

AGENDA

- ITEM 1.** Call to Order
- ITEM 2.** Consideration of the February 14, 2011 and February 17, 2011 Council Meeting Minutes
- ITEM 3.** Consideration of the Agenda
- ITEM 4.** Comments from the Public
- ITEM 5.** New Business
 - a. Public Hearing : Moratorium Marijuana Dispensaries & Site Cultivation
 - b. Town Services Review & Restructuring Study Presentation
- ITEM 6.** Unfinished Business
 - a. Waste Management Extension Agreement
 - b. Town Attorney Consultation
 - *Possible Executive Session 1MRSA 405(6) E (Attorney/Client Consultation)
- ITEM 7.** Additions by Council
- ITEM 8.** Manager's Report
- ITEM 9.** Requests for Information and Town Council Comments
- ITEM 10.** Review of Town Warrants 18 and Town Payroll 18
- ITEM 11.** Adjournment

Joseph Friedman
1 Veazie Villas
852-0933

Jonathan Parker
1149 Buck Hill Dr.
947-4740

Brian Perkins
1116 Chase Rd.
942-2609

Roderick Hathaway
203 Chickadee Drive
947-6207

David King
1081 Main Street
942-2376

AGENDA NOTES and MANAGER'S REPORT

For Monday February 28th @ 7 PM Veazie Council Chambers

ITEM 5A: Marijuana Dispensaries and Site of Cultivation Public Hearing:

It would be recommended that the Chair accept a motion to:

"Open the public hearing to receive comments and written submissions on the proposed Moratorium Ordinance – Medical Marijuana Dispensaries and site of Marijuana Cultivation."

After all comments are received it would be recommended to close the hearing.

Then the following would be recommended if the Town Council wishes to extend the Moratorium.

"The Town of Veazie Hereby ordains that the Ordinance entitled Moratorium on Medical Marijuana Dispensaries and Site of Marijuana Cultivation be enacted as submitted by staff and legal advisors."

ITEM 5B: Town Services Review and Departmental Restructuring Plan Study:

Please find enclosed a copy of a conceptual proposal that Municipal Resources has put together that would provide an outside review and assessment of the Town of Veazie.

Again as discussed in a past Town Council meeting. Over the last several months there have been requests for departments to compare services and create benchmarks with other communities. As you may understand many communities do not collect data or have it available for extraction to be useful for comparisons or the creations of benchmarks.

As you are aware Veazie was a part of a regional working group (Old Town, Milford, Orono and Veazie) that were working to develop mutual benefit ideas. From the working group Old Town RFP'ed for a review of Town Services and departmental restructuring. Orono and Veazie had Assessing spun off from there and ended up including Bangor because Old Town's revaluation had increased there assessing records / standards greatly already. At that time I expressed the problem that we, Veazie, faced with Peggy Daigle the City Manager of Old Town. She

outlined that Old Town faced the same problem regarding benchmarking and conducting reviews. They ended up putting out an RFP for a City Services Review and Departmental Restructuring study. She then outlined that if the Town was interested in using the third party Consultant who won the contract that she would forward me the consultant's information.

In the January 31 Council packet we had enclosed is a copy of what the consultant did for the City of Old Town.

Again, management strongly believes that having an objective review and recommendation plan may be the most productive way for the Town to increase efficiencies and decrease / avoid costs in the long run.

It is noted that the independent consultant has the ability to utilize established data sets / collections of data from a number of communities that they have for comparisons.

Management recommends that now is the time to have this review completed due to the fact that many things will be coming to a head during the next year. We believe that the consultant can come in and conduct a study of how departments operate, then make recommendations on how they maybe restructured to become more effective and efficient. Again the opportunity has really afforded itself due to the fact that some key positions maybe transiting in the near future.

ITEM 6A: Waste Management Extension Agreement:

Please find enclosed a copy of the Waste Management Service extension that they exercised.

Proposed Motion:

The Town Council Hereby orders and authorizes the Town Manager to execute the "Amendment Two ~ Curbside Recycling and Solid Waste Collection Service Contract between Waste Management of Maine, Inc. and the Town of Veazie, Maine."

ITEM 6B: Town Attorney Consultation:

The Chairman had requested this item to be included on the agenda and the Town Attorney will be present.

In past discussion it had been noted that the Chairman would like to discuss the duties and responsibilities of the Town Council.

ITEM 7: Addition by Council:

No Item at this time.

ITEM 8.

Please find enclosed:

- a.) Please find enclosed copies of emails pertaining to the follow up of the joint meeting with the Veazie Sewer District. Submissions are from Councilor Perkins, Councilor Parker and Chairman Hathaway and a follow up from Chair Thebarger of the Sewer District. (Three emails)
- b.) A copy of the January Fire department report.
- c.) Please find enclosed copies of new bonding estimates for the community center. The estimates were for 600k – 15 and 20 year bonds. As you will see the bonding rates are still very low. Maine Municipal Bonds are still one of the highest rated notes in the nation.
- d.) Please find enclosed a copy of a memo from MMA pertaining to the State Budget.
- e.) Please find enclosed a copy of a public hearing notice on Municipal Revenue Sharing to be held in Augusta on March 1.
- f.) Please find enclosed the Legislative Bulletin.
- g.) Please find enclosed 4 email comments pertaining to snow plowing and removal.
- h.) Please find enclosed a copy of the water districts minutes.
- i.) Please find enclosed a copy of the PERC recycling credit notice (22.63 tons)

PRESENT: Councilor Friedman, Councilor Perkins, Councilor King, Manager W. Reed, Deputy Clerk K. Humphrey, Office Administrator J. Reed, Assessor/CEO A. Thomas, Fire Chief G. Martin, Public Works Superintendent B. Stoyell, Parks & Recreation Director R. Young, Police Chief M. Leonard, Members of the Public. Councilor Parker & Chairman Hathaway were absent and excused.

Councilor King nominated Councilor Friedman as Chairman Protem. Councilor Perkins seconded. Voted 2-0 in favor. Councilor Friedman abstained.

ITEM 1. The February 14, 2011 Veazie Town Council meeting was called to order at 7:00PM.

ITEM 2. Consideration of the Minutes

Motion By: Councilor King—to accept the January 31, 2011 meeting minutes as written. Seconded: Councilor Perkins, Voted 3-0 in favor.

ITEM 3. Consideration of the Agenda

Councilor Perkins stated he would like to talk about the upcoming budget year and the direction the Town is going to go in. This was added as item 5b.

ITEM 4. Comments from the Public

There were no comments from the public.

ITEM 5a. CBDG – Letter of Intent

Mike Bush of Penquis Mike Bush was present to discuss a Community Block Development Grant. The Town of Veazie would be the lead community for a \$300,000 grant to improve housing conditions among residents suffering health affects from poor quality housing. The group of communities invited to participate include Holden, Hampden, Old Town and Orono. Mike Bush outlined that it would benefit low to moderate income families. In the towns included there are 9000 families eligible.

Councilor Perkins inquired on whether all bills would be vetted through Veazie's office since Veazie would be the lead community. Mike Bush stated that they would be. Councilor Perkins inquired whether that responsibility could be divided out amongst the communities. Mike Bush explained that the Town will hire an administrator to do everything. The town will just deal with the invoices which will most likely come from Penquis rather than all of the various contractors.

Member of the public Gary Brooks asked if the administrator would be paid out of the grant. Mike Bush stated they would.

Motion By: Councilor Perkins—to authorize the Town Manager to submit a letter of intent for the proposed regional CBDG application by February 18th and to designate the administrator of the grant from the RFQs received. Seconded: Councilor King, Voted 2-1 in favor.

ITEM 5b. Budget Update

Manager Reed stated that they received some good news from Representative Jim Parker and revenue sharing figures will be better at the end of the year. The RSU audit came out very good. They have a good surplus of \$1.6 million which far exceeds the loss of funding from the State.

Manager Reed outlined that Assessor Allan Thomas met with Casco Bay and it appears there will be some increase value in personal property.

It was outlined that the Budget Committee had met once already and was on track.

ITEM 6a. Property Tax Foreclosure List Discussion

Deputy Tax Collector Julie Reed stated that the Town had one property last year that foreclosed and there are four that foreclosed this year. She is looking for direction on what the Council would like to do. She outlined that one owner has come forward and arranged a payment plan.

Motion By: Councilor Perkins—to attempt to work with the property owners and if an agreement cannot be made by April 1st the Town will start the collection process. Seconded: Councilor King. Voted 3-0 in favor.

ITEM 7. Additions by Council

Manager Reed outlined that the Community Center Redevelopment Advisory Committee is applying for another Maine Foundation Grant. It is the second half of the original grant.

ITEM 8. Manager's Report

The Town Council reviewed the following items:

- a. a copy of the RSU 26 Audit Report.
- b. a copy of a list of proposed legislation that may impact "Towns".
- c. an email from a resident stating that the Fire Department did an outstanding job at her house.
- d. an email with concerns pertaining to Northeast Patients Group.
- e. an email from Councilor Perkins to Barney Silver pertaining to snow removal.
- f. a copy of the Water District's meeting minutes
- g. copies of two certificates of appreciation from the Maine Criminal Justice Academy

ITEM 9. Requests for Information and Town Council Comments

Councilor Perkins inquired on a communications tower update. Manager Reed stated that he had not heard anything on it, however Dawn Gagnon from the Bangor Daily News was going to be doing a story on it.

Manager Reed also outlined that George Harris will be coming up this week or next to go over his draft findings.

Councilor Perkins inquired on the progress of the Comeau property purchase. Manager Reed stated that he believed all the paperwork was done but he has not spoken with the Town Attorney. It was outlined that funds had not changed hands yet.

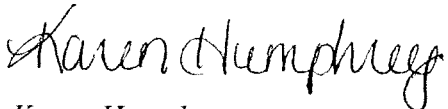
Councilor Perkins noted that the security system at the community center wasn't very good. Manager Reed noted that it worked well for the more important aspect which was the fire alarm.

Protem Chair Friedman inquired if the crosswalk person was paid out of the police budget or the school budget. He noted that the person sits in his car a lot and he has seen some children cross State Street by themselves. Deputy Treasurer Julie Reed stated that it is paid of the police budget.

ITEM 10. Warrants: Town Warrant 17, 17A, 17B and Town Payroll 17 were circulated for signature.

ITEM 11. Adjournment: Motion: Councilor King —to adjourn the February 14, 2011 Town Council Meeting. Seconded: Councilor Perkins. There was no further discussion. Voted 3-0. Meeting adjourned 8:04 pm.

A true record, Attest:



*Karen Humphrey
Deputy Clerk
Town of Veazie*

PRESENT: Chairman Hathaway, Councilor Friedman, Councilor Perkins, Councilor Parker, Councilor King, Manager W. Reed, Deputy Clerk K. Humphrey, Sewer District Trustees: Steven Theborge, Gary Brown and Esther Bushway. Sewer District Superintendent Gary Brooks, Members of the Public.

ITEM 1. The February 17, 2011 Joint Workshop with the Veazie Sewer District commenced at 7:00PM.

Introductions were conducted between the two boards.

Sewer District Chair Steven Theborge noted that the article in the Bangor Daily News had some inaccuracies in it. He outlined that the district has not approved a rate increase, rather they have voted to start the process. It is a three tier process.

Sewer District Chair Steven Theborge outlined that when the district received the requests for info it was their assumption it was for the Town Council. The requests were made during office hours and the Town Council had been cc'd. The requests were processed as soon as they could be but the Trustees were curious about the increased interest in the Sewer District's operations.

Sewer District Trustee Esther Bushway outlined that the district has a meeting every month and anyone is welcome to attend. If someone has questions they should come to the meeting and ask.

Councilor Perkins stated that he did not have any problems with the Sewer District and he did not request any info from the district.

Councilor King stated that he does not have a problem with the district and the requests did not come from him. He added that if he had had questions he would have gone to down to the district and asked.

Manager Reed outlined that the Town had not received a sewer audit over a number of years. Sewer District Trustee Esther Bushway stated that the Town has. Superintendent Gary Brooks stated that the district is required to provide one to the Town.

Chairman Hathaway stated that he as Council Chair had asked Manager Reed to scrutinize all requests for increases. Manager Reed requested information from the BAT, water district, sewer district and Penobscot County. He outlined that the Town is trying to be as frugal as the Sewer District and is looking at all avenues.

Sewer District Chair Steven Theborge outlined that the rate increase arose from a new auditor coming it and looking at the district's ability to address infrastructure needs and to fund its reserve accounts.

Member of the public Travis Noyes inquired why the Sewer District didn't have their minutes on their website. Sewer District Chair Steven Theborge outlined that

they didn't have the features to do that but would be working on getting them on there this year with some new software.

Councilor Friedman inquired on whether the Sewer District had collection problems with the same people the Town has with real estate taxes and whether it was something that the two could work together on the legal portion. Manager Reed outlined that its s separate process and they are governed by their own laws. Sewer District Office Manager Tammy Olson stated that when the Town's liens matured or the Sewer Distirct's liens matured, that would be the time to work together.

There was discussion on past instances where the Sewer District felt the Town did not work with them on a couple foreclosure properties and they didn't get their money.

Chairman Hathaway asked the Trustees what the Town could do different to change things. Sewer District Trustee Esther Bushway stated that if the Town has a property that it is going to foreclose on the Sewer District would like to be contacted.

Manager Reed stated that in the future the Town will send a list every year of the impending foreclosures to the Sewer District and it will be made a policy of the Town.

Sewer District Trustee Steven Theborge outlined that they had heard the Council is working on paving projects for this summer. It would be nice to work with each other on that. Chairman Hathaway stated that no decisions have been made on paving projects. He turned the questions around and asked the Sewer District Trustees what they have for plans. It was noted that the Sewer District needs to do work on Oak Grove Street.

Sewer District Chair Steven Theborge outlined that proposed in their rate increase is \$7,500 increase in the Town's assessment the first year, \$7,500 the second year and nothing in the third year. He added that rate payers will be charged for what they use, there will be no minimum. For an average home that uses 2,000 cubic feet there will be about a \$14 rate increase per quarter.

Sewer District Trustee Esther Bushway outlined that she had found for ten years not to raise rates but realizes that was now wrong. The district has reserve accounts it needs to fund. She stated she thinks people should pay for what they use. She added that the district is not looking to make money. Their rates will still be lower than what other sewer districts in surrounding communities are asking for.

Member of the Public James Parker outlined the need for educating the people. He added that the letter that was sent out, the first paragraph was misleading.

Chairman Hathaway outlined that the two boards should have an open dialogue about having a higher town assessment and a lower rate increase. Residents can deduct their real estate taxes not their sewer bill.

Chairman Hathaway outlined that a lot of information has been exchanged and he hopes and pledges as Chair to make communication on a regular basis. Anything the Sewer District needs, it is available to them. He doesn't think the Town should have to sign for any documents, there is not need to be adversarial. At the end of the day, they work for the same people.

There was discussion on perception. Superintendent Gary Brooks outlined that they talk about working together but then you seen an article in the newspaper about the Town that mentioned uncontrollable costs from the Sewer District and county.

Chairman Hathaway stated that before the public hearing he would like to explore different ways for the same outcome.

Councilor Perkins stated that he is not a fan of assessments. He outlined that non-sewer people get "screwed". He also added that there is a good percentage of the population that is low income and they don't itemize. He would rather see a rate increase.

Member of the Public James Parker noted that once the dam come out of the river there will be issues that affect sewer and stormwater discharge. He added that when the dam comes out there will be people that want to change the classification of the river.

The Sewer District has an annual payment of \$113,602 for its debt and there are ten years left. Their current rates were not covering the payment. This rate increase will help cover it.


Superintendent Gary Brooks outlined that Veazie is all domestic waste water, they don't have industrial zones or malls which makes it harder.

