

AGENDA

ITEM

4.a.

CLINTON BOARD OF SELECTMEN
TUESDAY, JULY 14, 2009
6:30 P.M.
SELECTMEN'S ROOM, TOWN OFFICE

MINUTES

CALL TO ORDER: Chairman Towne called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE: Chairman Towne led the Pledge of Allegiance.

SELECTMEN PRESENT / QUORUM: Chairman Jeff Towne, Vice Chairman David Watson, II, Randy Clark, and Geraldine Dixon. Also present Town Manager James Rhodes and Town Clerk Pamela Violette. Selectman Cote absent.

EXECUTIVE SESSION: 1 M.R.S.A. § 405(6)(A) Personnel Matter

Selectman Clark moved Board enter Executive Session pursuant to 1 M.R.S.A. § 405(6)(A) to discuss a personnel matter at 6:31 p.m., second by Selectman Watson. Vote 4-0

Selectman Clark moved Board exit Executive Session at 6:36 p.m., second by Selectman Watson. Vote 4-0

Chairman Towne announced Town Manager James Rhodes' retirement effective December 29, 2009. The Board will start the search for a town manager in September.

ACTION ITEMS.

Approval of Selectmen's Meeting Minutes – June 23, 2009

Selectman Clark moved Board approve minutes of the June 23, 2009 Meeting, second by Selectman Watson. Three in favor, one abstained (Dixon).

Approval of Selectmen's Minutes – July 1, 2009.

Selectman Clark moved Board approve minutes of the July 1, 2009 Special Meeting, second by Selectman Watson. All in favor.

Approval of Special Selectmen's Meeting Minutes – Bid Award: Town Hall Roofing.

Selectman Clark moved Board award the Town Hall Roof bid to Precision Roofing, Inc., 2064 Bangor Road, Clinton, Maine for \$ 16,440, second by Selectman Dixon. Vote 4-0

July 14,2009 Selectmen Minutes

Chairman Towne said Precision Roofing was not the lowest bidder, but did include ice and water shield and allowed for four sheets of plywood, if needed, to be removed and installed. Any additional plywood will be \$40.00 per sheet.

Bid Award: 2009 Road Reconstruction / Paving.

Selectman Clark moved Board award the 2009 Road Reconstruction / Paving bid to Pike Industries, Inc., Fairfield, Maine for \$161,683.40, second by Selectman Dixon. Vote 4-0

Resolution 09-09: Authorization to Use Municipal Reserve Fund Account 2-738-01 Riverside Park for Fencing and Rip Rap Bank Stabilization at the Riverside Park.

Selectman Clark moved Board adopt Resolution 09-09, second by Selectman Dixon. Voted all in favor.

Chairman Towne read Resolution 09-09:

BOARD OF SELECTMEN AUTHORIZATION TO USE MUNICIPAL RESERVE
FUND ACCOUNT 2-738-01 RIVERSIDE PARK FOR FENCING AND RIP RAP
BANK STABILIZATION AT THE RIVERSIDE PARK

WHEREAS, state law 30-A §5802 specifies that the Municipal Officers (Board of Selectmen) are trustees of the Municipal Reserve Funds and as the trustees, the Board of Selectmen have the authority to expend funds from the reserve funds for their stated purposes; and

WHEREAS, the Town voted affirmatively on November 4, 2008 to amend Article 21 which was approved at the June 10, 2003 Town Meeting by deleting the following “for its contribution when seeking future State or Federal Grant moneys” and adding the following “for riverbank stabilization / rip rap, and / or fencing along the river bank”.

WHEREAS, Manter Construction of Maine, Inc., the General Contractor for the Mill Site Improvement Project has submitted a proposal for \$7,500 to complete the river bank rip rap stabilization and 80 feet of fence work. The proposal was submitted to the Board of Selectmen at the July 1, 2009 Special Board of Selectmen meeting. See attached proposal.

