

**City Council Workshop & Meeting
Agenda
December 19, 2022
Auburn Hall, Council Chambers**

5:30 P.M. Joint Workshop of the City Council and School Committee

- A. State of school and city
- B. Accomplishments and Challenges
- C. Outlook for FY24
- D. School Committee and City Council discussion

6:15 P.M. City Council Workshop

- A. Executive session - Legal consultation, pursuant to 1 M.R.S.A. Section 405(6)(E).

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

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 161-12192022***
Re-appointing Susan Clements-Dallaire, City Clerk as the Registrar of Voters for the City of Auburn for a two-year term which will expire on 12/31/2024.
 - 2. **Order 162-12192022***
Confirming Chief Moen's appointments of Civilian Process Servers for the Auburn Police Department and Constable Process Servers without firearm/arrest powers within the City of Auburn.
 - 3. **Order 163-12192022***
Re-appointing Bryan Bachelder as Auburn's Local Sealer of Weights and Measures with a term expiration of December 31, 2023.
- II. **Minutes** – December 5, 2022 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**

- Discussion with State Legislators
- Communication - Planning Board Policy Violation Legal Opinion (150 Andrew Drive)
- Communication - Shovel Ready Housing Update (Eric Cousens)
- 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 - None

VI. New Business

1. Resolve 09-12192022

Supporting a “rail with trail” recommendation from the Rail Use Advisory Council.

2. Order 164-12192022

Directing the Planning Board to review unhoused/homeless shelter related uses in the City of Auburn Zoning Districts.

3. Order 165-12192022

Allocating \$145,000 of ARPA (American Rescue Plan Act) funds for the acquisition of the Shovel Ready Housing Plans.

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*

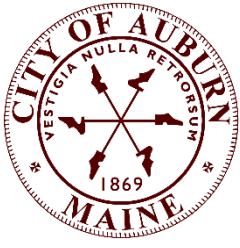
VIII. Reports (from sub-committees to Council)

- Mayor’s Report
- City Councilors’ Reports
- City Manager Report
- Jill Eastman, Finance Director – November Finance Report

IX. Executive Sessions

- Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6)(D), with possible action to follow.
- Economic development, pursuant to 1 M.R.S.A. Section 405(6)(C).
- Economic development, pursuant to 1 M.R.S.A. Section 405(6)(C), with possible action to follow.
- Personnel matter, pursuant to 1 M.R.S.A. Section 405(6)(A).

X. Adjournment



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 19, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Joint Workshop with City Council and School Committee

Information:

Topics to be discussed are:

- State of school and city
 - Accomplishments and Challenges
 - Outlook for FY24
 - School Committee and City Council discussion
-

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion

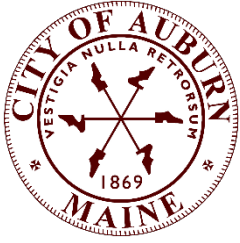
Previous Meetings and History: N/A

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: None



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Subject: Executive Session

Information: Legal consultation, pursuant to 1 M.R.S.A. Section 405(6) (E).

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

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

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

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

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

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

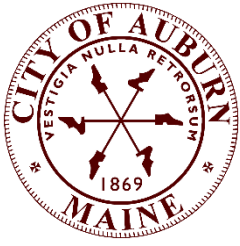
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both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

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

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 19, 2022

Order: 161-12192022

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointment of Registrar of Voters

Information: The City Council must appoint a Registrar of Voters as outlined in Title 21-A, section 101. Sue has served as Deputy Registrar of Voters from 2008 – 2011 and Registrar of Voters since 2011. The term expiration for this appointment is 12/31/2024.

21-A, Sec. 101 - The municipal officers of each municipality shall appoint in writing a qualified registrar of voters by January 1st of each odd-numbered year. The registrar shall serve for 2 years and until a successor is appointed and sworn. The municipal clerk may be appointed to serve as registrar, but the term of the clerk has no effect on the term of the registrar. If the clerk is not appointed to serve as registrar, the clerk must be appointed by the registrar to serve as a deputy registrar and has the same authority as the registrar to make determinations of voter eligibility and to perform the duties of voter registration as provided in this Title.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage

Previous Meetings and History: Every two years

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Order



ORDER 161-12192022

City Council Order

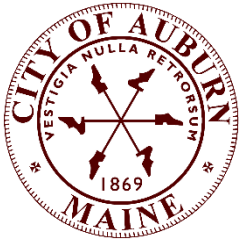
IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Susan Clements-Dallaire as Registrar of Voters with a term expiration of December 31, 2024.

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: December 19, 2022

Order: 162-12192022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointments of Civilian Process Servers for the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn.

Information: Chief of Police Moen requests that the Auburn City Council appoint Civilian Process Servers (city employees and volunteers) to serve documents on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) to serve documents within the City of Auburn for 2023.

City Budgetary Impacts: N/A

Staff Recommended Action: Vote to confirm Chief Moen's appointments of Civilian Process Servers to serve documents on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2023.

Previous Meetings and History: November 6, 2017, January 23, 2017, February 5, 2018, January 7, 2019, February 3, 2020, December 21, 2020, January 3, 2022 – Annually and periodically, requests are made for appointments and re-appointments for the next or current calendar year.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



City Council Order

IN CITY COUNCIL

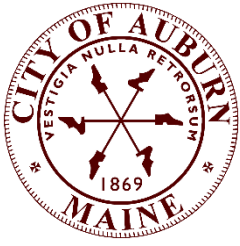
ORDERED, that the City Council hereby appoint the following named persons to serve documents as Civilian Process Servers (employees and volunteers) on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2023. Constable Process Servers (Private) are not an agent or employee of the city or entitled to hold himself/herself out as such and is not authorized to carry a firearm in the performance of his/her duties, and that his/her authority to act as a constable is limited to private employment as a process server.

Anna Brown	Employee	Civilian Process Server	Without Firearm	Re-appointment
Maegan Kyllonen	Employee	Civilian Process Server	Without Firearm	Re-appointment
Kenneth Edgerly	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Glenn Garry	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Harry Gorman	Private	Constable Process Server	Without Firearm	Re-appointment
David O'Connell	Employee	Civilian Process Server	Without Firearm	Re-appointment

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: December 19, 2022

Order: 163-12192022

Author: Sue Clements-Dallaire, City Clerk

Subject: Sealer of Weights and Measures

Information: The City Council appointed Bryan Bachelder as the city's local Sealer of Weights and Measures in February 2019. He is a retired Maine State Trooper with a history of weights and measures.

City Budgetary Impacts: None. No cost to the City.

Staff Recommended Action: Re-appoint Bryan Bachelder as the Sealer of Weights and Measures with a term expiration of December 31, 2023.

Previous Meetings and History: Appointed for 2019 on 2/25/2019 and has been re-appointed each year since.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Bryan Bachelder Certifications and Order.

National Conference on Weights and Measures Professional Certification Program

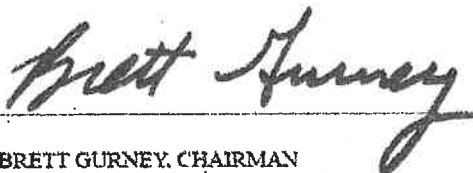


Bryan Bachelder

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


Retail Motor Fuel Dispensing Systems

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


BRETT GURNEY, CHAIRMAN
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 22, 2018

DATE OF CERTIFICATION


DON ONWILER, EXECUTIVE DIRECTOR
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

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

National Conference on Weights and Measures Professional Certification Program



Bryan Bachelder

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

Small Capacity Weighing Systems Class III

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

A handwritten signature in cursive script, reading "Brett Gurney".

BRETT GURNEY, CHAIRMAN
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 26, 2018

DATE OF CERTIFICATION

A handwritten signature in cursive script, reading "Don Onwiler".