Chairman Hathaway stated that he would like to use this meeting as a way to enter into a new relationship and entertain a way to work together.

Sewer District Chair Steven Theborge and Manager Reed will try to arrange a time next week for a group of them to get together and discuss options before the public hearing.

ITEM 2. The Joint Workshop ended at 8:52pm.

A true record, Attest:



Karen Humphrey
Deputy Clerk

ITEM # 5B



120 DW Highway, Meredith NH 03253

603-279-0352

February 23, 2011

William Reed
Town Manager
Town Hall
1084 Main Street
Veazie, ME 04401

RE: Organizational Assessment

Dear Mr. Reed:

Municipal Resources, Inc. (MRI) is pleased to provide this conceptual proposal to provide our services to conduct an outside review and assessment of the organizational/supervisory structure, management systems, financial practices, staffing levels, and staff capacity of the Veazie municipal organization.

I understand that the purpose of this proposal is to initiate discussion of the potential benefits of such a study and the possibility of the Town moving forward is purely conjectural.

Our firm is dedicated solely to providing professional, technical, and management support services to local governments and school districts throughout New England. Founded in 1989, we have provided services to more than 400 municipalities in that time. Our entire professional staff has hands-on experience managing and directing state and local government operations and we understand and appreciate the issues and challenges associated with making local government service delivery systems work efficiently and effectively, and we have a long history of successfully tailoring working

relationships that meet the specific and unique needs of each individual client community.

We have the experience, capacity, and expertise to conduct a thorough and meaningful study, and will deliver a well written and understandable report containing well thought out, practical, and operationally sound recommendations.

WORK PLAN AND APPROACH

Our work plan and approach are intended to result in a comprehensive and objective review, and will involve identification and evaluation of the factors which affect demand for and effective delivery of municipal services. Some of the key components of our approach to this type of assessment include:

1. Meeting with municipal officials to discuss goals and objectives for the next 5-10 years, growth expectations, and anticipated challenges, as well as perceived needs and expectations for the community.
2. Interview, individually or in small groups, all municipal managers and employees and solicit their input, observations, and suggestions. Additionally, we distribute a questionnaire that affords confidential input on relevant issues and we generally invite written communication from any interested parties in the community as well.
3. Review, evaluate, and comment upon policies, procedures, and practices, as well as management and supervisory systems currently employed in any of the municipality's operating units.
4. Inspect and provide general comments upon equipment, rolling stock, and facilities, including hardware and software, of each department.
5. Review, evaluate, and comment on the current organizational and operating structure of the various operating departments, as well as upon staffing levels, labor and management deployment, overtime and call back procedures and practices, and personnel competencies and training.
6. Review and provide general comments on facilities and equipment maintenance plans, replacement programs, and capital improvement plans.
7. Review, evaluate, and comment upon the operating and capital budgets for each of the operating units, as well as address current and potential revenue sources.

8. Undertake a financial controls review of the procedures, policies, and practices for budget preparation and monitoring, contract administration, personnel evaluation, hiring and promotion, along with the purchasing and procurement policies and practices employed by each of the operating units within the municipality.
9. In consultation with the municipal officials we identify five (5) comparable municipalities and compare and contrast organizational and operational approaches, expenses, and staffing levels.
10. Establish eight (8) to ten (10) benchmark tasks and compare and contrast the cost and approach against the five (5) communities selected above.
11. Analyze the information and data generated and prepare a comprehensive written report of the findings and recommendations along with a PowerPoint executive summary.

Our work plan will incorporate on-site visits to meet with department and unit managers and staff, observe operations, telephone and web conferencing, off-site research/data analysis, and meetings between the consultant team to develop and refine conclusions and recommendations.

The assessment is designed to provide an independent, objective evaluation of municipal services in which we will seek to identify opportunities to reduce or eliminate duplication and redundancy and to maximize utilization of human and financial resources along with facilities and equipment. While our technical review and assessment is done by in-service subject experts who are aware of the requirements and responsibilities placed on each operating unit, our recommendations and suggestions are carefully crafted within the context of the overall municipal organization to ensure that final recommendations are balanced and rationally prioritized.

Our goal is to help solve problems and provide imaginative solutions for future success. We avoid impractical, unachievable, or narrowly focused “cookbook” solutions; rather our reports are written so that they are understandable and include detailed recommendations with accompanying support documentation. Our overarching objective is to:

- Assist the municipality to obtain maximum value for limited tax dollars;
- Raise public awareness of the need for and value of municipal services; and
- Provide information that helps local leaders develop and execute plans that best meet the community’s needs within available resources.

TYPICAL SCOPE OF WORK

A typical assessment will require fairly intensive involvement within the community, including interviews with the Town Manager, Council members, department heads, municipal employees, representatives of various municipal boards and committees, and others who may offer important perspective or input as identified by the Manager and Council. Our purpose during Task 1 is to be inclusive enough to:

1. Understand any major issues or concerns of the community regarding the delivery of specific municipal services and/or the operation of any individual department;
2. Gain an understanding of each operating unit – their operating budgets, organizational and management structure, staffing, facilities and equipment, and their overall strengths and weaknesses;
3. Achieve an understanding and appreciation of the values, culture and personality of the community and its local government; and
4. Understand, to the extent possible, the community's needs, wants, and desires with regard to municipal services, now and into the future.

We will review the operating budgets and expenditure detail for the last three years to gain a sense of how the municipality currently commits its financial resources towards provision of various services, after which we will conduct a detailed review of departmental activities. We will conduct a physical inspection of community facilities and equipment to identify and isolate obvious problems or issues and to gain an understanding of current and future demands on available resources.

MRI employs a multi-disciplinary peer review approach to operational review; we assign subject experts with hands-on experience to review and critique each major operating unit and department within the existing municipal structure; placing extra emphasis on administrative functions as may be requested by the Manager and/ or Council members. The lead consultant will have extensive general municipal management experience and will lead and coordinate the review team to ensure that the views and opinions of the individual subject experts are balanced in the context of a broader view of the municipal organization as a whole and that areas of duplication and redundancy throughout the collective organization are identified and clearly addressed.

We will assign a senior consultant with specific subject expertise and hands-on experience in each major operating area to spend time with the key personnel in each of the departments in order to gain an understanding of and document the

organizational, operational, management systems and approaches currently in place, and to quantify and categorize the primary service demands in each operating unit. We will identify what is being done, who is doing it, how it is being done, and what it costs, and then compare and contrast the current structures against alternative approaches, and contemporary practice and convention, as well as against the five (5) comparable communities which will be selected in consultation with the municipality.

We will request that the municipality appoint a contact person to help coordinate on-site activities and expedite communication. We request access to relevant documents and information such as:

- Demographic information on the municipality, including information about the population, school census, tax rate, unemployment rate, etc.
- Copies of past studies or reports relevant to this assessment.
- Copies of the last three (3) audit reports.
- The Master Plan.
- Policy and Procedure Manuals for all operating units.
- Details of any grievances filed by any employees over the past two (2) years and the disposition of each.
- Roster of names, job title, current assignments, and contact information for municipal employees.
- Maps of police patrol areas, highway plow routes, utility precincts, and any special service districts.
- A sampling of citizen complaints received by the municipality regarding any of the various operations of the City during the past two (2) years.
- A list of all accidents involving municipal vehicles during the past two (2) years.
- A list of any current lawsuits pending against the municipality or its employees in their official capacity.
- A copy of the Emergency Response Plan.
- Records showing calls for service, work activity logs, and workload projection.
- Copies of departmental work schedules.
- Vehicle and equipment maintenance records.

Among the questions that we will attempt to answer will be the following:

- Do local officials, members of the community and municipal employees have a clear and common view of the values, missions, goals and objectives of the municipal government in general, and the individual departments specifically, and are they in agreement on them?
- To what extent would an added emphasis/more focus on different management practices or changed approaches assist the municipality or individual departments in more efficiently or effectively delivering services to the community?
- Is proper organizational theory, including chain of command, span of control, and unity of command, in place within the municipal organization, and are these principles working in everyday operations?
- Are functions and services properly aligned and arranged within departments?
- Are there opportunities for re-organization? Immediate or based upon attrition?
- Are the current operating budgets and levels of staffing adequate?
- Once passed by the municipality, is the budget being properly administered?
- Are there adequate financial and management controls in place in such areas as municipally property and equipment, cash receipts, and purchasing?
- Are personnel adequately trained, groomed and supervised? Are they utilized efficiently and effectively? Do employees enjoy working for the community? What would improve their experience? Do they feel sufficiently involved and informed?
- Are the communications and data processing systems adequate, and is accurate and meaningful management information provided on a timely basis and properly utilized?
- Are managers and department heads providing proper oversight and leadership? Is the ratio of managers to employees reasonable? Are there opportunities to “push management responsibility down” in the organization?
- Do all employees have a proper sense of community service and sensitivity to the issues of working in a small New England community?
- Is employee turnover reasonable, and if high, what are the causes?
- Are the salary schedule, wages, and employee benefits competitive?

- Are the hiring and promotional processes adequate to select the best-qualified candidates and screen out undesirables?
- Are the rules, regulations, policies and procedures adequate and up-to-date, and are they understood and observed by all?
- Are the physical facilities, rolling stock and equipment, including motor vehicles, computers, and communications equipment, up-to-date, capable of meeting the demands on it, and operated and maintained in the most cost-effective manner?
- How do municipal operating units stack up when compared to similarly challenged service units in other jurisdictions?
- Are there alternative approaches to organizing, managing, or delivering core community services that would improve service quality, efficiency or reduce cost, such as contract operations, public/private partnerships, or inter-municipal agreements?
- What are some reasonable and simple performance measures that might be employed to monitor and track progress for each operating unit?

RECOMMENDATIONS AND PROPOSED CHANGES

In instances where MRI makes recommendations for changes or modifications to existing operations or structures we will address issues associated with implementation, including:

- Identification of likely initial costs associated with restructuring.
- Identification of potential down stream cost savings or cost avoidance after full implementation is realized.
- Identification of potential weaknesses or deficiencies in the proposed changes and suggested preventative actions.
- Identification of likely impediments or obstructions to successful implementation along with recommendations to avoid or overcome them.

PRESENTATION OF FINDINGS AND RECOMMENDATIONS

The preliminary results of our assessment will be presented in summary fashion in a work session format involving the project team, Manager, Council, Department Heads, and others as determined appropriate. During this work session, we will explain, interpret, and expand upon the information in the draft report, as well as identify areas where municipal officials feel more evaluation or research is warranted. Once we are satisfied that research and review has been completed to an acceptable level, we will produce a final written report with findings and recommendations for action presented in clear and understandable text and graphics with supporting information and documentation included. We will also prepare an executive summary in the form of a PowerPoint presentation for use at the public presentation of our report to the Council, and which can be used at future public hearings or other forums where the results of our work can be presented and explained to the community.

THE PROJECT TEAM

All Principal Consultants affiliated with the firm have substantial experience in government service, a background which proves beneficial to our clients, as we are able to fully understand and address the issues and concerns of the officials and decision makers with whom we do business.

We believe that MRI has the best collection of talent that any consultant can make available at any price. Our consultants are all respected practitioners in their field and have held positions at or near the top in their respective professions. All are previous veterans of consulting assignments and have regional, and in some cases, national reputations. We are confident in our ability to provide any municipal organization with a full range of professional services necessary to successfully address virtually any organizational or operational issue.

The following team is representative of the typical team assigned to such a project:

Donald Jutton will serve as Principal-in-Charge and lead consultant. He will assist with project coordination and focus on the comparative analysis, administrative areas, community and economic development, code enforcement, and planning and zoning. Mr. Jutton is founder and President of Municipal Resources, Inc., he is a graduate of Bradford College with a BA in Urban Planning and Management and an MS in Community Economic Development from Southern NH University New Hampshire. He has also done graduate work in management and administration at Harvard University. Mr. Jutton has a broad government management and operations background, having served as Manager in Meredith, Littleton, Salem, and Wakefield, New Hampshire. While maintaining a strong working knowledge of local government process and organizational planning, the primary emphasis of his work has been in the area of creative community economic development and pursuit of systemic change in management and delivery of core community services. He has authored five (5) TIF District Plans and his success in establishing collaborative efforts and managing very complex initiatives between public

and private entities has effectively bridged frequently competing interests and has led to successful economic development activity valued at millions of dollars in many communities. He is noted for continually challenging client communities to rethink traditional approaches and explore innovative alternatives to community development and service delivery problems, emphasizing collaborations and partnerships that expand conventional thinking and extend to all corners of the community. The results of his work with communities have been reported in USA TODAY, Heart of NH Magazine, the Boston Globe, and numerous regional and local newspapers and journals.

Hunter Rieseberg will serve as a senior advisor on matters related to the specifics of municipal management and operations. Mr. Rieseberg, graduated from the University of Denver Bachelor of Arts degree in Political Science and Sociology and he obtained his Master of Public Administration from the University of New Hampshire with an emphasis on public policy formulation and analysis, budgeting, personnel and particular interest in labor relations, planning and project management. Mr. Rieseberg has extensive background in the development and administration of annual operating budgets, CIP, finance, labor negotiations, capital projects, litigations management, staff development, legislation, project design and contract management, Inter-governmental relations, grants and computerization, system design and network (hardware/software) evaluation and implementation. Mr. Rieseberg has served as Town Manager for Hampton, New Hampshire and Jaffrey, New Hampshire; as Business Manager for the Town of Durham, New Hampshire, and Town Manager in Hartford, Vermont. Mr. Rieseberg serves as a subject advisor to MRI and will occasionally work on a project team.

David P. Hanlon has over forty-two (42) years in Municipal Public Works Engineering and Administration, including eighteen (18) years as the Director of Public Works for the Town of North Reading, MA. His experience includes all aspects of municipal public works management and administration including highway and bridge construction and maintenance, ice and snow control and removal, water and wastewater systems management and operations, drainage system planning and maintenance, parks and public properties management, solid waste management and project engineering. Mr. Hanlon retired in 2009 as the Director of Public Works for the Town of North Reading, Massachusetts, a position he held since 1991. Mr. Hanlon also served as the Director of Public Works/ Community Services for the Town of Salem, New Hampshire; as Town Engineer/Director of Public Works for the Town of Meredith, New Hampshire; and as Assistant City Engineer for the City of Pittsfield, Massachusetts. Mr. Hanlon is a retired Navy Master Chief Petty Officer who served a thirty-four (34) year distinguished career as a member of the United States Navy's Naval Reserve Construction Force (SEABEES) from January 1964 to 1999. Mr. Hanlon has an A.E. in Civil & Highway Engineering Technology from the Wentworth Institute of Technology in Boston; a BS in Civil Engineering, graduating Magna Cum Laude from Northeastern University; and a MBA from Nichols College.

