



City Council Meeting and Workshop

July 16, 2012

Agenda

5:30 P.M. Workshop

- A. Turner Street Project – Dan Goyette
- B. Accepting Clubhouse Lane as a public street – Eric Cousens
- C. Naming the 8 South Main Street property – Clint Deschene
- D. MMA executive committee – Clint Deschene
- E. Appointments to Boards and Committees. City Council may go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A)

7:00 P.M. City Council Meeting

Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
 1. **Order 51-07162012***
Electing Rosemary Kulow and appointing City Manager Clint Deschene as the MMA LPC (Maine Municipal Association’s Legislative Policy Committee members for the 2012-2014 term.
- II. **Minutes**
 - July 2, 2012
- III. **Reports**
 - Mayor’s Report**
 - City Councilors’ Reports**
 - City Manager’s Report**
 - Letter from The Mayor and City Council to School Committee Members – to be signed by Council.
 - Finance Director, Jill Eastman – Final June 2012 preliminary Financial Report**
- IV. **Communications, Presentations and Recognitions**
- V. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*. Time limit for open sessions, by ordinance, is 45 minutes.
- VI. **Unfinished Business**
 1. **Order 49-07022012**
Waiving the business licensing fee for Saint Dominic Academy.

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VII. New Business

1. Ordinance 03-07162012

Amending the Code of Ordinances adopting the FY 12-13 General Assistance maximums to be effective on and after July 1, 2012 to reflect the state law (first reading).

2. Ordinance 04-07162012

Amending the City Of Auburn Zoning Map in the area of 75 Constellation Drive, from Suburban Residential, to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Code of Ordinances (public hearing and first reading).

3. Ordinance 05-07162012

Amending to the Official Business Directory Sign (OBDS) ordinance Chapter 42, Division 2, Section 42-44. Location (public hearing, first and final reading).

4. Resolve 06-07162012

Opposing immediate action on the proposed toll increases by the Maine Turnpike Authority.

5. Order 52-07162012

Appointing Planning Board Committee members.

VIII. Executive Session

Discussion of personnel issue, pursuant to 1 M.R.S.A. §405(6)(A).

IX. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

X. Future Agenda/Workshop Items

- Potential workshops items for August 6;
 - Waiving fees for non-profits
 - Website policy
 - Committee and Board appointments

XI. Adjournment

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

- A. Discussion of personnel issues

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- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: July 16, 2012

Item A

Author: Dan Goyette, City Engineer

Subject: Turner Street Rehabilitation

Information: Discussion on the rehabilitation design and neighborhood concerns.

Financial: None

Action Requested at this Meeting: Discussion

Previous Meetings and History: Area residents presented petitions on June 29 and a meeting was held. This was also briefly talked about at the July 2, 2012 City Council meeting.

Attachments: None



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: July 16, 2012

Item B

Author: Eric Cousens, Director of Planning and Permitting

Subject: Subdivision Amendment to Martindale Estates - Consider the request of Martindale Estates Condo Association to amend the approval at Clubhouse Lane (PID 168-012) to allow for acceptance of the private street as a public street.

Information: Please see the attached staff report for additional information. There are two processes that must be followed if the street is to be accepted: 1) Amend the subdivision plan approval to eliminate the prohibition of accepting the private street; and 2) process the petition to accept the street in accordance with the ordinance and State Law. The consideration and outcome of each process at the Planning Board level resulted in a denial of the subdivision amendment and a recommendation that the Council not accept the private road as Public Street. Staff will be available to discuss the proposal and answer any questions at the workshop.

Financial: If the Council chooses to accept the street they will need to budget for repair and maintenance of a new street.

Action Requested at this Meeting: None.

Previous Meetings and History: Planning Board Public Hearing June 12, 2012.

Attachments:

- Planning Board Staff Report
- Historic Information
- Martindale Estates Plan
- Street Acceptance Petition.

Planning Board Report

To: Auburn Planning Board

From: David C.M. Galbraith, City Planner / Acting Director of Planning & Permitting Services

Re: Preliminary Subdivision and Site Plan Review of Martindale Estates Condominiums a Fourteen (14) Unit Residential Planned Unit Development (R-PUD), generally located at the southwest corner of Hotel Road & Martindale Road, Pursuant to Chapter 23, Subdivision Ordinance and Section 3.51 of Chapter 29.

Date: December 14, 2004

I. PROPOSAL

The applicant, Robert Berry, Main-Land Development Consultants, Inc., project manager and agent for William & Mark Turner (d.b.a. Maine Source Homes, LLC) the property owners and developers of the proposed project, is seeking preliminary subdivision approval of Martindale Estates Condominiums a fourteen (14) unit Residential Planned Unit Development (R-PUD). The name of the proposal is Martindale Estates and is generally located at the southwest corner of Hotel Road & Martindale Road. The proposal is being reviewed pursuant to Chapter 23, Subdivision Ordinance and Section 3.51 of Chapter 29. These plans are also being reviewed in conformance with the Department of Environmental Protection (DEP) Site Location of Development Act 38 MRSA 489-A.

The proposed development is located on the east side of Martindale Road approximately 400 feet to the south of Hotel Road. The subject property (ID # 168-012-000-000) is approximately 14.80 acres and zoned Rural Residential (RR). The property has an existing single-family house, owned by Mark Turner (proposed developer) that is proposed to remain on a 1.39 acres parcel. The balance of the property is proposed to be developed as a single-family attached residential Planned Unit Development (R-PUD). The proposal features fourteen (14) units broken into seven (7), two (2) unit buildings. As you are aware the Rural Residential (RR) zone has a one (1) acre minimum lot size. The City's R-PUD Ordinance states that "the total number of dwellings permitted in the PUD-R shall be determined by dividing the total project acreage (not including Public Rights-of-Way) by the area required per unit in that zoning district or as approved by the City pursuant to Section 3.51.D.3.". The Ordinance also allows the "up to a 20 percent increase in density over the district requirement" if a number of criteria are met. The proposal is on approximately 13.5 acres and the

Martindale Estates Condominiums
Residential Planned Unit Development (R-PUD)

developer is proposing a cluster type development to preserve open space and also is providing public easements to the existing trails along the river. The proposal is for fourteen (14) units; therefore the proposal adheres to the allowable density.

A detailed outline of the proposal has been included in the development application. As proposed the majority of the development will be accessed by a single street (24 foot wide), which is proposed to be private road, which will access the development to Martindale Road. The proposed roadway would terminate in a hammerhead for emergency vehicle access. The majority of the units will have direct access to the proposed private street and four (4) of the units will gain indirect access from two extended driveways that will connect to the roadway. The applicant is seeking a waiver from Chapter 32 to increase the maximum length of a cul-de-sac from 600 feet to approximately 1,000 feet. Staff is supportive of the proposed waiver, as the developer has designed the proposal much less intensive than allowed by Ordinance and to minimize the impact to the existing vegetation and wetlands. The development will include on-site fire hydrants and will provide for safe access for emergency vehicles.

The proposal includes a thirty (30) foot wide public trail / easement along the river (north) and a trail & easement from the development to the river trail. The proposed easement area falls over an informal trail system that has substantial public use. This proposal would formalize the trail. The developers have discussed the proposal with the Park District Board, whose comments are listed below. However, they are discussing alternative contributions that may reduce or eliminate the "fee in lieu of" outlined below. The Park District will make its final recommendation regarding the recreational impact fee at final subdivision review. This entire development is being proposed as private, including the roadway. The developer has submitted a draft of the required condominium / homeowner's association documents which Staff is reviewing.

II. DEPARTMENT REVIEW

Police Department:

- A. No comment.

Fire Department:

- A. All buildings shall be numbered prior to the issuance of an Occupancy Permit for each unit. Duplicate numbers will not be allowed.

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- B. The buildings must meet or exceed current national Fire Protection Association Codes, American Insurance Association Fire Prevention Code and conform to local ordinances and state regulations.
- C. The south side of the proposed hammer-head, at the end of the proposed private road, shall be extended an additional ten (10) feet on the final subdivision plans.
- D. The driveways serving units # 13 / 14 and #11 / 12 shall be extended to the end of units # 14 and 12 for additional emergency vehicle access.

Water and Sewer District:

I have reviewed the revised Site Plan / Subdivision Application for Martindale Estates Condominiums prepared by Main-Land Development Consultants, Inc. dated October 26, 2004, for a proposed 14 residential condominiums by Maine Source, Inc. to be located on 13.5 acres on Martindale Road. The proposed development will be served by the public water distribution system and public wastewater disposal system.

- A. A public water main with a public fire hydrant is proposed to be placed within a public easement on the private 1,200 foot long private drive. The wastewater collection system will be a private sewer main placed within the private drive and subsequently connect to the public sewer collection system on Martindale Road.
- B. A suggestion has been made to Main-Land Development Project Engineer Robert Berry to increase the grade of the proposed private sewer main to 0.008 instead of the current design grade of 0.005.

Engineering Department:

- A. There is a dumpster shown on the plans, but no indication in the submission as to who will be responsible for the disposal. It is not specifically addressed in the association documents, as is stormwater and road maintenance, but should be included in Section 3.4, Maintenance Responsibilities.
- B. The applicant has applied for a Maine Stormwater Permit, a NRPA Wetland Alteration Permit, and a NRPA Stream Crossing Permit and has submitted a Maine Construction

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General Permit NOI. The project approval should be conditioned on approval of these permits.

- C. The applicant is requesting that the stormwater permit allow for direct discharge to the Little Androscoggin River. Should the DEP approve this permit there will be an increase in the flow along the ditch line of Martindale Rd. The existing driveway culvert northwesterly of the access road should be upgraded. This property is currently under the control of the applicant.
- D. The access road will need to be named in conformance with E9-1-1 recommendations.

Planning Department:

- A. All dumpsters shall be screened on all sides (including gates) by a solid refuse enclosure. Plans for said enclosures shall be submitted for Staff review and approval.
- B. All recreational areas / amenities, parking lots, landscaping, etc. will be privately owned and maintained by the Martindale Estates Condominiums Homeowner's Association. It should be noted at this time that the City would not take ownership or maintenance of the private streets / drive aisles or parking areas if petitioned in the future. Therefore, the homeowner's association will be required to maintain, repair, clear, etc. all private drives / parking areas.
- C. The removal of all refuse / recycling will be the responsibility of the Martindale Estates Condominiums Homeowner's Association.
- D. The Final Subdivision submittal shall include a detail of the proposed recreational path.

Parks & Recreation:

- A. The Auburn Recreation Advisory Board has reviewed the plans for the Martindale Estates subdivision. We viewed a set of plans submitted by Robert Berry III of Main-Land Development and stamped with the date 10-26-04. Using the Recreation Open Space ordinance formula, the 14-unit subdivision would require 63,560 square feet to satisfy the ordinance. The plans allow for 1,490 feet of public easement for access to the Little Androscoggin River at a 30-foot wide width. The total square footage amounts to 44,700. That leaves a balance of 18,860 square feet. That is 43.29% of an acre. The average cost of an acre of land in this area of Auburn has been calculated by the Assessing Department at \$48,000. Thus, 43.29% of \$48,000 comes to \$20,779 as the remaining impact fee. This remaining fee can be accommodated in a couple of ways by the developer. One would be to pay the fee to the City of Auburn and the funds would be used to improve a recreational

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amenity near this subdivision, but it must be used within a five-year period. Secondly, the impact fee could be satisfied by the developer and the parks and recreation department agreeing on what facility or equipment the impact fee will be used towards. Such items could be projects about to begin or ones in progress to enhance it. Equipment to assist in maintaining recreational amenities is also acceptable.

III. RECOMMENDATION:

Staff has reviewed the proposed preliminary Subdivision / PUD Review for Martindale Estates Condominiums; a fourteen (14) unit single-family condominium development located on East Hardscrabble Road, pursuant to Chapter 23, Subdivision Ordinance and Section 3.51 of Chapter 29. Staff has determined that the proposed subdivision / R-PUD plan is consistent with this zoning classification and meets or exceeds all dimensional standards of the district (other than were waiver are being requested). The proposed subdivision is consistent with and will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of the property adjoining and neighboring the property under application. Therefore, Staff recommends that the Planning Board approve the preliminary Subdivision / PUD Review for Martindale Estates Condominiums, a fourteen (14) unit Residential Planned Unit Development (R-PUD), with the following conditions:

- A. All buildings shall be numbered prior to the issuance of an Occupancy Permit for each unit. Duplicate numbers will not be allowed.
- B. The buildings must meet or exceed current national Fire Protection Association Codes, American Insurance Association Fire Prevention Code and conform to local ordinances and state regulations.
- C. The south side of the proposed hammer-head, at the end of the proposed private road, shall be extended an additional ten (10) feet on the final subdivision plans.
- D. The driveways serving units # 13 / 14 and #11 / 12 shall be extended to the end of units # 14 and 12 for additional emergency vehicle access.
- E. There is a dumpster shown on the plans, but no indication in the submission as to who will be responsible for the disposal. It is not specifically addressed in the association documents, as is stormwater and road maintenance, but should be included in Section 3.4, Maintenance Responsibilities.

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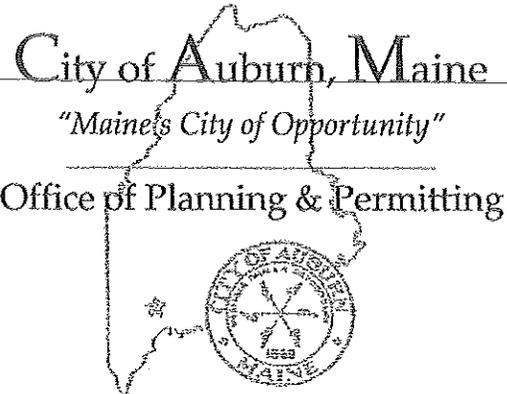
- F. The applicant has applied for a Maine Stormwater Permit, a NRPA Wetland Alteration Permit, and a NRPA Stream Crossing Permit and has submitted a Maine Construction General Permit NOI. The project approval should be conditioned on approval of these permits.
- G. The applicant is requesting that the stormwater permit allow for direct discharge to the Little Androscoggin River. Should the DEP approve this permit there will be an increase in the flow along the ditch line of Martindale Road. The existing driveway culvert northwesterly of the access road shall be upgraded. This property is currently under the control of the applicant.
- H. The access road will need to be named in conformance with E9-1-1 recommendations.
- E. All dumpsters shall be screened on all sides (including gates) by a solid refuse enclosure. Plans for said enclosures shall be submitted for Staff review and approval. As the refuse removal will be the responsibility of the homeowner's association Staff recommends curbside pick-up.
- F. All recreational areas / amenities, parking lots, landscaping, etc. will be privately owned and maintained by the Martindale Estates Condominiums Homeowner's Association. It should be noted at this time that the City would not take ownership or maintenance of the private streets / drive aisles or parking areas if petitioned in the future. Therefore, the homeowner's association will be required to maintain, repair, clear, etc. all private drives / parking areas.
- G. The removal of all refuse / recycling will be the responsibility of the Martindale Estates Condominiums Homeowner's Association.
- H. The Final Subdivision submittal shall include a detail of the proposed recreational path.
- I. Plan approval is also conditioned upon compliance by the applicant with the plans and specifications which have been received by the Planning Board in connection with the development proposal as well as any oral commitments regarding the project which were specifically made by the applicant to the Planning Board in the course of its deliberations.

Martindale Estates Condominiums
Residential Planned Unit Development (R-PUD)

David C.M. Galbraith
City Planner / Acting Director of Planning & Permitting Services

Martindale Estates Condominiums
Residential Planned Unit Development (R-PUD)

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February 16, 2005

To Whom It May Concern,

This letter is to notify you that the Auburn Planning Board has approved your request for a Subdivision at Martindale Estates, a Fourteen (14) Unit Residential Planned Unit Development (R-PUD), generally located at the southwest corner of Hotel Road & Martindale Road, Pursuant to Chapter 23, Subdivision Ordinance and Section 3.51 of Chapter 29 with the following conditions:

- A. All buildings shall be numbered prior to the issuance of an Occupancy Permit for each unit. Duplicate numbers will not be allowed.
- B. The buildings must meet or exceed current national Fire Protection Association Codes, American Insurance Association Fire Prevention Code and conform to local ordinances and state regulations.
- C. The applicant has applied for a Maine Stormwater Permit, a NRPA Wetland Alteration Permit, and a NRPA Stream Crossing Permit and has submitted a Maine Construction General Permit NOI. The project approval should be conditioned on approval of these permits.
- D. The applicant is requesting that the stormwater permit allow for direct discharge to the Little Androscoggin River. Should the DEP approve this permit there will be an increase in the flow along the ditch line of Martindale Road. The existing driveway culvert northwesterly of the access road shall be upgraded. This property is currently under the control of the applicant.
- E. The access road will need to be named in conformance with E9-1-1 recommendations.
- F. All recreational areas / amenities, parking lots, landscaping, etc. will be privately owned and maintained by the Martindale Estates Condominiums Homeowner's Association. It should be noted at this time that the City would not take ownership or maintenance of the

private streets /drive aisles or parking areas if petitioned in the future. Therefore, the homeowner's association will be required to maintain, repair, clear, etc. all private drives / parking areas. The Homeowner's Association will also be the responsible for the removal of all refuse / recycling of the development.

- G. Plan approval is also conditioned upon compliance by the applicant with the plans and specifications which have been received by the Planning Board in connection with the development proposal as well as any oral commitments regarding the project which were specifically made by the applicant to the Planning Board in the course of its deliberations.

Sincerely,

David C.M. Galbraith
City Planner / Acting Director of Planning & Permitting Services

City of Auburn, Maine

"Maine's City of Opportunity"



To: Don Garrish, City Manager
From: Denis D'Auteuil and Eric Cousens, City Planner
Re: Martindale Estates / Clubhouse Lane Street Acceptance Request History
Date: February 29, 2012

We have reviewed our records and combined them for the following summary on the issue:

The City has received a number of inquiries regarding the City accepting Clubhouse Lane as a City street in the Martindale Estates Planned Unit Development (PUD) over the past 3-5 years.

City Staff including, Eric Labelle, former City Engineer., Gary Johnson, Assistant City Engineer, David Galbraith, former Director of Planning and Permitting, Eric Cousens, City Planner and Denis D'Auteuil have meet with residents of the development in the office a number of times and on-site for a neighborhood meeting.

In October of 2009 we had a meeting with Gary McFarland (B & M Builders and James Roberts who owns 2 of the units and is on the Homeowners Association (HA). Most recently we met with Mr. Roberts again.

Mr. Roberts is particularly interested in the City taking ownership due to his concerns with current and future maintenance costs. He also raised issue of City snow plowing & garbage collection. During our conversations we discussed (in part) the following:

1. The project was approved by the PB as a PUD and due to the acreage and proposed density the developer received a density bonus (as allowed under the PUD Ordinance).
2. The PUD Ordinance requires developments of this type to illustrate a public benefit and the private street was one of the major elements of that approval.
3. During the original review and Planning Board approval the private road issue was discussed and the following condition was recommended and adopted by the PB. The approval letter also listed this item:

"All recreational areas / amenities, parking lots, landscaping, etc. will be privately owned and maintained by the Martindale Estates Condominiums Homeowner's Association. It should be noted at this time that the City would not take ownership or maintenance of the private streets /drive aisles or parking areas if petitioned in the future. Therefore, the homeowner's association will be required to maintain, repair, clear, etc. all private drives / parking areas. The Homeowner's Association will also be the responsible for the removal of all refuse / recycling of the development."

4. The Homeowners Association (HA) documents also spelled out the owner's maintenance responsibilities.
5. Mr. Roberts stated that he would like the City to take the street over 100% (snow removal, maintenance, trash etc.). At one time he was also open to the idea of some form of a public easement which would allow the City to plow & do trash but leave the long term maintenance to the homeowners but now seems more concerned with the long term maintenance/paving.
6. Mr. Roberts stated that many of the owners are seniors and complained that they are paying the same in taxes as other development who have more services specifically plowing. We are having Karen S. check out the tax situation but explained that the taxes are based on sales figures and that most buyers take into account the HA dues / fees.
7. The association provides a higher level of service than the City does on public streets including private driveway and walkway plowing.
8. We stressed that the CC has been directing Staff to reduce City costs and the acceptance of the street would be contrary to the CC directive and contrary to the Planning Board approval.

We explained that should they wish to take the street acceptance to the CC they will have the following to address:

1. The Planning Board would need to review & approve the modification to the plan. They would also need setback waivers to be granted as some of the buildings would be within the required setbacks.
2. The City would need to inspect the roadway to see if any modifications would be required (it has asphalt curb & we usually require granite).
3. Roadway construction and deed documentation would be required.
4. The project originally received a density bonus but the zoning has since changed (allowing higher density) so that issue is moot.
5. We explained that any action going before the PB or CC would require Staff reports and recommendations. Due to the original approval, conditions and lack of public benefit for accepting the roadway (& all that comes with it) I / we would be recommending that the PB & CC NOT approve their proposal.
6. We would also need to warn the CC of similar requests that may come about if this proposal is approved (Falcon Creek PUD etc.).

We explained that we are more than happy to help them through the process but think their proposal will be a very hard sell. They were quite cordial and seemed to better understand our position. They may want to look into some form of public / private partnership option.

Attached is the staff report provided to the Planning Board at the final review.

Based on our most recent meeting with Mr. Roberts we expect that he will petition the Council for street acceptance in the near future.

Planning Board Report

To: Auburn Planning Board

From: David C.M. Galbraith, City Planner / Acting Director of Planning & Permitting Services

Re: Final Subdivision and Site Plan Review of Martindale Estates Condominiums a Fourteen (14) Unit Residential Planned Unit Development (R-PUD), generally located at the southwest corner of Hotel Road & Martindale Road, Pursuant to Chapter 23, Subdivision Ordinance and Section 3.51 of Chapter 29.

Date: January 11, 2005

I. PROPOSAL

On December 14, 2004 the Planning Board held a public hearing to consider a preliminary subdivision approval of Martindale Estates Condominiums a fourteen (14) unit Residential Planned Unit Development (R-PUD). The proposed development is generally located at the southwest corner of Hotel Road & Martindale Road. The proposal is being reviewed pursuant to Chapter 23, Subdivision Ordinance and Section 3.51 of Chapter 29. These plans are also being reviewed in conformance with the Department of Environmental Protection (DEP) Site Location of Development Act 38 MRS-A 489-A.

