Bluecross	\$	6,859.32	67%	\$	-	0%	\$	-	0%	\$	88.39	1%	\$	3,250.15	32%	\$	10,197.86	2.34%
Intercept	\$	-		\$	100.00								\$	100.00		\$	100.00	0.02%
Medicare	\$	83,884.00	55%	\$	18,898.27	12%	\$	13,700.20	9%	\$	8,057.20	5%	\$	26,730.33	18%	\$	151,270.00	34.71%
Medicaid	\$	22,573.23	40%	\$	29,815.56	53%	\$	1,565.97	3%	\$	1,247.03	2%	\$	1,496.11	3%	\$	56,697.90	13.01%
Other/Commercial	\$	25,761.89	28%	\$	31,396.52	34%	\$	6,866.24	7%	\$	5,728.02	6%	\$	23,031.24	25%	\$	92,783.91	21.29%
Patient	\$	35,090.15	28%	\$	20,628.21	17%	\$	27,126.21	22%	\$	27,790.74	22%	\$	14,096.84	11%	\$	124,732.15	28.62%
Worker's Comp	\$	-											\$	-		\$	-	0.00%
TOTAL	\$	174,168.59		\$	100,838.56		\$	49,258.62		\$	42,911.38		\$	68,604.67		\$	435,781.82	
		40%			23%			11%			10%			16%			100%	100.00%



CITY OF AUBURN  
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES  
As of January 31, 2022