Donald P. Bliss served as the New Hampshire State Fire Marshal from August 1992 until November 2003. As state fire marshal, Bliss oversaw fire investigations and the enforcement of the state's fire and building codes. In addition, he administered the state's modular building program, the statewide fire incident reporting system and coordinated the state's response to hazardous materials incidents. In the wake of the tragic events of September 11, 2001, Bliss took over responsibility for New Hampshire's emergency management and homeland security efforts. He chaired the Governor's Commission on Preparedness and Security, and transitioned the Governor's Office of Emergency Management to the newly formed Division of Fire Safety & Emergency Management within the NH Department of Safety. He also served as homeland security advisor to both Governor Jeanne Shaheen and Governor Craig Benson. From 1983 to 1992, Bliss served as the fire chief in Salem, New Hampshire. From 1989 to 1992, he served as both fire chief and the town's emergency management director. In 1990, Bliss served as interim town manager for nine months. From 1980 to 1983, Bliss served as the director of the University of Connecticut Fire Department and as fire marshal for the University of Connecticut system. He began his career with the Durham-UNH Fire Department in 1970, rising from call firefighter to fire marshal/deputy chief. Bliss has served in leadership roles in numerous professional organizations, including National Association of State Fire Marshals, the National Fire Protection Association, and the New Hampshire Association of Fire Chiefs. He is a past president of the New Hampshire Association of Fire Chiefs and a former chair of the New Hampshire Emergency Medical Services Coordinating Board. He served as President of the National Association of State Fire Marshals and chair of the association's Consumer Product Safety Task Force. Bliss chaired the National Fire Protection Association's (NFPA) Uniform Fire Prevention Code Technical Committee and served two terms on the NFPA board of directors. He chaired the National Electrical Code (NEC) panel on homeland security and mission critical facilities and currently chairs NEC Code Making Panel 13 (emergency systems). He also serves on the NFPA Technical Committee on Emergency Management and Business Continuity. He is an adjunct professor in the Master of Public Administration program at the University of New Hampshire and currently serves as the chair of the New Hampshire Building Code Review Board and as a governor's appointee to the New Hampshire School Building Authority. Bliss is a subject matter expert on critical infrastructure protection with the Mobile Education Team of the U.S. Naval Postgraduate School. Bliss received a Bachelor of Arts in political science from the University of New Hampshire in 1973 and he received a Master of Public Administration degree, also from the University of New Hampshire, in 1979. He has completed numerous courses at the National Fire Academy in Emmitsburg, Maryland.

David L. Kurz obtained a Bachelors Degree in Criminal Justice from the University of Southern Maine, is a graduate of the FBI National Academy, and has served in law enforcement since 1974. Chief Kurz previously served as the Chief of the Gorham, Maine, Police Department and the Deputy Director of the Maine Drug Enforcement Agency, Maine Department of Public Safety from 1990 to 1996. In his current position as Chief of Police of Durham, New Hampshire, Chief Kurz is responsible for the

supervision of a CALEA accredited full-service police agency committed to a customer-oriented delivery of services functioning in a university community. Chief Kurz is one of 12 chiefs appointed by the International Association of Chiefs of Police (IACP) to an Advisory Group assisting IACP in the formation of training and client needs assessment that may be unique to smaller police agencies in the United States. He has also published five articles for the *IACP Police Chief* magazine focusing upon Strategic Planning, Alcohol Enforcement, Promotional Process, Effective Performance Evaluations and New Technology Acquisition. Chief Kurz is a Team Leader for the Commission on the Accreditation for Law Enforcement Agencies, Inc. (CALEA) and has reviewed the policies and procedures of over 40 agencies seeking national accreditation and recognition. He has worked with the United States Department of Justice on several initiatives including the National Summit on Campus Public Safety and is a member of the Bureau of Justice Assistance Law Enforcement Leadership Initiative Training Steering Committee. Additionally, Chief Kurz routinely conducts training seminars for IACP focusing upon strategic planning and personnel management. Chief Kurz serves as a subject advisor to MRI and will occasionally work on a project team.

B. Michael Gilbar obtained a Masters Degree in Education Administration with a focus in finance from Johnson State College and has served in local government since 1986. Gilbar served as Business Manager for Orange North Supervisory Union, Director of Administrative Services for the Town of Hanover, New Hampshire, Chief Financial Officer for Vermont League of Cities and Towns and the CFO for the City of Nashua, New Hampshire and as Business Manager for the Burlington School District. He has prepared and managed budgets ranging from \$12 million to \$250 million and provided a variety of financial statement and cost analyses to administrative and elective officials associated with these budgets. Additionally, Gilbar has managed and prepared for over sixty successful audits, including a State Banking and Insurance regulatory examination. He has been a longstanding member of the Government Finance Officers' Association, serving as President of the Vermont Chapter for two years and on the New Hampshire GFOA Executive Board. In addition to budgeting and audit experience, Gilbar has been responsible for managing and issuing debt in excess of \$140 million, developing interim and comprehensive annual financial reporting, managing procurement, insurance pool financials, risk management, assessing, treasury, payroll and accounting operations. He has been actively involved in three software upgrade and implementation projects including a \$7.5 million system replacement for the City of Nashua. Gilbar is a senior subject advisor of MRI and occasionally serves of a project team as circumstances and his schedule allow.

Joseph W. Lessard, Jr. graduated from the University of Maine with a BS degree in Engineering. He was Assessment Administrator/Code Enforcement Officer for the City of Gardiner, Maine and served as Chief Assessor for the Towns of Windham, Maine and Salem, New Hampshire. He has over 35 years experience in Assessing Management and departmental operations and procedures, as well as expert witness experience at both the Board of Tax and Land Appeals and Superior Courts in New Hampshire, U.S. Federal

Bankruptcy Court, and both the State of Maine Land Claims Commission and Board of Assessment Review. He is both a Certified Assessor and Certified General Appraiser in Maine and New Hampshire, approved as an Assessor Supervisor by NHDRA and a member of the International Association of Assessing Officers, the Maine Association of Assessing Officers, and the New Hampshire Association of Assessing Officials. He provides and oversees operational, management and technical support services to fifteen municipalities in this very specialized area.

DELIVERABLES

MRI will generally provide five (5) copies of the draft and final reports, together with one (1) copy of the final report in pdf version on disk.

A presentation of the final report shall be made to the Council at a time and location to be determined. This presentation will allow for questions and answers of the final report and its conclusions, and will incorporate a PowerPoint presentation which will be suitable for use by the municipality for subsequent discussions of the report.

TIMELINE & PROJECT COST

A project of this magnitude for a community the size of Veazie will generally cost between \$25,000 and \$30,000 and take four to five months to complete, There are some areas, such as research of comparative communities or development of demographic data, where the municipality may elect to assign municipal staff, thereby reducing cost. Additionally, using on-line surveying and group interviews and fewer individual interviews will result in lower cost as well. We are also prepared to work with the Manager and Council to refine the scope in order to contain overall project cost as well

REFERENCES

See Appendix A, attached hereto for references.

ABOUT MRI

Founded in 1989, MRI has two (2) principals, a staff of eleven (11) full-time professionals, four (4) administrative support staff, ten (10) part-time professionals, and a large group of professional affiliates from which it can draw for consulting services as necessary. MRI has provided services to more than 400 communities in the past 20 years.

MRI is committed to providing innovative and creative solutions to the problems and issues facing local governments and school districts throughout New England. We are a New Hampshire Corporation operating from a primary office location in Meredith, New Hampshire, with field offices in Camden, Maine; Northampton, Massachusetts; and Harrisburg, Pennsylvania.

Our seasoned management staff can tailor services to specific client needs. Our clients realize that we have been in their shoes; we have the experience, sensitivity, and desire that it takes to develop and deliver services that specifically meet their needs.

The depth of MRI's experience is reflected not only in the experiences of its associates, but in the scope of services it provides its clients, from professional recruitment to organizational and operational assessments of individual municipal departments and school districts or ongoing contracted services for various town government and school business support activities.

You will find that we approach every assignment with enthusiasm, responsiveness, creativity, and absolute integrity. We are very proud of our record and reputation for supporting quality local government services through better organization, operations, and communication.

CORPORATE STRUCTURE

MRI is a C Corporation registered in New Hampshire, with the following officers:

Donald R. Jutton, President and Assistant Secretary;
Joseph W. Lessard, Jr., Vice President, Treasurer, and Secretary;
Alan S. Gould, Vice President, Chief Operating Officer;
Michael H. Everngam, Chairman, Board of Directors; and
Wallace E. Stickney, Emeritus, Board of Directors.

We are registered to do business in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Pennsylvania, New York, and New Jersey.

CONCLUSION

MRI brings a collective level of knowledge and experience to each project to ensure success. You will find our team to be responsive, imaginative, capable, and in possession of a strong public ethic with absolute integrity. We can provide the support services you require in an efficient and effective manner, and look forward to the possibility of working with the community should you decide to initiate this type of project.

Should you have questions or require clarification regarding any information contained herein, please feel free to call me.

Respectfully submitted,

Donald R. Jutton
President

Attachment A REFERENCES

Acton, ME

Assessing Services
Board of Selectmen
PO Box 540
Acton, ME 04001-0540
(207) 636-3839

Bedford, New Hampshire

Fire Department Study
Police Department Study
Keith Hickey, Town Manager/Merrimack, NH
(formerly Bedford Town Manager)
(603) 424-2331

Berlin, New Hampshire

Regional Economic Planning
(after closing of Paper Mills)
Cathy Conway, Vice President
Northern Community Investment Corporation (NCIC)
220 Main Street
PO Box 419
Berlin, NH 03570
(603) 752-1630, x-8

Berwick, ME

Assessing Services
Keith Trefethen, Town Manager
PO Box 696
Berwick, ME 03901-0696
(207) 698-1101

Gloucester, MA

Comprehensive Police / Fire Study
James A. Duggan
Chief Administrative Officer
9 Dale Avenue
Gloucester, MA 01930
(978) 281-9700

Kennebunk, ME

Fire Department/
Organizational Assessment
Completed 2007
Barry Tibbetts, Town Manager
1 Summer Street
Kennebunk, ME 04043
(207) 985-2102
Stephen Nichols, Fire Chief
(207) 985-2102, x-1340

Kittery, ME

Management Services
Jonathan Carter, Town Manager
Town of Kittery
200 Rogers Road Extension
Kittery, ME 03904
(207) 475-1329

Lebanon, New Hampshire

Public Works Management
Len Jarvi, Finance Director
51 North Park Street
Lebanon, NH 03766
(603) 448-4220

Old Town, ME

City Wide Organizational Study
Margaret N. Daigle, City Manager
150 Brunswick Street
Old Town, ME 04468
(202) 827-3965

Windsor, VT

Town Government Assessment
Windsor Board of Selectmen
PO Box 47
Windsor, VT 05089
(802) 674-6786

ITEM # 6A



357 Mercer Road
PO Box 629
Norridgewock, ME 04957
Tel: (207) 634-2714
Fax: (207) 634-4519

February 16, 2011

Mr. William Reed
Town Manager
Town of Veazie
1084 Main Street
Veazie, ME 04401

Dear Mr. Reed:

The Town of Veazie's contract with Waste Management expired on December 31, 2010. I have enclosed 2 copies of an Amendment to extend this for the period of January 1, 2011 through December 31, 2011 with a one (1) year mutually agreed upon option. Please sign both copies and mail back to my attention. This will confirm both our acceptance of the Towns and Waste Managements agreement to extend the "Curbside Recycling and Solid Waste Collection Service Contract" for a one-year period. I will forward a signed copy back to the Town for your records.

The contract price effective January 1, 2011 shall be adjusted by 0.5%. The new monthly rate shall be \$5781.53.

We appreciate the opportunity to continue providing these important services to the Town. Please feel free to contact me directly should you have further questions in regards to this or any other matter.

Sincerely,
Waste Management

A handwritten signature in black ink, appearing to read "Peter Lachapelle".

Peter Lachapelle
Public Sector Representative
New England

AMENDMENT TWO
CURBSIDE RECYCLING AND SOLID WASTE COLLECTION SERVICE
CONTRACT BETWEEN WASTE MANAGEMENT OF MAINE, INC.
AND TOWN OF VEAZIE, ME

WHEREAS, an Agreement was made and entered into effective the 1st day of January, 2005 by and between the Town of Veazie, Maine (hereinafter "town") and Waste Management of Maine, Inc., (hereinafter "Contractor"); and

WHEREAS, the Agreement was previously amended (Amendment One) to extend the term from January 1, 2010 to December 31, 2010; and

WHEREAS, the Town and Contractor are seeking to amend the Agreement to extend the term under conditions acceptable to both parties; and

NOW, THEREFORE, in consideration of the mutual covenants, undertakings and promises set forth herein, the Town and Contractor do hereby covenant, promise and agree as follows:

1. The term of the Agreement shall be extended for a one-year period from January 1, 2011 to December 31, 2011. The term may, upon mutual agreement, be further extended for an additional one (1) year option.
2. Section IX of the Agreement dated January 1, 2005 shall be modified to include:

Monthly payments of \$5781.53

All terms and conditions of the Agreement, except those expressly modified by this Amendment, remain unchanged and in full force and effect.

IN Witness Whereof, the parties have caused this Amendment to be executed by their respective authorized officers or agents on the date set forth below.

Date: _____

The Town of Veazie, by its duly authorized
Town Manager, William Reed

Date: _____

Waste Management of Maine, Inc.
By its duly authorized representative,
Christopher DeSantis, Vice President

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Date: _____

The Town of Veazie, by its duly authorized
Town Manager, William Reed

Date: _____

Waste Management of Maine, Inc.
By its duly authorized representative,
Christopher DeSantis, Vice President

ITEM # 8A

From: "Brian Perkins" <Bperkins@apollo.umenfa.maine.edu>
Subject: **Re: seeking some input on sewer matters**
Date: February 18, 2011 3:34:20 PM EST
To: William Reed <veazietm@aol.com>
Cc: gary Brooks <gbrooks@veaziesewerdistrict.com>

Bill,

I have no problem working a portion of the Sewer Districts DEBT RETIREMENT program into part of the annual assessment to the town. As I mentioned last night, when thinking about increasing the District's assessment to the town, as a Council, we need to think about and perhaps defend a few issues. 1) A minority of filers actually itemize their deductions on their Federal and State forms - Nationally, I think it is on the order of 35%. 2) How do we explain to the "non-sewered" citizens that we are increasing their property taxes to cover a service that they have no access too? 3) Any extra burden that we assume from the district will be disproportionately applied to properties with higher (tax) value, perhaps mitigating the advantage gained by the Federal/State income tax deduction - I haven't done the math, but this could prove interesting.

Again, I have no problem with the town helping more with the debt retirement portion of the Districts burden. From my viewpoint, this is actually a more progressive way to spread the burden - instead of each household paying that \$32/quarter (I think that was the debt retirement number). Higher valued properties (often those with higher income owners...) would pay proportionately higher amounts. When it comes to District regular operating budgets, I feel very strongly, that usage fees, based on consumption are far and away the fairest method of payment.

Finally, I am very happy to work with the District to work on any of these areas of mutual interest, but will defer to their final decision(s) in all areas that pertain to their independence as a self-governed entity.

Brian

On 18 Feb 2011 at 8:15, William Reed wrote:

From: William Reed <veazietm@aol.com>
To: rod hathaway <rod@mainetrailer.com>,
Joe Friedman <jfriedman3@roadrunner.com>,
Brian Perkins <Bperkins@apollo.umenfa.maine.edu>,
david king <vz801@myfairpoint.net>, Jon Parker <jparker@midmaine.com>
Subject: seeking some input on sewer matters
Date sent: Fri, 18 Feb 2011 08:15:13 -0500

Council members

After last nights meeting I am seeking input from the membership on what members would like to see.

There were some members that were in favor of user fees and keeping the assessment level.

There were some members that would like to adjust the assessment level up and the user fees down.

I understand that its the Sewer Districts process to set what they would like and that great - I just want to make sure that anything that staff advances in discussions will meet the concerns of the board.

If you could email back your thoughts it would be great so that staff can understand the different perspectives.

William Reed
Manager
Veazie Town Office
1084 Main street
Veazie, Maine 04401
207.947.2781
veazietm@aol.com

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Brian Perkins, Ph.D.
Laboratory Director & Assistant Research Professor
Food Chemical Safety Laboratory
Dept. FSN
200 Hitchner Hall
University of Maine
Orono, ME 04469
tel: 207-581-1369
fax: 207-581-1636

ITEM # 8A11

From: jparker@midmaine.com
Subject: **Re: seeking some input on sewer matters**
Date: February 18, 2011 8:44:43 AM EST
To: "William Reed" <veazietm@aol.com>
Reply-To: jparker@midmaine.com

Bill

I would prefer to keep the rates lower, help the district build so reserves, and work together on a more cooperative approach in the future. See if there is any way to better share equipment and even staff as we go forward. I think both the town and sewer district are over staffed for the current work load (understanding that we need to keep internal controls). There should also be more interaction between public works and the district.