DON ONWILER, EXECUTIVE DIRECTOR
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

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

§2461. ELECTION BY MUNICIPAL OFFICERS

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

§2462. MUNICIPALITIES THAT DO NOT CHOOSE A SEALER

If the municipal officers do not elect or appoint a sealer or fail to make a return to the state sealer of the election or appointment within 30 days after the election or appointment in accordance with section 2461, the state sealer retains sole authority to enforce this chapter in that municipality and the concurrent authority provided under section 2411 does not apply in that municipality. Pursuant to section 2402, subsection 7, the state sealer may appoint a qualified person to carry out the state sealer's responsibilities in that municipality, and any person appointed under this section may serve in that capacity for more than one municipality. [2017, c. 172, §1 (NEW).]

§2463. POWERS AND DUTIES

A weights and measures official elected or appointed for a municipality has the duties enumerated in section 2402, subsections 2 to 9 and the powers enumerated in section

2403. These powers and duties extend to the official's jurisdiction. [2017, c. 172, §1 (NEW).]
SECTION HISTORY 2017, c. 172, §1 (NEW).

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

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



ORDER 163-12192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Bryan Bachelder as the Local Sealer of Weights and Measures with a term expiration of December 31, 2023.

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

IN COUNCIL REGULAR MEETING DECEMBER 5, 2022, VOL. 36 PAGE 316

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.

7:00 P.M. City Council 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 156-12052022*

Confirming the Mayor's appointment of Scott Berry to the Mayor's Ad Hoc Committee to develop permit ready housing.

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

Passage 7-0.

II. Minutes – November 21, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the November 21, 2022 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication – Staff response to the Sustainability and Natural Resource Management Board (SNRB) communication (Phil Crowell)
- St. Lawrence and Atlantic Railroad – Berlin Subdivision (Rail Use Advisory Council) Update – Jonathan LaBonte
- Stage Purchase (carryover from the workshop) – Brian Wood
- Council Communications (about and to the community)

Mayor Levesque played a live TV commercial ad for Auburn's New Year's Auburn event. He gave a big thanks to Emerson Toyota for being a big sponsor, as well as Androscoggin Bank, Neocraft Signs, and Proctor and Gamble. The tree lighting is this week at Festival Plaza on Thursday at 6:00 pm and the Christmas Village opens at 4:00 pm.

Councilor Staples stated that he would like to sponsor an order for the next meeting to have the Planning Board take a look at our city zoning to determine whether or not there is an area for shelters.

IN COUNCIL REGULAR MEETING DECEMBER 5, 2022, VOL. 36 PAGE 317

Councilor Walker announced that Santa Claus is coming to Sullivan Park behind Rolly's Diner on Saturday at 5:00 pm.

City Manager Crowell reported on the Night Out at the Hilton held on Friday evening and the Regional Roundtable that was held with the Chamber.

IV. Open Session –

Pam Rousseau, 745 West Auburn Road expressed concerns with the number of realtors becoming more and more involved in our city and planning board decisions.

V. Unfinished Business - None

VI. New Business

1. Order 157-12052022

Authorizing the use of \$35,000 in ARPA funds for the Auburn Heating Assistance Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 158-12052022

Disposition of building located at 110 Hampshire Street under dangerous building statute. Public hearing. Hearing for parties with interest in property.
Council may enter into Executive Session pursuant to 1 M.R.S.A. Sec. 405 (6)(C).

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

Public hearing – Alexandria Savard, owner of 110 Hampshire Street spoke regarding issues with the property.

Passage 6-1 (Councilor Walker opposed). A roll call vote was taken.

3. Order 159-12052022

Approving the liquor license for Ryan & Connor Concessions Group, LLC, DBA: Rings, located at 985 Turner Street. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 160-12052022

Allocating up to \$180,000 from the American Rescue Plan Act (ARPA) funds for the purchase of a portable Stage.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Whiting and seconded by Councilor Hawes to postpone this item until the second meeting in January.

Passage 7-0.

5. Ordinance 24-12052022

Zoning Map Amendment - Amending a portion of 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), and Low-Density Country Residential (LDCR), zoning districts to the Suburban Residential (SR) as recommended by the Planning Board. First Reading.

Motion was made by Councilor Staples and seconded by Councilor Morin for passage.

Motion was made by Councilor Whiting and seconded by Councilor Staples to remand to the planning board.

Public comment – Jeffrey Harmon, 34 Vista Drive wanted to clarify what happened at the Planning Board meeting, which he attended.

John Cleveland, 183 Davis Avenue, said that he concurs with what Mr. Harmon said and noted that he recommends that the Council obtains a legal written opinion on the procedure before moving forward. He provided his comments in writing to the City Council.

Motion was made by Councilor Gerry and seconded by Councilor Staples to add that it is subject to legal review.

Passage 7-0.

Passage of the order as amended, 7-0.

VII. Open Session – No one from the public spoke.

VIII. Reports (from sub-committees to Council)

Mayor Levesque, asked the Council if anyone would be interested in serving on the Airport Board, filling that opening. He reported on the upcoming School Committee

meeting where they will be discussing the budget, and the possibility of closing Lake Street School. Discussions are still moving forward on dual enrollment.

Councilor Gerry reported on the Thanksgiving Dinner that took place at the Senior Center on Thanksgiving Day.

Councilor Walker reported on the 9-1-1 meeting that was held last week.

Manager Crowell reported that the Legislative Policy Committee has prepared their list of legislative actions to move forward, and they are monitoring several bills. He also noted that he has asked that the incoming Legislators attend the December 19th meeting.

IX. Executive Sessions - None

X. Adjournment

Motion was made by Councilor Staples and seconded by Councilor Walker to adjourn. Unanimously approved and the meeting adjourned at 8:26 pm.

A TRUE COPY

ATTEST

Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk



MEMORANDUM

TO: Mayor and City Councilors

CC: Phil Crowell, City Manager
Eric Cousens, Director of Planning and Permitting

FROM: Sally J. Daggett, Esq.

RE: Planning Board Policy on Board Member Conduct

DATE: December 15, 2022

I am writing in response to your inquiry regarding a recent incident at a Planning Board meeting. As I understand the facts, a member of the Board recused himself from a particular agenda item, left the dais, and then appeared before the Board on that agenda item. The agenda item was a public hearing on a zoning map change, and the Board member, a local real estate broker, appeared on behalf of his real estate client during the public hearing. The Board member's real estate client is the seller of the property that is the subject of the zoning map change.

Planning Board members serve in a quasi-judicial (literally "court-like") capacity in hearing and deciding permit applications. This means Board members are acting like judges on applications and so must be fair and impartial to everyone involved in a specific application – the applicant, the neighbors, other Board members and the general public. If certain procedural requirements are not followed, the Planning Board's decision could be invalidated by a reviewing court if it is challenged. Quasi-judicial proceedings must follow basic standards of due process, including: proper notice of the public meeting/hearing; providing everyone with an interest in the proceedings an opportunity to be heard and to hear what others have to say; full disclosure to everyone of the facts being considered by the board (*e.g.*, no *ex parte* communications, no investigative work by board members, and reliance only on information presented at the public meetings on the application); impartial decision-makers free from bias and conflicts of interest; and decisions based on the facts of the application, not on political pressure or vocal opposition.

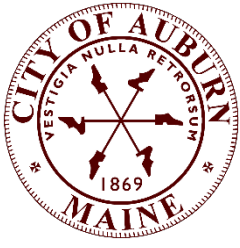
Planning Board members are “municipal officials” as defined in State statute, 30-A M.R.S. § 2001(11). As a general rule, a conflict of interest occurs when a municipal official has a direct personal or pecuniary (*i.e.*, financial) interest in the outcome of a matter of official business. In Maine, there is both a statutory (30-A M.R.S. § 2605) and a case law (*see generally Tuscan v. Smith*, 130 Me. 36 (1931)) test for conflicts of interest. Even when an official’s conduct is not specifically prohibited by law, competing interests and personal relationships could create an appearance of wrongdoing that could undermine the public trust in the integrity and impartiality of local government. State statute, 30-A M.R.S. § 2605(6), addresses this issue by providing that municipal officials shall “attempt to avoid the appearance of a conflict of interest by disclosure or by abstention.”