As you may recall, the proposed development is located on the east side of Martindale Road approximately 400 feet to the south of Hotel Road. The subject property (ID # 168-012-000-000) is approximately 14.80 acres and zoned Rural Residential (RR). The property has an existing single-family house, owned by Mark Turner (proposed developer) that is proposed to remain on a 1.39 acres parcel. The balance of the property is proposed to be developed as a single-family attached residential Planned Unit Development (R-PUD). The proposal features fourteen (14) units broken into seven (7), two (2) unit buildings. As you are aware the Rural Residential (RR) zone has a one (1) acre minimum lot size. The City's R-PUD Ordinance states that "the total number of dwellings permitted in the PUD-R shall be determined by dividing the total project acreage (not including Public Rights-of-Way) by the area required per unit in that zoning district or as approved by the City pursuant to Section 3.51.D.3." The Ordinance also allows the "up to a 20 percent increase in density over the district requirement" if a number of criteria are met. The proposal is on approximately 13.5 acres and the developer is proposing a cluster type development to preserve open space and also is providing public easements to the existing trails along the river. The proposal is for fourteen (14) units; therefore the proposal adheres to the allowable density.

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Residential Planned Unit Development (R-PUD)

A detailed outline of the proposal has been included in the development application. As proposed the majority of the development will be accessed by a single street (24 foot wide), which is proposed to be private road, which will access the development to Martindale Road. The proposed roadway would terminate in a hammerhead for emergency vehicle access. The majority of the units will have direct access to the proposed private street and four (4) of the units will gain indirect access from two extended driveways that will connect to the roadway. The applicant is seeking a waiver from Chapter 32 to increase the maximum length of a cul-de-sac from 600 feet to approximately 1,000 feet. Staff is supportive of the proposed waiver, as the developer has designed the proposal much less intensive than allowed by Ordinance and to minimize the impact to the existing vegetation and wetlands. The development will include on-site fire hydrants and will provide for safe access for emergency vehicles.

The proposal includes a thirty (30) foot wide public trail / easement along the river (north) and a trail & easement from the development to the river trail. The proposed easement area falls over an informal trail system that has substantial public use. This proposal would formalize the trail. This entire development is being proposed as private, including the roadway. The developer has submitted the required condominium / homeowner's association documents. The plans have been revised to incorporate the conditions of the preliminary approval.

II. DEPARTMENT REVIEW

Police Department:

A. No comment.

Fire Department:

- A. All buildings shall be numbered prior to the issuance of an Occupancy Permit for each unit. Duplicate numbers will not be allowed.
- B. The buildings must meet or exceed current national Fire Protection Association Codes, American Insurance Association Fire Prevention Code and conform to local ordinances and state regulations.

Water and Sewer District:

A. No Comments.

Martindale Estates Condominiums
Residential Planned Unit Development (R-PUD)

Engineering Department:

- A. There is a dumpster shown on the plans, but no indication in the submission as to who will be responsible for the disposal. It is not specifically addressed in the association documents, as is stormwater and road maintenance, but should be included in Section 3.4, Maintenance Responsibilities.
- B. The applicant has applied for a Maine Stormwater Permit, a NRPA Wetland Alteration Permit, and a NRPA Stream Crossing Permit and has submitted a Maine Construction General Permit NOI. The project approval should be conditioned on approval of these permits.
- C. The applicant is requesting that the stormwater permit allow for direct discharge to the Little Androscoggin River. Should the DEP approve this permit there will be an increase in the flow along the ditch line of Martindale Rd. The existing driveway culvert northwesterly of the access road should be upgraded. This property is currently under the control of the applicant.
- D. The access road will need to be named in conformance with E9-1-1 recommendations.

Planning Department:

- A. No Comments.

Parks & Recreation:

- A. Comments under separate letter.

III. RECOMMENDATION:

Staff has reviewed the proposed Final Subdivision / PUD Review for Martindale Estates Condominiums; a fourteen (14) unit single-family condominium development located on East Hardscrabble Road, pursuant to Chapter 23, Subdivision Ordinance and Section 3.51 of Chapter 29. Staff has determined that the proposed subdivision / R-PUD plan is consistent with this zoning classification and meets or exceeds all dimensional standards of the district (other than were waiver are being requested). The proposed subdivision is consistent with and will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of the property adjoining and neighboring the property under application. Therefore, Staff recommends that the Planning Board approve the Final Subdivision / PUD Review for Martindale Estates

Martindale Estates Condominiums
Residential Planned Unit Development (R-PUD)

Condominiums, a fourteen (14) unit Residential Planned Unit Development (R-PUD), with the following conditions:

- A. All buildings shall be numbered prior to the issuance of an Occupancy Permit for each unit. Duplicate numbers will not be allowed.
- B. The buildings must meet or exceed current national Fire Protection Association Codes, American Insurance Association Fire Prevention Code and conform to local ordinances and state regulations.
- C. The applicant has applied for a Maine Stormwater Permit, a NRPA Wetland Alteration Permit, and a NRPA Stream Crossing Permit and has submitted a Maine Construction General Permit NOI. The project approval should be conditioned on approval of these permits.
- D. The applicant is requesting that the stormwater permit allow for direct discharge to the Little Androscoggin River. Should the DEP approve this permit there will be an increase in the flow along the ditch line of Martindale Road. The existing driveway culvert northwesterly of the access road shall be upgraded. This property is currently under the control of the applicant.
- E. The access road will need to be named in conformance with E9-1-1 recommendations.
- F. All recreational areas / amenities, parking lots, landscaping, etc. will be privately owned and maintained by the Martindale Estates Condominiums Homeowner's Association. It should be noted at this time that the City would not take ownership or maintenance of the private streets / drive aisles or parking areas if petitioned in the future. Therefore, the homeowner's association will be required to maintain, repair, clear, etc. all private drives / parking areas. The Homeowner's Association will also be the responsible for the removal of all refuse / recycling of the development.
- G. Plan approval is also conditioned upon compliance by the applicant with the plans and specifications which have been received by the Planning Board in connection with the development proposal as well as any oral commitments regarding the project which were specifically made by the applicant to the Planning Board in the course of its deliberations.

David C.M. Galbraith
City Planner / Acting Director of Planning & Permitting Services

Martindale Estates Condominiums
Residential Planned Unit Development (R-PUD)

JAN 05 2012

MARTINDALE CONDOMINIUM ASSOCIATION

46 CLUBHOUSE LANE

AUBURN, ME. 04210

207-689-3660

captjas@live.com

January 04, 2012

Sue Clements-Dallaire
City of Auburn Clerk
60 Court St.
Auburn, ME. 04210

Dear Sue:

Enclosed is the petition that I spoke to you about on the phone.

Please let me know when our petition will come before the council.

Sincerely,

Jim Roberts

Jim Roberts

STREET ACCEPTENCE PETITION

Date: January 4, 2012

To the Honorable Mayor and City Council:

The undersigned petitioner(s) respectfully requests that

Clubhouse Lane, Auburn, ME. 04210

be accepted as a public street of the City of Auburn and presents and states as follows:

That Clubhouse Lane is laid out and dedicated for
Public use on the plan of City of Auburn, **168-012**

That said plan has been recorded in the Androscoggin Registry of Deeds,

Volume Plan Book **6546** , Page **178-217**

That the street has been constructed in conformance with Auburn Code of Ordinances,
Chapter 46, Article V., Design and Construction Standards.

Description of Portion to be accepted:

The paved street that was built to city of Auburn specifications beginning at Martindale
Rd. And ending at a hammerhead six tenths of a mile long, named **Clubhouse Lane.**

The following signatures represent 100% of owners

<u>John D. Hayes</u>	<u>James R. Roberts</u>
<u>Stephen D. Curtis</u>	<u>J. W. Sanderson</u>
<u>Kas A. [unclear]</u>	<u>Chad B. [unclear]</u>
<u>Debra L. [unclear]</u>	<u>Jane [unclear]</u>
<u>Pauline D. Smith</u>	
<u>[unclear]</u>	
<u>Mark Turner</u>	

Denis D'Auteuil

From: Gary Johnson
Sent: Monday, January 09, 2012 4:46 PM
To: Eric Cousens; Denis D'Auteuil
Subject: FW: Martindale Estates - Clubhouse Lane Street Acceptance
Attachments: Martindale Estates R-PUD Final 1-11-05.doc

FYI – Below is information forwarded to Glenn when this issue came up two years ago.

Gary

From: David Galbraith
Sent: Thursday, October 22, 2009 11:10 AM
To: Glenn Aho; Karen Veilleux
Cc: Eric Cousens; Eric Labelle; Gary Johnson
Subject: Martindale Estates - Clubhouse Lane Street Acceptance

Glenn, FYI:

As you are aware, the City has received a number of inquiries regarding the City accepting Clubhouse Lane as a City street in the Martindale Estates Planned Unit Development (PUD).

On Monday Eric C, Eric L., Gary J & I had an internal meeting regarding this request. All of us agreed that there is not any public benefit for our taking ownership or maintenance responsibilities.

Following our internal meeting we had a meeting with Gary McFarland (B & M Builders – 783-6224) and James Roberts (782-0689) who owns 2 of the units and is on the Homeowners Association (HA).

Mr. Roberts is particularly interested in our taking ownership due to his concerns with the future maintenance costs. He also raised issue of City snow plowing & garbage collection. During our conversation we discussed (in part) the following:

1. The project was approved by the PB as a PUD and due to the acreage and proposed density the developer received a density bonus (as allowed under the PUD Ordinance).
2. The PUD Ordinance requires developments of this type to illustrate a public benefit and the private street was one of the major elements of that approval.
3. I pointed out that during the original review and Planning Board approval the private road issue was discussed and the following condition was recommended and adopted by the PB. The approval letter also listed this item:

“All recreational areas / amenities, parking lots, landscaping, etc. will be privately owned and maintained by the Martindale Estates Condominiums Homeowner’s Association. It should be noted at this time that the City would not take ownership or maintenance of the private streets /drive aisles or parking areas if petitioned in the future. Therefore, the homeowner’s association will be required to maintain, repair, clear, etc. all private drives / parking areas. The Homeowner’s Association will also be the responsible for the removal of all refuse / recycling of the development.”

4. The Homeowners Association (HA) documents also spelled out the owner’s maintenance responsibilities.
5. Mr. Roberts stated that he would like the City to take the street over 100% (snow removal, maintenance, trash etc.). He was also open to the idea of some form of a public easement

which would allow the City to plow & do trash but leave the long term maintenance to the homeowners.

6. Mr. Roberts stated that many of the owners are seniors and complained that they are paying the same in taxes as other development who have more services specifically plowing. We are having Karen S. check out the tax situation but explained that the taxes are based on sales figures and that most buyers take into account the HA dues / fees.
7. Eric L & Gary did a great job explaining roadway longevity, maintenance costs, etc. But stressed that the CC has been directing Staff to reduce City costs and the acceptance of the street would be contrary to the CC directive.

We explained that should they wish to take the street acceptance to the CC they will have the following to address:

1. The Planning Board would need to review & approve the modification to the plan. They would also need setback waivers to be granted as some of the buildings would be within the required setbacks.
2. The City would need to inspect the roadway to see if any modifications would be required (it has asphalt curb & we usually require 7" granite reveal).
3. Roadway documentation would be required.
4. The project originally received a density bonus but the zoning has since changed (allowing higher density) so that issue is moot.
5. We explained that any action going before the PB or CC would require Staff reports and recommendations. Due to the original approval, conditions and lack of public benefit for accepting the roadway (& all that comes with it) I / we would be recommending that the PB & CC NOT approve their proposal.
6. We would also need to warn the CC of similar requests that may come about if this proposal is approved (Falcon Creek PUD etc.).

We explained that we are more than happy to help them through the process but think their proposal will be a very hard sell. They were quite cordial and seemed to better understand our position. They may want to look into some form of public / private partnership option. They have our cards and will contact us if / when they decide how they wish to proceed.

Attached is the final approval report & if necessary Rhonda has a copy of the original approval letter. Please let me know if you need any additional information or wish to discuss.

David

David C.M. Galbraith

David C.M. Galbraith
Director of Planning & Permitting Services
City of Auburn
Auburn Hall
60 Court Street
Auburn, Maine 04210
dgalbraith@ci.auburn.me.us
Phone: (207) 333-6601 Ext.# 1156
Fax: (207)333-6625

Denis D'Auteuil

From: Gary Johnson
Sent: Thursday, January 19, 2012 5:10 PM
To: Denis D'Auteuil
Cc: Robert Belz - Engineering
Subject: Street Acceptance Ordinance
Attachments: Street Acceptance - pre 1990 w update ref.pdf

Dennis,

The procedures for street acceptance were originally laid out in the old subdivision ordinance, Chapter 23. This chapter contained the subdivision regulations, the street acceptance regulations, and the street & storm drain design standards. In 1989 the City adopted Chapter 32, Design & Construction Standards which replaced Articles 3 and 4 of Chapter 23, the street & storm drain design standards.

In 1990 the remaining portion of Chapter 23 was rewritten. The regulations for street acceptance were unintentionally removed during this process.

I have attached a modified copy of the street acceptance sections that were removed in 1990. I have updated the references (highlighted) to other sections of the ordinances to correspond to the current codified ordinances.

Some of the language is archaic and some of the procedures probably unnecessary today, but could be adopted as part of the current code. All of the procedures and requirements are allowed by state statute.

Section 106 - Streets on Approved Subdivision Plans, is basically the process we have been using. I do not recall a street any street being accepted since 1985 that was not part of a subdivision. The need for the two print of the plans in subsection (a) is no longer necessary and I have added subsection (c) which requires a deed to the property.

The sections of Article 2 should be reviewed to see if the procedures and requirements are appropriate today.

Gary

Gary E. Johnson, PLS
Assistant City Engineer/Addressing Officer
60 Court ST, Suite 114
Auburn, ME 04210
(207) 333-6600
(207) 333-6601 x1138

www.auburnmaine.org

The following is the portion of CHAPTER 23 -- SUBDIVISIONS & STREETS that governed street acceptance procedures until the 1990 rewrite. The process for accepting streets by the City of Auburn was unintentionally removed by the deletion of these sections.

The references highlighted in cyan are to the appropriate sections as found in the codified ordinances today.

The highlighted paragraph (3) below is added to represent a policy requirement of the last 20 years.

Section 106 Streets on approved Subdivision Plans may be accepted by the City Council

On petition to the city council, all or any portion of any street in a land subdivision of which a final plan has been duly approved, endorsed and recorded as required in ~~Chapter 60, Article XIV of these ordinances~~, shall be accepted by vote of the city council as a public street of the City of Auburn, provided:

- (a) Such petition shall be accompanied by two prints of each of the duly approved and recorded plans, profiles (and cross-sections, if any) of that portion of any street offered for acceptance;
- (b) Each such print shall bear or shall be accompanied by a written certification by the City Engineer that the portion of each street offered for acceptance has been in fact constructed to the previously approved plan, profile and cross-sections, and to the design standards and construction specifications of ~~Chapter 46, Article V of these ordinances~~, and that all utilities, curbs, sidewalks, street signs and street bounds, have been in fact installed in accordance with the aforesaid plan, profile cross-sections, standards and specifications.

~~(c) The owner(s) shall present to the city a deed for the property within the boundaries of the right-of-way, and other areas as required, at the time of the street's acceptance by the city council~~

Article 2

Conditions for laying out, widening, constructing or accepting streets in Auburn, other than streets in subdivisions approved under ~~Chapter 60, Article XIV of these ordinances~~.

- 201.1 No part of any street or way in Auburn not on a subdivision final plan approved as required under ~~Chapter 60, Article XIV of these ordinances~~, shall hereinafter be laid out, widened, constructed, reconstructed or accepted by the City of Auburn until the City Planning Board and the City Engineer shall have made careful investigation and shall have reported thereon to the City Council with recommendations, nor until the city Council shall have held a public hearing thereon, all as set forth below.
- 201.2 All or any part of any existing or projected public street or way or any private street or way for vehicular travel serving more than two residential or business properties may be proposed by any owner of property in Auburn or any municipal official to be laid out, widened, constructed or reconstructed by the City of Auburn or by others, or be proposed to be accepted by the City of Auburn, but only in accordance with the conditions stated hereunder. Any such proposal shall be directed and presented to the Auburn City Council through the City Planning Board.
- 201.3 (a) Except when initiated by the State, the County, or the City, each such proposal shall be made by written petition signed by two-thirds of the abutters (both by number and value assessed) along that portion of the street or way under petition.
- (b) In said petition said abutters shall waive any land damages resulting from the laying out, improvement or acceptance of said street or way, and any land damages resulting from any changes in the grade, profile of elevations of such street.
- (c) Two-thirds of all the cost of preliminary studies, or final studies and the actual construction of any such street layout or street improvement petitioned as above provided shall be the obligation of all of the abutters along that portion of the street or way so laid out or improved.
- (d) No such proposal and petition, duly presented, heard and acted upon by the city Council, shall if turned down, be again presented sooner than two years from the date of the last being heard by the City Council, except upon the recommendation of four-fifths of all of the members of the City Planning Board.
- 202.1 Each such proposal and petition shall contain or be accompanied by all the following information:
- (a) An explicit statement of the particular action(s) petitioned;
- (b) Clear identification of the street or way or portion thereof under petition together with some sketch, approximately to scale, of the existing exterior lines of such way, if of record, and if not, of the edges of the traveled width of such way, also if possible, an approximate profile of the existing centerline of such way;

- (c) Written notice of the date of submission of such proposal shall be given by the petitioner(s) by delivering or sending by certified mail to the City Clerk a copy of a covering letter to the Planning Board from the petitioner(s) listing the plans transmitted to the Board for review.
- 203.1 At the first regular monthly meeting of the Planning Board following the receipt of any such proposal and petition, the City Planner and the City Engineer shall make a preliminary report to the Board touching the following topics.
- (a) The relationship of the way under petition to the other streets existing or proposed, and to the City Plan;
- (b) A preliminary evaluation by the City Planner of the need or desirability of the matter under petition, with some mention of any major consequences to be expected from the action under petition, say as to traffic flow, as to neighborhood safety, as to land uses, existing or future, and as to city income or outgo;
- (c) A preliminary listing by the City Engineer of any major filling, grading, paving, drainage, utility and slope easement or retaining wall problems involved in the matter under petition; also some rough preliminary indication of the relative magnitudes of the construction costs involved; the street exterior lines proposed and the relationship of existing structures to said lines proposed; also, if possible, some first indication of the amount and kind of land that might be taken or affected, both as to front footage and depth at significant points.
- 203.2 If after such preliminary review and report on the matter under petition, the City Planner, the City Engineer and the Planning Board are in doubt as to the wisdom or desirability of further planning and engineering study (with full cost and benefit estimates) the Board shall by letter so advise the petitioner(s) with a resume of the preliminary review, and the Board in such letter shall also invite the petitioner(s) and any other the Board may deem affected or interested, including any city officials, to meet informally with the Planning Board at a subsequent time to discuss the matter.
- 203.3 (a) If a full and complete study of the petition be determined on by consensus among the Planning Board and City Planner and City Engineer, it shall be so recorded in the minutes of the Planning Board, and copies of such minutes shall be transmitted to the City Council through the City Clerk, and to the City Manager and all other city officials or agencies prospectively involved, and to the petitioner(s).
- (b) The City Planner and the City Engineer shall examine the street or way under petition.

(c) An accurate plan and profile of such street shall be prepared by the City Engineer and be reviewed and approved by the Planning Board in the same manner as a subdivision street. Such plan and profile and accompanying information shall show the length, width, lines, angles and grades, existing and proposed, of such streets; the relationship to structures existing on the abutting lands; the estimated cost of construction; the length of the frontage of each estate; the lands to be taken; the names of the owners of the same and names of all property owners likely in the opinion of the City Engineer to sustain damage by the action under petition, with the amount of money damages proper and reasonable to be awarded to each of them. The Planning Board shall, after review, transmit such plan, profile and accompanying information to the City Council.

(d) The Planning Board shall, after reviewing the information required under sections 203.3 (b) and (c) above, transmit said information, plans profile, exhibits, or other materials to the City Council with any comments in writing the Board may care to make.

204.1 The City Council shall appoint a time for hearing the matter under petition, and shall give not less than seven (7) days notice thereof, by publication in a newspaper of general circulation in Auburn, and by mailing reprints of such notice to all petitioners and parties deemed concerned. At or after such hearing the City Council shall determine and adjudge whether public convenience and necessity require that the action under petition be taken as proposed. Also the City Council shall estimate the damage likely to be sustained by property owners affected by the action, and shall vote such further order(s) as to property taking, damages, right of way lines and grades, and street construction as the Council shall then determine. Any laying out, widening, improvement, construction or reconstruction of any portion of any street or way so voted shall conform to and fulfill the design standards and specifications of these ordinances.

205.1 After fulfilling all the foregoing procedure and requirements, and after completion of construction, if any, the City Council may vote to accept as a public street of the City of Auburn any portion of any way offered by petition for acceptance, provided the construction of such street or way be certified by the City Manager in the manner specified in Section 101.1 (b) of this ordinance and provided the petition for acceptance be accompanied by all of the prints and information required under section 101.1 (a) of this ordinance. If accepted, notice of the City Council vote and date of acceptance shall be endorsed by the City Clerk on a plan, profile and cross-section of such street, together with a notice of the required certification by the City Manager. One copy so endorsed shall be kept with the records of streets accepted by the City; the other shall be kept in the Planning Board records.

206.1 On the initiative of any public official of the State, of the County, or the City, having to do with highways, roads or streets, and under the provisions of Sections 202, 203, 204, and 205 of these ordinances, the City Council may direct the laying out, improvement, construction, reconstruction or acceptance as a public street of the City of Auburn, any way or portion thereof deemed necessary to serve major traffic needs, but only where the City Council, on the recommendation of the Planning Board shall find and determine that the general public interest and the traffic needs of portions of the City larger than a single neighborhood, or the traffic needs of some larger region embracing the City so require. A proposal which has been disapproved by the Planning Board may be enacted only by a 4/5 vote of the City Council. The entire cost of such actions or such portion of such costs as the City Council may after public hearing determine, shall be borne by the City of Auburn, except that this provision shall not restrict any right which the City may at any time have to assess upon others, all or any portion of such costs.

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

Planning Board Report

To: Auburn Planning Board

From: Eric J. Cousens, City Planner / Planning and Permitting Director

Re: Subdivision Amendment to Martindale Estates - Consider the request of Martindale Estates Condo Association to amend the approval at Clubhouse Lane (PID 168-012) to allow for acceptance of the private street as a public street.

Date: June 12, 2012

We are in receipt of a petition organized by Jim Roberts and the Martindale Condominium Association requesting that the City accept Clubhouse Lane as a City Street to take over seasonal and long term maintenance and repair. Attached is a Memo dated February 29, 2012 that provides a history of the discussions with Mr. Roberts and the Association. Much of the text in that memo is from an earlier correspondence between former Director of Planning and Permitting David Galbraith, and Glenn Aho, former City Manager dated 10.22.09(also attached).