	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	\$ 599,205.19	\$ 6,536.96	\$ 34,366.35	\$ 1,221.68	\$ 5,131.38	\$ -	\$ 4,796.03	\$ (566,303.71)	\$ 293.40	\$ 2,808.57	\$ 131,750.21	\$ (112,745.48)	\$ 6,975.14	\$ 12,596.25	\$ 4,318.98	\$ 2,820.93
Revenues FY22	\$ 44,908.78	\$ 264.00	\$ 482.42		\$ 1,942.39	\$ 245.00				\$ 15,676.00	\$ 157,242.00	\$ 109,031.40	\$ 2,851.40	\$ 6,652.50	\$ 2,416.38	\$ 6,828.83
Expenditures FY22	\$ 143,018.00	\$ 39.98			\$ 2,389.74	\$ 730.38			\$ 124.21	\$ 15,676.00	\$ 277,563.74	\$ 125,234.49	\$ 2,801.38	\$ -	\$ 2,379.07	\$ 10,506.18
Fund Balance 1/31/2022	\$ 501,095.97	\$ 6,760.98	\$ 34,848.77	\$ 1,221.68	\$ 4,684.03	\$ (485.38)	\$ 4,796.03	\$ (566,303.71)	\$ 169.19	\$ 2,808.57	\$ 11,428.47	\$ (128,948.57)	\$ 7,025.16	\$ 19,248.75	\$ 4,356.29	\$ (856.42)
	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	\$ -	\$ (8,505.29)	\$ 1,702,961.69	\$ 30,570.32	\$ 12,839.34	\$ (40.00)	\$ 2,729.15	\$ 20,536.23	\$ 26,247.04	\$ -	\$ 93,024.44	\$ -	\$ 189.35	\$ (9,522.60)	\$ 28,489.54	\$ 225,094.82
Revenues FY22	\$ 1,142.33	\$ 300.00	\$ 252,228.73	\$ 1,103.93	\$ 37,542.00		\$ 8,358.37			\$ 9,886.13	\$ 8,254.01			\$ 8,000.00	\$ 23.90	\$ 181,778.78
Expenditures FY22	\$ 1,366.04		\$ 440,331.39		\$ 51,094.86	\$ (2,600.00)	\$ 1,689.97		\$ 2,351.72	\$ 9,886.13	\$ 2,280.00	\$ 780.00		\$ 7,996.88	\$ 4,000.00	\$ 237,246.04
Fund Balance 1/31/2022	\$ (223.71)	\$ (8,205.29)	\$ 1,514,859.03	\$ 31,674.25	\$ (713.52)	\$ 2,560.00	\$ 9,397.55	\$ 20,536.23	\$ 23,895.32	\$ -	\$ 98,998.45	\$ (780.00)	\$ 189.35	\$ (9,519.48)	\$ 24,513.44	\$ 169,627.56
	2055 Work4ME- PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi- Centennial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Grant	2080 Futsal Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation			
Fund Balance 7/1/21	\$ 6,215.80	\$ -	\$ -	\$ (1,610.17)	\$ 209.00	\$ 201,371.71	\$ (3,500.00)	\$ 36,555.99	\$ (11,526.70)	\$ (1,484,407.18)	\$ 6,772,899.50	\$ -	\$ 252,323.69			
Revenues FY22								\$ (3,111.14)	\$ 47,000.00		\$ 1,939.47		\$ 182,531.40			
Expenditures FY22	\$ 1,304.77	\$ 2,062.28	\$ -	\$ (1,610.17)		\$ 23,325.00		\$ 17,055.95	\$ 21,646.39		\$ 283,535.21	\$ 2,736.00	\$ 325,012.63			
Fund Balance 1/31/2022	\$ 4,911.03	\$ (2,062.28)	\$ -	\$ -	\$ 209.00	\$ 178,046.71	\$ (3,500.00)	\$ 16,388.90	\$ 13,826.91	\$ (1,484,407.18)	\$ 6,491,303.76	\$ (2,736.00)	\$ 109,842.46			
	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues	
Fund Balance 7/1/21	\$ (41,023.43)	\$ 348,613.20	\$ (269,889.73)	\$ (454,099.79)	\$ 281,097.17	\$ (752,490.87)	\$ (0.02)	\$ (2,663.69)	\$ 1,120.90	\$ 24,998.06	\$ 41,968.63	\$ 97,738.81	\$ 11,128.45	\$ (83,459.35)	\$ 7,229,955.89	
Revenues FY22	\$ 199,956.89	\$ 457,660.81	\$ 853,881.02	\$ 164,715.30	\$ 329,051.86	\$ 443,099.40	\$ 30,524.85	\$ 32,643.98	\$ 59,152.21	\$ 50,486.49	\$ 84,184.64	\$ 118,621.92	\$ 36,906.23	\$ 6,479.04	\$ 3,952,883.65	
Expenditures FY22			\$ 321,608.99	\$ 217,459.00	\$ 77,327.19	\$ 510,286.89	\$ 15,262.43		\$ 42,197.72		\$ 21,046.16	\$ 141,180.08	\$ 25,046.84	\$ 24,946.75	\$ 3,408,316.31	
Fund Balance 1/31/2022	\$ 158,933.46	\$ 806,274.01	\$ 262,382.30	\$ (506,843.49)	\$ 532,821.84	\$ (819,678.36)	\$ 15,262.40	\$ 29,980.29	\$ 18,075.39	\$ 75,484.55	\$ 105,107.11	\$ 75,180.65	\$ 22,987.84	\$ (101,927.06)	\$ 7,774,523.23	

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services

To: Phillip Crowell, City Manager  
From: Jill Eastman, Finance Director  
Re: Financial Reports for January 2022



Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of January 31, 2022.

### **INGERSOLL TURF FACILITY**

#### **Statement of Net Assets:**

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of January 31, 2022.

#### **Current Assets:**

As of the end of January 2022 the total current assets of Ingersoll Turf Facility were \$226,735. This consisted of cash and cash equivalents of \$226,735.

#### **Noncurrent Assets:**

Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of January 31, 2022, were \$89,514.

#### **Liabilities:**

Ingersoll had no accounts payable as of January 31, 2022, and an interfund payable of \$26,583.

#### **Statement of Activities:**

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

The operating revenues for Ingersoll Turf Facility through January 2022 are \$108,013. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through January 2022 were \$85,185. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of January 2022, Ingersoll has an operating gain of \$22,828 compared to a net gain in December of \$12,868.