The Maine conflict of interest statute does not expressly address whether a current Planning Board member may represent clients before the Board. Many municipal law practitioners, including MMA Legal Services, take the position that the statute likely does prohibit a board member (including alternate members) from representing another applicant who is seeking the board’s approval or a neighbor opposing a project, but that it is reasonable to interpret the statute to allow a board member to abstain and step down as a board member in order to present his/her own application to the board.

Here, the Planning Board’s own Policies and Procedures specifically prohibit a regular board member from appearing before the Board, even on his or her own application:

Any regular Board member may want to recuse him/herself from acting on the application/petition because of a conflict of interest or personal reason. Any member who does shall surrender his/her seat and either leave the chamber or sit in the back of the room. Such member shall not communicate with other members of the Board who are acting on an application/petition and shall not address the Board if they are a party at interest who is potentially affected by the application/petition.

City of Auburn Planning Board Policies and Procedures, Article VIII(G)(1). While the Policies and Procedures do not address what happens if there is a policy violation, it does appear that a violation of the policy occurred recently. My understanding is that the City Council has referred the zoning map change back to the Planning Board for the conduct of a new public hearing that does not involve the recused Planning Board member participating in the zoning map change matter in any fashion. That makes sense under the circumstances. Going forward, note that the Policies and Procedures are due to be reviewed in February of 2023 (*see* Article X); perhaps that is a good time to update the policy to distinguish between a board member’s personal versus professional interest in an agenda item as well as to provide a refresher on the topic of conflicts of interest to Planning Board members.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 19, 2022

Order: 165-12192022

Author: John Blais, Deputy Director of Planning, Permitting and Code

Subject: Directing the City Manager to fund the Engineering and Architectural (AE) Proposal, Shovel Ready Housing Plans Proposal #2023-009 with ARPA Funds

Information: The competitive RFP was drafted and advertised through the Engineering and Architectural (AE) Proposal, Shovel Ready Housing Plans, **Proposal #2023-009**, using the City of Auburn, procurement process. Two proposals were received on November 10th, 2022. Over the past few weeks, the Mayors Ad-hoc committee reviewed and scored the proposals with a selection score of (91) LeMessurier Consultants, Inc over Gawron Turgeon Architects (77).

Total contract would be \$145,000.00 as we have negotiated that down by the original bid by \$8,000.00.

City Budgetary Impacts: \$145,000 allocated to ARPA funds.

Staff Recommended Action: Fully fund the Shovel Ready Housing Plans Proposal #2023-009 to LeMessurier Consultants.

Previous Meetings and History: September 6 & 19, 2022. The Council on September 19, 2022, voted to direct the City Manager to draft a request for proposal (RFP) and budgeting for an architectural firm. Ad-Hoc committee met on November 17 and December 8th 2022 to review and score proposals and provide direction.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Ad-Hoc RFP Score.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 19th, 2022

Resolve: 09-12192022

Author: Jonathan P. LaBonte, Transportation Systems Director

Subject: St. Lawrence and Atlantic Railroad – Berlin Subdivision (Rail Use Advisory Council) Resolve

Information: A presentation was made to the City Council regarding the Rail Use Advisory Council (RUAC) process, studies and plan associated with this corridor, and a staff recommendation of a “rail with trail” position for the City of Auburn. This resolve will be advanced through the final two RUAC meetings where a report to the Commissioner of MaineDOT will be completed. Staff remain in active communication with the City of Portland and other partners and stakeholders to this corridor and its economic potential.

City Budgetary Impacts: None

Staff Recommended Action: Adoption of City Council Resolve at December 19th, 2022 meeting

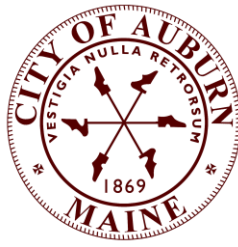
Previous Meetings and History: December 5th, 2022 presentation on RUAC process and rail corridor history

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:
Draft Resolve



City Council Resolve

IN CITY COUNCIL

WHEREAS, the Commissioner of the Maine Department of Transportation, pursuant to Public Law 21, Chapter 239, established a Rail Use Advisory Council to facilitate discussion, gather information, and provide advice regarding the future use of the state-owned section of the St. Lawrence and Atlantic Railroad Berlin Subdivision between Auburn and Portland; and

WHEREAS, the City of Auburn was provided a seat on said Council to provide input on city plans and policies relating to the future use of this rail corridor; and

WHEREAS, state of Maine acquired this corridor through two purchases, one in 2007 and another in 2010, as part of on-going planning for freight and passenger movements between the City of Portland and the City of Auburn; and

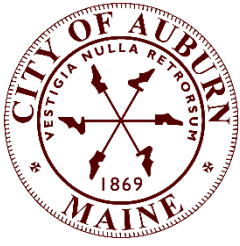
WHEREAS, the city has identified south Auburn as a growth area in its most recent Comprehensive Plan and multi-modal use of this corridor, including for active transportation, would increase its attractiveness for residential and commercial investment; and

NOW THEREFORE BE IT RESOLVED, that the Auburn City Council supports a “rail with trail” recommendation from the Rail Use Advisory Council and the expedited movement of any necessary planning and design work to implement that recommendation between Maine’s largest city, Portland, and the city of Auburn.

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: December 19, 2022

Order: 164-12192022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Shelter Related Zoning – Directing Planning Board to review and provide a recommendation on potential zoning changes

Information: The Current zoning ordinance does not allow general use shelters but does allow Shelters for abused persons. The Council indicated that they would like the Planning Board to consider allowing shelters for emergencies or other shelter based on non-emergency needs within the City in some locations. Considering the need to be proximate to other goods and services that a person residing in a shelter may need should be part of the consideration. A draft order for Council consideration is attached.

City Budgetary Impacts: Minimal for policy discussion.

Staff Recommended Action: Review draft order and modify it or vote to pass it to meet Council goals.

Previous Meetings and History: December 5, 2022 communications.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Draft Order.



ORDER 164-12192022

City Council Order

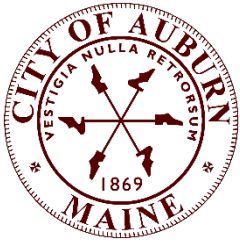
IN CITY COUNCIL

ORDERED, that the City Council hereby directs the Planning Board to review unhousted/homeless shelter related uses in the City of Auburn Zoning Districts, with public input, and consider where shelters should be allowed. After initial review by the Planning Board the Council Directs the Planning Board to use the information from their review and initiate a zoning change including ordinance text, hold a public hearing and provide a recommendation to the City Council on a zoning amendment designating which types of shelters should be allowed and where they should be allowed as permitted uses or special exceptions in the City of Auburn.

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: December 19, 2022

Order: 165-12192022

Author: John Blais, Deputy Director of Planning, Permitting and Code

Subject: Directing the City Manager to fund the Engineering and Architectural (AE) Proposal, Shovel Ready Housing Plans Proposal #2023-009 with ARPA Funds

Information: The competitive RFP was drafted and advertised through the Engineering and Architectural (AE) Proposal, Shovel Ready Housing Plans, **Proposal #2023-009**, using the City of Auburn, procurement process. Two proposals were received on November 10th, 2022. Over the past few weeks, the Mayors Ad-hoc committee reviewed and scored the proposals with a selection score of (91) LeMessurier Consultants, Inc over Gawron Turgeon Architects (77).

Total contract would be \$145,000.00 as we have negotiated that down by the original bid by \$8,000.00.

City Budgetary Impacts: \$145,000 allocated to ARPA funds.

Staff Recommended Action: Fully fund the Shovel Ready Housing Plans Proposal #2023-009 to LeMessurier Consultants.