As you can see the original Planning Board approval was specific to the City not taking on ownership or maintenance of private streets / drive aisles in the future. There are two processes that must be followed if the street is to be accepted: 1) Amend the subdivision plan approval to eliminate the prohibition of accepting the private street; and 2) process the petition to accept the street in accordance with the ordinance and State Law. The consideration and outcome (recommendation) of each process at the Planning Board level should be the same so we can consider both requests at the same time.

Please review the attached petition and materials and hold a public hearing on the matter at the June 12th meeting. We will have full size plans available at the meeting and work to answer any questions that the Board or the public may have. If the Board is inclined to approve the amendment and recommend acceptance of the street then we will have additional work to do to prepare for a final decision. Based on the plan, it appears that a 50' wide right of way, which is required for a City accepted Street, will not fit between the homes without a front setback modification. The survey work to confirm that will need to be completed by the Association and deeds describing the street right-of-way would need to be provided to the City. Staff recommends that the Board deny the request for an amendment to the subdivision plan and the request for street acceptance so we did not ask the petitioner to pay for that survey work until we know the Board's position on the request.

Staff recommends denying the request for the following reasons:

1. The original approval of the development was consistent with the Zoning Ordinance and Comprehensive Plan and remains so today.

2. The original approval was very clear that: *“All recreational areas / amenities, parking lots, landscaping, etc. will be privately owned and maintained by the Martindale Estates Condominiums Homeowner’s Association. It should be noted at this time that the City would not take ownership or maintenance of the private streets /drive aisles or parking areas if petitioned in the future. Therefore, the homeowner’s association will be required to maintain, repair, clear, etc. all private drives / parking areas. The Homeowner’s Association will also be the responsible for the removal of all refuse / recycling of the development.”*
3. The request will create a setback violation, require reduced right-of-way width, or a setback modification by the Board to comply with the ordinance.
4. The homeowners documents clearly state that maintenance of the private roads is a responsibility of the Association on Page 6 (attached to the petition) and all owners accepted that responsibility and the higher level of service provided when they purchased property within the development. The associated costs (association dues) are commonly considered at the time of purchase and may affect the purchase price within a development.
5. The request is a financial one, asking the general taxpayers to take on additional costs for service to a smaller group that knew the responsibilities and benefits of the private residential community when they chose to purchase property there.

Eric J. Cousens, City Planner / Planning and Permitting Director



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: July 16, 2012

Item C

Author: Susan Clements-Dallaire, City Clerk

Subject: Review the nominations for naming the parcel of land located at 8 South Main Street.

Information: Nominations have been submitted for naming the City owned parcel of land located at 8 South Main Street. The deadline for the nominations was July 5th. The policy for naming property states;

Once the nomination deadline has passed, the Council will review all suggestions and at their discretion they may choose to appoint a subcommittee to review the nominations and forward their recommendation to the City Council. The City Council shall hold a public hearing at a City council meeting to solicit feedback on the final list of naming nominations. The Council will then take final action.

Financial: None

Action Requested at this Meeting: Discussion

Previous Meetings and History:

Attachments:

- Auburn's Policy for Naming of Facilities and Infrastructures
- Nominations

POLICY FOR NAMING OF FACILITIES AND INFRASTRUCTURE

Any naming or renaming of public places in Auburn should help to better define and build a sense of community, while also serving to honor the contributions of worthy individuals. The City of Auburn strives to have a process that serves these goals in a way that allows public participation.

The City Council will be the official naming body for all municipally owned facilities and infrastructure. The Council will make recommendations and work collaboratively with other governmental entities in the naming of facilities and infrastructure not solely owned by the City of Auburn.

Although the Council reserves the right to use whatever process they deem most appropriate for the circumstances, in general, the Council will use the following process.

Nominations will be accepted for names to any public facility, park, building, or infrastructure. Nominations should include the name and contact information from the person submitting the name as well as the reasons for their nomination.

The criteria for naming a city facility or infrastructure should reflect one or more of the following:

1. reflect City services provided in or at facility;
2. reflect geographical location;
3. reflect significant natural features; or
4. honor a significant individual (see below)

Criteria for naming a facility after an individual:

May be named after an individual living or dead;

- a. made a unique contribution to the area being named;
- b. substantially improved or contributed to the quality of life in Auburn;
- c. gave significant civic contribution(s) to Auburn or the region;
- d. brought recognition to Auburn for their achievements;

e. donated land or significant resources to the facility.

Once the nomination deadline has passed the Council will review all suggestions by using the above criteria. At its discretion, the Council may choose to appoint a subcommittee to review the nominations and forward their recommendation to the City Council.

The City Council shall hold a public hearing at a City Council meeting to solicit feedback on the final list of naming nominations. The Council will then take final action.

Office Use Only

Date Submitted: _____
Nominations Period Starts: _____
Nomination Period Closes: _____

City of Auburn, Maine

"Maine's City of Opportunity"

60 Court St.
Auburn, Maine 04210
207-333-6600

Nomination Application For Proposed Names by Auburn Residents/Businesses for any public facility, building, or infrastructure, park, and plot of land.

Contact Information:

Name of Person/Group/Committee submitting name: Belinda A. Gerry
Address: 143 Mill St., Apt 209 Phone No. 207-784-8458 (H) 689 4316 cell
Proposed Name: Sullivan Park Old Name: (if any) _____
Street Location: 8 South Main St Building/Property: land City ID: 221-094
(Tax ID, if any)

The criteria for naming a city facility or infrastructure should reflect one or more of the following: Check all that may apply

- 1. Reflect City services provided in or at facility; _____
- 2. Reflect geographical location; _____
- 3. Reflect significant natural features; or _____
- 4. Honor a significant individual (see below) x

Criteria for naming a facility after an individual: May be named after an individual living or dead;

- a. made a unique contribution to the area being named; x
- b. substantially improved or contributed to the quality of life in Auburn; x
- c. gave significant civic contribution(s) to Auburn or the region; _____
- d. brought recognition to Auburn for their achievements; _____
- e. donated land or significant resources to the facility. _____

Reason for this Nominated Name:

The whole family were good people. They demonstrated on a near daily bases through put their lives that they really cared about others, the welfare of the neighborhood, the community without the thought of repayment.
They took in others that had no place until they found work: a place to live. (more space provided, if needed on the back)

Additional Information for consideration:

Feed those that needed food. Treated neighbors & customers like they were part of their family and with respect.

Provided a place where people could come and talk and share their life's stories and be comfortable or at ease.

Took an interest in the children and encouraged them to work hard and get a good education ✓

Delivered groceries to Seniors and others who couldn't go out at no charge.

Map



Proposed Sullivan Park beside
Rolly's on South Main St.

The Sullivan Family

Dennis J. Sullivan was born in 1873 at Schull, Co. Cork, Ireland; and immigrated to Auburn with his parents, Jeremiah and Margaret Sullivan in 1899. The family lived on first street in New Auburn.

Dinny worked for a time in Auburn's shoe factories, the Maine Central Railroad and the Lewiston Bleachery.

He married Ellen Murphy in May 1905.

Dinny and his wife worked hard to make a better life for themselves and their family. They saved as much money as they could to make their dream a reality.

Their efforts paid off. He was able to purchase land at 12 South Main St. in New Auburn. (This is now the grassy area with the Christmas and a few park benches beside Rolly's Diner.)

Then about 1911 he and his wife Nellie open their small neighborhood grocery store.

(Dinny also went on to operated a wholesale grain business and a farm in Durham)

The Sullivan's store became known as a safe haven for other new immigrants to Auburn and used their spare apartment to house them until they got settled in, able to get work and then their own place to live.

The store, "Dinny's market," also became known as a gathering place for people of all ages. The Sullivans treated all their customers and neighbors as if they were part of their family.

When word reached them that a family was in need they were one of the first to respond and would prepare a box of food and other items to give them.

They would not knowingly allow anyone in the community to go hungry.

People would often come in to share their news - the good/ the bad, their children's births/death in the family, things happening with their family, to talk about current or local affairs and politics.

The Sullivans would also encourage children to pay attention to doing well in school and the importance of getting a good education. On the day report cards came out it was not unusual to see kids running to the store before going home to show the Sullivans what they got for grades. Dinny would smile as he read them whether they were just passable or top scholar and praised them for their hard work because he felt kids needed encouragement and validation for their effort. (He's also gave them a piece of stick as a reward)

When wartime came and our community's young men went into the service, they too, would come to check in before leaving for active duty and upon returning. Dinny kept track of that as well crossing off their names when they returned and helping the families of those who didn't make it back.

Dinny died in 1957, leaving his store to his son, John J. Sullivan.

(I did not know his father Dinny but can only state what some seniors have told me and what I have read.)

John Sullivan worked in his family store while growing up. His father's and mother's compassion and caring for our community was instilled upon him.

He, too, carried on the traditions his family had set in motion.

My memory of Mr. John Sullivan while I was growing up.

The store was pretty much the same but on a much smaller scale as when his father ran the place.

People would come in and talk politics and do their business. (The store also served as his office for other income ventures)

I'd go in with my father, and he'd kibitz with the people there while I picked out what we needed. You could buy cold meat, milk, soft drinks and other staples.

He'd stocked the shelves with what he thought his customers wanted but not all the fancy new stuff other grocery stores carried. The phone would on occasion ring and he would take their grocery order and on his way home he'd make many stops free of charge to deliver groceries to those who could not do their own shopping. Many nights his wife had to keep his supper warm because he was late coming home.

John Sullivan was always there waiting on his customers. He, too, like his father had his finger on the pulse of what's happening in the community.

If he knew your family needed help it was not unheard of for those in need to find a box or bag at their back door with an unsigned note saying hope this will help you through your rough times.

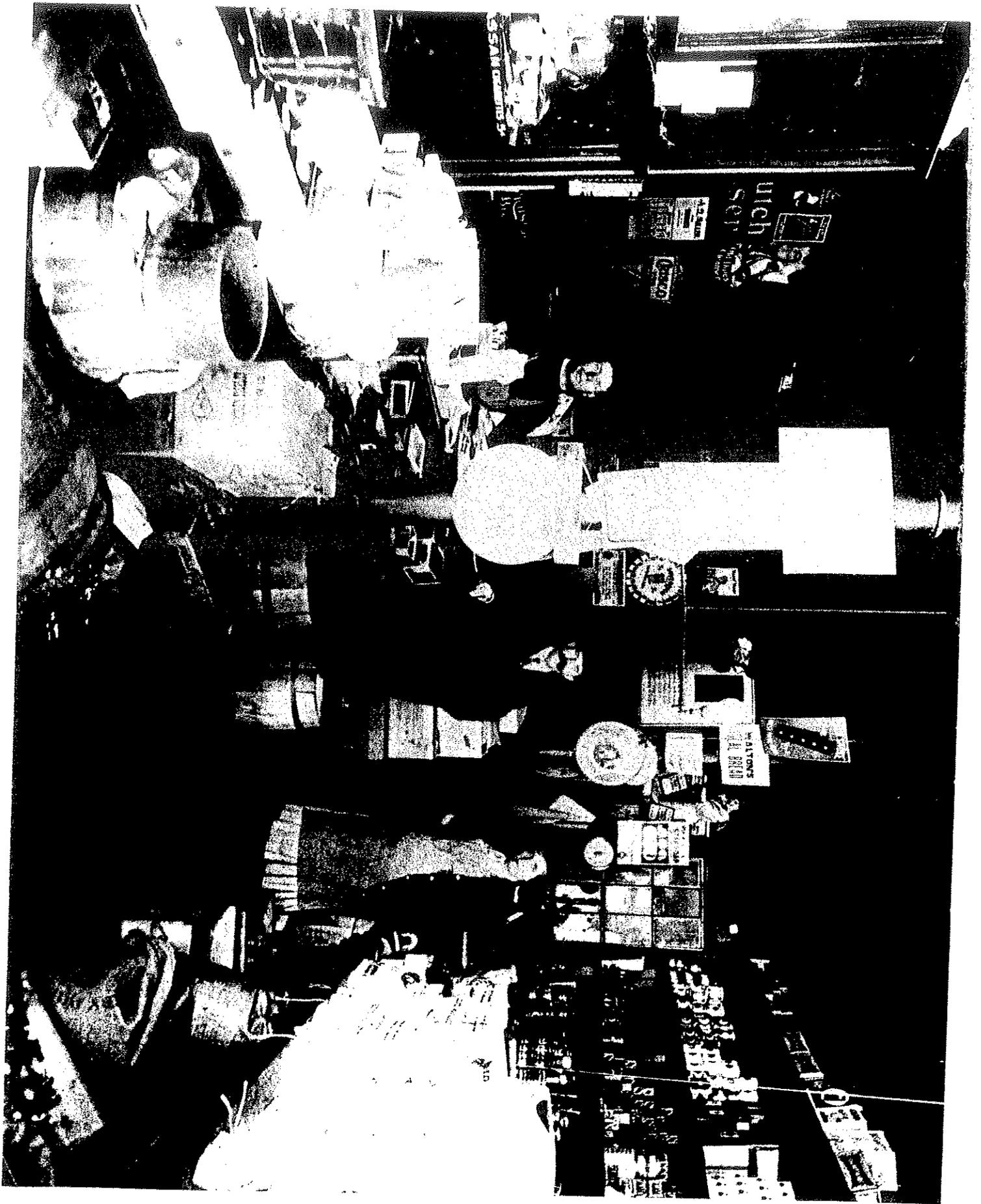
When you shopped at his store and he knew you were short on money he did fuzzy math without you realizing it to make sure you could afford the groceries, school supplies and other staples within reason you needed.

Kid's were still encouraged to do well in school and when times to stay in school and quite a few, even I when I was much younger, still brought in our report cards.

Most mornings he'd be in his window waving to the kids on their way to school. After school on the way home some of us would stop in and he'd ask us about our day. If he had broke open a pack of cookies (which he seemed to always do) he's share them with us or in season give us a piece of fruit.

These are some of the reasons I feel it fitting to name this plot of land after the Sullivan family for all that they have done, for how they have left their mark on us and the example they instilled in our parents and their parents too. Today this has starting to fade and is missing in our community. There are many new people here and will not know what they've missed.

I feel that we need to name this park to preserve their history. There are not too many people who remember the Sullivan family/store the way I do while I was growing up and even fewer who remember John's father when he ran it. I feel this is the right thing to do.





JOEL GOODMAN
94 Conant Ave.
Auburn, Maine 04210

JUN 08 2012

June 7, 2012

City of Auburn
City Clerk
60 Court St.
Auburn, ME 04210

Re: New Auburn park name

Att: City Council and Mayor

The attached copy of a letter addressed to Gelinda Gerry (with a copy to Mayor Labonte) dated May 22, 2012, should be self explanatory.

Both the Zallen family's Progressive Bakery and Sullivan family's grocery businesses occupied the land in question for many years. Both families were well know as 'New Auburn Fixtures' and both were started by immigrant families seeking the so-called American Dream.

If the area adjacent to the New Auburn bridge is to be named for those that occupied the parcel in question, it would be only be fair to honor both families by naming the area SULLIVAN-ZALLEN PARK. Using only one family name would be an insult to the other since their histories are parallel and their impact on the area was similar.

Yours truly,


Joel Goodman



May 22, 2012

Belinda Gerry
City of Auburn
60 Court St.
Auburn, Maine 04210

Re: Sullivan Park

Dear Belinda:

An article in the Lewiston Sun-Journal this morning outlined your plan for naming the area adjacent to the New Auburn-Auburn bridge.

I agree that if a name is to be given to the area near Rolly's Diner it should honor the former long-time business residents of the land. Therefore, I think it would only be fair and equitable to name the area SULLIVAN-ZALLEN PARK (or SQUARE).

You may recall that the designated area was not only occupied by Denny's Market, but also by the Progressive Bakery which was owned by the Zallen family.

As you and I remember the happenings and conversations at the market, I also recall my teen age years helping to wrap sliced loaves of rye bread in brown paper, as was done in those days, so that the youngest Zallen son, Richard, could finish his day's work and join his friends for the evening. Richard, now resides in the other L-A, Los Angeles, and I understand he's a retired school teacher.

The Zallen family had three sons and a daughter. Florence, who lived her final years in the Barker Mill Arms, Morris, Rudy, and Richard were all raised in New Auburn, also by immigrant parents, and were all associated with the family business at one time or another.

In view of the fact that both the Sullivan and Zallen families were New Auburn merchants and had businesses located on the land you wish to name, I think it only fair and equitable that both families be honored if the Council agrees to your proposal.

Yours truly,

Joel Goodman

cc: Mayor Johnathan Labonte

COPY

JUN 28 2012

June 24, 2012

Dear sir. My name is Richard Zallen, my father Harry Zallen was the owner of the Progressive Bakery at 8 South Main Street, New Auburn. The bakery was in the family over 50 years. The bakery survived, the New Auburn fire, the flood (1936), World War 2, when the sons Morris and Rudy were in the army and my duty for the Korean War. We, my brothers and sister all graduated Edward Little High School. I believe it would be a great honor for my father, Harry Zallen to name the park, Sullivan-Zallen Park. Thank you very much for your consideration. Truly yours, Richard Zallen

Richard Zallen

Richard E. Zallen
PO Box 5783
Sherman Oaks, CA 91413

Office Use Only
 Date Submitted: JUN 12 2012
 Nominations Period Starts: _____
 Nomination Period Closes: _____

City of Auburn, Maine
 "Maine's City of Opportunity"

60 Court St.
 Auburn, Maine 04210
 207-333-6600

JUN 12 2012

Nomination Application For Proposed Names by Auburn Residents/Businesses for any public facility, building, or infrastructure, park, and plot of land.

Contact Information:

Name of Person/Group/Committee submitting name: DONNA ROWELL
 Address: 95 MONROE ST Phone No. 784-4435
 Proposed Name: Sullivan Sq Old Name: (if any) _____
 Street Location: Main St Building/Property: _____ City ID: _____
 (Tax ID, if any)

The criteria for naming a city facility or infrastructure should reflect one or more of the following: Check all that may apply

- 1. Reflect City services provided in or at facility; _____
 - 2. Reflect geographical location; _____
 - 3. Reflect significant natural features; or _____
 - 4. Honor a significant individual (see below)
- Criteria for naming a facility after an individual: May be named after an individual living or dead;
- a. made a unique contribution to the area being named;
 - b. substantially improved or contributed to the quality of life in Auburn;
 - c. gave significant civic contribution(s) to Auburn or the region; _____
 - d. brought recognition to Auburn for their achievements; _____
 - e. donated land or significant resources to the facility. _____

Reason for this Nominated Name:
A family name for someone
who own & operated a store for
several. I think it should ~~not~~ be
name after someone for years
that operated that store (more space provided, if
 needed on the back

Additional Information for consideration:

The plot of land between the
River and Rolly's Restaurant

Office Use Only

Date Submitted: _____

Nominations Period Starts: _____

Nomination Period Closes: _____

City of Auburn, Maine

"Maine's City of Opportunity"

60 Court St.
Auburn, Maine 04210
207-333-6600

Nomination Application For Proposed Names by Auburn Residents/Businesses for any public facility, building, or infrastructure, park, and plot of land.

Contact Information:

Name of Person/Group/Committee submitting name: Jonathan P. LaBonte

Address: 41 Third Street Phone No. 782-1174

Proposed Name: Two Bridges Greenway Old Name: (if any) N/A

Street Location: 8 South Main / Little Andy Park/Etc Building/Property: _____ City ID: _____
(Tax ID, if any)

The criteria for naming a city facility or infrastructure should reflect one or more of the following: Check all that may apply

- 1. Reflect City services provided in or at facility; _____
- 2. Reflect geographical location;
- 3. Reflect significant natural features; or
- 4. Honor a significant individual (see below) _____

Criteria for naming a facility after an individual: May be named after an individual living or dead;

- a. made a unique contribution to the area being named; _____
- b. substantially improved or contributed to the quality of life in Auburn; _____
- c. gave significant civic contribution(s) to Auburn or the region; _____
- d. brought recognition to Auburn for their achievements; _____
- e. donated land or significant resources to the facility. _____

Reason for this Nominated Name:

This name was offered in a comment letter shared by a family member of the Bakers, a former immigrant family that also owned a business in New Auburn village.

By using a place-based name, rather than picking one family or individual, the community could pursue telling family histories via small plaques or signs

needed on the back

(more space provided, if

Office Use Only

Date Submitted: _____

Nominations Period Starts: _____

Nomination Period Closes: _____

City of Auburn, Maine

"Maine's City of Opportunity"

60 Court St.

Auburn, Maine 04210

207-333-6600

Nomination Application For Proposed Names by Auburn Residents/Businesses for any public facility, building, or infrastructure, park, and plot of land.

Contact Information:

Name of Person/Group/Committee submitting name: Jonathan P. Laborte

Address: 41 Third Street Phone No. 782-1174

Proposed Name: New Auburn Heritage Park Old Name: (if any) _____

Street Location: 8 South Main / Little Andy/etc Building/Property: _____ City ID: _____
(Tax ID, if any)

The criteria for naming a city facility or infrastructure should reflect one or more of the following: Check all that may apply

- 1. Reflect City services provided in or at facility; _____
- 2. Reflect geographical location;
- 3. Reflect significant natural features; or
- 4. Honor a significant individual (see below) _____

Criteria for naming a facility after an individual: May be named after an individual living or dead;

- a. made a unique contribution to the area being named;
- b. substantially improved or contributed to the quality of life in Auburn;
- c. gave significant civic contribution(s) to Auburn or the region;
- d. brought recognition to Auburn for their achievements;
- e. donated land or significant resources to the facility. _____

Reason for this Nominated Name:

New Auburn is a neighborhood of rich history; from families and businesses to fires and floods. The area of 8 South Main Street, the recent council actions to swap land with the owner's of Rolly's Diner and set aside CDBG resources to acquire land adjacent to Little Andy Park creates a critical mass of public overfront land for a signature park.

A Heritage Park rather than being named for one person provides opportunities to experience all of the neighborhood's history; the fire of 1936, numerous well known businesses and philanthropists needed on the back the flood of 1936, numerous well known businesses and philanthropists with the 150th anniversary of the creation of New Auburn in 2017, this could be an

exciting attraction for residents and visitors.

Bridge Space Naming

bak1109@verizon.net

Sent: Tuesday, June 19, 2012 11:11 PM

To: Jonathan LaBonte

Cc: staylor@sunjournal.com; rezallen@yahoo.com; jnsgoodman@aol.com

Attachments: bridge space naming 6-19-12.doc (25 KB)

June 19, 2012

To: Honorable Mayor Jonathan Labonte & Council members
City of Auburn
60 Court Street
Auburn, Maine 04210

Subject: Bridge Space Naming

Gentlemen/Ladies,

It is my understanding, from friends in Auburn, that there is a plan to name the area adjacent to the New Auburn Bridge after Dinny Sullivan.