Jon

Sent from my U.S. Cellular BlackBerry® smartphone

From: William Reed <veazietm@aol.com>
Date: Fri, 18 Feb 2011 08:15:13 -0500
To: rod hathaway<rod@mainetrailer.com>; Joe Friedman<jfriedman3@roadrunner.com>; Brian Perkins<Bperkins@apollo.umenfa.maine.edu>; david king<vz801@myfairpoint.net>; Jon Parker<jparker@midmaine.com>
Subject: seeking some input on sewer matters

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There were some members that were in favor of user fees and keeping the assessment level.

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William Reed
Manager
Veazie Town Office
1084 Main street
Veazie, Maine 04401
207.947.2781
veazietm@aol.com

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ITEM # 8A iii

From: "Theborge, Steven" <Steven.Theborge@maine.gov>
Subject: **RE: Meeting Recap**
Date: February 21, 2011 9:28:53 PM EST
To: "Rod Hathaway" <rod@mainetrailer.com>
Cc: "William Reed" <veazietm@aol.com>, "Gary Brooks" <gbrooks@veaziesewerdistrict.com>

Rod,

I too agree we had some historic issues that came out in the meeting that are not relevant or productive. I think the more dialogue we can have the better.

I believe Ester over dramatized our current financial straits. The district has traditionally been run on a shoe string and we can continue that but as we enter the second decade since the last facility upgrade we need to be forward looking and begin preparing financially for the eventuality of needed capital work. I do not believe we have a 5 year budget forecast as the town does but I can ask Gary to outline anticipated facility needs over the next 5 years.

After the meeting on Thursday Gary and I developed an alternate, less aggressive, rate adjustment proposal that relies more heavily on the Town assessment and a more modest user increase. The proposal would increase the assessment gradually over the next 3 years, the debt retirement would be eliminated and the user fees would be based solely on usage. Increases to low volume users would be very minimal and those who use more of the service will pay accordingly. I will get the specifics to Bill as soon as the other Trustees approve the proposal.

I do appreciate the Town's willingness to work with the VSD to develop a closer and more productive relationship. I personally had decided awhile ago to step down as a Trustee when my term expires in June. But in the interim I intend to do what I can to help foster a more productive relationship between the Town and the District.

Steven Theborge

MaineDOT - Eastern Region Manager

Office 207-941-4503

Cell 207-441-9606

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From: Rod Hathaway [<mailto:rod@mainetrailer.com>]

Sent: Monday, February 21, 2011 12:02 PM

To: Theborge, Steven

Cc: 'William Reed'

Subject: Meeting Recap

Steve;

One thing that became quite evident to me during our recent meeting is we have a communication issue to resolve between the boards.

The first matter that needs to be addressed is what happened in the past, although I will assume some responsibility on this I do not wish to dwell on what happened 10 years ago, I don't think this serves either board well. I also want to point out that I think we have been more open and responsive to requests in recent years and will continue to work to address any roadblocks.

Secondly, I myself have a feeling that the rate increase although you made the case to justify has been formulated without any input, and yes I understand the public hearing process to gather. However, if we (the town) understood the need to build up capital reserves in anticipation of an upcoming need maybe a larger assessment could have averted a rate increase. The case was made about itemized taxes but to me that is only a minor point, the larger aspect is that a

larger assessment is an easier collection process for the VSD. I might add that I agree with a rise in rates to facilitate higher O & M costs but not capital costs. It sounded to me that the reserves for capital are in dire straights if this is not approved. One aspect of our town charter requires the board annually to produce a 5 year capital budget so we avert large spikes in year to year budgets. Do you produce such a document and can you share this with our board prior to the public hearing.

In close I, in my capacity as town council chair, am here to assist in whatever manner you deem appropriate, however it seems as though the tone at the workshop meeting at times ran more adversarial than factual and I want to pledge to both boards to work to resolve any issues and hope you will work with me to that end. Let's figure this out together and make both boards a cooperative effort.

Rod Hathaway
VP Operations
Maine Trailer Inc
rod@mainetrailer.com
207-848-5718 x 240
207-949-2407

Ps I do not have a complete list of e-mails feel free to forward if appropriate

Town of Veazie Fire/Rescue Department

ITEM # 83

MEMORANDUM

To: Chief Martin

From: Capt Metcalf

Date: February 7, 2011

Re: January 2011 monthly report



Report on the Fire Department January 2011

Incidents

100 - Fire, other	1	3.13%
Total - Fires	1	3.13%
321 - EMS call, excluding vehicle accident with injury	20	62.50%
322 - Vehicle accident with injuries	1	3.13%
381 - Rescue or EMS standby	1	3.13%
Total - Rescue & Emergency Medical Service Incidents	22	68.75%
423 - Refrigeration leak	1	3.13%
Total - Hazardous Conditions (No fire)	1	3.13%
550 - Public service assistance, other	1	3.13%
551 - Assist police or other governmental agency	1	3.13%
553 - Public service	1	3.13%
Total - Service Call	3	9.38%
611 - Dispatched & cancelled en route	1	3.13%
Total - Good Intent Call	1	3.13%
743 - Smoke detector activation, no fire - unintentional	3	9.38%
745 - Alarm system sounded, no fire - unintentional	1	3.13%
Total - False Alarm & False Call	4	12.50%
Total	32	100.00%

Day of the Week	Number of Incidents
Sunday	8
Monday	8
Tuesday	5
Wednesday	3
Thursday	2
Friday	5
Saturday	1

Town of Veazie Fire/Rescue Department

Incidents by Time of Day

04:00:00 to 04:59:59	2	
05:00:00 to 05:59:59	1	
06:00:00 to 06:59:59	2	
07:00:00 to 07:59:59	1	
08:00:00 to 08:59:59	1	
09:00:00 to 09:59:59	2	
10:00:00 to 10:59:59	2	Shaded area represents daytime coverage
11:00:00 to 11:59:59	3	
12:00:00 to 12:59:59	1	
13:00:00 to 13:59:59	4	
14:00:00 to 14:59:59	1	
15:00:00 to 15:59:59	1	
16:00:00 to 16:59:59	3	
17:00:00 to 17:59:59	2	
18:00:00 to 18:59:59	1	
19:00:00 to 19:59:59	2	
20:00:00 to 20:59:59	1	
22:00:00 to 22:59:59	1	
23:00:00 to 23:59:59	1	

January Training

1/6/2011 1800 Salvage Cover Operations,

Review of salvage cover operations which included a classroom presentation on salvage and 3 practical evolutions. Included training on a new portable trash pump. 14 members in attendance.

1/13/2011 1800 Responding to Natural Gas Emergencies,

Mike Boggs of Bangor Natural Gas came in and provided a class on understanding, responding to and the handling of natural gas emergencies. 17 members in attendance.

1/16/2011 0900-1200

Conducted driver training and apparatus familiarization with Engine 192. 2 members in attendance

1/20/2011 1800 Annual Required Training –Bloodborne Pathogens

Required training on the review of bloodborne pathogens and communicable disease. Also covered a review of departments exposure control policy. 12 members in attendance

1/21/2011 1030 Annual Required Training –Bloodborne Pathogens

Annual review of our required exposure control policy – make up as class was missed. 1 Member in attendance.

1/27/2011 1800 Annual Required Training –

Required training on towns sexual harassment policy, hazardous communication policy and lock out/tag out policy. Also reviewed new radio reprogramming features and operations. 14 members in attendance

1/27/2011 1600 Annual Required Training –Bloodborne Pathogens

Annual review of our required exposure control policy – make up as class was missed. 1 Member in attendance.

Town of Veazie Fire/Rescue Department

1/28/2011 0900 Annual Required Training –Bloodborne Pathogens
*Annual review of our required exposure control policy – make up as class was missed.
1 Member in attendance.*

1/28/2011 1400 CPR Instructor Update Training
Completed online instructor updates for CPR. 1 member in attendance.

Other Activities

1/3/2011 Meeting – attended council meeting – Public Hearing on tower ordinance.

1/12-13/2011 Storm Coverage 1730-0700
Two covered station due to snow storm

1/15/2011 Public Relations Activity – Installed and secured a rear facing car seat for a citizen. Task was completed by Lt. K. Roy who is a certified car seat technician

1/20-21/2011 Storm Coverage 1900-0700
Two covered station due to snow storm

1/23/2011 Hydrant Shoveling Detail 0730-1230

1/31/2011 Meeting – attended council meeting – 2 items on agenda that discussed departmental budgetary review and a discussion on a departmental services review

	A	B	C	D	E	F	G	H	I	J
1	Veazie Fire Department Payroll 2011									
2	Month of January									
3										
4										
5	1900 Gerry G. Martin	Chief								
6	1901 Carl B. Tenney	A/C		7						
7	1902 Capt. Pete Metcalf	Cap/FI/EMT-I	\$22.21	54.75	46					
8	1903 Lt. David Hjorth	Lt/FI	\$13.49	61.5	15					
9	1904 Lt. Nick Sirois	FFI/EMT-I	\$17.48	3.5	1.5					
10	1905 Lt. Ken Roy	FFI/EMT-I	\$16.44	37	0.5					
11	1906 Lt. Scott Kigas	Lt/FI	\$14.16	12.5		1				
12	1907 Scott Ireland	FFI	\$13.49	23.5						
13	1908 Tyler Morrison	FFI/EMT	\$14.16	7						
14	1909 John Mantler	FFI	\$13.49	16	3					
15	1910			0						
16	1911 Barrett McMullan	Prob FF	\$9.30	8.5						
17	1912 Tony Levesque	Prob FF	\$9.30	0						
18	1913 David Jones	Prob FF	\$13.49	0						
19	1914 Dennis Farnham	Prob FF	\$9.30	16	5	3				
20	1915 Alec Johnston	Prob FFI	\$9.30	14.5						
21	1916 Matthew Vinal	FF	\$9.30	17						
22	1917 William Lovejoy	FFI	\$10.11	25.5	8					
23	1918 Jacob Cyr	Pre-App FF	\$8.99	2.5						
24	1919 Andrew Rios	FF	\$9.30	27	12					
25	1920			0						
26	1921			0						
27	1922			0						
28	1923 Dennis McRae	FFI/EMT	\$14.16	31	3	1				
29	1924 Robert Gallant	FFI/EMT-I	\$16.38	13.5						
30	1925			0						
31										
32	Totals:			378.25	94	5	29.5	34.5	15.5	29
33										
34										
35										
36										
37										
38										
39										
40										
41										

Total Training Hours	108.5	Fire Hours	58
Total Work Hours	94	EMS Hours	104.75
Total Individual Hours	5	Other Hours	8
Total Call Hours	170.75	Fire Total \$	\$749.06
TOTAL HOURS	378.25	EMS Total \$	\$1,466.56
TOTAL \$	\$5,236.34	Other Total \$	\$106.35
		Total Call \$	\$2,321.97

Total Training Hours	108.5	Fire Hours	58
Total Work Hours	94	EMS Hours	104.75
Total Individual Hours	5	Other Hours	8
Total Call Hours	170.75	Fire Total \$	\$749.06
TOTAL HOURS	378.25	EMS Total \$	\$1,466.56
TOTAL \$	\$5,236.34	Other Total \$	\$106.35
		Total Call \$	\$2,321.97

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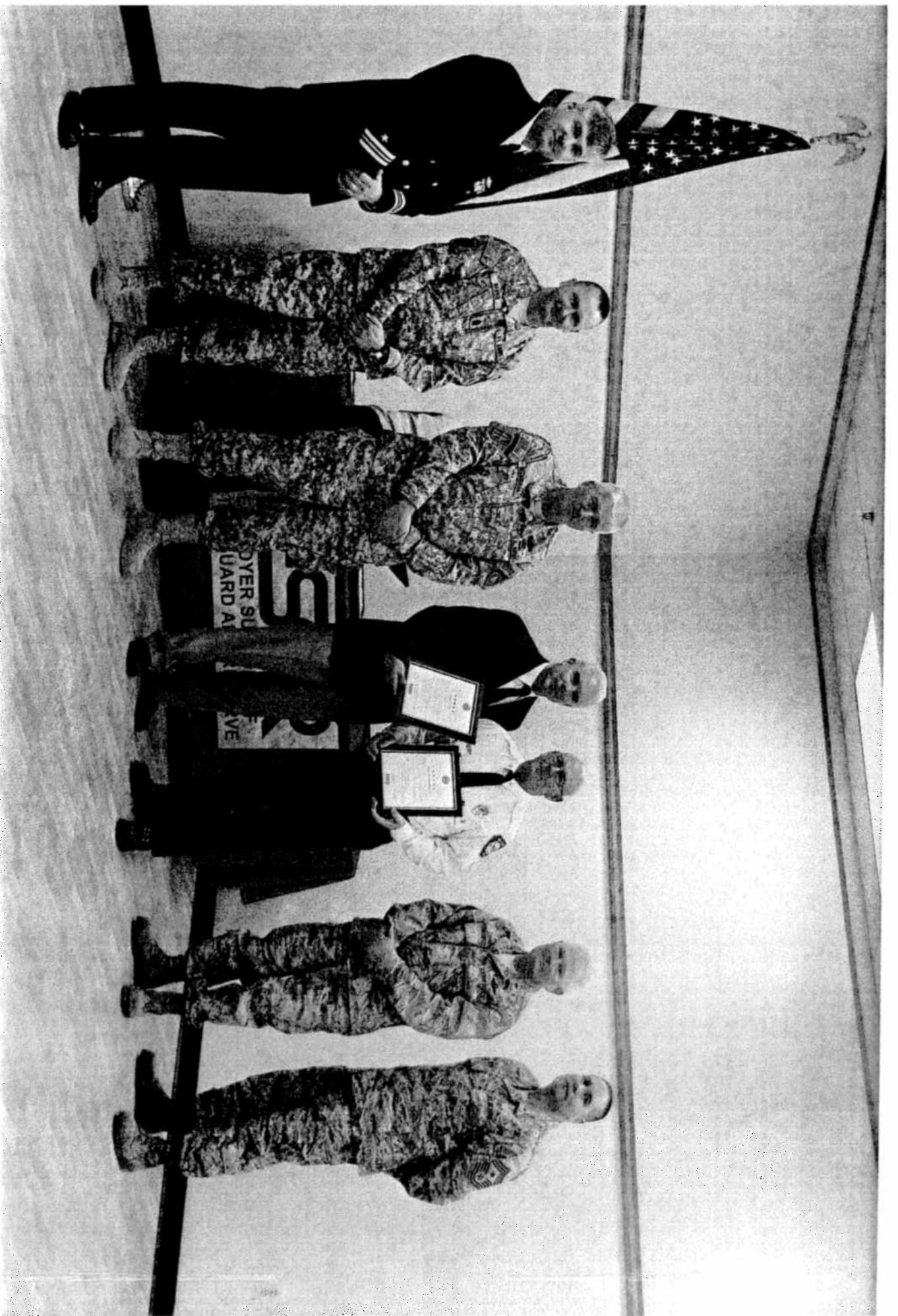
	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1												
2												
3	EMS	EMS	EMS	EMS	EMS	EMS	EMS	EMS	EMS	EMS	EMS	EMS
4	2011001	2011002	2011003	2011004	2011007	2011009	2011012	2011014	2011016	2011018	2011019	2011020
5												
6												
7	0.75	duty				duty		duty		duty		duty
8		2	2	2		2	2	2	duty			2
9				duty	duty		duty					
10			2	2		2	2		2			
11												
12		2			2		2				2	2
13												
14												
15												
16												duty
17												
18												
19												
20												
21		2			2		2	2	2			
22							2	2	2			
23						duty						
24				2								
25												
26												
27												
28	2	2		2						2	2	
29						2						
30												
31												
32	2.75	8	4	8	4	6	10	6	6	2	4	4
33												
34	\$16.66	\$26.98	\$26.98	\$26.98	\$26.98	\$26.98	\$26.98	\$26.98	\$32.88	\$28.32	\$26.98	\$26.98
35	\$28.32	\$26.98	\$32.88	\$32.88	\$18.60	\$32.88	\$32.88	\$18.60	\$18.60		\$28.32	\$26.98
36	\$0.00	\$18.60	\$0.00	\$18.60		\$32.76	\$26.98	\$20.22	\$20.22			\$26.98
37		\$28.32		\$28.32			\$18.60					
38							\$20.22					
39	\$44.98	\$100.88	\$59.86	\$106.78	\$45.58	\$92.62	\$125.66	\$65.80	\$71.70		\$55.30	\$53.96
40												
41												