Previous Meetings and History: September 6 & 19, 2022. The Council on September 19, 2022, voted to direct the City Manager to draft a request for proposal (RFP) and budgeting for an architectural firm. Ad-Hoc committee met on November 17 and December 8th 2022 to review and score proposals and provide direction.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Ad-Hoc RFP Score.



ORDER 165-12192022

City Council Order

IN CITY COUNCIL

ORDERED, that Auburn City Council allocates \$145,000 of ARPA (American Rescue Plan Act) funds for the acquisition of the Shovel Ready Housing Plans.

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, Maine

"Maine's City of Opportunity"

Financial Services



TO: Phillip Crowell, City Manager
FROM: Jill Eastman, Finance Director
REF: November 2022 Financial Report
DATE: December 19, 2022

The following is a discussion regarding the significant variances found in the City's November 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 fifth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 41.7% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through November 30th, including the school department were \$48,180,162, or 45.01%, of the budget. The municipal revenues including property taxes were \$33,721,039 or 47.85% of the budget which is less than last year by 0.68% which is \$1,259,679 more in dollars. The accounts listed below are noteworthy.

- A. State Revenue Sharing for the month of November is 61.99% or \$2,791,878. This is an increase of \$491,0181 from last November.
- B. Current year Property Taxes for the month of November are 50.11% or \$26,289,598 which is \$1,075,450 more than last year.

Expenditures

City expenditures through November 2022 were \$26,695,655 or 52.03% of the budget. This is 2.49% less than the same period last year. The dollar amount is higher, due to the budget increase in FY 23. Noteworthy variances are:

- A. Debt Service is higher than last year by \$594,447.
- B. Public works is higher than last year by \$ 286,254.
- C. Administration is higher than last year by \$43,933, as is Community Services by \$120,594 and Public Safety by \$27,959 .

Investments

This section contains an investment schedule as of November 30th. Currently the City's funds are earning an average interest rate of 2.35%.

Respectfully submitted,



Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of November 2022, October 2022, and June 2022

	November 2022	October 2022	Increase (Decrease)	UNAUDITED JUNE 30 2022
ASSETS				
CASH	\$ 36,657,863	\$ 41,544,703	\$ (4,886,840)	\$ 25,056,314
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,184,016	3,467,895	(2,283,879)	1,461,282
TAXES RECEIVABLE-CURRENT	23,174,917	23,476,571	(301,654)	42,636
DELINQUENT TAXES	451,375	451,415	(40)	395,714
TAX LIENS	933,058	965,967	(32,909)	1,297,627
NET DUE TO/FROM OTHER FUNDS	(11,539,778)	(11,632,671)	92,893	4,391,622
	<hr/>			
TOTAL ASSETS	\$ 50,861,451	\$ 58,273,880	\$ (7,412,429)	\$ 32,645,195
 LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (129,033)	\$ 24,374	\$ (153,407)	\$ (824,510)
PAYROLL LIABILITIES	3,968,052	(675,930)	4,643,982	2,948,844
ACCRUED PAYROLL	-	-	-	(263,746)
STATE FEES PAYABLE	-	(39,521)	39,521	(183)
ESCROWED AMOUNTS	(41,966)	(41,956)	(10)	(40,426)
DEFERRED REVENUE	(24,408,995)	(24,743,598)	334,603	(1,585,602)
DUE TO OTHER FUNDS	-	-	-	-
	<hr/>			
TOTAL LIABILITIES	\$ (20,611,942)	\$ (25,476,631)	\$ 4,864,689	\$ 234,377
FUND BALANCE - UNASSIGNED/ASSIGNED	\$ (27,250,694)	\$ (29,798,433)	\$ 2,547,739	\$ (29,880,756)
FUND BALANCE - RESTRICTED	(2,309,553)	(2,309,553)		(2,309,553)
FUND BALANCE - NON SPENDABLE	(689,263)	(689,263)	-	(689,263)
	<hr/>			
TOTAL FUND BALANCE	\$ (30,249,510)	\$ (32,797,249)	\$ 2,547,739	\$ (32,879,572)
	<hr/>			
TOTAL LIABILITIES AND FUND BALANCE	\$ (50,861,451)	\$ (58,273,880)	\$ 7,412,429	\$ (32,645,195)

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH November 30, 2022 VS November 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU NOV 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 52,463,320	\$ 26,289,598	50.11%	\$ 50,042,450	\$ 25,214,148	50.39%	\$ 1,075,450
PRIOR YEAR TAX REVENUE	\$ -	\$ 92,633		\$ -	\$ 340,243		\$ (247,610)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 1,770,000	\$ 1,322,921	74.74%	\$ 1,650,000	\$ 1,290,048	78.18%	\$ 32,873
EXCISE	\$ 4,435,000	\$ 1,976,620	44.57%	\$ 4,425,000	\$ 1,996,853	45.13%	\$ (20,233)
PENALTIES & INTEREST	\$ 120,000	\$ 19,952	16.63%	\$ 120,000	\$ 39,622	33.02%	\$ (19,670)
TOTAL TAXES	\$ 58,788,320	\$ 29,701,725	50.52%	\$ 56,237,450	\$ 28,880,914	51.36%	\$ 820,811
LICENSES AND PERMITS							
BUSINESS	\$ 190,000	\$ 121,931	64.17%	\$ 166,000	\$ 133,683	80.53%	\$ (11,752)
NON-BUSINESS	\$ 195,250	\$ 137,440	70.39%	\$ 300,200	\$ 168,752	56.21%	\$ (31,312)
TOTAL LICENSES	\$ 385,250	\$ 259,371	67.33%	\$ 466,200	\$ 302,435	64.87%	\$ (43,064)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ -	0.00%	\$ 390,000	\$ -	0.00%	\$ -
STATE REVENUE SHARING	\$ 4,504,100	\$ 2,791,878	61.99%	\$ 3,150,000	\$ 2,300,797	73.04%	\$ 491,081
WELFARE REIMBURSEMENT	\$ 83,912	\$ 16,955	20.21%	\$ 90,656	\$ 14,756	16.28%	\$ 2,199
OTHER STATE AID	\$ 32,000	\$ -	0.00%	\$ 32,000	\$ 12,579	39.31%	\$ (12,579)
CITY OF LEWISTON	\$ 182,000	\$ -	0.00%	\$ 228,384	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 5,202,012	\$ 2,808,833	54.00%	\$ 3,891,040	\$ 2,328,132	59.83%	\$ 480,701
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 361,400	\$ 49,046	13.57%	\$ 184,400	\$ 85,027	46.11%	\$ (35,981)
PUBLIC SAFETY	\$ 30,800	\$ 38,340	124.48%	\$ 176,600	\$ 54,843	31.05%	\$ (16,503)
EMS TRANSPORT	\$ 1,350,000	\$ 615,382	45.58%	\$ 1,250,000	\$ 628,250	50.26%	\$ (12,868)
TOTAL CHARGE FOR SERVICES	\$ 1,742,200	\$ 702,769	40.34%	\$ 1,611,000	\$ 768,120	47.68%	\$ (65,352)
FINES							
PARKING TICKETS & MISC FINES	\$ 28,000	\$ 10,627	37.95%	\$ 41,500	\$ 18,976	45.73%	\$ (8,349)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 30,000	\$ 21,538	71.79%	\$ 40,000	\$ 8,435	21.09%	\$ 13,103
RENTS	\$ 75,000	\$ 2,614	3.49%	\$ 125,000	\$ 5,031	4.02%	\$ (2,417)
UNCLASSIFIED	\$ 20,000	\$ 55,910	279.55%	\$ 20,000	\$ 20,701	103.51%	\$ 35,209
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 26,038		\$ -	\$ 24,966		\$ 1,072
SALE OF PROPERTY	\$ 100,000	\$ 678	0.68%	\$ 120,000	\$ 1,113	0.93%	\$ (435)
RECREATION PROGRAMS/ARENA							\$ -
MMWAC HOST FEES	\$ 240,000	\$ 96,713	40.30%	\$ 234,000	\$ 96,713	41.33%	\$ (0)
TRANSFER IN: TIF	\$ 1,140,000	\$ -	0.00%	\$ 1,140,000	\$ -	0.00%	\$ -
TRANSFER IN: Other Funds	\$ 619,000	\$ -	0.00%	\$ 473,925	\$ -	0.00%	\$ -
ENERGY EFFICIENCY							\$ -
SPONSORSHIPS - ECON DEVELOPMENT	\$ -	\$ 32,700		\$ -			\$ 32,700
CDBG	\$ 588,154	\$ -	0.00%	\$ 252,799	\$ -	0.00%	\$ -
UTILITY REIMBURSEMENT	\$ 20,000	\$ 1,523	7.62%	\$ 20,000	\$ 5,824	29.12%	\$ (4,301)
CITY FUND BALANCE CONTRIBUTION	\$ 1,500,000	\$ -	0.00%	\$ 475,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 4,332,154	\$ 237,714	5.49%	\$ 2,900,724	\$ 162,783	5.61%	\$ 74,931
TOTAL GENERAL FUND REVENUES	\$ 70,477,936	\$ 33,721,039	47.85%	\$ 65,147,914	\$ 32,461,360	49.83%	\$ 1,259,679
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 34,826,024	\$ 14,410,343	41.38%	\$ 28,900,061	\$ 13,064,442	45.21%	\$ 1,345,901
EDUCATION	\$ 489,465	\$ 48,781	9.97%	\$ 518,821	\$ 259,257	49.97%	\$ (210,476)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 1,251,726	\$ -	0.00%	\$ 879,404	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 36,567,215	\$ 14,459,123	39.54%	\$ 30,298,286	\$ 13,323,699	43.98%	\$ 1,135,424
GRAND TOTAL REVENUES	\$ 107,045,151	\$ 48,180,162	45.01%	\$ 95,446,200	\$ 45,785,059	47.97%	\$ 2,395,103