WHEREAS, the Parks and Recreation Board met and authorized the use of \$2,500 from their buildings and grounds account for the River Side Park project. See attached E-Mail.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SELECTMEN OF THE TOWN OF CLINTON, that the Town Manager is authorized to transfer \$ 5,000 from the Riverside Park Reserve Account 2-738-01 to Recreation Budget Account 16-007-01 to pay the \$7,500 for bank stabilization rip rap and fencing project.

July 14,2009 Selectmen Minutes

Sealed with the Seal of the Town of Clinton on this fourteenth day of July in the year Two Thousand Nine.

Resolution 09-10: Authorization to Use Municipal Reserve Fund Account 2- 739-01 Town Hall Roof to Re-shingle the Town Hall Roof

Selectman Clark moved Board adopt Resolution 09-10, second by Selectman Dixon.
Vote 4-0

Chairman Towne read Resolution 09-10:

**BOARD OF SELECTMEN AUTHORIZATION TO USE MUNICIPAL RESERVE
FUND ACCOUNT 2-739-01 TOWN HALL ROOF TO RESHINGLE THE TOWN
HALL ROOF**

WHEREAS, state law 30-A §5802 specifies that the Municipal Officers (Board of Selectmen) are trustees of the Municipal Reserve Funds and as the trustees, the Board of Selectmen have the authority to expend funds from the reserve funds for their stated purposes; and

WHEREAS, the Town Hall Roof bid has been awarded.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SELECTMEN OF THE TOWN OF CLINTON, that the Town Manager is authorized to transfer \$ 19,000 from the Town Hall Roof Reserve Account 2-739-01 to Town Hall Budget Account 02-007-01 Building/Grounds.

Sealed with the Seal of the Town of Clinton on this fourteenth day of July in the year Two Thousand Nine.

Board appointment of Kenneth Abbott to the Personnel Advisory Board

Selectman Clark moved Board appoint Kenneth Abbott to the Personnel Advisory Board for the term July 15, 2009 through June 30, 2012, second by Selectman Watson. Vote three in favor, one abstained (Dixon).

DISCUSSION ITEMS

Lorraine Taft: Insect predators threatening forests

Lorraine Taft, Clinton resident, gave a presentation on the infestation of the Asian Longhorned Beetle and the Emerald Ash Borer on behalf of the Department of Agriculture and the Department of Forestry.

July 14,2009 Selectmen Minutes

Transfer Station fees: Gerald Howard

Transfer Station Director Gerald Howard presented the Board of Selectmen with a new fee proposal for the transfer station.

Chairman Towne asked this be placed on the next agenda as an action item.

Proposal from William Gordon to sell land to Town

Town Manager Rhodes received a letter from William Gordon offering first refusal for a piece of property abutting the town ball field. The asking price of \$5,000. It is the consensus of the Board of Selectmen not to purchase the land.

Purchasing Policy review

Selectman Dixon said she would like to change the Purchasing Policy, Section 7 (3), (5), and (7) from \$5,000 to \$2,000.00.

Chairman Towne said Section 7 (4) may need additional language and this will be placed on the next agenda as an action item.

SUPPLEMENTS AND ABATEMENTS:

Selectman Clark moved Board approve Supplementary Assessment 15 in the amount of \$79.50, second by Selectman Dixon. Vote 4-0

Selectman Clark moved Board approve Supplementary Assessment 16 in the amount of \$75.00, second by Selectman Dixon. Vote 4-0

Selectman Clark moved Board approve Supplementary Assessment 17 in the amount of \$72.50, second by Selectman Watson. Vote 4-0

Selectman Clark moved Board approve Request for Abatement 2008/#20 in the amount of \$42.92, Veterans Exemption was not included, second by Selectman Dixon. Vote 4-0

TOWN MANAGER'S REPORT:

Excise Tax Initiative Impact

Town Manager Rhodes provided the Board of Selectmen with a printout from Maine Revenue Service concerning the loss of excise tax revenue if the citizen initiative is approved in November 2009. The estimated loss of revenue to the Town of Clinton is \$180,000, statewide the estimated loss is \$82 million.