Why would you name this space for Mr. Sullivan when others claim that curve in the road adjacent to the bridge. The whole Zallen Family occupied that space for years, living in that three-story building and successful operating Progressive Bakery on the first floor. On the other side of Dinny's was Baker's Variety store and restaurant. This was owned and operated by my uncle, George Baker. My grandfather operated a meat market on the next corner, facing the square. Many of my family originally lived in two "flats" nearby, on Second Street.

Both the Zallen and Baker ancestors were also immigrants.

I well remember happenings in those stores at the curb in the road. I helped my uncle in his store, as my older brother did before me. If you wanted to talk politics and other things, the place for all denominations to meet was at Baker's store. From the Minnehans to the Epsteins to the St. Hilaires to the Browns: all met there. You could buy ice cream, beer, funny books or call your bookie.

Why limit that space occupied by the Zallen's for Dinny and his little market squeezed in the middle. I remember Dinny and the "goings on". Nothing special. He was a very nice man. But as I recall, people shopped there to buy milk and potatoesnot necessarily because of Dinny. It was convenient and you park easily in the triangle fronted also by Vincent Bottling and LaChance Plumbing.

I understand you plan to extend the green area from there to the bridge (then called the South Bridge) linked with Lewiston. Each space, as it's extended, would be named for someone. That smells petty, argumentative, prejudiced and politics to me.

If you can't decide, why not thing BIG! Try commemorating the tragic New Auburn fire, in the early '30s, that wiped out block after block of New Auburn. Or, name the green after the '30s great flood. The waters of the Little Androscoggin rose up to the bridge and flooded that area. I was there as a youngster and teenager. Things you don't forget! Or, call it the The Two Bridges Green, That's where it starts and that's where it will eventually end.

I no longer live in Auburn, but a piece of my mind and heart still does. The hard work of the Zallen family occupied that spot and were well known. My Uncle, George Baker was also there. (A little prejudice)!

Please rethink this naming. We look forward to your decision.

Sincerely,

Sherman Baker
67 Wildwood Drive
Pearl River, NY 10965

cc: Scott Taylor, Lewiston Sun-Journal,
Richard Zallen,
Joel Goodman

JOEL GOODMAN
94 Conant Ave.
Auburn, Maine 04210

JUN 08 2012

June 7, 2012

City of Auburn
City Clerk
60 Court St.
Auburn, ME 04210

Re: New Auburn park name

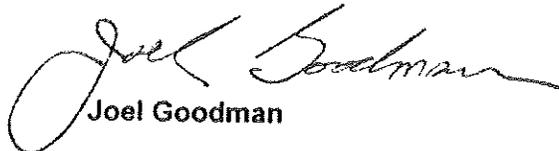
Att: City Council and Mayor

The attached copy of a letter addressed to Gelinda Gerry (with a copy to Mayor Labonte) dated May 22, 2012, should be self explanatory.

Both the Zallen family's Progressive Bakery and Sullivan family's grocery businesses occupied the land in question for many years. Both families were well know as 'New Auburn Fixtures' and both were started by immigrant families seeking the so-called American Dream.

If the area adjacent to the New Auburn bridge is to be named for those that occupied the parcel in question, it would be only be fair to honor both families by naming the area SULLIVAN-ZALLEN PARK. Using only one family name would be an insult to the other since their histories are parallel and their impact on the area was similar.

Yours truly,


Joel Goodman



May 22, 2012

Belinda Gerry
City of Auburn
60 Court St.
Auburn, Maine 04210

Re: Sullivan Park

Dear Belinda:

An article in the Lewiston Sun-Journal this morning outlined your plan for naming the area adjacent to the New Auburn-Auburn bridge.

I agree that if a name is to be given to the area near Rolly's Diner it should honor the former long-time business residents of the land. Therefore, I think it would only be fair and equitable to name the area SULLIVAN-ZALLEN PARK (or SQUARE).

You may recall that the designated area was not only occupied by Denny's Market, but also by the Progressive Bakery which was owned by the Zallen family.

As you and I remember the happenings and conversations at the market, I also recall my teen age years helping to wrap sliced loaves of rye bread in brown paper, as was done in those days, so that the youngest Zallen son, Richard, could finish his day's work and join his friends for the evening. Richard, now resides in the other L-A, Los Angeles, and I understand he's a retired school teacher.

The Zallen family had three sons and a daughter. Florence, who lived her final years in the Barker Mill Arms, Morris, Rudy, and Richard were all raised in New Auburn, also by immigrant parents, and were all associated with the family business at one time or another.

In view of the fact that both the Sullivan and Zallen families were New Auburn merchants and had businesses located on the land you wish to name, I think it only fair and equitable that both families be honored if the Council agrees to your proposal.

Yours truly,

Joel Goodman

cc: Mayor Johnathan Labonte

COPY

5324

Office Use Only

Date Submitted: _____

Nominations Period Starts: _____

Nomination Period Closes: _____

City of Auburn, Maine

"Maine's City of Opportunity"

60 Court St.
Auburn, Maine 04210
207-333-6600

1 JUL 03 2012
11:24 AM

Nomination Application For Proposed Names by Auburn Residents/Businesses for any public facility, building, or infrastructure, park, and plot of land.

Contact Information:

Name of Person/Group/Committee submitting name: JOHN HENDERSON

Address: PO BOX 62 04212 Phone No. 417-2144

Proposed Name: ALVIN SULLIVAN RIVERBANK PARK Old Name: (if any) _____

Street Location: SO. MAIN ST. Building/Property: _____ City ID: 221-074/075
(Tax ID, if any)

The criteria for naming a city facility or infrastructure should reflect one or more of the following: Check all that may apply

- 1. Reflect City services provided in or at facility;
- 2. Reflect geographical location;
- 3. Reflect significant natural features; or
- 4. Honor a significant individual (see below)

- Criteria for naming a facility after an individual: May be named after an individual living or dead;
- a. made a unique contribution to the area being named;
 - b. substantially improved or contributed to the quality of life in Auburn;
 - c. gave significant civic contribution(s) to Auburn or the region;
 - d. brought recognition to Auburn for their achievements;
 - e. donated land or significant resources to the facility.

Reason for this Nominated Name:

PLEASE SEE ATTACHED

(more space provided, if needed on the back)

Additional Information for consideration:

Nomination to Name a Public Space

“Dinny Sullivan Park”

Submitted by John Henderson
84 Summer St., Auburn

The small pocket park adjacent to Rolly’s Diner should be named for **Dennis J. “Dinny” Sullivan**. Dinny Sullivan is representative of both the site and the people of the city of Auburn.

Dinny Sullivan owned the lot immediately adjacent to Rolly’s Diner from 1919 to his death in the mid-1950s – some 35 years. He and his wife, Nellie, operated a grocery store there serving the vital needs of the neighborhood on a daily basis. Many still remember Dinny and his store; he left his imprint on this bit of land, and is worthy of remembrance as a model citizen.

Naming the park for Dinny Sullivan would honor the common people of Auburn, saying, “We recognize and value of your daily labor, no matter how humble it is.” The size and location of the park are exceptionally modest, a really good fit with the man that Dinny Sullivan was and his contribution to the town. Naming the park for a greater person would not do justice for a greater contribution.

Naming the park for Dinny Sullivan would honor our immigrant heritage. Dinny came to Auburn in 1887 at the age of 13. As he himself became established, he housed newer immigrants on this site, helping them acclimate and settle in their new homeland. Dinny’s story is the classic American story of the “poor immigrant done good” through hard work and honesty. All of Auburn’s ethnic groups, save one, can relate to that story.

Naming the park for Dinny Sullivan would honor Auburn’s people of Irish heritage. Auburn’s early Irish, including Dinny’s father, Jeremiah, built the streets and sewers and buildings of downtown Auburn. Like Dinny’s siblings, who were weavers, perhaps in the Barker Mill, the significant Irish minority contributed materially to the building of Auburn. It would be an astute demonstration of Auburn’s maturity and magnanimity to recognize this city’s ethnic diversity in even so small a way as naming this park for Dinny Sullivan.

Naming the park for Dinny Sullivan would honor Auburn’s small business people. While large national and multinational corporations siphon off money and loyalty to their out-of-state brands, small businessmen like Dinny Sullivan sew the fabric of our community every day, and keep our money here. Honoring Dinny Sullivan honors Auburn’s mom and pop stores like Gowell’s, Rolly’s, and Roy’s Food Market

“Dinny Sullivan Park” would be appropriate in size and location to the man for whom it is named, and would appeal to a broad cross section of our citizenry. “Dinny Sullivan Park” rings authentically, and help to broaden and deepen Auburn’s understanding of itself and others.



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: July 16, 2012

Item D

Author: Sue Clements-Dallaire, City Clerk

Subject: MMA Executive Committee

Information: It is time for each member municipality to cast its official vote in the MMA Annual Election for Vice President and Executive Committee Members. The deadline for the receipt of Voting Ballots is 12:00 noon on Friday, August 10, 2012.

Financial: None

Action Requested at this Meeting: Discussion

Previous Meetings and History: None

Attachments:

- MMA voting ballot mailing

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Sophia Wilson, MMA President
Town Manager, Town of Orono

DATE: July 3, 2012

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 10, 2012 by 12:00 noon

Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee is appointed to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying and interested in serving as the MMA Vice President. The MMA Nominating Committee completed its task to put forth a Proposed Slate of Nominees for 2013. This information was mailed to member municipalities along with information on the petition process as established in the MMA Bylaws. ***It is now time for each member municipality to cast its official vote.***

Enclosed you will find the MMA Voting Ballot which includes the Slate of Nominees to serve on the MMA Executive Committee as proposed by the MMA Nominating Committee. There were no municipal officials nominated by petition. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference.

The MMA Voting Ballot must be signed by a majority of the municipal officers **or** a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association as noted above. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted and the election results confirmed under my direction as President of the Association.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Friday, August 10, after 4:00 p.m. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held ***Wednesday, October 3, at 1:45 p.m., at the Augusta Civic Center.*** Newly elected Executive Committee members will be introduced at the MMA Annual Business Meeting and formally take office on January 1, 2013.

If you have any questions on this information or the election process, please contact Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.

**MAINE MUNICIPAL ASSOCIATION
EXECUTIVE COMMITTEE**

**BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2013**

MMA VICE PRESIDENT (1-Year Term)

PETER NIELSEN

- Town Manager, Town of Oakland (2008 – present)
- Town Manager, Town of Wilton (2002 – 2008)
- Town Manager, Town of Wayne (1996 – 2002)
- Town Manager, Town of Clinton (1990 – 1994)
- Member, Maine Town and City Management Association (1990-present)
- Councilor, Town of Winthrop (1985 – 1990)
- Member, Windham Zoning Board of Appeals (1975 – 1978)
- Member, Maine Municipal Association Executive Committee (2009 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (2009 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2009 – present)
- Member, MMA Strategic & Finance Committee (2010); Chair (2011 – present)
- Member, MMA Legislative Policy Committee (2004 – 2008; 1998 – 2000; 1992 – 1994)
- Member, MMA Legislative Policy Committee – Subcommittee for Natural Resources
- Member, MMA Legislative Policy Committee – Subcommittee for State & Local Government
- Member, MMA Legislative Policy Committee – Ad Hoc Committee on Forestry Initiatives
- Member, Kennebec County Budget Committee (2010-present)
- Member, First Park Legal and Finance Committee (2009-present)
- Member, Wayne Cemetery Committee (1998 – 2002)
- Helen Hicks Healy Award, Wayne Maine (2000)
- Barry Blunt Award, University of Maine at Orono (2001)
- BA, Political Science, University of Maine at Orono (1974)
- MPA, University of Maine at Orono (2001)
- 26 years as seasonal boat and car storage and service business (1982-2008)

MMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)

JOHN BUTLER, JR.

- Councilor, City of Lewiston (2009 - present)
- Member, Lewiston School Board (16 years)
- Member, Maine Municipal Association Executive Committee (2011 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (2011 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2011 – present)
- Member, MMA Strategic & Finance Committee (present);
- Outside Salesperson, Butler Brothers (local family industrial distribution business that has been in business since 1952)
- Saint Michaels College graduate (1981) - Majored in political science
- Lewiston High School graduate (1977)

MICHAEL CROOKER

- Town Manager/Treasurer/Road Commissioner, Town of Glenburn (2006 - present)
- Town Manager, Town of Bradley (1998 – 2004)
- Member, Maine Municipal Association Legislative Policy Committee (2002-2004; 2004-2006; 2010-2012)
- Adjunct Professor, University of Maine Department of Public Administration (2003 – present)
- Executive Director, River Coalition, Inc. (2004 – 2006)
- Graduate Teaching Assistance (1998)
- Substitute Teacher, Maine School Administrative District 22 (1994 – 1998)
- Projectionist and Supervisor, Bangor Mall Cinemas (1988 – 1998)
- Masters in Public Administration, University of Maine
- BA in Political Science, University of Maine
- AS in Legal Technology, University of Maine
- Member, Maine Town and City Management Association; 2002 “Rookie Manager of the Year”
- Barrie E. Blunt Outstanding Graduate Student Memorial Award
- Edward F. Dow Scholarship Recipient
- Pi Sigma Alpha (National Political Science Honor Society)
- Presidential Achievement Award for Academic Excellence
- Maine Criminal Justice Academy’s Pre-service/Part-time Law Enforcement Training
- State of Maine Animal Control Officer Training
- Graduate of The Grant Institute
- President, Penobscot Valley Council of Governments
- Board Member, Eastern Maine Development Corporation
- Member, State of Maine Animal Welfare Advisory Council
- Member, Governor’s Interagency Task Force on Invasive Aquatic Species
- Board Member, Penquis CAP
- Advisory Board Member, Penquis CAP
- Board of Directors, Maine Resource Recovery Association
- Board Member, Penobscot River Tourism Association
- Board Member, Bangor Region Partners for Health
- Vice President, Penobscot Health Communities Board of Directors
- President, Graduate Association of Public Administrators (GAPA)
- Notary Public, State of Maine

MARIANNE MOORE

- Councilor, City of Calais (2002 – 2008; 2009 – present)
- Owner/Manager, Calais Curves for Women Fitness Center (2004 – present)
- Leader, Weight Watchers, Inc., Calais (August 2001 – present)
- Member, Maine Municipal Association Executive Committee (2011 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (2011 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2011 – present)
- Instructor, Washington Community College (2001 – 2004)
- Adjunct Instructor, Washington Community College (2005 - present)
- Interim Dean, CEIS (Fall, 2002)
- Board of Trustees, St. Croix Valley Healthy Communities
- Washington One: One Community Health & Wellness Co-Chair
- Executive Board, St. Croix Valley Chamber of Commerce
- Executive Board (Vice-President), Washington Hancock Community Agency
- Executive Board, Washington County Development Authority

MARIANNE MOORE *(continued)*

- Executive Board, Washington County Extension Association
- Board of Managers, St. Stephen's Presbyterian Church
- Climbed to summit of Mt. Kilimanjaro in Africa (June 2002)
- Climbed to Base Camp o Mt. Everest (October 2004)
- Moved to Calais, Maine (April 2001)
- Retired from Southwestern Bell Telephone Company (November 2000)
- Managerial positions, Southwestern Bell Telephone Company; San Antonio/Austin/Dallas, Texas (1969 - 2000);
- Cleveland Clinic Exercise Science and Weight Management Certification (September 2011)
- Cooper Institute Circuit Training and Weight Management Certification (June 2005)
- Masters of Business Administration, Southern Methodist University; Major in Management Information Systems (1998)
- Bachelor of Applied Arts & Sciences, Dallas Baptist University; Major in Computer Science/Business Management (1992 Magna Cum Laude);
- Graduate, High School in San Antonio, Texas (1970)



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 10, 2012



VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Peter Nielsen, Town Manager, Town of Oakland

DIRECTORS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

John Butler, Jr., Councilor, City of Lewiston

Michael Crooker, Town Manager, Town of Glenburn

Marianne Moore, Councilor, City of Calais

PLEASE NOTE: The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____

Signature: _____

Position: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names: _____

Signatures: _____

*MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358 or 626-5947*



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: July 16, 2012

Item: E

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointments to Boards and Committees -- Planning Board

Information: The Planning Board has 3 open positions to be filled.

City Council may go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A).

Action Requested at this Meeting: Recommend the appointment of Planning Board members.

Previous Meetings and History: Discussed at the workshop on 5/21/2012.

Attachments: Under tab 5 in notebooks

- Board & Committee Information Sheet
- Board & Committee Background Sheet
- Memo from Eric Cousens
- Applications (9 plus 1 application from an Associate requesting to become a full sitting member).



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: July 16, 2012

Order 52-07162012

Author: Sue Clements-Dallaire, City Clerk

Subject: Maine Municipal Association's Legislative Policy Committee for 2012-2014 term

Information: See attached

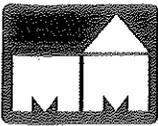
Financial: None

Action Requested at this Meeting: None

Previous Meetings and History: None

Attachments:

- MMA memo
- MMA Official Ballot
- Letter to Don Gerrish
- The LPC Handbook

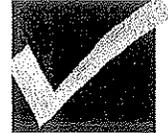


Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

Memorandum

To: Key Municipal Officials of MMA's Member Municipalities
From: Sophia Wilson, President, Maine Municipal Association
Date: June 20 2012
Re: Ballots for Election to MMA'S Legislative Policy Committee



MMA's member municipalities have made their nominations for the 2010-2012 Legislative Policy Committee (LPC). It is now time to elect your representatives to serve on the Committee. The election ballot is enclosed. The ballot must be completed by the Board of Selectmen or Town or City Council of your municipality.

Number of votes

Most municipalities are asked to vote for two candidates, because there are two elected LPC members for most districts. Some municipalities only vote for one candidate, because the other LPC member in that district is appointed. *You are instructed on the ballot (above the list of candidates) whether to vote for two candidates or just one.*

Candidate profiles

If you are not familiar with any of the candidates, please review the Candidate Profiles on the back of the ballot. Feel free, also, to contact the candidates directly.

Write-in candidates

In addition to the candidates listed on the ballot, you may vote for a candidate whose name you write in. The write-in candidate need not be from your municipality, but must be an elected or appointed official from a municipality in your Senate/LPC district. *Check to be sure the write-in candidate is willing to serve if elected!* Write-in candidates should be communicating their interest in serving among the municipal officers within their district.

If you are instructed to vote for two candidates and only one candidate is on the ballot, please use the "write-in" line for your second vote if you know of someone who is willing to serve.

Deadline for returning ballot

Return ballot by 5:00 p.m. on **July 31, 2012** to:

State and Federal Relations Dept.
Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Your participation is important - Thank You!

OFFICIAL BALLOT – District 15

Maine Municipal Association's Legislative Policy Committee
July 1, 2012 – June 30, 2014

VOTE FOR ONE (*Auburn appoints 1 LPC Member*):

- Rosemary Kulow, Manager, Town of Poland**
- Deborah Larrabee, Selectman, Town of Durham**
- _____ (name) (position) (municipality)  write in)

Candidate Profiles Are On Reverse Side

MUNICIPALITY: _____ DATE: _____

 **BY SELECTMEN/COUNCILORS:**

signature	print name

Return by 5:00 p.m., July 31, 2012, to:

Laura Veilleux, Maine Municipal Association
60 Community Drive, Augusta, ME 04330
Fax: 624-0129

(over)

LPC Senate District 15 *(Auburn appoints 1 LPC Member)*

Auburn
Durham

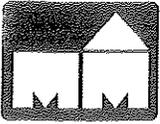
New Gloucester

Poland

Candidate Profile:

Rosemary Kulow has served the Town of Poland as Manager for about one year. Prior to that, her municipal experience included as Clerk-Treasurer of Village of Maiden Rock, WI; Intern, then Program Analyst, City of Charlottesville, VA; City Manager, Eastport, ME; City Manager, Platteville, WI; City Manager, Gardiner, ME; Town Manager, Sebago, ME; Town Manager, New Gloucester, ME and most recently as City Manager, Rockland, ME. Rosemary has previously served on MMA's Executive Committee as well as the LPC. She would like to serve again on the LPC because she wants full understanding of proposed legislation that affects amine municipalities to ensure that the interests of her District are represented.

Deborah Larrabee has served as Selectman in the Town of Durham for the past three years. Prior to that she was the EMA Director for 15 years; Durham Fire Department Dispatcher for 20 years; Durham Fire and Rescue EMT for 6 years; and was a Budget Committee member for 18 years. Deborah would like to serve on the LPC because she is concerned with declining municipal revenue sources, decreased State resources (i.e., State Planning Office), communication and the lack of municipal identity.



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

June 20, 2012

Donald Gerrish
Interim City Manager
City of Auburn
60 Court St.
Auburn, ME 04210

Ballots are being mailed to MMA's member municipalities for the 2012-2014 term of the Legislative Policy Committee (LPC). Based on its proportionate size within its Senate District (which is also its LPC District), the City of Auburn is allowed to appoint one representative to the LPC. (The other LPC representative in your District is elected.) The appointee must be an elected or appointed municipal official who is currently serving in office. For more information about the LPC, a copy of the current *LPC Handbook* is enclosed.

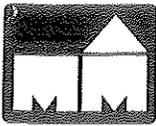
When making this appointment, it is important for the Council to consider the level of commitment necessary to represent your municipality on the LPC. During each legislative session, the LPC meets once a month in Augusta, and LPC members are called upon to actively participate in advocacy efforts, perhaps by contacting their legislators about a pressing bill, writing a letter to the editor or even attending a particularly important public hearing in Augusta. Outside of the legislative session, the LPC meets at least once or twice a year in the fall or early winter for the purpose of developing the Association's legislative agenda.

To that end, a process will begin shortly after the election of the new LPC for the purpose of brainstorming and ultimately developing MMA's legislative agenda for the 2013-2014 biennium. With input from your community's LPC member, any number of emerging (or perhaps long-neglected) issues could rise to top priority positions in the Association's legislative platform. For example, past Legislative Policy Committees have developed legislative agendas that focused on protecting municipal revenue sharing, eliminating or mitigating unwelcome state mandates, addressing taxation policy inequities and overbroad tax exemptions, and enhancing property tax relief programs. In addition to potentially significant or sweeping public policy proposals, it is often the case that the LPC agenda includes technical bills correcting or updating current state law to assist municipal officials in the work they do. Whatever the upcoming municipal priorities may be, it is very important that the interests of your community are well represented.

Please notify us in writing as soon as possible when the City has made its appointment, providing us with the appointee's contact information. If you would like to designate an alternate at this time, please provide the contact information for that person. If you have any questions, please call MMA's State and Federal Relations staff at 623-8428.

Sincerely,

Sophia Wilson
President, MMA



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

The LPC Handbook: MMA's Legislative Policy Committee

The Legislative Policy Committee (LPC) is a representative body made up of 70 members plus MMA's Vice President, who serves as the Chair. The primary role of the Chair is to call and facilitate all LPC meetings, moderate LPC discussions, and ensure the proper application of all the procedures established in this *Handbook*. The Chair is not a voting member of the LPC, except to break a tie. As described in detail below, all members of the LPC are elected or appointed municipal officials who, with the exception of the Chair, are elected to the position of LPC Representative by the municipal officers within their district.