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH November 30, 2022 VS November 30, 2021

DEPARTMENT	FY 2023 BUDGET	EXP THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	EXP THRU NOV 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 170,500	\$ 48,176	28.26%	\$ 104,850	\$ 69,561	66.34%	\$ (21,385)
CITY MANAGER	\$ 510,978	\$ 198,353	38.82%	\$ 447,401	\$ 224,679	50.22%	\$ (26,326)
COMMUNICATIONS & ENGAGEMENT	\$ 218,746	\$ 69,720	31.87%	\$ 911,637	\$ 529,067	58.03%	\$ (459,347)
CITY CLERK	\$ 257,506	\$ 117,923	45.79%	\$ 237,474	\$ 95,926	40.39%	\$ 21,997
FINANCE	\$ 1,138,802	\$ 438,879	38.54%	\$ 810,303	\$ 302,265	37.30%	\$ 136,614
HUMAN RESOURCES	\$ 222,099	\$ 84,141	37.88%	\$ 220,250	\$ 82,299	37.37%	\$ 1,842
INFORMATION TECHNOLOGY	\$ 827,000	\$ 390,538	47.22%	\$ -	\$ -	-	\$ 390,538
TOTAL ADMINISTRATION	\$ 3,345,631	\$ 1,347,730	40.28%	\$ 2,731,915	\$ 1,303,797	47.72%	\$ 43,933
COMMUNITY SERVICES							
PLANNING & PERMITTING	\$ 666,629	\$ 294,009	44.10%	\$ 900,583	\$ 317,214	35.22%	\$ (23,205)
ECONOMIC DEVELOPMENT	\$ 286,598	\$ 121,175	42.28%	\$ 108,469	\$ 38,235	35.25%	\$ 82,940
BUSINESS & COMMUNITY DEVELOPMENT	\$ 671,411	\$ 117,951	17.57%	\$ 512,260	\$ 112,211	21.91%	\$ 5,740
HEALTH & SOCIAL SERVICES	\$ 119,875	\$ 45,623	38.06%	\$ 119,875	\$ 32,084	26.76%	\$ 13,539
RECREATION	\$ 762,440	\$ 251,381	32.97%	\$ 584,056	\$ 223,250	38.22%	\$ 28,131
PUBLIC LIBRARY	\$ 1,084,437	\$ 451,850	41.67%	\$ 1,052,163	\$ 438,401	41.67%	\$ 13,449
TOTAL COMMUNITY SERVICES	\$ 3,591,390	\$ 1,281,989	35.70%	\$ 3,277,406	\$ 1,161,395	35.44%	\$ 120,594
FISCAL SERVICES							
DEBT SERVICE	\$ 8,361,254	\$ 7,549,963	90.30%	\$ 7,734,169	\$ 6,955,516	89.93%	\$ 594,447
CAPITAL INVESTMENT AND PURCHASING	\$ 672,473	\$ 253,180	37.65%	\$ 677,872	\$ 250,155	36.90%	\$ 3,025
WORKERS COMPENSATION	\$ 698,000	\$ 698,000	100.00%	\$ 642,400	\$ 642,400	100.00%	\$ 55,600
WAGES & BENEFITS	\$ 7,876,393	\$ 2,723,280	34.58%	\$ 7,334,932	\$ 2,663,921	36.32%	\$ 59,359
EMERGENCY RESERVE (10108062-670000)	\$ 461,230	\$ -	0.00%	\$ 461,230	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 18,069,350	\$ 11,224,423	62.12%	\$ 16,850,603	\$ 10,511,992	62.38%	\$ 712,431
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	\$ 5,693,284	\$ 2,332,875	40.98%	\$ 5,446,588	\$ 2,341,984	43.00%	\$ (9,109)
POLICE DEPARTMENT	\$ 4,945,034	\$ 1,750,161	35.39%	\$ 4,343,924	\$ 1,713,093	39.44%	\$ 37,068
TOTAL PUBLIC SAFETY	\$ 10,638,318	\$ 4,083,036	38.38%	\$ 9,790,512	\$ 4,055,077	41.42%	\$ 27,959
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	\$ 5,600,109	\$ 1,881,743	33.60%	\$ 5,077,370	\$ 1,680,977	33.11%	\$ 200,766
SOLID WASTE DISPOSAL*	\$ 1,320,000	\$ 415,669	31.49%	\$ 1,089,950	\$ 330,181	30.29%	\$ 85,488
WATER AND SEWER	\$ 792,716	\$ 390,602	49.27%	\$ 792,716	\$ 390,602	49.27%	\$ -
TOTAL PUBLIC WORKS	\$ 7,712,825	\$ 2,688,014	34.85%	\$ 6,960,036	\$ 2,401,760	34.51%	\$ 286,254
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 205,000	\$ 206,299	100.63%	\$ 177,000	\$ 177,680	100.38%	\$ 28,619
E911 COMMUNICATION CENTER	\$ 1,217,713	\$ 608,856	50.00%	\$ 1,161,479	\$ 580,740	50.00%	\$ 28,116
LATC-PUBLIC TRANSIT	\$ 431,811	\$ -	0.00%	\$ 225,000	\$ -	0.00%	\$ -
LA ARTS	\$ 30,000	\$ 15,000	50.00%	\$ 10,000	\$ 10,000	100.00%	\$ 5,000
TAX SHARING	\$ 260,000	\$ -	0.00%	\$ 260,000	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL	\$ 2,144,524	\$ 830,155	38.71%	\$ 1,833,479	\$ 768,420	41.91%	\$ 61,735
COUNTY TAX							
TIF (10108058-580000)	\$ 2,761,220	\$ 2,761,220	100.00%	\$ 2,611,080	\$ 2,611,080	100.00%	\$ 150,140
OVERLAY	\$ 3,049,803	\$ 2,479,088	81.29%	\$ 3,049,803	\$ 2,867,365	94.02%	\$ (388,277)
	\$ -	\$ -	-	\$ -	\$ -	-	\$ -
TOTAL CITY DEPARTMENTS	\$ 51,313,061	\$ 26,695,655	52.03%	\$ 47,104,834	\$ 25,680,886	54.52%	\$ 1,014,769
EDUCATION DEPARTMENT							
	\$ 55,732,090	\$ 15,329,888	27.51%	\$ 48,341,366	\$ 12,205,535	25.25%	\$ 3,124,353
TOTAL GENERAL FUND EXPENDITURES	\$ 107,045,151	\$ 42,025,543	39.26%	\$ 95,446,200	\$ 37,886,421	39.69%	\$ 4,139,122