This box highlights the Individual payroll per EMS call - does not count on duty personnel

[illegible]

[illegible]





Maine Municipal Bond Bank**Estimate of Borrowing**Prepared via www.mmbb.com on: February 15, 2011

ITEM # 8c

Date	Principal	Rate	Interest	Total Payment	FY Total
05/1/2012			\$11,989.20	\$11,989.20	
11/1/2012	\$30,000.00	3.0000%	\$11,640.00	\$41,640.00	\$53,629.20
05/1/2013			\$11,190.00	\$11,190.00	
11/1/2013	\$30,000.00	3.3000%	\$11,190.00	\$41,190.00	\$52,380.00
05/1/2014			\$10,695.00	\$10,695.00	
11/1/2014	\$30,000.00	3.3500%	\$10,695.00	\$40,695.00	\$51,390.00
05/1/2015			\$10,192.50	\$10,192.50	
11/1/2015	\$30,000.00	3.4500%	\$10,192.50	\$40,192.50	\$50,385.00
05/1/2016			\$9,675.00	\$9,675.00	
11/1/2016	\$30,000.00	3.5000%	\$9,675.00	\$39,675.00	\$49,350.00
05/1/2017			\$9,150.00	\$9,150.00	
11/1/2017	\$30,000.00	3.6000%	\$9,150.00	\$39,150.00	\$48,300.00
05/1/2018			\$8,610.00	\$8,610.00	
11/1/2018	\$30,000.00	3.7000%	\$8,610.00	\$38,610.00	\$47,220.00
05/1/2019			\$8,055.00	\$8,055.00	
11/1/2019	\$30,000.00	3.8000%	\$8,055.00	\$38,055.00	\$46,110.00
05/1/2020			\$7,485.00	\$7,485.00	
11/1/2020	\$30,000.00	3.9000%	\$7,485.00	\$37,485.00	\$44,970.00
05/1/2021			\$6,900.00	\$6,900.00	
11/1/2021	\$30,000.00	4.0000%	\$6,900.00	\$36,900.00	\$43,800.00
05/1/2022			\$6,300.00	\$6,300.00	
11/1/2022	\$30,000.00	4.0500%	\$6,300.00	\$36,300.00	\$42,600.00
05/1/2023			\$5,692.50	\$5,692.50	
11/1/2023	\$30,000.00	4.1000%	\$5,692.50	\$35,692.50	\$41,385.00
05/1/2024			\$5,077.50	\$5,077.50	
11/1/2024	\$30,000.00	4.1500%	\$5,077.50	\$35,077.50	\$40,155.00
05/1/2025			\$4,455.00	\$4,455.00	
11/1/2025	\$30,000.00	4.2000%	\$4,455.00	\$34,455.00	\$38,910.00
05/1/2026			\$3,825.00	\$3,825.00	
11/1/2026	\$30,000.00	4.2500%	\$3,825.00	\$33,825.00	\$37,650.00
05/1/2027			\$3,187.50	\$3,187.50	
11/1/2027	\$30,000.00	4.2500%	\$3,187.50	\$33,187.50	\$36,375.00
05/1/2028			\$2,550.00	\$2,550.00	
11/1/2028	\$30,000.00	4.2500%	\$2,550.00	\$32,550.00	\$35,100.00
05/1/2029			\$1,912.50	\$1,912.50	
11/1/2029	\$30,000.00	4.2500%	\$1,912.50	\$31,912.50	\$33,825.00
05/1/2030			\$1,275.00	\$1,275.00	
11/1/2030	\$30,000.00	4.2500%	\$1,275.00	\$31,275.00	\$32,550.00
05/1/2031			\$637.50	\$637.50	
11/1/2031	\$30,000.00	4.2500%	\$637.50	\$30,637.50	\$31,275.00
TOTALS	\$600,000.00		\$257,359.20	\$857,359.20	

Maine Municipal Bond Bank**Estimate of Borrowing****Prepared via www.mmbb.com on: February 15, 2011**

Date	Principal	Rate	Interest	Total Payment	FY Total
05/1/2012			\$11,608.10	\$11,608.10	
11/1/2012	\$40,000.00	3.0000%	\$11,270.00	\$51,270.00	\$62,878.10
05/1/2013			\$10,670.00	\$10,670.00	
11/1/2013	\$40,000.00	3.3000%	\$10,670.00	\$50,670.00	\$61,340.00
05/1/2014			\$10,010.00	\$10,010.00	
11/1/2014	\$40,000.00	3.3500%	\$10,010.00	\$50,010.00	\$60,020.00
05/1/2015			\$9,340.00	\$9,340.00	
11/1/2015	\$40,000.00	3.4500%	\$9,340.00	\$49,340.00	\$58,680.00
05/1/2016			\$8,650.00	\$8,650.00	
11/1/2016	\$40,000.00	3.5000%	\$8,650.00	\$48,650.00	\$57,300.00
05/1/2017			\$7,950.00	\$7,950.00	
11/1/2017	\$40,000.00	3.6000%	\$7,950.00	\$47,950.00	\$55,900.00
05/1/2018			\$7,230.00	\$7,230.00	
11/1/2018	\$40,000.00	3.7000%	\$7,230.00	\$47,230.00	\$54,460.00
05/1/2019			\$6,490.00	\$6,490.00	
11/1/2019	\$40,000.00	3.8000%	\$6,490.00	\$46,490.00	\$52,980.00
05/1/2020			\$5,730.00	\$5,730.00	
11/1/2020	\$40,000.00	3.9000%	\$5,730.00	\$45,730.00	\$51,460.00
05/1/2021			\$4,950.00	\$4,950.00	
11/1/2021	\$40,000.00	4.0000%	\$4,950.00	\$44,950.00	\$49,900.00
05/1/2022			\$4,150.00	\$4,150.00	
11/1/2022	\$40,000.00	4.0500%	\$4,150.00	\$44,150.00	\$48,300.00
05/1/2023			\$3,340.00	\$3,340.00	
11/1/2023	\$40,000.00	4.1000%	\$3,340.00	\$43,340.00	\$46,680.00
05/1/2024			\$2,520.00	\$2,520.00	
11/1/2024	\$40,000.00	4.1500%	\$2,520.00	\$42,520.00	\$45,040.00
05/1/2025			\$1,690.00	\$1,690.00	
11/1/2025	\$40,000.00	4.2000%	\$1,690.00	\$41,690.00	\$43,380.00
05/1/2026			\$850.00	\$850.00	
11/1/2026	\$40,000.00	4.2500%	\$850.00	\$40,850.00	\$41,700.00
TOTALS	\$600,000.00		\$190,018.10	\$790,018.10	

This report is an estimate only. Actual borrowing costs may vary.

To: Municipal Officials and MMA's Legislative Policy Committee

Fr: Geoff Herman

Re: Governor LePage's Proposed State Budget

Date: February 14, 2011

On Friday, Governor LePage released his proposed state budget for the FY 2012-13 biennium. In his budget delivery address, he described it as a "shared sacrifice" approach to balancing the budget in the face of a large gap between anticipated General Fund revenues and required expenditures under current law.

Retired state employees and school teachers would see no cost of living increases to their pension payments over the biennium. Working state employees and school teachers would see a 2% increase in their contribution toward retirement, from 7.65% of the paycheck to 9.65% for the average state employee who is not in a public safety function. Maine's welfare programs and its Medicaid program would see cutbacks, particularly with respect to benefits provided to legal immigrants, longer-term recipients and General Assistance clients. Property tax relief programs continue to take the hits they have taken during the last biennium, as advanced by the Baldacci Administration and enacted by the last Legislature.

Here are the specifics on municipal impacts.

Municipal Revenue Sharing. The proposed budget makes two major changes to the law governing municipal revenue sharing.

First, it ends the program as a direct sharing program and makes its annual funding a matter of year-to-year appropriations. Under the revenue sharing law that has been in place for nearly 40 years, a certain percentage of the state's sales and income tax revenue is dedicated to the purpose of reducing property taxes throughout the state. It is because of that structural dedication, in fact, that it is called a revenue "sharing" program. The Governor's proposed budget repeals that element of the law and makes revenue sharing a simple appropriation; that is, the Governor and the Legislature would determine the amount of General Fund revenue to distribute to the municipalities for any given year.

The appropriation Governor LePage is recommending for revenue sharing for the next fiscal year (FY 2012) cuts \$42.4 million from what otherwise would be distributed, a 31% reduction. For the second year of the biennium, the Governor is proposing a cut of \$50 million from what the current revenue sharing system would provide, a 35% reduction.

After those cuts, for each year of the biennium, \$94 million would be distributed in revenue sharing; \$76 million in the "Rev I" distribution and \$18 million in the "Rev II" distribution. \$94 million is roughly the same amount that will be distributed during this current fiscal year, after the \$35 million raid enacted a year ago and the \$2.8 million raid enhancement enacted in a supplemental state budget last week.

After this year's cuts, 3.5% of state sales and income tax revenue will be distributed through the municipal revenue sharing program rather than the 5% long-established in law. For next year, with a distribution of \$94 million, approximately 3.4% of state sales and income tax revenue would be provided as revenue sharing. It has been over 30 years since such a low level of sharing has been provided by the state.

General Purpose Aid to Education (GPA). The Governor's approach to K-12 school funding is to provide modest increases for each year of the biennium.

The GPA appropriation for the current fiscal year is \$873 million. Under the proposed budget, the appropriation would increase by \$23 million for FY 2012 to \$895 million, a 2.6% increase. The proposed appropriation for FY 2013 is \$914 million, a 2.1% year-to-year increase.

For municipal officials still paying attention to the state's progress toward the "55%" standard established in law but never achieved, the proposed GPA appropriation for both years of the biennium is 45% of the full cost of K-12 education as measured by the Essential Programs and Services school funding model (EPS).

General Assistance. Changing the fundamental structure of the municipal revenue sharing program is a very significant change in policy. Another significant change in policy is the Governor's proposed changes to the General Assistance program.

Once-a-year GA. Currently, and for as far back as anyone alive can remember, General Assistance has been a program that focuses on providing short-term assistance on the basis of an analysis of the applicant's immediate needs. The analysis covers a 30-day period and assistance is provided to a qualifying applicant for a period of time no longer than 30 days. The process starts over again if the applicant is still in need in any subsequent 30-day period.

The Governor's proposed change would apparently keep in place the system of determining a benefit for a period of no more than 30 days, but it would limit all applicants to receiving GA just once a year.

Reimbursement cut-back. As a general rule, the state reimburses 50% of the cost of GA benefits provided by the towns and cities. There is a "circuit breaker" in the law that provides enhanced 90% reimbursement for the cost of benefits that exceed a certain threshold of spending based on the municipality's valuation. The Governor is proposing to reduce that circuitbreaker reimbursement from 90% to 75%. A proposal of this nature was advanced last year by the Baldacci Administration. At that time, the affected municipalities included Portland, Bangor, Caribou and Mexico.

Tighten-ups. The Governor's GA proposal also includes:

- Extending the period of disqualification for fraud and non-compliance with workfare or work search requirements from 120 days to 180 days.

- Creating a 180-day period of disqualification for applicant's who forfeit the receipt of benefits from other public assistance programs because of fraud or violation of program rules.
- Creating a strict 120-day period of disqualification for applicants who refuse to utilize potential resources.

TANF/Medicaid. The proposed budget also makes a number of substantive changes to the state's design of the state-federal TANF and Medicaid programs that could result in GA impacts. We will attempt to detail those changes at a later date, after we learn more about their actual impacts. In summary, legal immigrants who are not involved in an established refugee resettlement program would be ineligible for benefits from federal and shared state-federal welfare programs until they had established residency for a period of 5 years. TANF recipients would be ineligible to receive TANF cash-assistance benefits after being on the program for 5 years. Also, people receiving assistance from the state-federal programs who have convicted of drug-related crimes would have to undergo periodic drug testing to continue receiving benefits.

"Circuit Breaker" and BETR. Over the past biennium the property tax and rent rebates provided under the so-called "Circuit Breaker" program have been reduced by 20%. That policy would continue over the next biennium.

Also, the business tax rebates provided under the Business Equipment Tax Reimbursement Program (BETR) has been reduced by 10% over the last biennium. That policy, also, would continue through the next biennium.

Gas Tax Indexing. For a number of years, a system has been put in place that somewhat automatically increases the motor fuel excise tax rates (a.k.a., the "gas tax") according to the consumer price index. The system is somewhat automatic because the annual increase is annually subject to either adoption or rejection by the Legislature. The Governor's proposed budget repeals the gas tax rate indexing system.

Highway Fund boost in FY 2013. The proposed budget transfers \$20 million from the state's General Fund to the Highway Fund in the second year of the biennium.

Homestead Exemption and Tree Growth Reimbursement. The Governor's budget proposes no changes to Homestead Exemption program as currently configured, and it allows the Tree Growth reimbursement program to operate as designed, without raiding money from that account.

State Planning Office deconstructed. The proposed budget bill also establishes a committee of seven state agency commissioners. This working group is charged with essentially deconstructing the State Planning Office by developing a plan that transfers the personnel and responsibilities of that Office to other departments and agencies within state government. The working group's recommendation, along with implanting legislation, is scheduled to be submitted to the Legislature for consideration next January.



8e

From: Laura Veilleux <lveilleux@memun.org>
Subject: **Public Hearing on State Budget Proposal regarding Municipal Revenue Sharing**
Date: February 23, 2011 2:47:02 PM EST
To: "keymunicipalofficials@imail.memun.org" <keymunicipalofficials@imail.memun.org>
Cc: Geoff Herman <gherman@memun.org>, Kate Dufour <kdufour@memun.org>, Greg Connors <gconnors@memun.org>, "additon, abe" <townofleeds@fairpoint.net>, "aho, glenn" <gaho@auburnmaine.gov>, "aloes, elaine" <chelaloe@yahoo.com>, "anton, john" <janton1@maine.rr.com>, "armitage, will" <warmitage@town.falmouth.me.us>, "atwood, debbie" <dratwood@brunswickme.org>, "barrett, ed" <ebarrett@lewistonmaine.gov>, "bartlett, richard" <bart@beeline-online.net>, "bennett, james" <jbennett@presqueisleme.us>, "brooks, joe" <joebrooks@wildblue.net>, "bubier, john" <jbubier@biddefordmaine.org>, "buccina, gregory" <gbuccina@roadrunner.com>, "buck, steven" <manager@cariboumaine.org>, "burke, david" <tburkekids@comcast.net>, "byron, michael" <ironmike928@aol.com>, "byron, michael 2" <m.byron@litchfieldmaine.org>, "carroll, don" <bigdonc@tds.net>, "chapman, william" <wchapman@town.rockport.me.us>, Chris Lockwood <clockwood@memun.org>, "clukey, jack" <jclukey@doover-foxcroft.org>, "cole, david" <dcole@gorham.me.us>, "conlogue, gene" <manager@millinocket.org>, "coward, thomas" <tcoward@southportland.org>, "crockett, larissa" <larissaandethan@msn.com>, "crooker, michael" <crookerm@glenburn.net>, "davis, richard" <rdavis@farmington-maine.org>, "deschene, clint" <cdeschene@hermon.net>, "dunning, pamela" <pjld@roadrunner.com>, "eldridge, stephen" <seldridge@lisbonme.org>, Eric Conrad <econrad@memun.org>, "farnham, ralph" <jporter@oaklandmaine.com>, "finnigan, patricia" <pfinnigan@portlandmaine.gov>, "fortier, gary" <garyfort@roadrunner.com>, "gilbert, Sr., Laurent" <gilbertmayor@aol.com>, "giroux, bill" <wgiroux@cityofbath.com>, "hall, tom" <thall@ci.scarborough.me.us>, "hanslip, joseph" <jhanslip@sanfordmaine.org>, "hawkins, douglas" <parsonsfild-selectmen@roadrunner.com>, "hile, pamela" <townadministrator@westbath.org>, "kulow, rosemary" <rkulow@ci.rockland.me.us>, "larrabee, galen" <gdlarrab@uninets.net>, "lee, dana" <dlee@polandtownoffice.org>, "loughlin, christopher" 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To: Key Municipal Officials
MMA's Legislative Policy Committee
MMA's Executive Committee

Fr: Geoff Herman

Re: Public Hearing on State Budget Proposal regarding Municipal Revenue Sharing

Date: February 23, 2011

The hearing schedule has just been made public for all the items in the biennial state budget document recently released by Governor LePage.