Role of the LPC. MMA's 12-member Executive Committee is the Board of Directors of the Association and is responsible for its control and management. In the 1970's, the Executive Committee created the Legislative Policy Committee (LPC). The LPC serves a critical function as the advocacy arm of the Maine Municipal Association. The purpose of the LPC is to define municipal interests and to maximize those interests through effective participation in the legislative process. Specifically, in consultation with the Executive Committee, the LPC is responsible for:

- Developing and coordinating MMA's legislative policy process;
- Identifying MMA's advocacy priorities and developing a legislative program;
- Providing direction on legislative strategy to achieve these objectives; and
- Taking positions on legislative proposals affecting municipalities.

In addition, LPC Representatives are expected to assist MMA staff by acting as municipal advocates at the local level. LPC members are expected to:

- Establish ongoing communication with legislators in their Senate districts and inform those legislators about LPC positions;
- Act as liaisons with municipal officials in their districts; and
- Keep MMA staff informed of issues of concern.

Districts. Representation on the LPC is based on the State Senate districts. Two members are elected from each of the 35 State Senate Districts.

In districts where a municipality represents more than half of the district's population, the municipal officers of that municipality are allowed to appoint one member to the LPC, and the remaining LPC Representative shall be elected by all the municipalities in the district. In Senate districts located entirely within one municipality, the municipal officers of that municipality appoint its two LPC Representatives.

Nominations. A new LPC is elected every two years. Elections are held the same year as legislative elections (even-numbered years), although months earlier than the statewide election in November. Shortly after the conclusion of the second session of the Legislature (in April or May of the even-numbered years) an announcement is sent to the Key Municipal Official in all municipalities, informing them of the LPC election and asking for nominations of a candidate from their municipality or any other municipality within their district.

Elections. Once nominations are received, ballots containing the names of all nominees received by the specified deadline are mailed to all municipalities. The ballot also contains a space for write-in candidates. The boards of selectmen or councils of each municipality within the Senate district make their preference known on the ballot and return it to the Maine Municipal Association by a date certain. The nominees or write-in candidates receiving the most votes are elected to the Legislative Policy Committee and so-notified.

In the case of a tie vote, the Chair shall contact the winning candidates and attempt to obtain a negotiated resolution. The negotiated resolution could involve establishing: (1) a run-off election; (2) an agreement among the winning candidates to share the position by serving as each other's alternate for the duration of the term, or (3) some other mutually agreeable solution. In the event a negotiated resolution to the tie vote cannot be obtained, the MMA President is authorized to resolve a tie vote by appointment.

Terms. The LPC members serve for a two-year term, running from July 1st of each even-numbered year to June 30th of the next subsequent even-numbered year.

Alternates. Each LPC member may designate one or more alternates who can serve in the place of that LPC member at any meeting of the LPC. The designation must be submitted in writing to the Executive Director for filing at the MMA offices. An alternate may participate as a member at any LPC meeting only in the absence of the elected LPC member.

Vacancies. Vacancies occur when an LPC member resigns, is no longer qualified to serve because he or she is no longer a local official in his or her district, or when the member (or the member's designee) fails to attend three consecutive meetings.

If a member or the member's designee does not attend the LPC for three consecutive meetings, the Executive Director must contact the member to find out if he or she wants to continue to serve on the LPC. If the member resigns or fails to attend the next LPC meeting, the Executive Director then notifies the President that a vacancy exists.

In the case of any vacancy which occurs in a district falling entirely within a single municipality (see *Districts*, above), the President or the President's designee shall notify the Key Municipal Official of that municipality and the municipal officers of that municipality may appoint a new LPC Representative. In the case of any vacancy that occurs in a multi-municipal LPC district, the President is authorized to appoint a replacement, with consideration given to the criteria provided herein.

Criteria for Appointment. In the event of a vacancy with respect to which the President is authorized to appoint a replacement, the President shall consider the following equally-weighted criteria before making the appointment:

- The level of interest in the position that might be held by those municipal officials on that district's ballot at the immediately previous LPC election;
- In the case of vacancies created because the former LPC member is no longer qualified to serve in that district, the level of interest in the position that might be held by the municipal official immediately filling the office formerly held by the LPC member;
- The demographic and geographic representational needs of the district created by the vacancy; and
- Any recommendations or nominations offered by municipal officers or the remaining LPC member within the district.

Without exception the replacement must be from the district. Upon making the appointment and so-notifying the appointee, the President or the President's designee shall notify the Chair of the LPC.

Meetings

Calling a meeting. LPC meetings are called by the Chair on an as-needed basis. During the summer and fall of the even-numbered years, the LPC shall convene for the purpose of developing, in consultation with the Executive Committee, the Association's legislative strategy for the first legislative session. During the legislative session, the LPC meets an average of once a month.

Quorum. At least one-third of the full membership must be present in order to conduct any formal business of the LPC.

Subcommittees. For any reason deemed necessary, the Chair may appoint, or the LPC may direct the Chair to appoint, one or more subcommittees. Each subcommittee shall carry out the charge provided to it by the Chair or the LPC, as the case may be, and report the results of its efforts back to the full LPC in the form of a recommendation. Every subcommittee shall serve only for the duration necessary to fulfill the charge given to it by the Chair or LPC. Each subcommittee shall be dissolved upon transmitting its final report or recommendation to the LPC.

Participation. LPC meetings are open to all municipal officials and others who may be interested in observing the LPC's deliberative process. The several Presidents of MMA's affiliate groups (assessors, tax collectors, clerks, welfare directors, etc.) are provided notice of all LPC meetings.

That being said, the LPC is a deliberative body and its meetings are organized and conducted so that the LPC members may discuss the various issues affecting municipal government among themselves and act upon them accordingly. In order to maintain the integrity of the LPC's deliberative process, the Chair will take whatever actions are necessary to ensure that all persons attending a meeting who are not LPC members (or alternates authorized to act as members) are distinguished from the voting members and prohibited from voting, and otherwise informed that their right to attend the LPC meeting is not an entitlement to participate.

Subject to any direction provided by the LPC pursuant to its rules of procedure, the Chair may take any action to reasonably restrict or control the active participation of non-members during LPC meetings.

Agenda and Minutes. The Chair shall call each LPC meeting by issuing the notice and agenda of that meeting at least a week before its scheduled date. The Chair shall endeavor to prepare the agenda so that the issues placed before the LPC for consideration are matters: (1) that are of a legislative or regulatory nature and timely or immediate in that regard; (2) possessing a direct and significant relationship to the operation of municipal government; (3) of statewide concern or, there being no objection in writing in advance or at the meeting, of significant regional concern; and (4) positioned on the agenda insofar as possible according to a priority of LPC action. Each agenda shall provide as an initial order of business an opportunity for the full LPC to make such deletions, additions, or adjustments to the agenda as it feels necessary. Each agenda shall also enclose the minutes of the previous meeting, as recorded by MMA staff, so that the LPC will have a record of its previous actions.

Rules of Procedure. With regard to any issue that comes before it, the LPC may act by consensus and forego a formal vote when no formal motion or voting process appears necessary. The Chair or any designee of the Chair will articulate the proposed consensus position and the full LPC will be provided an opportunity for debate. During the period of discussion with respect to the proposed consensus position, any LPC Representative may move an alternative position. If no such alternative position is moved, and absent any objection by any member, the Chair will declare the position to have been taken by the LPC "by consensus." Any motion made by any member of the LPC shall be addressed according to the rules of procedure adopted by the LPC. With regard to all procedural matters not specifically addressed in the *Handbook*, the LPC shall operate according to the rules of procedure established by MMA's *Maine Moderator's Manual*.

Amendments to the Handbook. The LPC, by majority vote, may make any amendments to this *Handbook* as it believes are warranted, except that no vote on an amendment to the *Handbook* may be taken unless the actual proposed amendment has been given proper notice by being included as an agenda item and distributed at least a week before the scheduled LPC meeting. Each newly constituted LPC shall review the Handbook at its initial convention and adopt it with or without amendments, as that LPC feels necessary.

Published by: Maine Municipal Association, 60 Community Drive, Augusta, ME, 04330, 2/98.

IN COUNCIL REGULAR MEETING JULY 2, 2012 VOL. 33 PAGE 44

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

I. Consent Items

1. **Order 48-07022012*** - Waiving the business licensing fee for the High Street Congregational Church.

Councilor Gerry requested this item be removed from the consent agenda and placed under new business.

2. **Order 49-07022012 *** - Waiving the business licensing fee for Saint Dominic Academy.

Councilor Hayes requested this item be removed from the consent agenda and placed under new business.

II. Minutes of June 18, 2012 and June 25, 2012.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the June 18 and June 25, 2012 Council Meeting Minutes. Passage, 7-0.

III. Reports

Mayor's Report – reported

Committee Reports

- Transportation
 - Androscoggin Transportation Resource Center – Mayor LaBonté reported. Clint Deschene will serve on this seat going forward.
 - Lewiston Auburn Transit – Councilor Gerry, no report.
 - Airport, Railroad – Councilor Hayes reported.
 - Bike-Ped Committee – Councilor Shea reported.
- Housing
 - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported.
- Economic Development
 - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
 - Auburn School Committee – Councilor Young, no report.
 - Auburn Public Library – Councilor LaFontaine reported.
 - Great Falls TV – Councilor Young and Councilor Shea, Councilor Young reported.
- Environmental Services
 - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.

- Mid-Maine Waste Action Corp. – Councilor Walker reported.
- Recreation
 - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
 - LA 911 – Councilor Walker, no report.

Councilor Reports

- Leroy Walker reported
- Tizz Crowley reported
- Mary LaFontaine reported

City Manager - reported

IV. Communications, Presentations and Recognitions

V. Open Session

Larry Pelletier, 129 Second Street
Roland Miller, Economic Development Director, City of Auburn
Andy Titus, Lamplighter Circle
Joe Gray, Sopers Mill Road

VI. Unfinished Business

3. Order 41-06182012 – Authorizing the issuance and sale of the City’s general obligation bonds in the amount of \$5,600,000, second and final reading.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage, 6-1 (Councilor Gerry).

4. Order 45-06252012 – Authorizing the issuance and sale of general obligation Qualified Zone Academy Bonds for the city school capital equipment and improvements in the amount of \$1,057,323, second and final reading.

Motion was made by Councilor Shea and seconded by Councilor Gerry to postpone this item until 7/16/2012.

Public comment -

Francois Bussiere, School Committee Member.

Motion failed, 3-4 (Councilors Crowley, Hayes, LaFontaine, Young).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine for passage of the Order.

Public comment

Andy Titus, 17 Lamplighter Circle

Passage of Order, 7-0.

VII. New Business

1. Order 48-07022012* - Waiving the business licensing fee for the High Street Congregational Church. Councilor Gerry requested this item be removed from the consent agenda and placed under new business.

Motion was made by Councilor Gerry and seconded by Councilor Walker to waive the on premise business licensing fee.

Motion was made by Councilor Hayes and seconded by Councilor Crowley to postpone this item. Motion failed, 3-4 (Councilors Walker, Shea, Gerry, Young).

Passage of Order, 5-2 (Councilors Crowley and Hayes).

2. Order 49-07022012 * -Waiving the business licensing fee for Saint Dominic Academy. Councilor Hayes requested this item be removed from the consent agenda and placed under new business.

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

Motion was made by Councilor Hayes and seconded by Crowley to postpone this item. Passage, 4-3 (Councilors Gerry, Shea, Walker).

5. Order 50-07022012 – Authorizing the City Manager to execute a Memorandum of Understanding.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage.

Public comment --

Andy Titus, Lamplighter Circle
Joe Gray, Sopers Mill Road

Passage, 6-1 (Councilor Gerry).

VIII. Open Session

Joe Gray, Sopers Mill Road

- IX. Executive Session -** Discussing a Poverty Abatement, pursuant to 36 M.R.S.A. Sec. 841 (2).

Motion was made by Councilor LaFontaine and seconded by Councilor Shea, 7-0, 9:07 P.M.

The Mayor declared Council out of Executive Session at 9:32 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to deny the Poverty Abatement case # 129. Passage, 6-0-1 (Councilor Walker abstained).

X. **Future Agenda Items** – Councilor Crowley, the Turner Street Project.

XI. **Adjournment**

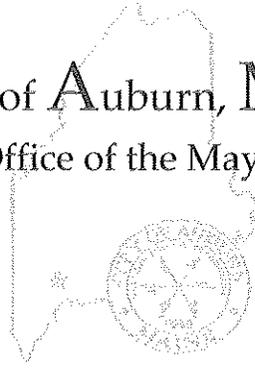
Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn. Passage, 6-1 (Councilor Gerry), 9:36 P.M.

A TRUE COPY.

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

City of Auburn, Maine

Office of the Mayor



July 16, 2012

Dear School Committee and Superintendent Grondin:

The City Council has concerns regarding late entry for both the Middle School and High School in Auburn. We are certain this issue is being considered for the betterment of our schools and the students; however, a change of this nature has implications that extend beyond the students and schools.

First and foremost, we hope you could explain the financial implications of this issue. What impacts may this have on the current or future budgets? Does this change create greater efficiencies? Will it result in increases or savings in the long-term? Is this a permanent change or is this only for a limited time? In order to build strong, fiscally responsible budget the Council feels it must be well-informed on a decision of this magnitude, in case it impacts current and future budgets.

Secondly, we want to share our concerns on how this may impact parents and businesses. The change in schedule could adversely impact parents who do not use daycare facilities and depend on picking up and dropping of their children themselves. This impact could affect local businesses that have employees with students in these schools. We are also concerned that students that work in our community may be impacted by this change as well.

We appreciate your consideration of our concerns. Certainly there are many challenges facing the operation of our schools. Our thoughts are only to express what we are hearing in the community to assist you in the awareness of this matter. More importantly though we need to better understand any of the financial impacts of this new policy.

Yours truly,

Jonathan LaBonté
Mayor

Joshua Shea
At-Large Councilor

Belinda Gerry
At-Large Councilor

Tizz Crowley
Ward 1 Councilor

Robert Hayes
Ward 2 Councilor

Mary LaFontaine
Ward 3 Councilor

David Young
Ward 4 Councilor

Leroy Walker
Ward 5 Councilor

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

TO: Clint Deschene, City Manager
FROM: Jill Eastman, Finance Director
REF: June 2012 Pre-Audit Financials
DATE: July 10, 2012

The City has completed its final month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 100% of the annual budget.

The attached reports are where we are right now. We are still processing invoices for FY 12 and there are some revenues that haven't been received that belong in FY 12. This report will show you where we stand as of today. When the audit is complete, the auditors will give a formal presentation of the final year end picture.

Revenues

Revenues collected through June 30th were \$68,142,564, or 96.91%, of the budget, which is less than last year audited figures by 3.06%. The accounts listed below are noteworthy.

- A. Property Tax collections that are received for the first 60 days following fiscal year end are posted to the prior year. What this means is that any property taxes that we collect in July and August will be posted to FY12. This is why the report shows the current year is less than last year.
- B. Excise Taxes for June 30th are at 113.19% of the budget. They actually came in higher than we had been projecting at a total of \$3,077,599. We did increase the FY13 revenue to reflect this increase in excise.
- C. State Revenue Sharing for the month of June is 104.55% or \$2,509,193. The city received \$279,828 this month compared to \$265,203 FY11, \$270,084 FY10, \$187,607 FY09, \$566,463 FY08 and \$395,269 FY07.

D. Tax Sharing-City of Lewiston for June is at 0%. We have not received our tax sharing payment from Lewiston, but this revenue will be reflected in the audit.

Expenditures

Expenditures through June 30th were \$68,142,564, or 96.91%, of the budget. As I said in my introduction, we will continue to process invoices for FY12 through the first week of August, so I am sure that we will still be under budget but probably closer to 98.5% when we close the year.

Investments

This section contains an investment schedule as of June 3th as well as a comparison of the investments between May and the prior month. Currently, the City's funds are earning an average interest rate of .22%.

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, WC AND UNEMPLOYMENT FUND (NOT INCLUDING SCHOOL)
AS OF June 2012, May 2012, and June 2011 (Preliminary & UNAUDITED)

	UNAUDITED June 30 2012	UNAUDITED May 31 2012	Increase (Decrease)	AUDITED JUNE 30 2011
ASSETS				
CASH	\$ 14,380,064	\$ 14,190,763	\$ 189,301	\$ 13,294,906
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	93,672	141,628	(47,956)	1,059,806
TAXES RECEIVABLE-CURRENT	107,929	1,468,725	(1,360,796)	114,898
DELINQUENT TAXES	486,160	489,762	(3,602)	440,748
TAX LIENS	1,415,461	427,540	987,921	1,264,200
NET DUE TO/FROM OTHER FUNDS	14,601,583	14,785,356	(183,773)	1,508,634
TOTAL ASSETS	\$ 31,084,869	\$ 31,503,774	\$ (418,905)	\$ 17,683,192
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (1,321,316)	\$ (989,710)	\$ (331,606)	\$ (1,314,860)
PAYROLL LIABILITIES	89,880	84,164	5,716	1,365
ACCRUED PAYROLL	(260,243)	10,214	(270,457)	(166,818)
STATE FEES PAYABLE	(3,844)	(128,341)	124,497	11,446
ESCROWED AMOUNTS	(41,865)	(71,250)	29,385	(64,250)
DEFERRED REVENUE	(1,906,136)	(2,165,009)	258,873	(1,598,154)
TOTAL LIABILITIES	\$ (3,443,524)	\$ (3,259,932)	\$ (183,592)	\$ (3,131,271)
FUND BALANCE - UNASSIGNED	\$ (27,283,139)	\$ (27,885,635)	602,496	\$ (14,102,463)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	776,017	-	684,766
FUND BALANCE - RESTRICTED	(1,134,224)	(1,134,224)	-	(1,134,224)
TOTAL FUND BALANCE	\$ (27,641,346)	\$ (28,243,842)	\$ 602,496	\$ (14,551,921)
TOTAL LIABILITIES AND FUND BALANCE	\$ (31,084,869)	\$ (31,503,774)	\$ 418,905	\$ (17,683,192)

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH June 30, 2012 VS June 30, 2011 (Preliminary-Pre Audit)

REVENUE SOURCE	FY 2012	ACTUAL	% OF	FY 2011	ACTUAL	% OF	VARIANCE
	BUDGET	REVENUES	BUDGET	BUDGET	REVENUES	BUDGET	
TAXES							
PROPERTY TAX REVENUE-	\$ 41,053,952	\$ 39,907,613	97.21%	\$ 40,447,313	\$ 39,854,598	98.53%	\$ 53,015
PRIOR YEAR REVENUE	\$ -	\$ 905,827		\$ -	\$ 754,409		\$ 151,418
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 488,573	\$ 369,692	75.67%	\$ 480,000	\$ 379,509	79.06%	\$ (9,817)
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 2,719,000	\$ 3,077,599	113.19%	\$ 2,806,000	\$ 3,035,667	108.18%	\$ 41,932
PENALTIES & INTEREST	\$ 140,000	\$ 149,318	106.66%	\$ 220,000	\$ 152,869	69.49%	\$ (3,551)
TOTAL TAXES	\$ 44,401,525	\$ 44,410,048	100.02%	\$ 43,953,313	\$ 44,177,052	100.51%	\$ 232,998
LICENSES AND PERMITS							
BUSINESS	\$ 30,000	\$ 56,284	187.61%	\$ 42,800	\$ 43,830	102.41%	\$ 12,454
NON-BUSINESS	\$ 268,400	\$ 288,601	107.53%	\$ 260,300	\$ 309,506	118.90%	\$ (20,905)
TOTAL LICENSES	\$ 298,400	\$ 344,885	115.58%	\$ 303,100	\$ 353,336	116.57%	\$ (8,451)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 378,000	\$ 461,397	122.06%	\$ 378,000	\$ 441,940	116.92%	\$ 19,457
STATE REVENUE SHARING	\$ 2,400,000	\$ 2,509,193	104.55%	\$ 2,421,593	\$ 2,588,761	106.90%	\$ (79,568)
WELFARE REIMBURSEMENT	\$ 44,955	\$ 60,039	133.55%	\$ 44,955	\$ 50,902	113.23%	\$ 9,137
OTHER STATE AID	\$ 20,000	\$ 22,615	113.07%	\$ 19,000	\$ 22,214	116.92%	\$ 401
FEMA REIMBURSEMENT	\$ -	\$ -		\$ -	\$ 19,473		\$ (19,473)
CITY OF LEWISTON	\$ 158,362	\$ (3,698)	-2.34%	\$ 160,235	\$ 160,235	100.00%	\$ (163,933)
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 3,001,317	\$ 3,049,546	101.61%	\$ 3,023,783	\$ 3,283,525	108.59%	\$ (233,979)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 135,090	\$ 126,246	93.45%	\$ 140,360	\$ 122,443	87.23%	\$ 3,803
PUBLIC SAFETY	\$ 206,545	\$ 138,023	66.82%	\$ 77,800	\$ 68,085	87.51%	\$ 69,938
EMS TRANSPORT	\$ -	\$ -		\$ 17,000	\$ 17,000	100.00%	\$ (17,000)
EMS AGREEMENT	\$ 100,000	\$ 100,000	100.00%	\$ 100,000	\$ 107,900	107.90%	\$ (7,900)
TOTAL CHARGE FOR SERVICES	\$ 441,635	\$ 364,269	82.48%	\$ 335,160	\$ 315,428	94.11%	\$ 48,841
FINES							
PARKING TICKETS & MISC FINES	\$ 55,000	\$ 39,031	70.97%	\$ 55,000	\$ 42,288	76.89%	\$ (3,257)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 60,000	\$ 62,120	103.53%	\$ 70,000	\$ 54,689	78.13%	\$ 7,431
INTEREST-BOND PROCEEDS	\$ 2,000	\$ -	0.00%	\$ 15,000	\$ 15,000	100.00%	\$ (15,000)
RENTS	\$ 122,000	\$ 121,827	99.86%	\$ 122,000	\$ 120,384	98.68%	\$ 1,443
UNCLASSIFIED	\$ 7,340	\$ 39,350	536.10%	\$ 22,947	\$ 11,318	49.32%	\$ 28,032
SALE OF RECYCLABLES	\$ -	\$ 15,097		\$ -	\$ 63,170		\$ (48,073)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 46,981		\$ 40,000	\$ 48,081	120.20%	\$ (1,100)
SALE OF PROPERTY	\$ 20,000	\$ 2,255	11.28%	\$ 50,000	\$ 556,555	1113.11%	\$ (554,300)
RECREATION PROGRAMS/ARENA	\$ 33,275	\$ 13,668	41.07%	\$ 38,489	\$ 15,197	39.48%	\$ (1,530)
MMWAC HOST FEES	\$ 197,400	\$ 200,213	101.43%	\$ 197,500	\$ 197,096	99.80%	\$ 3,117
9-1-1 DEBT SERVICE REIMBURSEMENT	\$ 98,318	\$ -	0.00%	\$ 161,233	\$ -	0.00%	\$ -
TRANSFER IN: TIF	\$ 324,212	\$ 324,212	100.00%	\$ 407,374	\$ 309,181	75.90%	\$ 15,031
ENERGY EFFICIENCY	\$ 2,600	\$ 1,685	64.82%	\$ 4,000	\$ 2,414	60.35%	\$ (729)
CDBG	\$ 8,000	\$ 8,004	100.05%	\$ 8,000	\$ 8,000	100.00%	\$ 4
UTILITY REIMBURSEMENT	\$ 37,500	\$ 29,010	77.36%	\$ 28,642	\$ 34,774	121.41%	\$ (5,764)
CITY FUND BALANCE CONTRIBUTION	\$ 1,050,000	\$ -	0.00%	\$ 700,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 1,962,645	\$ 864,421	44.04%	\$ 1,865,185	\$ 1,435,859	76.98%	\$ (571,438)
TOTAL GENERAL FUND REVENUES	\$ 50,160,522	\$ 49,072,201	97.83%	\$ 49,535,541	\$ 49,607,488	100.15%	\$ (535,287)
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 17,942,071	\$ 17,836,233	99.41%	\$ 16,213,174	\$ 16,222,496	100.06%	\$ 1,613,737
EDUCATION	\$ 1,358,724	\$ 1,234,130	90.83%	\$ 3,051,517	\$ 3,124,560	102.39%	\$ (1,890,430)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 855,251	\$ -	0.00%	\$ 172,103	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 20,156,046	\$ 19,070,363	94.61%	\$ 19,436,794	\$ 19,347,056	99.54%	\$ (276,693)
GRAND TOTAL REVENUES	\$ 70,316,568	\$ 68,142,564	96.91%	\$ 68,972,335	\$ 68,954,544	99.97%	\$ (811,980)