Environmental performance of the PERC Facility

Town Manager Rhodes read from the report of the Environmental Performance of the PERC Facility: Yet again, we have reason to be proud of the results of these tests. Not only did the PERC facility comply with all of the standards in its air emissions license, but it performed significantly better than the license requirements – and by a wide margin.

Federal and State W-4 forms for Board of Selectmen

Town Manager Rhodes gave the Board of Selectmen W4s to fill out and return to the Town Office by next month.

Town Manager Rhodes announced Michael Hachey has been hired to work at the transfer station and will start on Tuesday, July 21, 2009. He also said Duke Wheeler's position has been advertised in-house. If not filled in-house, the applications received earlier in the month will be reviewed.

Town Manager Rhodes said the auditor will be in the Town Office July 20 and 21.

OLD/NEW BUSINESS:

Selectman Dixon asked for a plaque in Duke's memory to be placed at the transfer station. Town Manager Rhodes said he will have a plaque prepared.

Selectman Dixon said the Townspeople feel the police cruisers and town truck should stay in town and not taken home. Selectman Watson agreed.

Chairman Towne said this will be placed on the next agenda as a discussion item.

WARRANT: Selectman Clark moved to approve warrant 3 in the amount of \$193,411.81, second by Selectman Dixon. All in favor.

NEXT AGENDA ITEMS: Transfer Station fees
Purchasing policy
Town motor vehicles
CEO – ongoing cases update

Selectmen Watson asked if the gravel pit case has been resolved. Town Manager Rhodes said Mr. Poulin has been issued a driveway entrance permit.

COMMENTS / QUESTIONS FROM THE PUBLIC CONCERNING MATTERS NOT RELATED TO ITEMS ON THE AGENDA. The Board's rules of procedure have imposed a 15-minute total time limit.

No comments or questions were received from the public at the public comment table.

July 14,2009 Selectmen Minutes

ADJOURN: Selectman Clark moved to adjourn at 8:35 p.m., second by Selectman Watson . All in favor.

Respectfully submitted,

Pamela M. Violette
Town Clerk

AGENDA

ITEM

4.b.

**TOWN OF CLINTON
Purchasing Policy**

PURPOSE: The purpose of this policy is to develop, in writing, a standardized procedure for all purchases, which utilize Town funds, including the regulating of bids and contracts. It will apply to all Town Departments and, where applicable, to any Town Board or Committee which receives Town funding. No Maine State Sales Tax shall be incurred (the Town's Employer Identification Number [EIN] will be conspicuously printed on each purchase order).

PURCHASE ORDERS: It shall be the policy of the Town of Clinton that all purchases exceeding \$150 dollars and above made by any Town department or, where applicable, in behalf of any Town Board or Committee utilizing funds appropriated by the Town, will be accompanied by a purchase order. Purchase orders shall fall into the following categories:

1. **No purchase order necessary:** Purchases of \$150 dollars or less does not require a purchase order. No purchase order is required for ongoing services such as telephone, electricity, heating fuel, water and sewer, contracted services (e.g. EMS billing, custodial services, mowing, plowing, etc), EMS medical supplies, tax lien filings, or for other items for which the Town has entered into an agreement. This would also apply to regular purchases of gasoline for Town vehicles, where a credit card in the Town's name is used.