As of January 31, 2022, Ingersoll has a increase in net assets of \$22,828.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

**Statement of Net Assets**  
**Ingersoll Turf Facility**  
**January 31, 2022**  
**Business-type Activities - Enterprise Fund**

	January 31, 2022	December 31, 2021	Increase/ (Decrease)
<b>ASSETS</b>			
Current assets:			
Cash and cash equivalents	\$ 226,735	\$ 226,687	\$ 48
Interfund receivables/payables		\$ -	-
Accounts receivable	-	-	-
Total current assets	226,735	226,687	48
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	119,673	119,673	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(721,022)	(721,022)	-
Total noncurrent assets	89,514	89,514	-
Total assets	316,249	316,201	48
<b>LIABILITIES</b>			
Accounts payable	\$ -	\$ 1,740	(1,740)
Interfund payable	\$ 26,583	\$ 34,755	(8,172)
Total liabilities	26,583	36,495	(9,912)
<b>NET ASSETS</b>			
Invested in capital assets	\$ 89,514	\$ 89,514	\$ -
Unrestricted	\$ 200,152	\$ 190,192	\$ 9,960
Total net assets	\$ 289,666	\$ 279,706	\$ 9,960

**CITY OF AUBURN, MAINE**  
**Statement of Revenues, Expenses and Changes in Net Assets**  
**Ingersoll Turf Facility**  
**Business-type Activities - Enterprise Funds**  
**Statement of Activities**  
**January 31, 2022**

	<b>Ingersoll Turf Facility</b>
Operating revenues:	
Charges for services	\$ 108,013
Operating expenses:	
Personnel	58,751
Supplies	8,832
Utilities	9,680
Repairs and maintenance	2,522
Rent	-
Depreciation	-
Capital expenses	5,400
Other expenses	-
Total operating expenses	85,185
Operating gain (loss)	22,828
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	22,828
Transfers out	-
Change in net assets	22,828
Total net assets, July 1	266,838
<b>Total net assets, January 31, 2022</b>	<b>\$ 289,666</b>

**CITY OF AUBURN, MAINE**  
**REVENUES - INGERSOLL TURF FACILITY**  
Through January 31, 2022 compared to January 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU JAN 2021	% OF BUDGET
<b>CHARGE FOR SERVICES</b>						
Sponsorship	\$ 25,000	\$ 5,775	23.10%	\$ 25,000	\$ 8,825	35.30%
Batting Cages	\$ 16,000	\$ 11,091	69.32%	\$ 13,000	\$ 9,280	71.38%
Programs	\$ 94,000	\$ 30,941	32.92%	\$ 90,000	\$ 2,337	2.60%
Rental Income	\$ 138,000	\$ 59,853	43.37%	\$ 102,000	\$ 31,177	30.57%
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 273,000</b>	<b>\$ 107,660</b>	<b>39.44%</b>	<b>\$ 230,000</b>	<b>\$ 51,619</b>	<b>22.44%</b>
<b>INTEREST ON INVESTMENTS</b>						
	\$ -	\$ 353		\$ -	\$ 891	
<b>GRAND TOTAL REVENUES</b>	<b>\$ 273,000</b>	<b>\$ 108,013</b>	<b>39.57%</b>	<b>\$ 230,000</b>	<b>\$ 52,510</b>	<b>22.83%</b>

**CITY OF AUBURN, MAINE**  
**EXPENDITURES - INGERSOLL TURF FACILITY**  
Through January 31, 2022 compared to January 31, 2021

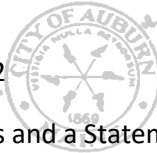
DESCRIPTION	ACTUAL				ACTUAL			
	FY 2022 BUDGET	EXPENDITURES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	EXPENDITURES THRU JAN 2021	% OF BUDGET	Difference	
Salaries & Benefits	\$ 133,041	\$ 58,751	44.16%	\$ 187,546	\$ 75,847	40.44%	\$	(17,096)
Purchased Services	\$ 15,750	\$ 2,522	16.01%	\$ 14,450	\$ 2,225	15.40%	\$	297
Programs	\$ 16,300	\$ -	0.00%	\$ 18,500	\$ -	0.00%	\$	-
Supplies	\$ 2,500	\$ 8,832	353.28%	\$ 4,000	\$ 718	17.95%	\$	8,114
Utilities	\$ 24,150	\$ 9,680	40.08%	\$ 25,650	\$ 7,192	28.04%	\$	2,488
Insurance Premiums	\$ -	\$ -		\$ -	\$ -			
Capital Outlay	\$ -	\$ 5,400		\$ -	\$ -		\$	5,400
	\$ 191,741	\$ 85,185	44.43%	\$ 250,146	\$ 85,982	34.37%	\$	(797)
<b>GRAND TOTAL EXPENDITURES</b>	<b>\$ 191,741</b>	<b>\$ 85,185</b>	<b>44.43%</b>	<b>\$ 250,146</b>	<b>\$ 85,982</b>	<b>34.37%</b>	<b>\$</b>	<b>(797)</b>