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF November 30, 2022**

INVESTMENT		FUND	BALANCE November 30, 2022	BALANCE October 31, 2022	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 11,144,532.85	\$ 7,338,495.11	0.80%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,053,223.52	\$ 1,053,403.90	0.80%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 11,392,463.31	\$ 17,206,394.12	0.80%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 52,694.79	\$ 52,664.21	0.80%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 340,707.64	\$ 340,509.84	0.80%
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	\$ 227,492.44	\$ 227,360.38	0.80%
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	\$ 467,163.15	\$ 466,891.99	0.80%
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	\$ 564,686.75	\$ 497,549.87	0.80%
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	\$ 15,416.49	\$ 15,407.58	0.80%
NOMURA 1		ELHS Bond Proceeds	\$ -	\$ 5,840,941.97	0.15%
NOMURA 2		ELHS Bond Proceeds	\$ 51,859,388.00	\$ 55,430,000.00	2.08%
Northern Capital Securities	CD	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.25%
Northern Capital Securities	CD	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	3.95%
Northern Capital Securities	CD	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	3.95%
Northern Capital Securities	CD	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	4.50%
Northern Capital Securities	CD	GENERAL FUND	\$ 250,000.00	\$ -	4.40%
Northern Capital Securities	CD	GENERAL FUND	\$ 250,000.00	\$ -	4.60%
Northern Capital Securities	CD	GENERAL FUND	\$ 250,000.00	\$ -	4.85%
Northern Capital Securities	CD	GENERAL FUND	\$ 250,000.00	\$ -	4.70%
GRAND TOTAL			\$ 79,117,768.94	\$ 89,469,618.97	2.35%

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2022 - June 30, 2023
Report as of November 30, 2022

	Beginning	November 2022					Ending
	Balance 11/1/2022	New Charges	Payments	Refunds	Adjustments	Write-Offs	Balance 11/30/2022
Bluecross	\$ 14,594.73	\$ 10,192.40	\$ (5,333.61)	\$ 324.40	\$ (10,373.75)		\$ 9,404.17
Intercept	\$ 300.00	\$ 200.00	\$ (300.00)				\$ 200.00
Medicare	\$ 128,143.62	\$ 154,190.50	\$ (55,140.89)		\$ (110,706.74)		\$ 116,486.49
Medicaid	\$ 63,468.03	\$ 68,679.75	\$ (36,812.49)		\$ (22,917.64)		\$ 72,417.65
Other/Commercial	\$ 77,599.03	\$ 18,577.60	\$ (23,103.13)	\$ 81.10	\$ 5,055.93		\$ 78,210.53
Patient	\$ 148,497.08	\$ 18,078.20	\$ (12,268.68)	\$ -	\$ (494.73)	\$ 364.53	\$ 154,176.40
Worker's Comp	\$ -	\$ 1,805.20	\$ (1,311.92)		\$ (493.28)		\$ -
TOTAL	\$ 432,602.49	\$ 271,723.65	\$ (134,270.72)	\$ 405.50	\$ (139,930.21)	\$ 364.53	\$ 430,895.24

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2022 - June 30, 2023
Report as of November 30, 2022

	July 2022	August 2022	Sept 2022	Oct 2022	Nov 2022	Totals	% of Total
Bluecross	\$ 2,477.35	\$ 13,307.40	\$ 13,596.80	\$ 10,192.40	\$ 10,192.40	\$ 49,766.35	3.41%
Intercept	\$ 100.00	\$ -	\$ 100.00	\$ 200.00	\$ 200.00	\$ 600.00	0.04%
Medicare	\$ 155,398.20	\$ 205,712.40	\$ 155,567.20	\$ 154,190.50	\$ 154,190.50	\$ 825,058.80	56.56%
Medicaid	\$ 61,000.80	\$ 82,386.60	\$ 63,625.60	\$ 68,679.75	\$ 68,679.75	\$ 344,372.50	23.61%
Other/Commercial	\$ 38,520.45	\$ 50,549.60	\$ 28,756.00	\$ 18,577.60	\$ 18,577.60	\$ 154,981.25	10.62%
Patient	\$ 8,120.20	\$ 12,558.80	\$ 18,008.60	\$ 18,078.20	\$ 18,078.20	\$ 74,844.00	5.13%
Worker's Comp	\$ 1,803.40	\$ 3,664.60	\$ -	\$ 1,805.20	\$ 1,805.20	\$ 9,078.40	0.62%
TOTAL	\$ 267,420.40	\$ 368,179.40	\$ 279,654.20	\$ 271,723.65	\$ 271,723.65	\$ 1,458,701.30	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2022 - June 30, 2023
Report as of November 30, 2022

	July 2022	August 2022	Sept 2022	Oct 2022	Nov 2022	Totals	% of Total
Bluecross	3	13	14	14	11	55	3.41%
Intercept	1	0	1	2	2	6	0.37%
Medicare	170	231	170	180	170	921	57.13%
Medicaid	65	88	69	55	77	354	21.96%
Other/Commercial	43	54	30	23	21	171	10.61%
Patient	10	13	19	34	20	96	5.96%
Worker's Comp	2	4		1	2	9	0.56%
TOTAL	294	403	303	309	303	1612	100.00%

**EMS BILLING
AGING REPORT
July 1, 2022 to June 30, 2023
Report as of November 30, 2022**

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	\$ 5,412.40	58%	\$ -	0%	\$ 1,624.44	17%	\$ -	0%	\$ 2,367.33	25%	\$ 9,404.17	2.18%
Intercept	\$ 100.00	50%	\$ -	0%	\$ -	0%	\$ -	0%	\$ 100.00	50%	\$ 200.00	0.05%
Medicare	\$ 77,057.20	66%	\$ 23,679.80	20%	\$ 8,704.00	7%	\$ 174.80	0%	\$ 6,870.69	6%	\$ 116,486.49	27.03%
Medicaid	\$ 32,571.83	45%	\$ 9,078.05	13%	\$ 13,259.40	18%	\$ 8,441.90	12%	\$ 9,066.47	13%	\$ 72,417.65	16.81%
Other/Commercial	\$ 19,886.58	25%	\$ 13,362.84	17%	\$ 10,545.40	13%	\$ 11,915.60	15%	\$ 22,500.11	29%	\$ 78,210.53	18.15%
Patient	\$ 41,944.91	27%	\$ 36,075.83	23%	\$ 25,097.07	16%	\$ 20,458.88	13%	\$ 30,599.71	20%	\$ 154,176.40	35.78%
Worker's Comp											\$ -	0.00%
TOTAL	\$ 176,972.92		\$ 82,196.52		\$ 59,230.31		\$ 40,991.18		\$ 71,504.31		\$ 430,895.24	
	41%		19%		14%		10%		17%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of November 30, 2022

	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant	2016 Pedestrian Safety
Fund Balance 7/1/22	\$ 517,052.67	\$ 6,919.98	\$ 34,914.39	\$ 1,421.68	\$ 3,039.35	\$ -	\$ 4,796.03	\$ 169.19	\$ 2,808.57	\$ 79,868.61	\$ (153,799.68)	\$ 4,289.65	\$ 23,595.00	\$ 4,356.29	\$ 5,520.52	\$ 409.11
Revenues FY23	\$ 33,536.69	\$ 669.00	\$ 1,180.37		\$ 3,795.00	\$ 100.00				\$ 75,100.00		\$ 45.00	\$ 6,765.00		\$ 3,193.29	\$ 1,053.34
Expenditures FY23	\$ 145,743.00				\$ 701.58	\$ 397.81		\$ 382.50		\$ 320,738.21	\$ 19,260.71	\$ 1,376.60	\$ -		\$ 2,820.39	\$ 917.14
Fund Balance 11/30/2022	\$ 404,846.36	\$ 7,588.98	\$ 36,094.76	\$ 1,421.68	\$ 6,132.77	\$ (297.81)	\$ 4,796.03	\$ (213.31)	\$ 2,808.57	\$ (165,769.60)	\$ (173,060.39)	\$ 2,958.05	\$ 30,360.00	\$ 4,356.29	\$ 5,893.42	\$ 545.31