2. **Purchase orders for more than \$150:** These purchase orders will be obtained from the Town Manager's office **prior to** purchasing or ordering goods ,services or supplies by a department head. The original copy of the purchase order shall be given, mailed, or in the case of a telephoned or internet purchase, retained after the purchase order number and EIN, also sometimes referred to as the Town's tax exempt number) have been referenced. The department shall retain a copy until the invoice is presented for approval, at which time the copy (and original, if retained) shall be attached to the approved invoice and submitted for payment. Département heads are defined as Town Manager, Fire Chief, Police Chief, Director Solid Waste Transfer Station & Recycling Center, Highway Supervisor, Librarian, and Town Clerk / Office Manager. Designated Boards / Committees authorized to submit Purchase Order Request forms are Parks and Recreation Board Chair, Planning Board Chair, Economic Development Committee Chair, Community Development Committee Chair and Cemetery Committee Chair.

3. **Consolidated purchase order:** When multiple departments are having work performed by a single vendor simultaneously (e.g. boiler inspections; fire extinguisher annual inspections and maintenance), a single purchase order covering multiple departments shall be arranged.

4. **Emergency purchases:** It is recognized that emergency situations may arise when a purchase order cannot be obtained (evening hours, weekends, holidays, et cetera). Various situations can arise during these periods, such as need to replace a headlight, a "blown" hydraulic line, a need for towing, et cetera. In any such situation, the purchase may be made, and a retroactive purchase order for under \$2,000 shall be obtained within three (3) days of the incident. Emergency purchases of \$2,000 or more shall be approved by the Board of Selectmen at the next regularly scheduled meeting. In the event of a catastrophic situation which endangers public safety, such as a failure of a local bridge or culvert, a washout of a road, one or more large trees blocking a road, et cetera, it will not be necessary to obtain bids or a purchase order in order to alleviate the emergency. A retroactive purchase order, as described in this section, shall be obtained.

5. **Purchase Order Request Form:** The request for a purchase order will be made on a purchase order request form developed, and amended as may be required, by the Purchasing Agent (Town Manager). The Purchasing Agent, or Alternate Purchasing Agent (Town Clerk) in the absence of the Purchasing Agent, will issue the purchase order and number after receipt of purchase order request form, verification of fund availability in the designated department account and confirmation of the best prices for the requested goods, services or supplies.

6. **Unauthorized Purchases:** The unauthorized purchases of goods, services or supplies without an approved purchase order and number will cause the goods, services or supplies purchased to be returned and the vendor removed from the Town's approved vendor list.

7. All Departments will have the following stamp:

Date: _____
Department: _____
Auth. Signature: _____
Account #: _____

All invoices presented for payment must be stamped and required data filled out for accounting purposes. Also, Departments making purchases more than \$150.00 dollars a copy of the purchase order must be attached to the invoice.

Regulation of Bids and Contracts: The Board of Selectmen shall regulate the issuance of bids and the letting of contracts, subject to the following conditions:

(1.) The Town Manager, or others as may be appointed by the Board of Selectmen, shall have the authority to obligate the Town in a single purchase amount not to exceed ~~\$5,000~~ \$2,000 of budgeted items without prior approval of the Board of Selectmen, subject to the limitations specified below. The Town Manager may delegate part, or all, of such authority to persons responsible to him or her in order to make the most efficient use of funds, staff, and time available to him or her.

(2.) The Town will require written specifications and competitive written bids for all purchases of goods, services, or supplies in excess of ~~\$5,000~~, \$2,000, and for all professional services. Services for auditing, engineering, construction, consulting, legal counsel, and other such services shall be exempted from this policy. Written bids may be requested for goods, services, or supplies with an estimated value less than ~~\$5,000~~ \$2,000 if, in the opinion of the Town Manager, there would be a reasonable probability that in doing so, the Town would realize a monetary savings.

(3.) Proposals for goods and services requiring expenditures estimated to be equal to, or in excess of, ~~\$5,000~~ \$2,000 shall require prior approval of the Board of Selectmen before a request may be issued. Gravel, Summer Liquid Calcium, Culverts for road work are exempt from this requirement.