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH June 30, 2012 VS June 30, 2011 (Preliminary-Pre Audit)

DEPARTMENT	FY 2012	Unaudited	% OF	FY 2011	Audited	% OF	VARIANCE
	REVISED BUDGET	EXP THRU JUNE 2012	BUDGET	BUDGET	EXP THRU JUNE 2011	BUDGET	
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 93,340	\$ 112,571	120.60%	\$ 103,340	\$ 99,302	96.09%	\$ 13,269
CITY MANAGER	\$ 280,915	\$ 338,605	120.54%	\$ 377,931	\$ 336,903	89.14%	\$ 1,702
ASSESSING SERVICES	\$ 188,906	\$ 182,447	96.58%	\$ 200,113	\$ 170,793	85.35%	\$ 11,654
CITY CLERK	\$ 137,422	\$ 151,346	110.13%	\$ 117,812	\$ 105,526	89.57%	\$ 45,820
FINANCIAL SERVICES	\$ 365,023	\$ 397,320	108.85%	\$ 368,730	\$ 352,799	95.68%	\$ 44,521
HUMAN RESOURCES	\$ 137,363	\$ 130,087	94.70%	\$ 138,602	\$ 129,098	93.14%	\$ 989
INFORMATION COMMUNICATION TECHNOLOGY	\$ 361,058	\$ 354,100	98.07%	\$ 330,216	\$ 331,338	100.34%	\$ 22,762
LEGAL SERVICES	\$ 84,284	\$ 74,663	88.59%	\$ 73,000	\$ 42,072	57.63%	\$ 32,591
CUSTOMER SERVICE	\$ 2,428	\$ 1,576	64.91%	\$ 2,000	\$ 102	5.10%	\$ 1,474
TOTAL ADMINISTRATION	\$ 1,650,739	\$ 1,742,715	105.57%	\$ 1,711,744	\$ 1,567,933	91.60%	\$ 174,782
COMMUNITY SERVICES							
ENGINEERING	\$ 293,612	\$ 300,295	102.28%	\$ 383,196	\$ 257,368	67.16%	\$ 42,927
COMMUNITY PROGRAMS	\$ 12,650	\$ 12,649	99.99%	\$ 12,650	\$ 12,645	99.96%	\$ 4
PLANNING & PERMITTING	\$ 727,756	\$ 694,442	95.42%	\$ 709,023	\$ 610,206	86.06%	\$ 84,236
PARKS AND RECREATION	\$ 615,858	\$ 511,924	83.12%	\$ 606,333	\$ 538,561	88.82%	\$ (26,637)
HEALTH & SOCIAL SERVICES	\$ 153,811	\$ 165,241	107.43%	\$ 152,252	\$ 158,292	103.97%	\$ 6,949
PUBLIC LIBRARY	\$ 929,407	\$ 929,407	100.00%	\$ 919,407	\$ 919,407	100.00%	\$ 10,000
TOTAL COMMUNITY SERVICES	\$ 2,733,094	\$ 2,613,958	95.64%	\$ 2,782,861	\$ 2,496,479	89.71%	\$ 117,479
FISCAL SERVICES							
DEBT SERVICE	\$ 6,810,550	\$ 6,783,904	99.61%	\$ 6,816,314	\$ 6,773,268	99.37%	\$ 10,636
PROPERTY	\$ 680,137	\$ 572,372	84.16%	\$ 649,206	\$ 588,543	90.66%	\$ (16,171)
WORKERS COMPENSATION	\$ 451,890	\$ 451,720	99.96%	\$ 200,000	\$ 200,000	100.00%	\$ 251,720
WAGES & BENEFITS	\$ 4,209,929	\$ 4,001,369	95.05%	\$ 4,397,054	\$ 4,031,212	91.68%	\$ (29,843)
EMERGENCY RESERVE (10108062-670000)	\$ 328,608	\$ -	0.00%	\$ 336,336	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 12,481,114	\$ 11,809,365	94.62%	\$ 12,398,910	\$ 11,593,023	93.50%	\$ 216,342
PUBLIC SAFETY							
EMERGENCY MGMT AGENCY	\$ 2,903	\$ -	0.00%	\$ 6,760	\$ -	0.00%	\$ -
FIRE DEPARTMENT	\$ 3,716,161	\$ 3,706,939	99.75%	\$ 3,549,341	\$ 3,570,535	100.60%	\$ 136,404
POLICE DEPARTMENT	\$ 3,315,380	\$ 3,264,566	98.47%	\$ 3,253,880	\$ 3,174,276	97.55%	\$ 90,290
TOTAL PUBLIC SAFETY	\$ 7,034,444	\$ 6,971,505	99.11%	\$ 6,809,981	\$ 6,744,811	99.04%	\$ 226,694
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	\$ 4,682,884	\$ 4,132,800	88.25%	\$ 4,458,060	\$ 4,272,911	95.85%	\$ (140,111)
WATER AND SEWER	\$ 558,835	\$ 553,426	99.03%	\$ 526,252	\$ 528,775	100.48%	\$ 24,651
TOTAL PUBLIC WORKS	\$ 5,241,719	\$ 4,686,226	89.40%	\$ 4,984,312	\$ 4,801,686	96.34%	\$ (115,460)
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 106,750	\$ 106,750	100.00%	\$ 139,250	\$ 139,250	100.00%	\$ (32,500)
E911 COMMUNICATION CENTER	\$ 968,347	\$ 968,347	100.00%	\$ 927,500	\$ 927,500	100.00%	\$ 40,847
LATC-PUBLIC TRANSIT	\$ 207,779	\$ 207,779	100.00%	\$ 176,362	\$ 130,000	73.71%	\$ 77,779
LAEGC-ECONOMIC COUNCIL	\$ 160,687	\$ 120,515	75.00%	\$ 167,487	\$ 167,487	100.00%	\$ (46,972)
L-A ARTS	\$ 20,160	\$ 20,160	100.00%	\$ 20,161	\$ 20,160	100.00%	\$ -
TAX SHARING	\$ 288,593	\$ 284,985	98.75%	\$ 293,939	\$ 303,198	103.15%	\$ (18,213)
TOTAL INTERGOVERNMENTAL	\$ 1,752,316	\$ 1,708,536	97.50%	\$ 1,724,699	\$ 1,687,595	97.85%	\$ 20,941
COUNTY TAX							
TIF (10108058-580000)	\$ 1,925,561	\$ 1,925,560	100.00%	\$ 1,892,352	\$ 1,892,352	100.00%	\$ 33,208
OVERLAY	\$ 2,619,142	\$ 2,619,142	100.00%	\$ 2,500,000	\$ 2,500,000	100.00%	\$ 119,142
	\$ 301,604	\$ 118,448	39.27%	\$ -	\$ -	0.00%	\$ 118,448
TOTAL CITY DEPARTMENTS	\$ 35,739,733	\$ 34,195,455	95.68%	\$ 34,804,859	\$ 33,283,879	95.63%	\$ 911,576
EDUCATION DEPARTMENT	\$ 34,705,246	\$ 31,043,144	89.45%	\$ 34,167,476	\$ 33,637,513	98.45%	\$(2,594,369)
TOTAL GENERAL FUND EXPENDITURES	\$ 70,444,979	\$ 65,238,599	92.61%	\$ 68,972,335	\$ 66,921,392	97.03%	\$(1,682,793)

CITY OF AUBURN, MAINE
 INVESTMENT SCHEDULE
 AS OF June 30, 2012

INVESTMENT	FUND	BALANCE	BALANCE June 30, 2012	INTEREST RATE	WEIGHTED AVG YIELD
BANKNORTH MNY MKT	24-1242924 GENERAL FUND	\$ 55,207.97	\$ 55,207.97	0.20%	
BANKNORTH MNY MKT	24-1745910 GF-WORKERS COMP	\$ 49,189.25	\$ 49,189.25	0.10%	
BANKNORTH MNY MKT	24-1745944 GF-UNEMPLOYMENT	\$ 66,750.09	\$ 66,750.09	0.20%	
BANKNORTH CD	7033 GF-UNEMPLOYMENT	\$ 102,404.84	\$ 102,404.84	2.64%	
BANKNORTH MNY MKT	24-1809302 SPECIAL REVENUE	\$ 52,438.73	\$ 52,438.73	0.20%	
BANKNORTH MNY MKT	24-1745902 SR-PERMIT PARKING	\$ 197,544.66	\$ 197,544.66	0.20%	
BANKNORTH MNY MKT	24-1745895 SR-TIF	\$ 1,115,295.03	\$ 1,115,295.03	0.20%	
BANKNORTH MNY MKT	24-1746819 CAPITAL PROJECTS	\$ 10,874,221.17	\$ 10,874,221.17	0.20%	
BANKNORTH MNY MKT	242-6181513 SCHOOL	\$ 1,200,062.51	\$ 1,200,062.51	0.20%	
BANKNORTH MNY MKT	24-1745928 ICE ARENA	\$ 248,733.85	\$ 248,733.85	0.10%	
GRAND TOTAL		\$ 13,961,848.10	\$ 13,961,848.10		0.22%



**City Council
Agenda Information Sheet**

City of Auburn

Council Meeting Date: July 16, 2012

Order 49-07022012

Author: Sue Clements-Dallaire, City Clerk

Subject: Waiving the business licensing fee for Saint Dominic Academy

Information: The principal of Saint Dominic Academy is requesting the City waive the business license fee for the snack shack they operate when hosting home sports games. They are a non-profit organization. The licensing fee would be \$150.00

Financial: \$150.00

Action Requested at this Meeting: Recommend passage

Previous Meetings and History: 7/2/2012 City Council Meeting

Attachments: Under unfinished business in notebooks

- Letter of request
- Business license application



CITY OF AUBURN FOOD LICENSE APPLICATION

Renewal Application _____ Expiration date _____

License applied for Food Service Establishment (FSE) – no liquor

List changes from last license SAINT DOMINIC ACADEMY

Business Hours of operation * Sq Footage 16 X 32

Fee \$ 150 (Based on square footage and type of service)

Please attach a copy of the following: Floor Plan/facility diagram, menu or draft menu, certified food handler certificate with date of certification, and a copy of all state licenses applicable to this application or date of application.

**ALL QUESTIONS MUST BE ANSWERED IN FULL
(Use back of application if necessary)**

BUSINESS

APPLICANT

Business name SAINT DOMINIC ACADEMY Owner's name ROMAN CATHOLIC BISHOP OF PORTLAND

Business address 121 GRACELAWN ROAD Maiden name/ A/K/A _____

City AUBURN State ME Zip 04210 Date of birth _____

Mailing address 121 GRACELAWN ROAD Home address 121 GRACELAWN ROAD

City AUBURN State ME Zip 04210 City AUBURN State ME Zip 04210

Business phone 207 795-0162 Mailing address SAME

Email doris.little@portlanddiocese.org City _____ State _____ Zip _____

Please indicate address to mail license: Business Applicant Home phone 207 782-6911

Is applicant a corporation in the State of Maine? Yes No CORPORATION SOLE
(If answer is "Yes", complete Supplementary Questionnaire for Corporate Applicants)

List all residences, including all places of business, within the last 5 years:

Address 121 GRACELAWN ROAD City AUBURN State ME How long 11 1/2 years

Address _____ City _____ State _____ How long _____

Address _____ City _____ State _____ How long _____

* SEASONAL OPERATION.

AFTER SCHOOL 2:00 - 6:30.

Has applicant(s) ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes _____ No (If yes, complete the following)

Name _____ Date of conviction _____
Offense _____ Location _____
Disposition _____

If manager is to be employed, complete the following:

Name _____ Home address _____ Phone _____ Date of birth _____

Has manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 year? Yes _____ No (If yes, complete the following)

Name _____ Date of conviction _____
Disposition _____ Location _____

Does applicant(s) own the premises? Yes _____ No _____ (If "No", give name and address of owner)

Name _____ Address _____
Phone Number _____ Email _____

Food Service Establishment, Seating _____ Occupancy load _____

Criminal record and/or revocation of driver's license (include driving violations) during the last 5 years:

<u>Date</u>	<u>Charge</u>	<u>Court</u>	<u>Disposition</u>
<i>NONE</i>			

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

READ CAREFULLY BEFORE SIGNING

I hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.



Signature of Applicant

Date *6/21/12*

IF A CORPORATION, MUST FILE A COPY OF CORPORATE PAPERS



SAINT DOMINIC ACADEMY JUN 25 2012

Donald Fournier, Principal

Donald Bilodeau, Assistant Principal
Grades Pre K-6
17 Baird Avenue
Lewiston, Maine 04240
783-9323 fax: 783-9491

Joline Girouard, Assistant Principal
Grades 7-12
121 Gracelawn Road
Auburn, Maine 04210
782-6911 fax: 795-6439

June 20, 2012

Sue Clements-Dallaire
City Clerk
60 Court Street Suite 150
Auburn, Maine 04210

Dear Ms. Clements-Dallaire:

Saint Dominic Academy operates a snack shack when we host home sports games. This is a non-profit operation.

We are, therefore, asking the City Council to waive the fee for the business license application of this snack shack.

Thank you in advance for your cooperation.

Sincerely,

Donald Fournier
Principal



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: July 16, 2012

Ordinance 03-07162012

Author: Dorothy Meagher, Health & Social Services

Subject: General Assistance maximums for FY 12-13

Information: I'm seeking the have the FY 12-13 appendices A, approved by council for the upcoming fiscal year to reflect the new law change and required by statute.

Financial: The new appendices is a reduction of 10% to reflect the changes to Title 22, section 4308, subsections 1-A and 1-B.

Action Requested at this Meeting: Request passage of first reading.

Previous Meetings and History: Workshop on 7/2/2012. Yearly approval needed by council.

Attachments: Under tab 1 in notebooks

- LD 1903 22 MRSA, §4305, sub-3
- Appendix A

Proposed Amendment to LD 1903

Sponsor: _____

Replace Part R of LD 1903 with the following:

Revis
4:

Part R

Sec. R - __. 22 MRSA §4305, subsection 3-A is amended to read:

3-A. Maximum levels of assistance. Municipalities may establish maximum levels of assistance by ordinance. The maximum levels of assistance must set reasonable and adequate standards sufficient to maintain health and decency. A maximum level of assistance established by municipal ordinance is subject to a review by the department, upon complaint, to ensure compliance with this chapter. For the period beginning July 1, 2012, until June 30, 2013, the maximum level of assistance is 90% of the maximum level of assistance in effect on April 1, 2012.

Sec. R- __. 22 MRSA §4308, sub-§1- A and sub-§2-B, are enacted to read:

1-A. Limit on Housing Assistance. For the period beginning July 1, 2012, until June 30, 2013, except as provided in sub-sections (1-B) and (2), housing assistance shall be limited to a maximum of nine months.

1-B. Hardship Extensions to the Housing Limit. The applicant shall be eligible for housing assistance benefits beyond the nine month limit established in sub section (1-A) when the person has a severe and persistent mental or physical condition, or has an application pending with the Social Security Administration.

Sec. R- __. Temporary reduction in in 90% General Assistance reimbursement. For the period July 1, 2012 until June 30, 2013 the state reimbursement rate pursuant to 22 MRSA §4311 sub-§1 for municipalities that incur net general assistance costs in a fiscal year in excess of .0003 of that municipality's most recent state valuation is reduced to 85%.

Sec. R- __. General Assistance Workgroup. The Commissioner of the Department of Health and Human Services or the Commissioner's designee shall convene and make appointments to a working group to review and make recommendations related to the General Assistance program under Maine Revised Statutes, Title 22, Chapter 1161. The Commissioner or the Commissioner's designee shall convene the first meeting of the working group no later than June 1, 2012.

The Commissioner's appointments shall include nine members, seven of whom shall be voting members. The seven voting members shall include: the Commissioner of the Department of Health and Human Services or their designee; the Director of the Office of Family Independence; one member of a statewide organization representing Maine municipalities; one

Appendix A

Effective: 07/01/12-06/30/13

Amend the Town/City of _____ General Assistance Ordinance to incorporate the following maximum levels of assistance to be effective on and after July 1, 2012, as follows:

GA Overall Maximums**Metropolitan Areas**

COUNTY	Persons in Household				
	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	550	641	818	1040	1174
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	561	563	676	845	1036
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	471	590	720	912	1010
Portland HMFA: Cape Elizabeth, Casco, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	731	868	1124	1416	1517
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	912	918	1100	1603	1746
Cumberland County HMFA: Baldwin, Bridgton, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	607	715	922	1101	1410
Brunswick	608	727	939	1190	1427

Appendix A

Effective: 07/01/12-06/30/13

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	723	724	869	1095	1504
York County HMFA: Acton, Alfred, Arundel, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Shapleigh, Waterboro, Wells Biddeford, Saco, Sanford	661	688	873	1045	1141
	668	744	938	1190	1407

*Note: Add \$68 for each additional person.

Non-Metropolitan Areas**Persons in Household**

COUNTY	1	2	3	4	5*
Aroostook County	428	527	631	824	912
Franklin County	530	572	696	832	1079
Hancock County	579	668	822	1094	1125
Kennebec County	459	550	684	933	996
Knox County	524	693	791	1071	1236
Lincoln County	633	680	821	991	1118
Oxford County	442	588	678	902	1130
Piscataquis County	550	627	775	984	1053
Somerset County	440	547	632	914	970
Waldo County	617	662	798	979	1041
Washington County	530	572	683	846	923

* Please Note: Add \$68 for each additional person.

Tizz E. H. Crowley, Ward One
 Robert Hayes, Ward Two
 Mary Lafontaine, Ward Three
 David Young, Ward Four



Leroy Walker, Ward Five
 Belinda Gerry, At Large
 Joshua Shea, At Large

Jonathan LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 03-07162012

ORDERED, that the General Assistance Ordinance be amended to incorporate the following maximum levels of assistance to be effective on and after July 1, 2012 as follows:

GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	550	641	818	1040	1174
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	561	563	676	845	1036
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	471	590	720	912	1010
Portland HMFA: Cape Elizabeth, Casco, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	731	868	1124	1416	1517
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	912	918	1100	1603	1746

Cumberland County HMFA: Baldwin, Bridgton, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	607	715	922	1101	1410
Brunswick	608	727	939	1190	1427

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	723	724	869	1095	1504
York County HMFA: Acton, Alfred, Arundel, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Shapleigh, Waterboro, Wells Biddeford, Saco, Sanford	661	688	873	1045	1141
	668	744	938	1190	1407

*Note: Add \$68 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	428	527	631	824	912
Franklin County	530	572	696	832	1079
Hancock County	579	668	822	1094	1125
Kennebec County	459	550	684	933	996
Knox County	524	693	791	1071	1236
Lincoln County	633	680	821	991	1118
Oxford County	442	588	678	902	1130
Piscataquis County	550	627	775	984	1053
Somerset County	440	547	632	914	970
Waldo County	617	662	798	979	1041
Washington County	530	572	683	846	923

* Please Note: Add \$68 for each additional person.



**City Council
Agenda Information Sheet**

City of Auburn

Council Meeting Date: July 16, 2012

Ordinance 04-07162012

Author: Eric Cousens, City Planner

Subject: Citizen Initiated Zoning Map Amendment for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Map in the area of 75 Constellation Drive from Suburban Residential to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Ordinances of the City of Auburn.

Information: At the March 13, 2012 Planning Board meeting, the Board voted to forward a favorable recommendation on this proposal and found that:

- A. The City's Future Land Use Map shows the area as "Industrial Expansion Transition District" and the proposal is consistent with the plan.
- B. The surrounding area has been changing from Residential to ID and the transition aims to minimize impacts on residents from the airport and industrial uses over time.

It should also be noted that the Board indicated that for any future development of commercial uses at the site, they would be looking to limit vehicular access from Constellation Drive to minimize impacts to residential neighbors and encourage the use of Hotel road for commercial traffic. The City Comprehensive Plan and Airport Master Plan support this proposal. Staff recommends approval and will be available to answer any questions.

Financial: None

Action Requested at this Meeting: Hold a public hearing and vote on first reading.

Previous Meetings and History: Planning Board Public Hearing March 13, 2012, Council Workshop June 4, 2012.