The public hearing for the elements of the proposed state budget dealing with municipal revenue sharing is scheduled for:

**Tuesday, March 1, 2011
1:00 p.m.
Appropriations Committee Room (Room 228)
State House**

The Appropriations Committee and the Taxation Committee will be together in the Appropriation's Committee room to take this public testimony. We are fortunate in that the municipal revenue sharing program is the primary topic of discussion for the entire afternoon, and it is not likely that municipal officials attending the hearing will have to wait until the late afternoon or evening before having a chance to give testimony.

As you are hopefully aware, the Governor's proposed budget would repeal the municipal revenue sharing program as it currently exists and as it has existed for many decades. Instead of sharing 5% of state sales and income tax revenues with the municipalities for property tax relief according to a rational distribution formula, the program would become subject to an annual appropriation. If the Governor's proposal is adopted by the Legislature, the amount of funding to be made available for property tax relief, and the conditions of distribution, would be subject to an annual decision made by the Governor and the Legislature.

For the next two years, the Governor is proposing a "revenue sharing" distribution of \$94 million, which is over \$42 million short of what would be provided in revenue sharing next year under current law, and a full \$50 million short of is projected to be provided under current law in FY 2013.

We hope that you are talking to your legislators and expressing your opinion about this proposal. We would also like to invite any municipal officials interested in participating in the public hearing process to join us for lunch at the Maine Municipal Association before the scheduled public hearing in order to learn more about the Governor's proposal, brush-up on the protocols associated with testifying before legislative committees, and share with your colleagues the various ways we will try to persuade the Legislature not to gut the revenue sharing program.

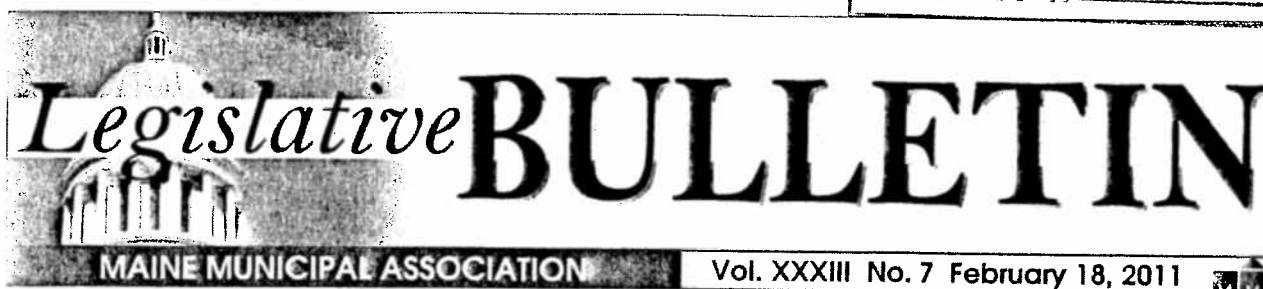
For any municipal officials intending to submit written testimony to the two committees, the request

is to provide at least 45 copies for committee distribution.

Our plan is to have a lunch available here at the MMA building beginning at 11:00 a.m. on Tuesday, March 1 for anyone interested in participating in the public hearing. After the lunch and discussion, around 12:15-12:30 p.m., we will be working our way over to the State House.

In order to plan for next Tuesday, it would be very helpful if you could RSVP to this notice by indicating if one or more municipal officials from your community would like to join us for that luncheon by noon on Monday, February 28th.

Thank you.



Vol. XXXIII No. 7 February 18, 2011

Review of Governor LePage's Proposed Biennial Budget

Projected Revenue Sharing and GPA Distributions Now Available On-line

On Monday this week, MMA distributed a description of the municipally-related elements of the proposed biennial state budget released by Governor LePage on February 11th.

Here is a brief re-cap of that review:

Municipal Revenue Sharing. The proposed budget makes two major changes to the law governing municipal revenue sharing.

First, it repeals revenue sharing as an actual sharing program, which has been the law for nearly 40 years, and makes the annual funding for revenue sharing a matter of year-to-year appropriation. Whatever the Governor and the Legislature agree upon will be the distributed amount.

Second, the appropriation Governor LePage is recommending for revenue sharing for both years of the upcoming biennium is \$94 million. Of that total amount, \$76 million would be distributed in the "Rev I" distribution and \$18 million would be distributed in the "Rev II" distribution.

For the next fiscal year (FY 2012) the recommended appropriation of \$94 million is \$42.4 million less than would be distributed if the true "revenue sharing" program that is in current law would be allowed to operate as designed. That's a 31% reduction.

For the second year in the biennium (FY 2013), the appropriation of \$94 million represents a \$50 million reduction of what would be distributed according to current state revenue projections, a 35% reduction.

To look at it another way, the \$94

million appropriation represents 3.4% of projected state sales and income tax revenue rather than the dedication of 5% of those revenues, which is where the revenue sharing dedication has been for at least 25 years.

A town-by-town projection of revenue sharing distribution for FY 2012 according to this proposed budget is now posted at MMA's website at www.memun.org (see "Spreadsheets and other information

for municipal budgeteers"). Also available there, as well as on the Department of Education's website, is the projected distribution of General Purpose Aid to Education for each school system.

General Purpose Aid to Education (GPA). The Governor's approach to K-12 school funding is to provide modest increases for each year of the biennium.

The GPA appropriation for the current

(continued on page 2)

Election Reform Proposals – Policies or Politics?

On Wednesday this week, the Veterans and Legal Affairs Committee held a lengthy public hearing on several election reform bills. Of interest to municipal officials were two bills; one requiring voters to provide photo identification before casting a ballot, and the other eliminating same day voter registration.

Legislation affecting the management of elections is of particular interest to municipalities. Maine's towns and cities provide the direct service and actually cover the costs of providing the privilege of casting your ballot in federal, state and local elections throughout the state.

As would be expected, these two controversial bills generated much public comment.

Say Cheese

As the primary sponsor of the bill, Rep. Richard Cebra of Naples led off the public hearing on LD 199, *An Act*

to Strengthen Maine's Election Laws by Requiring Photograph Identification for the Purpose of Voting. Rep. Cebra testified that his interest in moving forward with bill was in part motivated by a 6 to 3 vote of the United States Supreme Court allowing states to require photo identification as a condition of voting. In addition to many of the observations offered by Justice Paul Stevens, one which struck a particular chord with Rep. Cebra was that the "risk of fraud is real", suggesting that states have a responsibility for ensuring that all appropriate measures are taken protect the integrity of the elections process. Rep. Cebra noted that his constituents strongly support this legislation.

As drafted, LD 199 has two parts. The first part adds proof of identity through photo identification to the list of mandatory voter check-in requirements. The second part of the bill directs the

(continued on page 3)

Keeping Maine Open for Business

Although it is still early tell, all signs suggest that the theme of this legislative session will be "Maine is open for business". The Legislature's Committee on Regulatory Fairness and Reform continues to engage in hearings and work sessions and otherwise develop plans for tearing down the regulatory barriers that discourage business development in Maine. Some would say that the members of the State and Local Government Committee contributed to that goal on Wednesday this week by unanimously supporting an amended version of LD 86, *An Act to Provide Certainty to Businesses and Development*.

A description of LD 86 and the public hearing on the proposal was provided in the last week's (February 11th) *Legislative Bulletin*.

As amended, the bill limits a developer's exposure to the retroactive application of development ordinance changes to 45 days after all municipal land use permits have been finally issued. As proposed in the printed bill, the limit was 75 days, but the business community was pushing for a 30 day limit. The Committee's 45-day amendment appears to have balanced the need to provide businesses a level of certainty with the need to preserve the rights of residents to challenge development practices in their communities.

Although the municipal community is sympathetic to the needs of the business community and has no objections to the bill as amended by Committee, municipal officials continue to struggle

to find documentation of recent cases that suggest that a change of this nature is necessary.

As an example, the Committee amendment also includes language further "clarifying" that any ordinance changes to subsidiary permits that may be required, for example, after the issuance of a subdivision approval, cannot nullify an issued primary permit provided that the 45 day reach back period has expired. This amendment, based apparently on hypotheticals, was advanced by the Maine Real Estate and Development Association.

Enactment of the legislation is now in the hands of the entire Legislature.

Budget Review (cont'd)

fiscal year is \$873 million. Under the proposed budget, the appropriation would increase by \$23 million for FY 2012 to \$895 million, a 2.6% increase. The proposed appropriation for FY 2013 is \$914 million, a 2.1% year-to-year increase.

For municipal officials still paying attention to the state's progress toward the "55%" standard established in law but never achieved, the proposed GPA appropriation for both years of the biennium is 45% of the full cost of K-12 education as measured by the Essential Programs and Services school funding model (EPS). The difference between 45% of state funding for public education and 55% state funding is approximately \$200 million a year.

General Assistance. The Governor's proposed biennial budget also would make significant changes to the municipal General Assistance program. These changes include:

Once-a-year GA. Under the Governor's proposed budget, anyone qualifying for General Assistance benefits, which are calculated according to a 30-day analysis of need, could receive the benefits only once a year. It's a proposal that challenges a rational explanation.

Reimbursement cut-back. Currently, a "circuit breaker" General Assistance reimbursement formula provides enhanced reimbursement for communities with extraordinary exposure to

General Assistance costs. The Governor is proposing to cut that circuit breaker reimbursement formula from 90% of those extraordinary costs to 75% of those costs.

Tighten-ups. The Governor's General Assistance proposal would also:

- Extend the period of disqualification for fraud and non-compliance with workfare or work search requirements from 120 days to 180 days.

- Create a 180-day period of disqualification for applicant's who forfeit the receipt of benefits from other public assistance programs because of fraud or violation of program rules.

- Create a strict 120-day period of disqualification for applicants who refuse to utilize potential resources.

"Circuit Breaker" and BETR.

Over the past biennium the property tax and rent rebates provided under the so-called "Circuit Breaker" program have been reduced by 20%. That policy would continue over the next biennium.

Also, the business tax rebates provided under the Business Equipment Tax Reimbursement Program (BETR) has been reduced by 10% over the last biennium. That policy, also, would continue through the next biennium.

Gas Tax Indexing. For a number of years, a system has been put in place that somewhat automatically increases the motor fuel excise tax rates (a.k.a., the "gas tax") according to the consumer price index. The system is somewhat automatic because the annual increase is annually subject to either adoption or rejection by the Legislature. The Governor's proposed budget repeals the gas tax rate indexing system.

Highway Fund boost in FY 2013.

The proposed budget transfers \$20 million from the state's General Fund to the Highway Fund in the second year of the biennium.

Homestead Exemption and Tree Growth Reimbursement. The Governor's budget proposes no changes to Homestead Exemption program as currently configured, and it allows the Tree Growth reimbursement program to operate as designed, without raiding money from that account.

A full description of Governor LePage's proposed supplemental budget as it relates to local government is available at www.mcmun.org.

Legislative Bulletin

A weekly publication of the Maine Municipal Association throughout sessions of the Maine State Legislature.

Subscriptions to the *Bulletin* are available at a rate of \$20 per calendar year. Inquiries regarding subscriptions or opinions expressed in this publication should be addressed to: *Legislative Bulletin*, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330. Tel: 623-8428. Website: www.mcmun.org

Editorial Staff: Greg Connors, Kate Dufour, Geoff Herman, and Laura Veilleux of the State & Federal Relations staff.

Election Reform (cont'd)

Secretary of State to establish the types of photo id that will be deemed acceptable. However, at the public hearing Rep. Cebra stated that as originally crafted the second part of the bill had also directed the Secretary of State to develop a mechanism to allow voters who show up at the polls without the appropriate identification to cast a challenged ballot. However, he decided not to move forward with that element of the bill because he felt that those types of decisions were more appropriately the responsibility of the Veterans and Legal Affairs Committee members.

As a co-sponsor of LD 199, Senator Deb Plowman (Penobscot Cty.) provided an example of why LD 199 was necessary from her perspective. As a poll watcher in the 2000 election, Sen. Plowman witnessed the frustration and anger experienced by a legitimate voter who learned when checking into the polling place that his vote had already been cast. Although the voter was ultimately allowed to cast a challenged ballot, his trust in the system was shaken. Sen. Plowman wants to ensure that does not happen again.

Secretary of State, Charles Summers, chief legal counsel to Governor LePage, Dan Billings, and several citizens also provided testimony in favor of the bill.

Although Secretary Summers supported the bill, he told the Committee that certain safeguards need to be built into the system, including: 1) the provision of a free photo identification system for those who do not have photo identification already; 2) a phased-in implementation of the photo id requirement to allow voters to grow accustomed to the new process; 3) a public education campaign to make voters aware of the new requirement; and 4) the adoption of a mechanism for allowing voters without proper identification to cast provisional ballots. Under the provisional ballot process, Secretary Summers envisions a system where a voter would be provided three days to present an acceptable identification to the municipal clerk. If after three days the voter failed to provide the identification, the ballot would be voided.

When asked how many cases of voter fraud had been filed in Maine, the

Secretary shared that in 2008 there were 300 reported claims of fraud. After an investigation of those reports, charges were filed on two of the claims.

Dan Billings also provided testimony in support of LD 199 on behalf of Governor LePage. Mr. Billings believes that the disruption, citizen uprising and lack of faith in the leaders of other countries across the world is directly tied to flawed and corrupt voting procedures in those countries. He further observed that while those problems are not prevalent in the United States, policymakers must continue to adopt measures that protect the integrity of the election process. Mr. Billings also acknowledged that amendments to the bill were necessary to address legitimate concerns.

Members of the public testifying in support of the bill generally expressed an interest in protecting the integrity of the election system.

Those opposing the bill included representatives from Maine Civil Liberties Union, Maine League of Women Voters, AARP, Preble Street Resource Center, and the Disability Rights Center. The opponents expressed concerns that the photo identification requirement, whether it is for economic, accessibility or mobility reasons, will disenfranchise voters.

MMA provided provisional testimony in opposition of the bill, because at that time the Association's Legislative Policy Committee (LPC) had not yet taken an official position on LD 199. However, on Thursday of this week, the LPC voted to oppose the bill because municipal officials believe that the photo identification mandate would disenfranchise voters and is generally unnecessary given the close familiarity Maine's election officials have with each town's qualified voters.

A work session on LD 199 will be held on Friday, February 25th at 10:00 a.m.