(4.) Specifications shall not be prepared so as to exclude all but one type, kind, or specific make and/or model, but shall encompass competitive supplies or equipment, for which competitive bids shall be secured before purchase, lease, or lease purchase by contract, or other agreement is formalized. However, unique or noncompetitive articles, which are determined to be sufficiently superior for the use or service intended by the Town by a department head and the Town Manager, subject to the approval of the Board of Selectmen, may be purchased without regard to other bids.

(5.) Requests for bids, proposals, or quotations requiring expenditures in excess of ~~\$5,000~~ \$2,000 shall be advertised by a notice to be published in a newspaper distributed within the Town or mailed to no less than three (3) companies, firms, or other legal entities with the capability of providing the goods or services needed. Those firms shall have an established reputation for providing quality goods and/or services. In addition to mailed proposals, those solicitations shall also be posted on the public bulletin board at the Town Office.

(6.) All bids, proposals, or quotations shall be submitted in sealed envelopes, and shall be received prior to, and opened in public at the hour and at the place stated in the specifications and notice. Facsimile or Internet bids, proposals, or quotations will not be considered. All original bids, proposals, or quotations, together with all documents pertaining to the award of any contract or purchase agreement, shall be retained and made a part of the permanent file or record, and shall be open to public inspection.

(7.) Purchases, services, contracts, and any other formal commitments in excess of ~~\$5,000~~ \$2,000 shall be awarded only after authorization by the Board of Selectmen.

(8.) The Town of Clinton shall reserve the right to reject any or all bids, proposals, or quotations, to waive any formality or technicality in any bid, proposal, or quotation under any single set of specifications, request for proposals, or quotations.

(9.) Awards shall normally be issued to the lowest and best bidder. However, there may be situations where the lowest bidder is not the best bidder. The Board of Selectmen shall consider all factors in determining which bid, proposal, or quotation is, in its judgment, in the best interest of the Town, and may vote accordingly. When

DRAFT

appropriate, the reason(s) for not awarding the bid, proposal, or contract to the lowest bidder shall be reduced to writing, and filed with the bid documents.

This Amended Purchasing Policy supersedes all previously approved Purchasing Policies.

This amended Purchasing Policy is approved by the Board of Selectmen on July 28, 2009 with an effective date of August 3, 2009.

DRAFT

AGENDA

ITEM

4.c.



Town of Clinton
27 Baker Street

426-8511 phone

Clinton, ME 04927

426-8323 fax

RESOLUTION 09-11

TRANSFER STATION / RECYCLING CENTER FEES

WHEREAS, Town Charter Section 2.06 (f) specifies the Board of Selectmen establish user fees for services, and;

WHEREAS, The current approved and proposed user fees at the Transfer Station / Recycling Center are as follows:

	<u>CURRENT</u>	<u>PROPOSED</u>
1. Refrigerators	\$15.00	\$ 8.00
2. Air Conditioners	\$19.00	\$10.00
3. Tires (no rims) 17" & under	\$ 2.50	\$ 2.00
4. Construction / Shingles / Sheetrock / Wood	\$95.00 / ton	\$95.00 / ton
5. Demo / Furniture & Carpets / Mattresses and Box Springs / Vacuum Cleaners / Children's Large Riding Plastic Toys or Plastic Yard Toys	\$95.00 / ton	\$95.00 / ton
6. Brush: Clinton / Benton Residents Only	\$61.50 / ton	FREE
7. Brush: All Out of Town Residents or Any Business	\$61.50 / ton	\$61.50 / ton
8. Metal	\$5.00 per large item	FREE
9. Commercial Haulers of Household Waste	\$65.00 / ton	\$72.50 / ton

NOW THEREFORE BE IT RESOLVED, that the proposed fees are approved with an effective date of August 11, 2009.

Sealed with the Seal of the Town of Clinton on this twenty-eight day of July in the year Two Thousand nine.

Jeffrey Towne

David Watson II

Randy Clark

Geraldine Dixon

Justin Cote



AGENDA

ITEM

5.b.

DYER GOODALL AND DENISON, P.A.