Attachments: Under tab 2 in notebooks

- Planning Board Staff Report
- Ordinance 04-07162012

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

Planning Board Report

To: Auburn Planning Board

From: Eric J. Cousens, City Planner

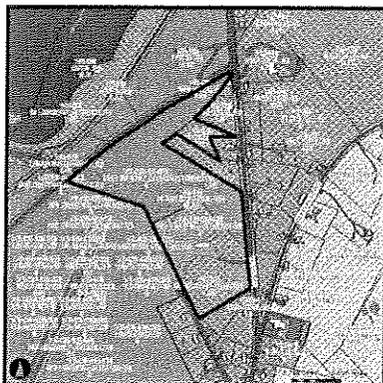
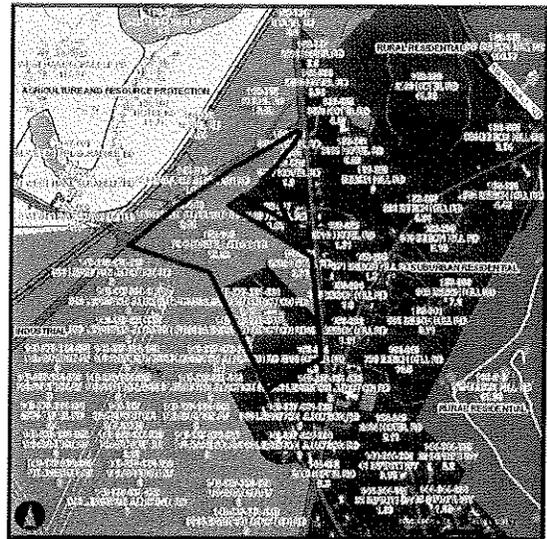
Re: **Zoning Map Amendment – 75 Constellation Drive** - Citizen Initiated Zoning Map Amendment Public hearing for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Map in the area of 75 Constellation Drive from Suburban Residential to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Ordinances of the City of Auburn.

Date: March 13, 2012

I. PROPOSAL

The City of Auburn has received a petition from at least twenty-five (25) registered voters to rezone the remainder of the property at 75 Constellation Drive (PID 156-015) from Suburban Residential (SR) to Industrial (ID). The parcel is shown to the right, outlined in blue. As you can see a majority of the property is already zoned ID, however the single-family home on the lot justified splitting the parcel between zones and the time of the last rezoning. Since then the LA Airport has purchased the home and would like to redevelop the parcel with industrial and aviation related uses.

The minimum lot size requirement for the parcel would change from the 1/2 acre (150' width x 125'



depth) SR minimum to a 150' width x 250' depth ID minimum. This would allow the parcel to be split at some point in the future. The City's Comprehensive Plan illustrates the subject area as "Industrial" and "Industrial Expansion Transition District" (IETD) with the portion under petition being IETD as shown on the future land use map to the left. The Comprehensive Plan describes the objective of the ID Transition District as follows:

Allow for the orderly expansion of the City's industrial district over time by zoning additional land Industrial. The

Industrial Expansion Transition District includes two different types of areas. One type of area is characterized by developed residential properties or neighborhoods on the fringe of an existing industrial zone. In these areas that are currently developed, the City should rezone properties Industrial on a case by case basis in an orderly manner, while maintaining the livability of the remaining residential properties as well as protecting adjacent residential neighborhoods.

The second type of area is undeveloped or lightly developed areas that are currently zoned Ag/RP or low density residential and are essentially “in reserve” for future industrial use. These undeveloped or lightly developed areas that are “reserved” for future industrial use should be zoned Ag/RP or its equivalent in the short term; the area should be rezoned to Industrial only when there is a development proposal that includes the provision of public water and sewerage.

Abutters were notified of the proposal and staff has not received and comments or concerns as of Friday March 9th . Based on the Comprehensive Plan - Auburn Tomorrow, the proximity to the Airport and the changes that have been happening in this area, staff is supportive of the proposal.

II. PLANNING FINDINGS / CONSIDERATIONS:

Staff has evaluated the proposed rezoning and suggests the following findings:

- A. The City’s Future Land Use Map shows the area as “Industrial Expansion Transition District” and the proposal is consistent with the plan.
- B. The surrounding area has been changing from Residential to ID and the transition aims to minimize impacts on residents from the airport and industrial uses over time.

III. RECOMMENDATION:

Staff recommends that the Planning Board forward a favorable recommendation to the City Council to rezone the property at 75 Constellation Drive from Suburban Residential to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Ordinances of the City of Auburn, based on the above findings.

Eric Cousens
City Planner

Tizz E. H. Crowley, Ward One
Robert Hayes, Ward Two
Mary Lafontaine, Ward Three
David Young, Ward Four



Leroy Walker, Ward Five
Belinda Gerry, At Large
Joshua Shea, At Large

Jonathan LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 04-07162012

ORDERED, that the City of Auburn Zoning Map in the area of 75 Constellation Drive, from Suburban Residential, to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Code of Ordinances.



**City Council
Agenda Information Sheet**

City of Auburn

Council Meeting Date: July 16, 2012

Ordinance 05-07162012

Author: Eric Cousens, City Planner / Director of Planning and Permitting

Subject: Public Hearing and final reading regarding amendments to Chapter 42, Division 2, Section 42-44.
Location

Information: This item is a follow up on our May 21 and June 4, 2012 discussion. The Official Business Directory Sign (OBDS) program is a Maine Department of Transportation (DOT) program that allows for limited off-premise advertising. Additional information on the laws, forms and FAQs can be found at: <http://www.maine.gov/mdot/traffic/obds.htm>. The City of Auburn has elected to regulate the location of OBD Signs for reasons explained in the purpose section of Ordinance.

The intersection remaining for Council consideration tonight is Court Street/Western Avenue.

As we discussed that the last workshop, the route is already signed as an alternate truck route to avoid Goff Hill and connect from Court Street to Minot Avenue. The Comprehensive Plan is silent to the use of Western Avenue as a connector between Minot and Court but does recommend finding ways to limit traffic on Court Street and encourage through traffic to use Minot Avenue. (Comprehensive Plan Page 43)

Financial: None

Action Requested at this Meeting: Hold a public hearing and vote on the first and final reading.

Previous Meetings and History: May 21, 2012 and June 4, 2012 workshops.

Attachments: Under tab 3 in notebooks

- Chapter 42, Division 2 of the City of Auburn Ordinances.
- Ordinance 05-07162012

DIVISION 2. - DIRECTIONAL SIGNS ^[52]

⁽⁵²⁾ **State Law reference**— Maine Traveler Information Services, 23 M.R.S.A. § 1901 et seq.; official business and directional signs, 23 M.R.S.A. § 1906; authority for municipal regulation, 23 M.R.S.A. § 1922.

Sec. 42-40. - Purpose and policy.

Sec. 42-41. - Definitions.

Sec. 42-42. - Applicability.

Sec. 42-43. - Eligibility.

Sec. 42-44. - Location.

Sec. 42-45. - Design, installation and maintenance.

Sec. 42-46. - Application.

Sec. 42-47. - Penalty.

Secs. 42-48—42-67. - Reserved.

Sec. 42-40. - Purpose and policy.

The purpose of this division is to provide tourists and travelers with information and guidance concerning public accommodations, facilities, commercial services, and other businesses and points of scenic, cultural, historic, educational, recreational, agricultural, and religious interest. To provide this information and guidance, it is the policy of the city:

- (1) To establish and maintain a system of official business directional signs;
- (2) To prohibit and control the proliferation of roadside signs; and
- (3) To provide a uniform procedure and criteria to govern their location and approval consistent with state laws governing official business directional signs.

(Code 1967, § 27-5.1)

Sec. 42-41. - Definitions.

Unless another meaning is given expressly or by clear implication, all terms used in this division shall have the meanings set forth in 23 M.R.S.A. § 1903.

(Code 1967, § 27-5.2)

Sec. 42-42. - Applicability.

The provisions of this division shall apply only to official business directional signs.

(Code 1967, § 27-5.7)

Sec. 42-43. - Eligibility.

Lawful businesses and points of interest and cultural, historic, recreational, educational, and religious

PART II - CODE OF ORDINANCES
Chapter 42 - SIGNS AND ADVERTISING
ARTICLE II. - SIGN REGULATIONS
DIVISION 2. - DIRECTIONAL SIGNS

facilities are eligible to contract with the state for the placement of up to six official business directional signs within the city, but only at the intersections or locations listed in section 42-44.

(Code 1967, § 27-5.3)

State law reference— Similar provision, 23 M.R.S.A. § 1909.

Sec. 42-44. - Location.

Official business directional signs shall be located in accordance with the provisions contained in 23 M.R.S.A. §§ 1911 and 1912 and chapter 200 of the state department of transportation administrative guidelines on approaches to or at the following intersections designated by the city council:

- (1) Turnpike Connector/Lewiston Junction Road.
- (2) Turnpike Connector/Washington Street.
- (3) Turkey Lane/Washington Street.
- (4) Route 122/Hotel Road.
- (5) Beech Hill Road/Washington Street.
- (6) Old Danville Road/Danville Corner Road.
- (7) Merrow Road/Hotel Road.
- (8) Turnpike Connector/Hotel Road.
- (9) Rodman Road/Washington Street.
- (10) Rodman Road/Poland Road.
- (11) Rodman Road/Manley Road.
- (12) Rodman Road/Hotel Road.
- (13) Hotel Road/Minot Avenue.
- (14) Upper Court Street/Minot Avenue.
- (15) Fairview Avenue/Minot Avenue.
- (16) Rotary.
- (17) High Street/Minot Avenue.
- (18) Broad Street/Mill Street.
- (19) Riverside Drive/Mill Street.
- (20) Court Street/Union Street Bypass.
- (21) Court Street/Goff Street.

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ARTICLE II. - SIGN REGULATIONS
DIVISION 2. - DIRECTIONAL SIGNS

- (22) Court Street/Western Avenue
- (232) Court Street/Turner Street.
- (243) Turner Street/Union Street Bypass.
- (254) Center Street/North River Road.
- (265) Park Avenue/Mt. Auburn Avenue.
- (276) Gracelawn Road/Mt. Auburn Avenue.
- (287) Center Street/Mt. Auburn Avenue.
- (298) Youngs Corner Road/Hotel Road.
- (3029) Youngs Corner Road/Perkins Ridge Road.
- (310) Lake Shore Drive/Route 4.
- (321) West Hardscrabble Road/Lewiston Junction Road.
- (332) Minot Avenue/Hatch Road (northerly direction only).
- (343) High Street/Academy Street.
- (354) Main Street/Academy Street.
- (365) South Main Street/Mill Street.
- (376) Lake Shore Drive/North Auburn Road.
- (387) Center Street/Fair Street, Martin Street.
- (398) Washington Street southbound Miami Avenue.
- (4039) Washington Street northbound Miami Avenue.
- (410) Washington Street southbound Phil-O-Mar Street.
- (421) Washington Street northbound Phil-O-Mar Street.
- (432) Washington Street northbound Chasse Street.
- (443) Washington Street southbound Chasse Street.
- (454) Washington Street northbound Hackett Road.
- (465) Park Avenue/Gamage Avenue.
- (476) Perkins Ridge Road/Hatch Road (Welcomb's Corner).
- (487) Center Street/Stetson Road.
- (498) Fair Street/Oak Hill Road.

PART II - CODE OF ORDINANCES
Chapter 42 - SIGNS AND ADVERTISING
ARTICLE II. - SIGN REGULATIONS
DIVISION 2. - DIRECTIONAL SIGNS

- (5049) Hotel Road/Manley Road.
- (510) Summer Street/Youngs Corner Road.
- (521) Riverside Drive/Penley Corner Road.
- (532) Rodman Road/Twin Road.
- (543) Washington Street northbound Adams Street.
- (554) First Ave/Rotary Reverse Direction Connectors.
- (565) Hackett Road/Broad Street.
- (576) Center Street/Stanley Street.
- (587) Center Street/Cross Street.
- (598) Riverside Drive/Dunn Street.
- (6059) Turner Street/Gracelawn Road.
- (610) Drummond Street/Main Street.
- (621) Court Street/Pleasant Street (both directions).
- (632) Minot Avenue/Elm Street.
- (643) Pleasant Street/Elm Street.
- (654) Millett Drive/Court Street.
- (665) Minot Avenue/Millett Drive.

(Code 1967, § 27-5.4; Ord. of 3-2-1998; Ord. of 12-6-1999(2); Ord. of 11-19-2001(2); Ord. of 5-2-2005(02))

State law reference— Permitted locations, 3 M.R.S.A. § 1912.

Sec. 42-45. - Design, installation and maintenance.

Official business directional signs shall be designed, installed and maintained in accordance with the provisions of 23 M.R.S.A. §§ 1901 through 1925 and chapter 200 of the state department of transportation administrative guidelines. Signs shall be nonreflectorized and no larger than 12 by 48 inches, except that a reflectorized sign of any permissible size may be permitted on an existing sign assembly displaying a reflectorized sign of the same size if such sign assembly was legally erected prior to October 7, 1985.

(Code 1967, § 27-5.5)

Sec. 42-46. - Application.

Application for an official business directional sign shall be made on forms furnished by the state department of transportation. Completed applications shall be submitted to the department of planning

PART II - CODE OF ORDINANCES
Chapter 42 - SIGNS AND ADVERTISING
ARTICLE II. - SIGN REGULATIONS
DIVISION 2. - DIRECTIONAL SIGNS

and permitting services for review. Upon receipt of the completed application, the department shall review the request to ensure that it conforms to the provisions of this article and shall approve, conditionally approve or reject the request based on its findings. If disapproved by the department, the reasons for disapproval shall be communicated to the applicant in writing. Any person aggrieved by the decision of the department may appeal to the county superior court within 30 days of receipt of the department's decision. If approved, the applicant may then forward the approved application and the license fee prescribed by the state law to the state commissioner of transportation for approval or disapproval.

(Code 1967, § 27-5.6)

Tizz E. H. Crowley, Ward One
Robert Hayes, Ward Two
Mary Lafontaine, Ward Three
David Young, Ward Four



Leroy Walker, Ward Five
Belinda Gerry, At Large
Joshua Shea, At Large

Jonathan LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 05-07162012

Ordered that the Official Business Directory Sign (OBDS) ordinance Chapter 42, Division 2, Section 42-44. Location be amended as follows;

DIVISION 2. - DIRECTIONAL SIGNS ^[52]

⁽⁵²⁾ **State Law reference**— Maine Traveler Information Services, 23 M.R.S.A. § 1901 et seq.; official business and directional signs, 23 M.R.S.A. § 1906; authority for municipal regulation, 23 M.R.S.A. § 1922.

Sec. 42-40. - Purpose and policy.

Sec. 42-41. - Definitions.

Sec. 42-42. - Applicability.

Sec. 42-43. - Eligibility.

Sec. 42-44. - Location.

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Sec. 42-46. - Application.

Sec. 42-47. - Penalty.

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- (2) To prohibit and control the proliferation of roadside signs; and
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(Code 1967, § 27-5.1)

Sec. 42-41. - Definitions.

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(Code 1967, § 27-5.2)

Sec. 42-42. - Applicability.

The provisions of this division shall apply only to official business directional signs.

(Code 1967, § 27-5.7)

Sec. 42-43. - Eligibility.

Lawful businesses and points of interest and cultural, historic, recreational, educational, and religious facilities are eligible to contract with the state for the placement of up to six official business directional signs within the city, but only at the intersections or locations listed in section 42-44.

(Code 1967, § 27-5.3)

State law reference— Similar provision, 23 M.R.S.A. § 1909.

Sec. 42-44. - Location.

Official business directional signs shall be located in accordance with the provisions contained in 23 M.R.S.A. §§ 1911 and 1912 and chapter 200 of the state department of transportation administrative guidelines on approaches to or at the following intersections designated by the city council:

- (1) Turnpike Connector/Lewiston Junction Road.
- (2) Turnpike Connector/Washington Street.
- (3) Turkey Lane/Washington Street.
- (4) Route 122/Hotel Road.
- (5) Beech Hill Road/Washington Street.
- (6) Old Danville Road/Danville Corner Road.
- (7) Merrow Road/Hotel Road.
- (8) Turnpike Connector/Hotel Road.
- (9) Rodman Road/Washington Street.
- (10) Rodman Road/Poland Road.
- (11) Rodman Road/Manley Road.
- (12) Rodman Road/Hotel Road.
- (13) Hotel Road/Minot Avenue.
- (14) Upper Court Street/Minot Avenue.
- (15) Fairview Avenue/Minot Avenue.
- (16) Rotary.

- (17) High Street/Minot Avenue.
- (18) Broad Street/Mill Street.
- (19) Riverside Drive/Mill Street.
- (20) Court Street/Union Street Bypass.
- (21) Court Street/Goff Street.
- (22) Court Street/Western Avenue
- (23) Court Street/Turner Street.
- (24) Turner Street/Union Street Bypass.
- (25) Center Street/North River Road.
- (26) Park Avenue/Mt. Auburn Avenue.
- (27) Gracelawn Road/Mt. Auburn Avenue.
- (28) Center Street/Mt. Auburn Avenue.
- (29) Youngs Corner Road/Hotel Road.
- (30) Youngs Corner Road/Perkins Ridge Road.
- (31) Lake Shore Drive/Route 4.
- (32) West Hardscrabble Road/Lewiston Junction Road.
- (33) Minot Avenue/Hatch Road (northerly direction only).
- (34) High Street/Academy Street.
- (35) Main Street/Academy Street.
- (36) South Main Street/Mill Street.
- (37) Lake Shore Drive/North Auburn Road.
- (38) Center Street/Fair Street, Martin Street.
- (39) Washington Street southbound Miami Avenue.
- (40) Washington Street northbound Miami Avenue.
- (41) Washington Street southbound Phil-O-Mar Street.
- (42) Washington Street northbound Phil-O-Mar Street.
- (43) Washington Street northbound Chasse Street.
- (44) Washington Street southbound Chasse Street.

- (45) Washington Street northbound Hackett Road.
- (46) Park Avenue/Gamage Avenue.
- (47) Perkins Ridge Road/Hatch Road (Welcomb's Corner).
- (48) Center Street/Stetson Road.
- (49) Fair Street/Oak Hill Road.
- (50) Hotel Road/Manley Road.
- (51) Summer Street/Youngs Corner Road.
- (52) Riverside Drive/Penley Corner Road.
- (53) Rodman Road/Twin Road.
- (54) Washington Street northbound Adams Street.
- (55) First Ave/Rotary Reverse Direction Connectors.
- (56) Hackett Road/Broad Street.
- (57) Center Street/Stanley Street.
- (58) Center Street/Cross Street.
- (59) Riverside Drive/Dunn Street.
- (60) Turner Street/Gracelawn Road.
- (61) Drummond Street/Main Street.
- (62) Court Street/Pleasant Street (both directions).
- (63) Minot Avenue/Elm Street.
- (64) Pleasant Street/Elm Street.
- (65) Millett Drive/Court Street.
- (66) Minot Avenue/Millett Drive.

(Code 1967, § 27-5.4; Ord. of 3-2-1998; Ord. of 12-6-1999(2); Ord. of 11-19-2001(2); Ord. of 5-2-2005(02))

State law reference— Permitted locations, 3 M.R.S.A. § 1912.

Sec. 42-45. - Design, installation and maintenance.

Official business directional signs shall be designed, installed and maintained in accordance with the provisions of 23 M.R.S.A. §§ 1901 through 1925 and chapter 200 of the state department of transportation administrative guidelines. Signs shall be nonreflectorized and no larger than 12 by 48 inches, except that a reflectorized sign of any permissible size may be permitted on an existing sign assembly displaying a reflectorized sign of the same size if such sign assembly was legally erected

prior to October 7, 1985.

(Code 1967, § 27-5.5)

Sec. 42-46. - Application.

Application for an official business directional sign shall be made on forms furnished by the state department of transportation. Completed applications shall be submitted to the department of planning and permitting services for review. Upon receipt of the completed application, the department shall review the request to ensure that it conforms to the provisions of this article and shall approve, conditionally approve or reject the request based on its findings. If disapproved by the department, the reasons for disapproval shall be communicated to the applicant in writing. Any person aggrieved by the decision of the department may appeal to the county superior court within 30 days of receipt of the department's decision. If approved, the applicant may then forward the approved application and the license fee prescribed by the state law to the state commissioner of transportation for approval or disapproval.

(Code 1967, § 27-5.6)



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: July 16, 2012

Resolve

06-07162012

Author: Clinton Deschene

Subject: Toll Increases proposed by the Maine Turnpike Authority

Information: Attached is a joint resolve from Auburn and Lewiston summarizing the issues and requesting more time.

Financial: N/A

Action Requested at this Meeting: Approval Resolve

Previous Meetings and History:

Attachments: Under tab 4 in notebooks

- Joint Resolve

Jonathan LaBonte, Mayor
Tizz E. H. Crowley, Ward One
Robert Hayes, Ward Two
Mary Lafontaine, Ward Three
David Young, Ward Four
Leroy Walker, Ward Five
Belinda Gerry, At Large
Joshua Shea, At Large



Robert MacDonald, Mayor
John Butler, Ward One
Donald, D'Auteuil, Ward Two
Nathan Libby, Ward Three
Doreen M. Christ, Ward Four
Craig Saddlemire, Ward Five
Mark Cayer, Ward Six
Richard Desjardins, Ward Seven

JOINT RESOLVE

AUBURN COUNCIL RESOLVE 06-07162012 LEWISTON COUNCIL RESOLVE

WHEREAS, the Maine Turnpike is an important resource to the Lewiston-Auburn community for transportation and the economy; and

WHEREAS, the Maine Turnpike Authority intends to raise toll rates to address revenue and budget concerns; and

WHEREAS, the proposed changes will exacerbate existing inequities in the existing toll rate structure; and

WHEREAS, while various proposals will significantly impact commuters throughout Maine and, in particular, in the Lewiston-Auburn area, the full impact has not yet been determined nor has sufficient time been allocated to analyze these impacts;

Now, therefore, be it **RESOLVED** that the Auburn City Council and the Lewiston City Council oppose immediate action on the proposed toll increases by the Maine Turnpike Authority and call upon the Board to allow the time needed to carefully evaluate alternative rate options that will move the overall system in the direction of greater equity between regions and recognize the hardships that certain commuters will face under the rate options currently under consideration.

CITY OF LEWISTON

Motion for Acceptance:

Seconded by:

Vote:

Action by Council

Attest: _____

**Kathleen M. Montejo, City Clerk
City of Lewiston**

CITY OF AUBURN

Motion for Acceptance:

Seconded by:

Vote:

Action by Council

Attest: _____

**Susan Clements-Dallaire, City Clerk
City of Auburn**



City Council
Agenda Information Sheet

City of Auburn

Council Meeting Date: July 16, 2012

Order 52-07162012

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointments to Boards and Committees – Planning Board

Information: The Planning Board has 3 open positions to be filled.

City Council may go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A).

Action Requested at this Meeting: Recommend the appointment of Planning Board members.

Previous Meetings and History: Discussed at the workshop on 5/21/2012.

Attachments:

- Board & Committee Information Sheet
- Board & Committee Background Sheet
- Memo from Eric Cousens
- Applications (9 plus 1 application from an Associate requesting to become a full sitting member).