Planning Ahead

After a riveting discussion on the photo identification bill, the Committee jumped from the frying pan into the fire as it opened the public hearing on LD 203, *An Act to Assist Municipal Clerks by Providing Adequate Time to Register to Vote*. The bill, sponsored by Rep. Gary Knight of Livermore Falls, would close

the voter registration system seven days before the election. In other words, in order to participate in an election, potential voters would have to register one week before the election. This would be a significant amendment to Maine's existing "same day" voter registration policy.

In his testimony, Rep. Knight stated that he introduced the bill to help relieve the burdens that are placed on the municipal officials responsible for conducting the state's elections. While, he believes that election officials statewide are talented, efficient and capable people, they need time to properly conduct elections. Rep. Knight also stated that he was open to amending the bill to shorten the voter registration cutoff date to 2 or 3 days before the election. Sen. Doug Thomas of Somerset County, a co-sponsor, also testified in favor of LD 203.

Deputy Secretary of State, Julie Flynn, provided testimony in support of LD 203. She informed the Committee that the Office would be introducing agency-level legislation that would propose making changes to state election laws with the goal of preserving the balance between the workload of election officials and voter access to the election process. Same day voter registration will be addressed in the agency bill. As a result of those efforts, Ms. Flynn asked the Committee to postpone the work session on LD 203 until the Office's bill had been printed and submitted for consideration.

Many opponents of the photo identification bill (LD 199), including representatives from Maine Civil Liberties Union, Maine League of Women Voters, and Preble Street Resource Center, also testified against LD 203. Once again, the concern raised by the opponents was access to the ballot box and the disenfranchisement of voters.

MMA provided testimony "neither for nor against" the bill because the LPC had not yet taken a position on the bill. However, on Thursday this week, the LPC voted to oppose LD 203. While municipal officials greatly appreciate the effort of the sponsors, they believe that the state's same day voter registration appropriately guarantees resident access to the ballot box.

A work session on LD 203 has tentatively be schedule for next Friday, February 25th at 10 a.m.

WHAT'S ALL THE STINK ABOUT?

Landfill Gas and Odor Control Rules

On Tuesday, February 15th, the Environment and Natural Resources Committee held a public hearing on LD 180, *Resolve, To Change Rules Concerning Landfill Gas and Odor Management from Routine Technical Rules to Major Substantive Rules*.

Backfill. Legislation adopted in 2008 required that the Department of Environmental Protection (DEP) adopt "routine technical" rules concerning landfill gas and odor management incorporating quantitative standards that can be used to measure compliance. The introduction and adoption of this resolve was initiated by a couple of incidents concerning odor issues and ground water contamination at solid waste facilities in Maine. In January 2009, DEP submitted a report concerning the examination of solid waste odor regulation from the point of disposition of the waste through disposal of the waste at a solid waste disposal facility, including odor regulation related to transportation of the waste.

Along with presenting this report to the Natural Resources Committee, DEP was also required to provide an update on the status of the rulemaking efforts. From that point, DEP entered into a year-long rule development process. In October 2010, DEP was ready to post the rules to begin the formal adoption process but decided to wait in order to let the incoming Administration review these routine technical rules. "Routine technical" rules, unlike "major substantive" rules, can be adopted at the state agency level without legislative oversight or approval.

Testimony. The sponsor of LD 180, Representative Bernard Ayotte of Caswell, introduced his bill, and was followed by a representative from Tri-Community Recycling and Sanitary Landfill in Fort Fairfield, who testified in support of the resolve. Some of the others testifying in support of the LD 180 included a district manager of a landfill, the director of the Penobscot Energy Recovery Corporation's Municipal Review Committee, the superintendent of solid waste for the City of Lewiston, and the Maine Municipal Association. All of the testimony revolved

around the significant cost impact that the proposed rules would have on solid waste facilities. Estimated capital expenditures to comply with some of the proposed rules could run over \$1,000,000 and also add tens of thousands of dollars worth of additional costs to the annual operating budget of solid waste facilities. This seemed significant to the individuals testifying and therefore the consensus was the rules needed to be upgraded to the "major substantive" category to ensure full legislative review of the financial impacts.

An official from DEP testified neither for nor against the resolve and simply provided the Committee members with the details of what has happened to date at DEP and where the Department is with the rulemaking process.

No one testified in opposition to LD 180.

Changing the Rules. According

to Title 5, Section 8071, subsection 2, "major substantive" rules are rules that (among other findings) are expected in the judgment of Legislature to result in state mandates on units of local government or place a serious burden on the public or units of local government. MMA thought that even if there was some question as to how significant an impact it would have on municipally owned solid waste facilities, the uncertainty of the cost associated with the proposed rules should be reason enough to change the rules to "major substantive." After hearing from a few representatives out in the field, there was not much doubt left that there could be a significant financial impact.

Work Session. Apparently the Committee agreed and went into work session right after the public hearing and unanimously voted to report the resolve out of Committee as Ought to Pass.

Divided Report on Sex Offender Residency Ordinance Bill

As originally proposed by Sen. Jonathan Courtney of York County, LD 8, *An Act to Increase the Maximum Distance from a School within Which a Sex Offender May Not Reside That may Be Set by Municipal Ordinance* would authorize municipalities to voluntarily adopt ordinances that restrict the residences of sex offenders from no more than 2,500 feet from private or public schools or municipally-owned areas where children are the primary users. Under existing laws, municipal ordinance authority to establish these kinds of set-backs is limited to no more than 750 feet.

After conducting a public hearing and two work sessions on the bill, the Committee's final recommendation on LD 8 is divided. Although divided reports are not uncommon, perfectly divided reports are not the norm. This Committee report is evenly divided at 6 to 6. It will be up to the full Legislature to break the tie.

Six members of the Committee are recommending that LD 8 "ought not to pass". These Committee members believe that sex offender residency requirements do not work as intended and are actually detrimental to public safety.

Six other members of the Committee, however, believe that in communities without local-level police departments, the adoption of sex offender residency ordinances play an important role in enhancing public safety. As a result, Rep David Burns of Whiting crafted the "ought to pass as amended" report.

As proposed in the "ought to pass as amended" report, communities without police chiefs would be authorized to enact residency restriction ordinances of up to 2,500 feet. Municipalities with police chiefs would be required to adhere to the existing 750 foot limitation.

The public safety debate on this issue will soon be before the entire Legislature for final resolution.

HELP WANTED: Discrimination Against Job Applicants with Criminal Records

On Wednesday, February 16th, the Labor, Commerce, Research and Economic Development Committee held a public hearing on LD 152, *An Act to Prohibit Employment Discrimination Based on a Prior Criminal Conviction*.

Background Check. The sponsor of LD 152, Representative Mark Bryant of Windham, introduced his bill by suggesting a substantive amendment. The printed bill made it so an employer could not disqualify an individual from employment or from an occupation requiring a license, permit or registration due to a job applicant's prior criminal conviction. The only exception to that requirement under the printed bill would be if the nature of the prior conviction had a reasonable relationship to the employment duties or licensed trade. It turns out that such a blanket prohibition on licensing discrimination would conflict with existing law in Title 5, Chapter 341, the Occupational Disqualification Act.

The amended bill removed any reference to licensing, permits or registration.

Pros. After the revised bill was introduced, approximately ten individuals testified in favor of LD 152. Of the supporters, one was an owner of a temporary employment agency that places former inmates in construction and excavation jobs. Another was a representative from the Maine Civil Liberties Union. Many of the other proponents were individuals that experienced difficulty landing a job because of their prior records or knew of friends who had the same experience. The message to the Committee from the supporters of LD 152 was unified and clear. Employers should not exclude any individual from the hiring process and that individuals with a prior criminal conviction who become employed are less likely to recidivate. Individuals that had direct experience finding employment provided some compelling testimony as to how difficult it is to succeed within the existing system if you have a criminal record.

Cons. If the proponents laid out some good reasons to support LD 152, what about employment decisions based on the employer's needs and what is best for the

company that is hiring?

Testimony was presented to the Committee by approximately eight entities in opposition to this bill. The opponents included the Maine Municipal Association, the Maine State Chamber of Commerce, UNUM, the Maine Hospital Association, and the Maine Merchants Association. While understanding the difficult predicament some of these individuals have faced when trying to become employed, opponents of the bill had common concerns, including increased exposure to potential lawsuits, being held accountable for negligent hiring practices and the need to maintain, at least for certain jobs, the highest possible level of public trust.

One opponent cited a recent U.S. Supreme Court decision that found the employment practice of securing background checks were routine, reasonable and constitutional, and that employers are "entitled to have (their) projects staffed by reliable, law-abiding persons who will 'efficiently and effectively' discharge their duties." Therefore, this opponent to LD 152 believed that the bill will impinge on Maine employers' ability to carry out

their hiring activities in the way the U.S. Supreme Court believes they are entitled.

Walking the line. There was one individual from the Maine Coalition Against Sexual Assault that provided testimony neither for nor against the bill. This testimony supported the concept of the bill but believed that certain circumstances would warrant exclusion of certain sexual offenders in given settings, and that the burden of proof to determine whether the past criminal offense has a reasonable relationship to the nature of the employment may be too difficult for employers.

Committee Member Input. Many members of the Committee weighed in on this subject with comments to the individuals that testified before them. One Committee member inquired about providing incentives to employers. The Maine Municipal Association, along with other opponents of the bill, was asked to weigh in on whether enacting a law similar to the one in place in Kansas would pass muster. This is being reviewed and will be reported to the Committee during work session, which is scheduled for Wednesday, February 23rd.

Robbing Peter to Pay Peter

A public hearing was held on Tuesday this week for LD 52, *An Act to Dedicate a Percentage of the Sales and Use Tax on Motor Vehicles and Motor Vehicle Parts to the Highway Fund*. Sponsored by Rep. Richard Cebra (Naples), the bill would take \$32 million a year out of the state's General Fund and shift it over to the Highway Fund. According to the sponsor, the problems associated with properly funding the state's road, bridge and general transportation program are well known. A reduction in driving as a result of the bad economy, combined with improved gas mileage technology and a growing movement toward electric vehicles, is resulting in slumping gas tax revenues for the state's Highway Fund. LD 52 would re-establish a higher priority for the state's transportation programs within the overall state budget by

structurally moving some General Fund revenue generated by automobile-based transactions to the Highway Fund.

Several general contractors who provide the state and municipalities with road paving and reconstruction services testified in support of LD 52, along with John Melrose on behalf of the Maine Better Transportation Association (MBTA). The MBTA testimony characterized the LD 52 approach as the last viable option to properly fund the state's transportation needs if raising taxes for the Highway Fund is off the table and bonding for transportation projects is off the table and if it is recognized that the state's financial needs for road and bridge repair far exceed any level of "efficiencies" that can be possibly squeezed out of the Department of Transportation. If those

(continued on page 8)

LEGISLATIVE HEARINGS

Monday, February 21 (Holiday)

Tuesday, February 22 (State Shut-down Day)

Wednesday, February 23

Education & Cultural Affairs

Room 202, Cross State Office Building, 1:00 p.m.
Tel: 287-3125

LD 18 – An Act To Extend the School Year.

LD 395 – An Act To Mandate That the School Year Not Begin before September 1st.

Environment & Natural Resources

Room 214, Cross State Office Building, 9:00 a.m.
Tel: 287-4149

LD 245 – An Act To Amend the Laws Governing Waste Processing.

LD 262 – An Act To Expand Eligibility of Certain Municipal Landfills To Participate in the State's Remediation and Closure Program.

LD 261 – An Act To Eliminate Combined Sewer Overflows in Maine Waters.

State & Local Government

Room 216, Cross State Office Building, 1:00 p.m.
Tel: 287-1330

LD 322 – An Act To Repeal the Informed Growth Act.

Veterans & Legal Affairs

Room 437, State House, 10:00 a.m.
Tel: 287-1310

LD 179 – An Act To Prohibit the Issuance of a 2nd Absentee Ballot under Certain Circumstances.

LD 277 – An Act To Make Disputed Ballots in State Elections Public.

Thursday, February 24

Agriculture, Conservation & Forestry

Room 206, Cross State Office Building, 10:00 a.m.
Tel: 287-1312

LD 190 – Resolve, Regarding Legislative Review of chapter 2-C: Voluntary Municipal Farm Support Program, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources.

Education & Cultural Affairs

Room 202, Cross State Office Building, 1:00 p.m.
Tel: 287-3125

LD 349 – An Act To Require the Inclusion of a Financial Statement on School Administrative Unit Bond Obligations When Voting on a School Construction Project.

LD 397 – An Act To Amend the Laws Governing Competitive Bidding for School Construction and Repair.

LD 236 – An Act To Require High School Students To Register To Vote as a Requirement for Graduation.

Energy, Utilities & Technology

Room 211, Cross State Office Building, 10:00 a.m.
Tel: 287-4143

LD 331 – Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission.

LD 407 – An Act To Require Clarification of the Dig Safe Standards.

Transportation

Room 126, State House, 1:00 p.m.
Tel: 287-4148

LD 235 – An Act To Include Antique Motorcycles on the List of Vehicles That Are Exempt from Inspection.

LD 246 – An Act To Require the Daytime Use of Headlights on Motor Vehicles.

LD 283 – An Act To Require That Motor Vehicles Be Clear of Solid Precipitation When Operated on Public Ways.

LD 288 – An Act To Amend the Laws Governing Municipal Motor Vehicle Registration and License Agent Fees.

Friday, February 25

Transportation

Room 126, State House, 9:00 a.m.
Tel: 287-4148

LD 249 – An Act To Allow Trained Local Law Enforcement Officers To Enforce Federal Motor Carrier Regulations.

LD 272 – An Act To Provide Funds for Municipal Sand and Salt Storage Facilities.

IN THE HOPPER

Agriculture, Conservation & Forestry

LD 591 – An Act To Prohibit the Use of Pesticides in Certain Circumstances. (Sponsored by Rep. McFadden of Dennysville; additional cosponsors.) (By Request)

This bill creates a general prohibition on the use of pesticides for a number of purposes, including removal of unwanted roadside vegetation when mechanical removal would be sufficiently controlling, and removal of unwanted vegetation at golf courses and public or private parks.

Criminal Justice & Public Safety

LD 562 – An Act Regarding Municipal Authority To Review Construction Permits for Public Buildings. (Sponsored by Sen. Courtney of York City; additional cosponsors.)

In 2009, legislation was enacted that permits municipalities to be delegated to perform certain development review functions, such as the life safety code, previously accomplished by the State Fire Marshall's Office provided the municipality was delegated by the Fire Marshall to perform that function. The types of development proposals that the municipality

could review in that delegated role were mercantile occupancies over 3,000 square feet, hotel and motels or a business occupancy of two or more stories. This bill opens up the potential municipal review capacity to the full complement of development proposals reviewed by the Fire Marshall's Office.

LD 578 – An Act To Allow Municipalities To Restrict the Possession of Firearms in Certain Circumstances. (Sponsored by Sen. Katz of Kennebec City; additional cosponsors.)

This bill provides a municipal legislative body with the authority to adopt an ordinance that restricts the carrying of firearms in the municipality's essential municipal offices and places of legislative assembly just as the State imposes those restrictions in its Capitol Area.

LD 658 – An Act To Modify the Requirement of a Permit To Carry a Concealed Weapon. (Sponsored by Rep. Crafts of Lisbon; additional cosponsors.)

This bill amends the laws governing the requirement to obtain a concealed weapons permit by restricting the circumstances where such a permit is necessary to when a person is in or entering: (1) a school; (2) a

polling place on election day; (3) a nuclear power plant or hydroelectric facility; (4) a structure, vehicle or craft owned by the state or political subdivision of the state; (5) a public event or private event permitted or licensed by a public entity; or (6) an establishment licensed for the on-premise consumption of alcohol that has posted a sign prohibiting the possession of weapons on the licensed premises. The bill also reduces the fee for obtaining a concealed weapons permit from \$35 to \$10 for an original application and \$20 to \$5 for a renewal.