Attorneys at Law
61 Winthrop Street
Augusta, Maine 04330
Writer's E-Mail: mdenison@mainelanduselaw.com

Clifford H. Goodall
Mary A. Denison

Telephone
(207) 622-3693

Linda Smith Dyer
(1948 – 2001)

Fax:
(207) 622-4417

May 12, 2009

Judy Pellerin, Clerk
Waterville District Court
18 Colby St.
P.O. BOX 397
Waterville, ME 04903-0397

Re: Town of Clinton v. Charles McIntyre; Docket No. WATDC-CV-07-273

Dear Judy:

Enclosed please my Entry of Appearance in the above referenced matter. I understand that a final hearing is scheduled in this matter on May 21, 2009 at 1:00 pm. The Clinton Code Enforcement Officer, Bob Sharkey, has been prosecuting this action under Rule 80K. Bob has recently suffered some medical setbacks and the Clinton Town Manager has asked that I step in to assist in obtaining the final judgment in this matter rather than further delay the proceedings.

If you have any questions, please do not hesitate to call.

Best regards,



Mary A. Denison
Enclosure

cc: James Rhodes, Town of Clinton
Charles S. McIntyre

TOWN OF CLINTON,

Plaintiff

v.

CHARLES S. MCINTYRE,

Defendant

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)
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)
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)
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)
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)
)

ENTRY OF APPEARANCE

Please enter my appearance in the above-captioned case on behalf of the Plaintiff, Town of Clinton.

Dated: May 12, 2009



MARY A. DENISON, ESQUIRE

BAR NO: 9301

Dyer, Goodall & Denison, P.A.

61 Winthrop Street

Augusta, ME 04330

(207) 622-3693 (tel)

(207) 622-4417 (fax)

DYER GOODALL AND DENISON, P.A.

Attorneys at Law

61 Winthrop Street

Augusta, Maine 04330

Writer's E-Mail: mdenison@mainelanduselaw.com

Clifford H. Goodall
Mary A. Denison

Telephone
(207) 622-3693

Linda Smith Dyer
(1948 – 2001)

Fax:
(207) 622-4417

May 27, 2009

James Rhodes, Town Manager
Town of Clinton
27 Baker Street
Clinton, ME 04927-0219

RE: Town of Clinton v. Charles S. McIntyre
Docket No.: CV-07-274

Dear Jim:

Enclosed is a copy of the Judgment in the above-captioned case entered on May 21, 2009.

Please let me know if you have any questions.

Sincerely,



MARY A. DENISON

MAD/bas

Enclosure

and does not comply with automobile graveyard and junkyard requirements set forth in 30-M.R.S.A. §3753. Specifically, the Defendant was using the Property to operate an illegal automobile graveyard and junkyard without the required permits and without otherwise meeting the requirements of State law.

- b. The Property was being maintained, used and operated as an illegal automobile graveyard and junkyard in violation of 30-M.R.S.A. §3753 and Section 4(F) and (H) of the Town Land Use Ordinance.

8. The Town's Code Enforcement Officer has duly notified Defendant of the violations.

9. Attached to the Plaintiff's Complaint as "Exhibit" 10 and "Exhibit 17" were several copies of photographs of the Property, which were taken by the Town's Code Enforcement Officer, which fairly and accurately depicted the appearance of the Property on the date the photographs were taken.

10. On November 28, 2006 the Town and the Defendant entered into a Consent Agreement in an attempt to resolve the violations on the Defendant's Property. A true and accurate copy of the Consent Agreement is attached as "Exhibit 4" to the Plaintiff's Complaint.

11. The Consent Agreement required Defendant to voluntarily remove the household goods, junk, and automobiles from the Property by April 15, 2007.

12. The Defendant has failed to meet the conditions of the Consent Agreement as more fully set forth herein causing the Town to file this action seeking to enforce it.