Board and Committee Information Sheet

City of Auburn

Committee/Board Name: Planning Board (June 2012)

Term Length: Three (3) Years

Meeting Day and Time: The second Tuesday of every month at 6pm

Member Name	Address (Mailing and Street)	Ward	Appt. Date	Appt. Exp. Date	Status
Bilodeau, Daniel	PO Box 1493 (207 N. Auburn RD)	1	1-3-2011	January 2014	Sitting Member
Bowyer, Robert	15 Country Club Drive	4	4-20-10	April 2013	Sitting Member
Mottram, Emily	96 Pride Road	4	1-3-11	January 2014	Sitting Member
<u>Vacancy</u>	(Fill remainder of term)			July 2014	Sitting Member
Robert Gagnon, Jr	160 Stone Rd	1	7-18-11	July 2014	Associate Member
Kenneth Bellefleur	100 Royal River Rd	4	7-18-11	July 2014	Associate Member
Evan G Cyr	245 Broad Street	5	3-19-12	March 2015	Sitting Member
<u>Vacancy</u>				January 2015	Sitting Member
<u>Vacancy</u>				January 2014	Sitting Member
				*	

Board and Committee Background Sheet

Committee/Board Name: Planning Board (June 2012)
 Term Length: Three (3) Years
 Meeting Day and Time: The second Tuesday of every month at 6pm

Member Name	Ward	Years as Resident of Auburn	Professional Background/Information
Bilodeau, Daniel	1	40+	Commercial Airline Pilot with 25+/- years of construction/site work experience. Comprehensive Plan Committee Member.
Bowyer, Robert	4	12	Retired Planner, APA Author of Capital Improvement Planning Book. Comprehensive Plan Committee Member.
Mottram, Emily	4	5	Architect, Facility Strategies Group and Energy Consultant
<u>Vacancy</u>			
Robert Gagnon, Jr	1	60	Surveyor, Co-Owner/Vice President of ARCC Land Surveyors Inc. and previous Planning Board Member and Chairperson. Comprehensive Plan Committee Member.
Kenneth Bellefleur	4	10	27 years with Tambrands as a supervisor and buyer. Comprehensive Plan Committee Member.
Evan G Cyr	5	25	Auburn Public School Teacher for over seven years and involved with policy development and implementation.
<u>Vacancy</u>			
<u>Vacancy</u>			

Some backgrounds that would help broaden the experience of the Board: Engineer, Farmer, Builder/Developer, Lawyer, Housing or Real Estate Professional, Business Owner, many others. Ward Distribution: Wards two (2) and three (3) lack representation.

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

Planning Board Report

To: Clinton Deschene, Auburn City Manager

From: Eric J. Cousens, City Planner / Planning and Permitting Director

Re: Planning Board Membership

Date: July 10, 2012

The Planning Board is comprised of seven (7) full members and two (2) alternate/associate members. Alternate/Associate members fill in for absent full members, position vacancies or member recusals (due to conflicts or perceived conflicts of interest for a particular proposal) to help ensure that quorum is available to act on applications in a timely manner. A quorum of at least four (4) members is required to take action as a Board. With recent resignations we currently have four full member and two alternates. Staff wishes to recommend that the Council consider the two associate members and as candidates for full membership as part of their deliberation. In addition, the Board currently lacks membership from Wards 2 and 3 and better geographic representation would be an improvement. Given that all members are residents of Auburn, the Board also could benefit from varied professional backgrounds including engineering, business owners or legal experience. I am happy to attend the meeting on the 16th and answer any additional questions.

Eric J. Cousens, City Planner / Planning and Permitting Director



CITY OF AUBURN

Community Service Volunteer Form

We're so happy you've decided to volunteer for our community! The giving of your time is commendable and very much appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. Thank you so much! Please complete the form below completely and return it to the City Clerk, Mary Lou Magno (mmagno@ci.auburn.me.us.) I hope your experience is rewarding. Again, on behalf of all of us at the City of Auburn, thank you for being an outstanding citizen!

Glenn E. Aho
City Manager

Name: BEN GAUTIER New Appointment
Re-appointment Ward: 2
Mailing Address: 141 VALVIEW DR.
Physical Address: 141 VALVIEW DR.
Telephone #: 632-1306 Home _____ Work _____ Cell _____
E-Mail Address: bgautier@seafax.com Years as Auburn Resident: 20

Describe your education and/or experience (check here if using reverse side for extra space): _____

Attended UNIVERSITY OF MAINE, ORONO, ME. I HAVE WORKED FOR 12 years
AS A SENIOR CREDIT ANALYST/QUALITY ASSURANCE MANAGER FOR A RISK MANAGEMENT
Company in MAINE. I ALSO OWN A SMALL BUSINESS IN AUBURN AS WELL AS HAVE
OWNED TWO APARTMENT BUILDINGS IN AUBURN.

Please check which committee/board/position you wish to participate with: (Check only one committee per application).

- | | |
|---|--|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Investment Advisory Board |
| <input type="checkbox"/> Airport Board | <input type="checkbox"/> Lake Auburn Watershed Protection Com. |
| <input type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> L-A Transit Committee (bus system) |
| <input type="checkbox"/> Board of Assessment Review | <input checked="" type="checkbox"/> Planning Board |
| <input type="checkbox"/> Cable TV Advisory Board | <input type="checkbox"/> Recreation Advisory Committee |
| <input type="checkbox"/> Community Development Loan Committee | <input type="checkbox"/> Sewer District Trustees |
| <input type="checkbox"/> Community Forest Board | <input type="checkbox"/> Water District Trustees |
| <input type="checkbox"/> Ethics Advisory Committee | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Volunteers in Police Service | <input type="checkbox"/> Auburn Hall Reception/Office Support |

Signature B. Gautier Date 1/31/12

"Providing superior services at an affordable cost"

Board & Committee Appointment Application

City of Auburn

We're so happy that you've decided to volunteer for our community! The giving of your time is commendable and very much appreciated. Without people like you coming forward our community would not be as strong, as vibrant, or as great as it is – thank you so much! Please complete the form below and return it to the City Clerk's office. Again, on behalf of all of us at the City of Auburn, I hope your volunteer experience is rewarding, and thank you for being an outstanding citizen!

This is an application for: New Appointment Reappointment

Name: James R. Roberts Ward: 4 Years as an Auburn Resident: 25

Mailing Address: _____

Physical Address: 46 Clubhouse Lane

Phone: 207-240-8426 Email: captjas@live.com

Describe your education and/or experience: _____

Business owner for many years.
Currently, President of Homeowners Association

Which board or committee would you like to serve on? (One per application)

Planning Board

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- L/A Transit Committee
- Planning Board*
- Recreation Advisory Committee
- L/A Transit Committee
- Auburn Housing Authority
- School Committee
- L/A Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- L/A Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature: James R. Roberts Date: 2-28-2012

*When serving on the Planning Board you may not serve on any other boards or committees.

Susan Clements-Dallaire, Acting City Clerk sdallaire@auburnmaine.gov 333-6600



CITY OF AUBURN

Community Service Volunteer Form

We're so happy you've decided to volunteer for our community! The giving of your time is commendable and very much appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. Thank you so much! Please complete the form below completely and return it to the City Clerk, Roberta L. Fogg (rfogg@auburnmaine.gov) I hope your experience is rewarding. Again, on behalf of all of us at the City of Auburn, thank you for being an outstanding citizen!

Glenn E. Aho
City Manager

Name: DANIEL J. CURTIS New Appointment
Re-appointment Ward: 2
Mailing Address: 66 NOTTINGHAM Rd, Auburn, ME 04210
Physical Address: SAME
Telephone #: 312-5086 Home 430-5950 Work 620-4145 Cell
E-Mail Address: curtisdj@gmail.com Years as Auburn Resident: 2.5

Describe your education and/or experience (check here if using reverse side for extra space): B.S in
Civil Engineering Tech, MBA, 16 years in Military (9 as full-time National
Guard in Maine) ENGINEER OFFICER; BATTALION Executive officer for
ENGINNER BATTALION
135th BN for last two years, Plans officer for 1st BN for 4 yrs.
Worked short time for MAINE DOT on 26 expansion & Vortechinics
in Scarborough.

Please check which committee/board/position you wish to participate with: (Check only one committee per application).

- | | |
|---|--|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Investment Advisory Board |
| <input type="checkbox"/> Airport Board | <input type="checkbox"/> Lake Auburn Watershed Protection Com. |
| <input type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> L-A Transit Committee (bus system) |
| <input type="checkbox"/> Board of Assessment Review | <input checked="" type="checkbox"/> Planning Board |
| <input type="checkbox"/> Cable TV Advisory Board | <input type="checkbox"/> Recreation Advisory Committee |
| <input type="checkbox"/> Community Development Loan Committee | <input type="checkbox"/> Sewer District Trustees |
| <input type="checkbox"/> Community Forest Board | <input type="checkbox"/> Water District Trustees |
| <input type="checkbox"/> Ethics Advisory Committee | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Volunteers in Police Service | <input type="checkbox"/> Auburn Hall Reception/Office Support |

Signature *Daniel J. Curtis* Date 17 FEB 2012

"Providing superior services at an affordable cost"

MAY 07 2012

Board & Committee Appointment Application

City of Auburn

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This is an application for: New Appointment Reappointment

Name: DANIEL CURTIS Ward: 2 Years as an Auburn Resident: 2 yrs 7 mo

Mailing Address: 66 NOTTINGHAM RD, AUBURN, ME 04210

Physical Address: SAME AS ABOVE

Phone: 207-312-5086 Email: curtisd.jr@gmail.com

Describe your education and/or experience: B.S. in Civil Engr Tech; Master of BUSINESS ADMINISTRATION; ARMY ENGR OFFICER; 16 yrs MILITARY SERVICE;

Which board or committee would you like to serve on? (One per application)

PLANNING BOARD

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- L/A Transit Committee
- Planning Board*
- Recreation Advisory Committee
- L/A Transit Committee
- Auburn Housing Authority
- School Committee
- L/A Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- L/A Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature: [Handwritten Signature] Date: 7 MAY 2012

*When serving on the Planning Board you may not serve on any other boards or committees.

Susan Clements-Dallaire, Acting City Clerk sdallaire@auburnmaine.gov 333-6600

Board & Committee Appointment Application

City of Auburn

We're so happy that you've decided to volunteer for our community! The giving of your time is commendable and very much appreciated. Without people like you coming forward our community would not be as strong, as vibrant, or as great as it is – thank you so much! Please complete the form below and return it to the City Clerk's office. Again, on behalf of all of us at the City of Auburn, I hope your volunteer experience is rewarding, and thank you for being an outstanding citizen!

This is an application for: New Appointment Reappointment

Name: Daniel Philbrick Ward: 3 Years as an Auburn Resident: 45

Mailing Address: 4 FAIRVIEW CT. Auburn, Me. 04210

Physical Address: Same

Phone: 783-8570 Email: daniel.philbrick@gnail.com

Describe your education and/or experience: B.A. History / Masters in Leadership Studies. I have been a member of the Zoning Board of Appeals since 1997. (Therefore, I would need to resign that position)

Which board or committee would you like to serve on? (One per application)

Planning Board

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- L/A Transit Committee
- Planning Board*
- Recreation Advisory Committee
- L/A Transit Committee
- Auburn Housing Authority
- School Committee
- L/A Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- L/A Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature: 

Date: 6/15/12

*When serving on the Planning Board you may not serve on any other boards or committees.

Susan Clements-Dallaire, Acting City Clerk

sdallaire@auburnmaine.gov

333-6600

We're so happy that you've decided to volunteer for our community! The giving of your time is commendable and very much appreciated. Without people like you coming forward our community would not be as strong, as vibrant, or as great as it is – thank you so much! Please complete the form below and return it to the City Clerk's office. Again, on behalf of all of us at the City of Auburn, I hope your volunteer experience is rewarding, and thank you for being an outstanding citizen!

This is an application for: New Appointment Reappointment

Name: Denis Bergeron Ward: 2 Years as an Auburn Resident: 50

Mailing Address: 23 Dexter Avenue Auburn ME

Physical Address: Same

Phone: 782 1754 Email: CDRSBerg@megalink.net

Describe your education and/or experience: College - BS recreation management
College BS Mechanical Engineer

Which board or committee would you like to serve on? (One per application)

Planning Board

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- L/A Transit Committee
- Planning Board*
- Recreation Advisory Committee
- L/A Transit Committee
- Auburn Housing Authority
- School Committee
- L/A Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- L/A Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature: Denis Bergeron Date: 3/12/2012

*When serving on the Planning Board you may not serve on any other boards or committees.

Board & Committee Appointment Application

City of Auburn

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This is an application for: New Appointment Reappointment

Name: Hillary Dow Ward: 3 Years as an Auburn Resident: 2

Mailing Address: 126 Whitney Street, Auburn, ME 04210

Physical Address: same

Phone: 207-491-6926 Email: hillary@austinpa.com

Describe your education and/or experience: I have two undergraduate degrees and I am currently enrolled in graduate school for my MBA. I've been with Austin Associates for 4.5 years and bought a home in Auburn in Jan. 2011. My involvement with YPLAA, the LAEGC Future Forum and Riverfront Island Master Plan Advisory Comm. has prompted me to seek this
Which board or committee would you like to serve on? (One per application) Planning Board appointment.

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- L/A Transit Committee
- Planning Board*
- Recreation Advisory Committee
- L/A Transit Committee
- Auburn Housing Authority
- School Committee
- L/A Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- L/A Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature: Hillary Dow Date: 4/3/12

*When serving on the Planning Board you may not serve on any other boards or committees.

Board & Committee Appointment Application

City of Auburn

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This is an application for: New Appointment Reappointment

Name: Mia Poliquin Pross Ward: 2 Years as an Auburn Resident: 7

Mailing Address: 125 Lake St. Auburn, ME 04210

Physical Address: same

Phone: 207-577-6839 Email: miapoliquin@hotmail.com

Describe your education and/or experience: please see attached resumé.

Which board or committee would you like to serve on? (One per application)

Planning Board

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- L/A Transit Committee
- Planning Board*
- Recreation Advisory Committee
- L/A Transit Committee
- Auburn Housing Authority
- School Committee
- L/A Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- L/A Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature:  Date: 6/6/12

*When serving on the Planning Board you may not serve on any other boards or committees.

EXPERIENCE

Consumers for Affordable Health Care Foundation, Augusta, ME – July 2006 to present

Associate Director, November 2010 to present

- Direct and supervise program, policy, legal, and communications staff and activities
- Conduct grant writing, grant and contract mgmt., reporting, and funder communications
- Assist Exec. Dir. with organizational strategic planning, development, and human resource functions
- Serve as liaison to the Policy Director to provide policy and legal technical assistance
- Participate as a member of the policy and legal team to represent consumer interests in advocacy

Director of Policy and Operations, October 2008 to November 2010

- Directed and supervised policy and program staff and activities of both departments
- Served as project lead/manager on special projects
- Represented the organization in public forums
- Coordinated and assisted with policy and program related grant writing and grant reporting

Policy and Legal Analyst, July 2006 to October 2008

- Conducted health policy and legal research, analysis, and writing
- Represented consumers through the Consumer Health Law Program
- Tracked legislation and monitored and participated in statewide health policy initiatives

Downeast Financial Group, Lewiston, ME – Financial Executive, November 2004 to May 2006

- Licensed in Life, Health, Disability and Variable Contracts
- Held Series 6 and Series 63 securities licenses
- Advised clients on investment products including mutual funds, annuities and life insurance
- Prepared Federal and State tax returns, and assisted in creating and implementing financial plans

Andover College (Kaplan Univ.), Lewiston, ME – Adjunct Faculty, Paralegal Studies, Jan. to May 2005

- Taught Tort Law and Legal Research to students in the paralegal program
- Prepared class lectures and materials; created and graded exams

New Hampshire Attorney General, Concord, NH – Legal Intern, May 2003 to April 2004

- Interned for the Consumer Protection and Antitrust Bureau
- Co-authored, *Consumer Protection and Antitrust Bureau: An Overview*, NH Bar Journal, (Spring, 2004)
- Researched, authored, and filed motions, petitions, and proposed orders
- Researched and wrote legal memoranda on legislation affecting consumers
- Conducted investigations and wrote investigative reports and file reviews on NH Businesses

New Hampshire Public Defender, Concord, NH – Investigative Intern, May to August 2002

- Provided investigative support on a homicide case
- Interviewed witnesses, prepared reports, researched and wrote legal memoranda
- Compiled samples and authored instruction on obtaining out-of-state subpoenas

Richardson Hollow Mental Health, Lewiston, ME – Behavioral Specialist, May to August 2001

- Provided one-on-one therapeutic care for pre-school children with behavioral disorders

Plymouth State University, Women's Services & Gender Resources, Plymouth, NH – Acting Director, Aug. 2000 to June 2001

- Provided counseling and court advocacy for survivors of domestic violence and sexual assault
- Designed and administered educational outreach in classrooms and co-curricular settings
- Supervised student staff, interns, and volunteers and managed payroll and budget
- Trained in domestic violence crisis intervention, court advocacy, and enhanced advocacy

EDUCATION

University of New Hampshire School of Law, Concord, NH – *Juris Doctor, 2004*

Pierce Law Review, Chief Note Editor

Legal Research and Consumer Protection, Teaching Assistant

Public Interest Coalition, Co-Chair and Fellowship Recipient 2003 and 2004

Bruce Friedman Scholarship Recipient 2003

Loan Repayment Assistance Program Committee, Student Representative

Law Student's Cooperative Services Association, Board Member

Plymouth State University, Plymouth, NH – *Bachelor of Science, Magna Cum Laude, 2000*

Social Work major; minor in Anthropology/Sociology

Member of Phi Kappa Phi Nat'l Honor Society & Phi Alpha Social Work Honor Society

Recipient of the Powerful Outstanding Woman's Advocate Award

National Association of Social Workers, NH Student of the Year 1999

BAR MEMBERSHIP *Admitted to the Maine Bar*

Board & Committee Appointment Application **City of Auburn**

We're so happy that you've decided to volunteer for our community! The giving of your time is commendable and very much appreciated. Without people like you coming forward our community would not be as strong, as vibrant, or as great as it is – thank you so much! Please complete the form below and return it to the City Clerk's office. Again, on behalf of all of us at the City of Auburn, I hope your volunteer experience is rewarding, and thank you for being an outstanding citizen!

This is an application for: New Appointment Reappointment

Name: Eric Gould Ward: 1 Years as an Auburn Resident: 3+

Mailing Address: 65 Quail Run, Auburn ME 04210

Physical Address: SAME

Phone: 207 240 9783 Email: Gouldgoose@AOL.COM

Describe your education and/or experience: US Coast Guard certified Chief Engineer (Merchant Marine), BS in Marine Engineering Technology from Maine Maritime Academy
ELHS Grad '98, Eagle Scout

Which board or committee would you like to serve on? (One per application)

Planning Board

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- L/A Transit Committee
- Planning Board*
- Recreation Advisory Committee
- L/A Transit Committee
- Auburn Housing Authority
- School Committee
- L/A Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- L/A Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature:  Date: 6/27/2012

*When serving on the Planning Board you may not serve on any other boards or committees.

Board & Committee Appointment Application

City of Auburn

We're so happy that you've decided to volunteer for our community! The giving of your time is commendable and very much appreciated. Without people like you coming forward our community would not be as strong, as vibrant, or as great as it is - thank you so much! Please complete the form below and return it to the City Clerk's office. Again, on behalf of all of us at the City of Auburn, I hope your volunteer experience is rewarding, and thank you for being an outstanding citizen!

This is an application for: New Appointment Reappointment

Name: MARC L. TARDIF Ward: 2 Years as an Auburn Resident: 54 (LIFETIME)

Mailing Address: P.O. BOX 2022, AUBURN, 04211

Physical Address: 155 HOTEL RD., AUBURN

Phone: 207-740-0937 Email: TARDIFML@TEAMEASTERN.COM

Describe your education and/or experience: PRESIDENT & PART OWNER OF AUBURN BASED BUSINESS - EASTERN FIRE PROTECTION SINCE 1994
PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN MAINE & N.H. - VERY FAMILIAR WITH BUILDING CODES

Which board or committee would you like to serve on? (One per application)

PLANNING BOARD

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- LIA Transit Committee
- Planning Board*
- Recreation Advisory Committee
- LIA Transit Committee
- Auburn Housing Authority
- School Committee
- LIA Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- LIA Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature: _____

Date: _____

7/10/12

*When serving on the Planning Board you may not serve on any other boards or committees.

Board & Committee Appointment Application **City of Auburn**

We're so happy that you've decided to volunteer for our community! The giving of your time is commendable and very much appreciated. Without people like you coming forward our community would not be as strong, as vibrant, or as great as it is – thank you so much! Please complete the form below and return it to the City Clerk's office. Again, on behalf of all of us at the City of Auburn, I hope your volunteer experience is rewarding, and thank you for being an outstanding citizen!

This is an application for: New Appointment Reappointment

Name: Kenneth J. Bellofleur Ward: 4 Years as an Auburn Resident: 33

Mailing Address: 100 Royal River Road

Physical Address: Same

Phone: 207-713-4553 Email: k-bellofleur7@yahoo.com

Describe your education and/or experience:
- Served on Comprehensive Plan Update Committee
- Associate Member of the Planning Board (Current)

Which board or committee would you like to serve on? (One per application)

Planning Board as a full member.

The following are the current committees and boards in Auburn:

- Community Development Loan Committee
- L/A Transit Committee
- Planning Board*
- Recreation Advisory Committee
- L/A Transit Committee
- Auburn Housing Authority
- School Committee
- L/A Cable TV Advisory Board
- Zoning Board of Appeals
- Audit and Procurement
- 911 Committee
- Ethics Panel
- L/A Community Forest Board

Incomplete applications and those which list more than one committee will not be considered. Applications are valid for a period of six months. 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.

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

Signature: Kenneth J. Bellofleur Date: 5/22/12

*When serving on the Planning Board you may not serve on any other boards or committees.

Susan Clements-Dallaire, Acting City Clerk sdallaire@auburnmaine.gov 333-6600

Applicant is currently an Associate member and would like to become a full member.

Tizz E. H. Crowley, Ward One
Robert Hayes, Ward Two
Mary Lafontaine, Ward Three
David Young, Ward Four



Leroy Walker, Ward Five
Belinda Gerry, At Large
Joshua Shea, At Large

Jonathan LaBonte, Mayor

IN CITY COUNCIL

ORDER 52-07162012

ORDERED, that the following individuals be and hereby is appointed to the following committees;

Name:	Planning Board (Associate or Full Member)	Term Expiration:
Name:	Planning Board (Associate or Full Member)	Term Expiration:
Name:	Planning Board (Associate or Full Member)	Term Expiration:



City Council Information Sheet

City of Auburn

Council Meeting Date: July 16, 2012

Subject: Executive Session

Information: Discussion about a personnel issue, pursuant to 1 M.R.S.A. §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:

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.