LD 667 – An Act To Establish a Municipal and County Reimbursement Fee for Those Guilty of Crimes. (Sponsored by Rep. Willette of Presque Isle; additional cosponsors.)

This bill establishes an additional 10% surcharge on fines that are assessed against persons convicted of crimes and dedicates that revenue to the Government Operations Surcharge Fund for the purpose of paying out to municipal and county law enforcement agencies an amount equal to \$100 per criminal case on which a law enforcement officer works.

Health & Human Services

LD 539 – An Act To Build Accountability into the General Assistance Laws. (Sponsored by Rep. Strang Burgess of Cumberland; additional cosponsors.)

This bill makes both initial and repeat applicants who voluntarily abandon government or private resources without just cause ineligible to receive general assistance to replace the abandoned assistance for a period of 120 days from the date the applicant abandons the resource. The bill also makes an applicant who forfeits government or private resources due to fraud, misrepresentation, or intentional violation or refusal to comply with program rules without just cause, ineligible to receive general assistance to replace the forfeited assistance for the duration of the forfeiture or 120 days, whichever is greater.

Inland Fisheries & Wildlife

LD 634 – An Act To Allow a Person To Designate Information Submitted for a Hunting or Fishing License as Confidential. (Sponsored by Rep. Crockett of Bethel; additional cosponsors.)

This bill allows an applicant for a hunting or fishing license to indicate that the applicant's e-mail address, if provided in an application, is confidential. If confidentiality is indicated, the e-mail address must be kept confidentially except for the personnel of the Department of Inland Fisheries and Wildlife and in certain law enforcement circumstances.

Judiciary

LD 573 – An Act To Protect the Civil Rights of Citizens. (Sponsored by Sen. Snowe-Mellow of Androscoggin Cty; additional cosponsors.)

This bill authorizes a person to bring a civil action for a violation of the person's constitutional rights against a person acting "under the color" of a statute, ordinance, rule, regulation, custom or usage of the state or a political subdivision of the state.

State & Local Government

LD 497 – An Act To Amend the Powers and Duties of Municipal Treasurers. (Sponsored by Rep. Gifford of Lincoln; additional cosponsors.)

Current law authorizes a board of municipal officers to adopt policies to allow for the disbursement of funds with just a single signature of a board member rather than a majority of signatures in certain circumstances (e.g., payment of wages, the school warrant, state fees, etc.) and requires that policy to be reviewed and re-approved annually. This bill establishes that those policies remain in effect until amended or revoked.

Taxation

LD 507 – An Act To More Closely Coordinate the Classification of Forested Farmland under the Farm and Open Space Tax Laws with the Maine Tree Growth Tax Law. (Sponsored by Rep. Curtis of Madison; additional cosponsors.)

This bill provides that with respect to all transfers of land from enrollment in the Tree Growth program into the Farmland program occurring after July 1, 2011, the municipality will still receive Tree Growth reimbursement for that forested property even after a transfer, and the landowner must continue to comply with the forest management plan requirements associated with the forested land being transferred.

LD 550 – An Act To Provide a Property Tax Credit to Veterans. (Sponsored by Rep. Knight of Livermore Falls; additional cosponsors.)

This bill requires municipalities to provide a \$500 credit against the property taxes owed by a veteran who is eligible to receive a veteran's property tax exemption. The bill further authorizes the municipalities to apply for reimbursement from the State Tax Assessor for the total amount of credits the municipality had to provide.

LD 603 – Resolution, Proposing an Amendment to the Constitution of Maine To Require Approval by a 2/3 Vote of Each Branch of the Legislature in Order To Raise a Tax. (Sponsored by Sen. Courtney of York Cty; additional cosponsors.)

This resolve sends out to the voters a proposed amendment to the state Constitution that would require a 2/3 vote of the entire membership of the House and Senate in order to "raise a tax".

LD 623 – An Act To Reestablish the Municipal Revenue Sharing Program as a Compact between the State and Municipal Governments. (Sponsored by Sen. Saviello of Franklin Cty.)

This bill makes two substantive changes to the law establishing and governing the municipal revenue sharing program: (1) the bill adds a legislative finding to the findings and purpose subsection; and (2) the bill restructures the Local Government Fund, which is the depository of the municipal revenue sharing resources, as an irrevocable trust.

Transportation

LD 570 – An Act To Regulate the Use of Traffic Surveillance Cameras. (Sponsored by Sen. Brannigan of Cumberland County.)

This bill authorizes the use of automatic license plate recognition systems in the enforcement of motor vehicle violations.

LD 576 – An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2011. (Emergency) (Governor's Bill) (Sponsored by Sen. Collins of York Cty; additional cosponsors.)

This is the Governor's proposed two-year state budget bill related to transportation funding and other expenditures from the state's Highway Fund. Of particular interest to municipalities is an increase in the Urban Rural Initiative Program (local road assistance program) funding from \$23.4 million in FY 2011 to \$24.2 million in FY 2012 and \$26.4 million in FY 2013, and an \$800,000 appropriation to reimburse municipalities for sand/salt building projects. The bill also amends the policy regarding the use of the excise tax revenue paid by residents of island towns. Currently, under the supervision of the Department of Transportation 75% of that excise tax revenue must be used on the roads in the towns of Cranberry Isle, Frenchboro, Swan's Island, Isle au Haut, North Haven, Vinalhaven and Islesboro. As proposed, these funds, approximately \$110,000 annually, would be used to support the Island Ferry Service.

LD 597 – An Act To Provide Funding for the State Transit, Aviation and Rail Transportation Fund. (Sponsored by Sen. Collins of York Cty; additional cosponsors.)

There is a program under current law that provides funding from the Highway Fund to municipalities who have established public transportation programs meeting certain standards. Current law limits funding for the "transit bonus payment program" to no more than 2.5% of the funding that is provided to the Urban Rural Initiative Program (URIP), although funding for the transit bonus payment program does not come out of the URIP program. 2.5% of URIP funding is approximately \$60,000 per year. This bill removes the 2.5% cap. This bill also expands the source of funding for the State Transit, Aviation and Rail Transportation Fund (STAR) which is currently capitalized with 50% of the sales tax revenue generated by the 10% state sales tax applied to the value of short term automobile rentals. This bill would increase that funding for the STAR transportation program to 100% of that sales tax revenue.

LD 670 – An Act To Prohibit Certain Uses of Cellular Telephones and Handheld Electronic Devices while Operating a Motor Vehicle. (Sponsored by Rep. Dill of Cape Elizabeth; additional cosponsor.)

This bill prohibits the use of a handheld cellular telephone or electronic device while operating a motor vehicle, with exceptions for public safety officials and public works officials.

Robbing Peter (cont'd)

are all a given, according to MBTA, the only solution is to reprioritize spending toward the roads and away from some or all of the programs supported by the General Fund.

MMA testified in opposition to LD 52. The Association's Legislative Policy Committee had a vigorous debate on the subject at its January 27th meeting, and there is strong support at the municipal level for improving the state's deteriorating transportation infrastructure. Coincidentally, the work of the "Highway Simplification" study group, which was tasked with figuring out a way to reorganize the state and local responsibilities over the state's major and minor "collector" roads, identified \$30 million a year as the amount of additional money that would need to be made available over the next decade or so in order to bring all the "minor collector" roads in the state up to a "good repair" quality standard, where they

would not need capital improvements for at least a 10-year period. Despite all of the positive benefits of LD 52 with respect to the Highway Fund, the Legislative Policy Committee also had to consider the impacts of cutting \$30 million a year out of the state's General Fund.

Municipal governments and the property taxpayers that support municipal governments have been experiencing significant cuts in state financial support over the last several years because state General Fund revenues are insufficient to support such programs as the Homestead property tax exemption, the "circuit breaker" property tax and rent rebate program, and the Tree Growth reimbursement system. According to the proposed state budget submitted by Governor LePage, the state share of K-12 education for the next two years is pegged at 45% of the total cost of education as measured by the Essential Programs and Services school funding model, rather than 55% as established in Maine's school funding law. The difference between 55%

state funding and 45% state funding is approximately \$200 million a year. And every municipal officer is keenly aware of what has been done—and what is being proposed to be done—to the municipal revenue sharing program. All of that has occurred without an annual transfer of \$30 million out of the General Fund. Exactly what those various financial support and property tax relief programs would look like if there was \$30 million less to work with might be anybody's guess, but the damage to those programs would clearly not be restored.

The deterioration of the state's road and bridge infrastructure is a serious problem that needs to be addressed, but that deficiency is not squarely addressed by creating more serious problems elsewhere in the service delivery system.

On Thursday this week the Taxation Committee held a work session on LD 52 and voted to table the measure to provide time for the sponsor to work with interested parties to find alternative revenue sources to enhance the Highway Fund.

ITEM # 86

From: "Bob Kelly" <bkelly@webbertanks.com>
Subject: **General Comments to the Town**
Date: February 23, 2011 10:43:16 AM EST
To: veazietm@aol.com, "Bill Reed" <breed@veazie.net>
* 1 Attachment, 0.6 KB

Request From: Bob Kelly
Email: bkelly@webbertanks.com
Source IP: 70.16.110.184

Address: 22 Long Meadow Dr.
City: Veazie
State: Me
Zip: 04401
Phone: 207-852-4583 cell
Organization:

I want to thank Barney Silver for the job his crew has done this winter plowing. Nice to see snow plowed instead of sparks. My street has always been plowed and cleaned up by the time I need to leave for work. He also took the time to knock down the banks at the end of everyones driveways so we aren't all moving the sams snow over and over. Thanks Barnet and keep up the good work.



[Attach0.html \(0.6 KB\)](#)

From: "Dalton, Barb" <BDALTON@wlbz.gannett.com>
Subject: **Post-storm clean-ups by plow crew**
Date: February 16, 2011 2:04:33 PM EST
To: "Bill Reed (veazietm@aol.com)" <veazietm@aol.com>

Hi Bill,

I certainly respect the challenges that the plow crew faces each winter and overall I commend the Silver crew for doing a respectable job in their first year on this new contract. However, I became concerned about the welfare of many trees and shrubs when they started to do their "post-storm clean-ups" with the front end loader. While it helped to push the snow back from intersections and the ends of driveways, I think they went a little overboard pushing it onto people's lawns and particularly into shrubs and trees. You know I take great pride in our cul de sac and have put many of my own dollars and hours into it. They have pushed large chunks of snow onto the tender shrubs that have long-since been covered by snow. The damage won't be evident until it melts, but I'm sure many small branches have been snapped in the process. Add to that the damage that the salt and sand will do to the shrubs and we're going to be looking at replacing a number of them in the spring. I'm also not crazy about the sand, salt and rocks deposited onto my lawn when they push the snow back from the road. I know it's important for them to keep the streets wide enough for emergency vehicles, but I do believe they've gone way beyond that.

Again, I respect the challenges of their job and their obligation to keep the roads open and wide enough for emergency vehicles. I just ask that they be a little less aggressive with that front end loader. It will save them man hours and fuel if they make a few less scoops, too!

Thanks in advance for passing this along,

Barb

Barb Brown Dalton, Account Executive
WLBZ 2 ~ Bangor, Maine
Direct Line 207.991.5341
Mobile 207.356.5647
bdalton@wlbz.gannett.com

From: William Reed <veazietm@aol.com>
Subject: **Re: General Comments to the Town**
Date: February 14, 2011 8:34:14 AM EST
To: "Jane Robbins-Teel" <janerobbinsteel102@gmail.com>
Cc: rod hathaway <rod@mainetrailer.com>, Joe Friedman <jfriedman3@roadrunner.com>, Brian Perkins <Bperkins@apollo.umenfa.maine.edu>, Jon Parker <jparker@midmaine.com>, david king <vz801@myfairpoint.net>

Jane

I am sorry for that and will have them look into this today.

Thank you

William Reed
veazietm@aol.com

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On Feb 12, 2011, at 3:03 PM, Jane Robbins-Teel wrote:

Request From: Jane Robbins-Teel
Email: janerobbinsteel102@gmail.com
Source IP: 71.173.81.166

Address:
City:
State:
Zip:
Phone:
Organization:

Once again, Merrick Street has not been properly plowed during recent storms. This week the street is covered with rutted ice ... it appears that no salt nor sand has been used. I've left a message at Silver's as well.

<Attach0.html>

From: jparker@midmaine.com
Subject: **Re: Closing of office notice**
Date: February 2, 2011 3:40:52 PM EST
To: "William Reed" <veazietm@aol.com>
Reply-To: jparker@midmaine.com

Bill
Tony Micheud wanted to let the town and barney how much better the roads in Veazie are compared to bangor and orono. He said it was unbelievable the difference.
Jon

Sent from my U.S. Cellular BlackBerry® smartphone

From: William Reed <veazietm@aol.com>
Date: Wed, 2 Feb 2011 12:11:08 -0500
To: rod hathaway<rod@mainetrailer.com>; Jon Parker<jparker@midmaine.com>; Joe Friedman<jfriedman3@roadrunner.com>; david king<vz801@myfairpoint.net>; Brian Perkins<Bperkins@apollo.umenfa.maine.edu>
Cc: <ryoung@veazie.net>; Mark Leonard<vzchief800@yahoo.com>; <gmartin@midmaine.com>; Brian Stoyell<bstoyell@veazie.net>; Julie Reed<jdsreed@veazie.net>; Allan Thomas<arthomas@veazie.net>
Subject: Closing of office notice

Council Members and Department Heads;

We are closing the Town office at 12:30 to allow staff to travel home safely.

This is an FYI notice

Thank you for your time on this.

William Reed
veazietm@aol.com

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ITEM # 8h

Meeting of the Orono-Veazie Water District Trustees

Held at the District Office on February 8, 2011

Meeting # 391 called to order at 7:00 p.m.

Present: Chairman McCormack, Trustee Hall, Trustee Borneman, Trustee Fortier,
and Supt. Cross

Minutes of meeting # 390 approved as written.

- Item 1. A true list of water service assessments for January 2011 in the amount of
\$ 153,265.17 was committed to Dennis Cross, Treasure by vote of Trustees.
- Item 2. Rate increase has been filed, public comment period will be over mid February.
- Item 3. 60 hour test is done. Certificate of substantial completion was done on February
4, 2011.
- Item 4. Contract with Brantner, Thibodeau & Associates was signed by Chairman of
Trustees.
- Item 5. Dennis will set up a temporary disposal arrangement for residual disposal.
- Item 6. Trustees reviewed the Income & Expense Statement for January.
- Item 7. Trustees reviewed bids on truck and authorized Dennis to go with high bid.
- Item 8. The meeting adjourned at 7:45 p.m.
- Item 9. The next meeting will be held at the District Office at 7:00 p.m. on March 1,
2011.

Respectfully submitted,

John McCormack



Penobscot Energy Recovery Company

P.O. Box 160 • 29 Industrial Way
Orrington, Maine 04474
(207) 825 - 4566

ITEM # 81

ESOCO ORRINGTON, LLC.
Plant Operator

February 17, 2011

Town of Veazie
1084 N. Main St.
Bangor, ME 04401-7091

2010 Recycling Credit

Dear Municipal Official:

In 2010, PERC shipped a total of 10,267.15 tons of ferrous material to Kramer Scrap Division in Greenfield, MA to be recycled. This represents 3.2940% of the total waste processed by PERC in 2010.

The information printed on this document is to be used for your Annual Solid Waste Report.

Based on the 686.88 tons of MSW delivered by your municipality, your prorata share of the metal recycled by PERC is:

PERC PERCENT RECYCLED	MUNICIPALITY MSW DELIVERED	PRORATA SHARE
3.2940%	686.88	22.63

Very truly yours,

Penobscot Energy Recovery Co.
By: ESOCO Orrington, LLC..
Acting as Agent

Gary A. Stacey
Plant Controller