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services

To: Phillip Crowell, City Manager  
From: Jill Eastman, Finance Director  
Re: Arena Financial Reports for January 31, 2022



Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of January 31, 2022.

### **NORWAY SAVINGS BANK ARENA**

#### **Statement of Net Assets:**

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, December 31, 2020.

#### **Current Assets:**

As of the end of January 2022 the total current assets of Norway Savings Bank Arena were (\$1,163,208). These consisted of cash and cash equivalents of \$269,729, accounts receivable of \$157,621, and an interfund payable of \$1,590,558.

#### **Noncurrent Assets:**

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of January 31, 2022, were \$195,258.

#### **Liabilities:**

Norway Arena had no accounts payable as of January 31, 2022.

#### **Statement of Activities:**

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

The operating revenues for Norway Arena through January 2022 are \$606,964. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through January 2022 were \$339,065. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of January 2022, Norway Arena has an operating and net gain of \$267,899.

As of January 31, 2022, Norway Arena has an increase in net assets of \$267,899.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is \$271,996 more than in FY21 and expenditures in F22 are \$33,995 less than last year in January.



**CITY OF AUBURN, MAINE**  
**Statement of Net Assets**  
**Norway Savings Bank Arena**  
**January 31, 2022**  
**Business-type Activities - Enterprise Fund**

	January 31, 2022	December 31, 2021	Increase/ (Decrease)
<b>ASSETS</b>			
Current assets:			
Cash and cash equivalents	\$ 269,729	\$ 265,152	\$ 4,577
Interfund receivables	\$ (1,590,558)	\$ (1,661,895)	\$ 71,337
Prepaid Rent			\$ -
Accounts receivable	157,621	12,068	\$ 145,553
Total current assets	(1,163,208)	(1,384,675)	221,467
Noncurrent assets:			
Capital assets:			
Buildings	58,223	58,223	-
Equipment	514,999	514,999	-
Land improvements	-	-	-
Less accumulated depreciation	(377,964)	(377,964)	-
Total noncurrent assets	195,258	195,258	-
Total assets	(967,950)	(1,189,417)	221,467
<b>LIABILITIES</b>			
Accounts payable	\$ -	\$ 1,710	\$ (1,710)
Net OPEB liability	\$ 43,811	\$ 43,811	\$ -
Net pension liability	42,634	42,634	-
Total liabilities	86,445	88,155	(1,710)
<b>NET ASSETS</b>			
Invested in capital assets	\$ 195,258	\$ 195,258	\$ -
Unrestricted	\$ (1,249,653)	\$ (1,472,830)	\$ 223,177
Total net assets	\$ (1,054,395)	\$ (1,277,572)	\$ 223,177

**CITY OF AUBURN, MAINE**  
**Statement of Revenues, Expenses and Changes in Net Assets**  
**Norway Savings Bank Arena**  
**Business-type Activities - Enterprise Funds**  
**Statement of Activities**  
**January 31, 2022**

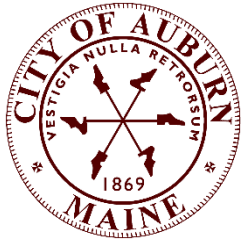
	<b>Norway Savings Arena</b>
Operating revenues:	
Charges for services	\$ 606,964
Operating expenses:	
Personnel	124,123
Supplies	39,952
Utilities	124,102
Repairs and maintenance	19,948
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	339,065
Operating gain (loss)	267,899
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	267,899
Transfers out	-
Change in net assets	267,899
Total net assets, July 1	(1,322,294)
<b>Total net assets, January 31, 2022</b>	<b>\$ (1,054,395)</b>