	2018 Nat Opioid Settlement	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2026 State Grant Non-GA Heat Asst	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	2048 TD Tree Days	2050 Project Lifesaver	2051 Project Canopy
Fund Balance 7/1/22	\$ -	\$ (8,205.29)	\$ 1,069,816.45	\$ 30,822.46	\$ -	\$ 46,171.40	\$ 2,560.00	\$ 8,281.24	\$ 20,536.23	\$ 22,850.45	\$ (930.00)	\$ 92,332.26	\$ (1,695.00)	\$ -	\$ 189.35	\$ (9,519.48)
Revenues FY23	\$ 78,699.07		\$ 422,130.31	\$ 119.34	\$ 31,165.02	\$ 69,939.50				\$ 3,360.73		\$ 15,066.91		\$ 9,600.00		\$ 7,996.88
Expenditures FY23			\$ 569,566.44	\$ 137.00		\$ 81,021.45		\$ 2,909.14		\$ 1,945.50		\$ 3,281.27		\$ 9,786.95		
Fund Balance 11/30/2022	\$ 78,699.07	\$ (8,205.29)	\$ 922,380.32	\$ 30,804.80	\$ 31,165.02	\$ 35,089.45	\$ 2,560.00	\$ 5,372.10	\$ 20,536.23	\$ 24,265.68	\$ (930.00)	\$ 104,117.90	\$ (1,695.00)	\$ (186.95)	\$ 189.35	\$ (1,522.60)

	2053 St Louis Bells	2054 EMS Transport Capital Reserve	2055 Work4ME- PAL	2059 Distracted Driving	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Grant	2080 Futsol Court Project	2300 ARPA Grant	2400 NRPA Youth Mentoring	2405 Elmina B Sewall Grant	2500 Parks & Recreation	6200 Ingersoll Turf
Fund Balance 7/1/22	\$ 21,359.27	\$ 170,048.62	\$ 4,911.03	\$ 898.69	\$ 209.00	\$ 178,046.71	\$ (3,500.00)	\$ 1,719.02	\$ 25,353.61	\$ 12,716,078.13	\$ (1,443.69)	\$ 10,000.00	\$ 232,365.87	
Revenues FY23	\$ (178.56)	\$ 175,515.84		\$ 508.14						\$ 15,424.33	\$ 6,829.89		\$ 169,345.82	
Expenditures FY23				\$ 604.26			\$ 481.25		\$ 709,671.44	\$ 8,494.53			\$ 289,372.03	
Fund Balance 11/30/2022	\$ 21,180.71	\$ 345,564.46	\$ 4,911.03	\$ 802.57	\$ 209.00	\$ 178,046.71	\$ (3,500.00)	\$ 1,237.77	\$ 25,353.61	\$ 12,021,831.02	\$ (3,108.33)	\$ 10,000.00	\$ 112,339.66	\$ -

	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 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	2600 W Shore Landing TIF 26	Total Special Revenues
Fund Balance 7/1/22	\$ 78,950.70	\$ 806,274.01	\$ 237,684.12	\$ (519,427.49)	\$ 455,494.65	\$ (900,465.25)	\$ (0.03)	\$ (2,663.69)	\$ 1,120.91	\$ 50,241.31	\$ 84,060.95	\$ 33,113.81	\$ 13,914.35	\$ (102,204.06)	\$ -	\$ 15,400,711.98
Revenues FY23	\$ 190,974.78		\$ 865,341.00	\$ 157,316.00	\$ 294,264.43	\$ 448,773.33	\$ 48,589.45	\$ 30,616.50	\$ 56,495.08	\$ 48,218.63	\$ 96,002.45	\$ 113,293.40	\$ 35,248.40	\$ 34,426.44	\$ 59,527.65	\$ 3,610,048.45
Expenditures FY23			\$ 299,441.66	\$ 244,200.00	\$ 69,152.14	\$ 105,461.73	\$ 14,576.84			\$ 12,054.66	\$ 24,000.61	\$ 136,134.34	\$ 17,624.20	\$ 5,996.98		\$ 3,098,252.36
Fund Balance 11/30/2022	\$ 269,925.48	\$ 806,274.01	\$ 803,583.46	\$ (606,311.49)	\$ 680,606.94	\$ (557,153.65)	\$ 34,012.58	\$ 27,952.81	\$ 57,615.99	\$ 86,405.28	\$ 156,062.79	\$ 10,272.87	\$ 31,538.55	\$ (73,774.60)	\$ 59,527.65	\$ 15,912,508.07



City of Auburn, Maine

Finance Department

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for November 30, 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 November 30, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of November 30, 2022.

Current Assets:

As of the end of November 2022 the total current assets of Ingersoll Turf Facility were \$236,476. This consisted of cash and cash equivalents.

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 November 30, 2022, were \$61,779.

Liabilities:

Ingersoll had accounts payable of \$405 as of November 30, 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 Ingersoll Turf Facility through November 2022 are \$52,046. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through November 2022 were \$17,710. These expenses include program costs and capital purchases. Personal and operating costs are now in the Recreation budget.

As of November 2022, Ingersoll has an operating gain of \$34,336 compared to a net gain in October of \$8,533.

As of November 30, 2022, Ingersoll has an increase in net assets of \$34,336.

The budget to actual reports for revenue and expenditures, show that the revenue for FY23 compared to FY 22.

Statement of Net Assets
Ingersoll Turf Facility
November 30, 2022
Business-type Activities - Enterprise Fund

	November 30, 2022	October 31, 2022	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 227,360	\$ 227,273	\$ 87
Interfund receivables/payables	\$ 9,116	\$ -	9,116
Accounts receivable	-	-	-
Total current assets	236,476	227,273	9,203
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	119,673	119,673	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(748,757)	(748,757)	-
Total noncurrent assets	61,779	61,779	-
Total assets	298,255	289,052	9,203
LIABILITIES			
Accounts payable	\$ 405	\$ -	405
Interfund payable	\$ -	\$ 17,005	(17,005)
Total liabilities	405	17,005	(16,600)
NET ASSETS			
Invested in capital assets	\$ 61,779	\$ 61,779	\$ -
Unrestricted	\$ 236,071	\$ 210,268	\$ 25,803
Total net assets	\$ 297,850	\$ 272,047	\$ 25,803

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
November 30, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 52,046
Operating expenses:	
Personnel	172
Supplies	4,761
Utilities	
Repairs and maintenance	-
Rent	-
Depreciation	-
Capital expenses	11,136
Other expenses	1,641
Total operating expenses	17,710
Operating gain (loss)	34,336
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	34,336
Transfers out	-
Change in net assets	34,336
Total net assets, July 1	263,514
Total net assets, November 30, 2022	\$ 297,850

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through November 30, 2022 compared to November 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU NOV 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship		\$ 1,500		\$ 25,000	\$ 2,525	10.10%
Batting Cages		\$ 2,855		\$ 16,000	\$ 3,390	21.19%
Programs		\$ 12,801		\$ 94,000	\$ 14,119	15.02%
Rental Income		\$ 34,717		\$ 138,000	\$ 26,680	19.33%
TOTAL CHARGE FOR SERVICES	\$ -	\$ 51,873		\$ 273,000	\$ 46,714	17.11%
INTEREST ON INVESTMENTS						
	\$ -	\$ 173		\$ -	\$ 258	
GRAND TOTAL REVENUES	\$ -	\$ 52,046		\$ 273,000	\$ 46,972	17.21%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through August 31, 2022 compared to August 31, 2021