**CITY OF AUBURN, MAINE**  
**REVENUES - NORWAY SAVINGS BANK ARENA**  
Through January 31, 2022 compared to January 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU JAN 2021	% OF BUDGET	VARIANCE
<b>CHARGE FOR SERVICES</b>							
Concussions	\$ 16,500	\$ 10,750	65.15%	\$ 16,500		0.00%	\$ 10,750
Skate Rentals	\$ 6,000	\$ 425	7.08%	\$ 7,500		0.00%	\$ 425
Pepsi Vending Machines	\$ 2,000	\$ 494	24.70%	\$ 3,000		0.00%	\$ 494
Games Vending Machines	\$ 3,000	\$ 953	31.77%	\$ 3,000		0.00%	\$ 953
Vending Food	\$ 2,000	\$ 148	7.40%	\$ 3,000	\$ 5	0.17%	\$ 143
Sponsorships	\$ 185,000	\$ 116,051	62.73%	\$ 230,000	\$ 89,950	39.11%	\$ 26,101
Pro Shop	\$ 7,000	\$ 3,339	47.70%	\$ 7,000	\$ 4,503	64.33%	\$ (1,164)
Programs	\$ 20,000		0.00%	\$ 20,000	\$ -	0.00%	\$ -
Rental Income	\$ 683,500	\$ 449,944	65.83%	\$ 727,850	\$ 226,550	31.13%	\$ 223,394
Camps/Clinics	\$ 50,000	\$ 24,860	49.72%	\$ 50,000	\$ 13,960	27.92%	\$ 10,900
Tournaments	\$ 50,000		0.00%	\$ 55,000		0.00%	\$ -
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 1,025,000</b>	<b>\$ 606,964</b>	<b>59.22%</b>	<b>\$ 1,122,850</b>	<b>\$ 334,968</b>	<b>29.83%</b>	<b>\$ 271,996</b>

**CITY OF AUBURN, MAINE**  
**EXPENDITURES - NORWAY SAVINGS BANK ARENA**  
Through January 31, 2022 compared to January 31, 2021

DESCRIPTION	ACTUAL				ACTUAL			
	FY 2022 BUDGET	EXPENDITURES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	EXPENDITURES THRU JAN 2021	% OF BUDGET	VARIANCE	
Salaries & Benefits	\$ 339,437	\$ 124,123	36.57%	\$ 328,913	\$ 142,781	43.41%	\$ (18,658)	
Purchased Services	\$ 123,928	\$ 50,888	41.06%	\$ 120,000	\$ 71,578	59.65%	\$ (20,690)	
Supplies	\$ 79,000	\$ 39,952	50.57%	\$ 83,000	\$ 41,689	50.23%	\$ (1,737)	
Utilities	\$ 250,350	\$ 124,102	49.57%	\$ 244,650	\$ 117,012	47.83%	\$ 7,090	
Capital Outlay	\$ 42,500	\$ -	0.00%	\$ 50,000	\$ -	0.00%	\$ -	
Rent	\$ -	\$ -		\$ -	\$ -		\$ -	
	\$ 835,215	\$ 339,065	40.60%	\$ 826,563	\$ 373,060	45.13%	\$ (33,995)	
<b>GRAND TOTAL EXPENDITURES</b>	<b>\$ 835,215</b>	<b>\$ 339,065</b>	<b>40.60%</b>	<b>\$ 826,563</b>	<b>\$ 373,060</b>	<b>45.13%</b>	<b>\$ (33,995)</b>	



## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** February 22, 2022

**Subject:** Executive Session

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

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

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

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

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

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

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

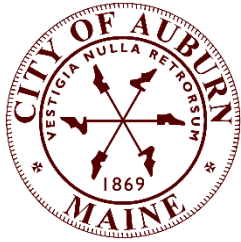
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both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

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

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

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.



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- (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;

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