DESCRIPTION	FY 2023 BUDGET	ACTUAL		FY 2022 BUDGET	ACTUAL		Difference
		EXPENDITURES THRU NOV 2022	% OF BUDGET		EXPENDITURES THRU NOV 2021	% OF BUDGET	
Salaries & Benefits	See Recreation B	\$ 172		\$ 133,041	\$ 42,732	32.12%	\$ (42,560)
Purchased Services				\$ 15,750	\$ 202	1.28%	\$ (202)
Programs		\$ 4,761		\$ 16,300	\$ -	0.00%	\$ 4,761
Supplies		\$ 1,641		\$ 2,500	\$ 3,916	156.64%	\$ (2,275)
Utilities				\$ 24,150	\$ 4,403	18.23%	\$ (4,403)
Insurance Premiums	\$ -			\$ -	\$ -		
Capital Outlay	\$ -	\$ 11,136		\$ -	\$ -		\$ 11,136
	\$ -	\$ 17,710		\$ 191,741	\$ 51,253	26.73%	\$ (33,543)
GRAND TOTAL EXPENDITURES	\$ -	\$ 17,710		\$ 191,741	\$ 51,253	26.73%	\$ (33,543)



City of Auburn, Maine

Finance Department

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Auburn, Maine 04210

207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for November 30, 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 November 30, 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, October 31, 2022.

Current Assets:

As of the end of November 2022 the total current assets of Norway Savings Bank Arena were (\$1,340,177). These consisted of cash and cash equivalents of \$280,889, accounts receivable of \$99,561, and an interfund payable of \$1,720,627.

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 November 30, 2022, was \$147,691.

Liabilities:

Norway Arena had no accounts payable as of November 30, 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 November 2022 are \$322,756. 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 November 2022 were \$279,392. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of November 2022, Norway Arena had an operating gain of \$43,364.

As of November 30, 2022 Norway Arena has a increase in net assets of \$43,364

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY23 is \$405 more than in FY22 and expenditures in FY23 are \$64,215 more than last year in November.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
November 30, 2022
Business-type Activities - Enterprise Fund

	November 30 2022	October 31 2022	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 280,889	\$ 280,504	\$ 385
Interfund receivables	\$ (1,720,627)	\$ (1,732,572)	\$ 11,945
Prepaid Rent			\$ -
Accounts receivable	99,561	90,515	\$ 9,046
Total current assets	(1,340,177)	(1,361,553)	21,376
Noncurrent assets:			
Capital assets:			
Buildings	58,223	58,223	-
Equipment	514,999	514,999	-
Land improvements	-	-	-
Less accumulated depreciation	(425,531)	(425,531)	-
Total noncurrent assets	147,691	147,691	-
Total assets	(1,192,486)	(1,213,862)	21,376
LIABILITIES			
Accounts payable	\$ -	\$ -	-
Net OPEB liability	\$ 43,810	\$ 43,810	-
Net pension liability	42,634	42,634	-
Total liabilities	86,444	86,444	-
NET ASSETS			
Invested in capital assets	\$ 147,691	\$ 147,691	-
Unrestricted	\$ (1,426,621)	\$ (1,447,997)	\$ 21,376
Total net assets	\$ (1,278,930)	\$ (1,300,306)	\$ 21,376

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
November 30, 2022

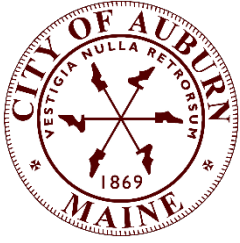
	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 322,756
Operating expenses:	
Personnel	141,204
Supplies	15,867
Utilities	47,715
Repairs and maintenance	36,842
Insurance Premium	-
Depreciation	
Capital expenses	23,794
Other expenses	13,970
Total operating expenses	279,392
Operating gain (loss)	43,364
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	43,364
Transfers out	-
Change in net assets	43,364
Total net assets, July 1	(1,322,294)
Total net assets, November 30, 2022	\$ (1,278,930)

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through November 30, 2022 compared to November 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU NOV 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 16,500		0.00%	\$ 16,500	\$ 7,250	43.94%	\$ (7,250)
Skate Rentals	\$ 6,000		0.00%	\$ 6,000	\$ 425	7.08%	\$ (425)
Pepsi Vending Machines	\$ 2,000	\$ 523	26.15%	\$ 2,000	\$ 494	24.70%	\$ 29
Games Vending Machines	\$ 3,000		0.00%	\$ 3,000	\$ -	0.00%	\$ -
Vending Food	\$ 2,000	\$ 374	18.70%	\$ 2,000	\$ 66	3.30%	\$ 308
Sponsorships	\$ 230,000	\$ 81,053	35.24%	\$ 185,000	\$ 69,960	37.82%	\$ 11,093
Pro Shop	\$ 7,000	\$ 1,755	25.07%	\$ 7,000	\$ 2,169	30.99%	\$ (414)
Programs	\$ 20,000		0.00%	\$ 20,000	\$ -	0.00%	\$ -
Rental Income	\$ 702,000	\$ 181,059	25.79%	\$ 683,500	\$ 218,627	31.99%	\$ (37,568)
Camps/Clinics	\$ 50,000	\$ 21,010	42.02%	\$ 50,000	\$ 23,360	46.72%	\$ (2,350)
Tournaments	\$ 50,000	\$ 36,982	73.96%	\$ 50,000	\$ -	0.00%	\$ 36,982
TOTAL CHARGE FOR SERVICES	\$ 1,088,500	\$ 322,756	29.65%	\$ 1,025,000	\$ 322,351	31.45%	\$ 405

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through November 30, 2022 compared to November 30, 2021

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2023 BUDGET	EXPENDITURES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	EXPENDITURES THRU NOV 2021	% OF BUDGET	
Salaries & Benefits	\$ 291,095	\$ 141,204	48.51%	\$ 339,437	\$ 82,316	24.25%	\$ 58,888
Purchased Services	\$ 136,900	\$ 50,812	37.12%	\$ 123,928	\$ 15,046	12.14%	\$ 35,766
Supplies	\$ 76,562	\$ 15,867	20.72%	\$ 79,000	\$ 29,966	37.93%	\$ (14,099)
Utilities	\$ 267,000	\$ 47,715	17.87%	\$ 250,350	\$ 87,849	35.09%	\$ (40,134)
Capital Outlay	\$ 50,000	\$ 23,794	47.59%	\$ 42,500	\$ -	0.00%	\$ 23,794
Rent	\$ -	\$ -		\$ -	\$ -		\$ -
	\$ 821,557	\$ 279,392	34.01%	\$ 835,215	\$ 215,177	25.76%	\$ 64,215
GRAND TOTAL EXPENDITURES	\$ 821,557	\$ 279,392	34.01%	\$ 835,215	\$ 215,177	25.76%	\$ 64,215



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Subject: Executive Session

Information: Contract Negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D) with possible action to follow.

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;

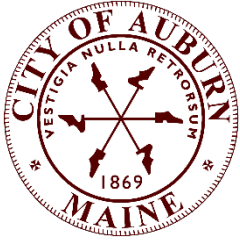
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both 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: December 19, 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;

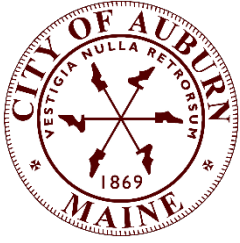
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both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



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C) with possible action to follow.

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;

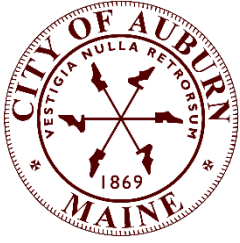
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both 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: December 19, 2022

Subject: Executive Session

Information: Personnel matter, pursuant to 1 M.R.S.A. Section 405(6) (A).

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

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- (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;

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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.