13. Pursuant to 30-A M.R.S.A. §3758-A and Section 6(F) of the Town Land Use Ordinance the Town's Code Enforcement Officer has the authority to initiate legal actions to enforce 30-A M.R.S.A. §3751 et seq. and the ordinances by obtaining a court order requiring the Defendant to abate the illegal activity, pay a fine and reimburse the Town for its reasonable attorneys' fees pursuant to 30-M.R.S.A. §4452.

14. Any person, including but not limited to, the land owner, the land owner's agent, or contractor, who orders or conducts any activity in violation of 30-A M.R.S.A. §3753 or the Town's ordinances shall be penalized in accordance with 30-A M.R.S.A. §4452. Pursuant to 30-A M.R.S.A. §3758-A each day of violation continues constitutes a separate offense.

15. The Defendant's violations are willful.

16. The Defendant has used the Property for operating and maintaining an illegal Automobile Graveyard and Junkyard in violation of the aforementioned State laws and local ordinances. Specifically, the Defendant has used the Property for a place of storage for three (3) or more unserviceable, discarded, worn out or junked motor vehicles and/or parts of such vehicles. An unserviceable vehicle is any vehicle which is wrecked, dismantled, unable to be operated legally on a public highway or which is not being used for the purpose for which it was manufactured regardless of whether it is registered. The Property has also been illegally used for the storage of discarded, scrapped or junked lumber, lot wood, scrap metals, batteries, junked and/or not usable equipment, loose boards, truck bodies, car bodies, tires and wheels, paper trash, debris, automobile parts, metal drums, piping, parts, pallets, iron, or other waste material, including, but not limited to, other unidentifiable objects and materials.

17. Defendant's operation of an Automobile Graveyard and Junkyard on the Property is illegal under state law and the aforementioned local ordinances.

18. The Court also finds that the Defendant has operated an Automobile Graveyard and Junkyard without the required permits.

WHEREFORE, it is hereby ORDERED and ADJUDGED as follows:

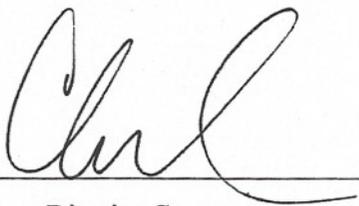
- A. An injunction is granted prohibiting, restraining and enjoining Defendant, his agents, servants, employees, attorneys, family members, tenants and those persons in active concert or participation with him from continuing, establishing, operating or maintaining an automobile graveyard and/or junkyard on the Property.
- B. All unserviceable, discarded, worn out and junked motor vehicles, parts of such vehicles and other junk from said vehicles and any other discarded, worn out or junked vehicles and materials that comprise a "junkyard" or an "automobile graveyard" as those terms are defined in local ordinances and State laws, shall be removed from the Property within 30 days. Failure to do so shall result in a penalty of \$100.00 per day for each day the violation continues unabated.
- C. No additional unserviceable, discarded, worn out and junked motor vehicles, parts of such vehicles and other junk from said vehicles and any other discarded, worn out or junked vehicles and materials that comprise

a "junkyard" or an "automobile graveyard" as those terms are defined in local ordinances and State laws, shall be placed on the Property after the date of this Order.

- D. No additional automobiles, parts of other junked or discarded vehicles or materials that comprise a "junkyard" or an "automobile graveyard" as those terms are defined in local ordinances and State laws, shall be placed on the Property after the date of this Order. No additional discarded, worn out, junked and/or recycled plumbing, heating supplies, household appliances or furniture, scrapped or junked lumber, rotten wood, scrap metal, rope, rags, batteries, paper trash, rubber debris, tires or any other waste material, garbage dumps, waste dumps and/or sanitary fills shall be placed on the Property after the date of this Order.
- E. This Order shall be binding upon the heirs, assigns and successors of the Defendant and shall be a covenant running with the land. The Town may record this Order in the Registry of Deeds.
- F. In the event the Town is forced to undertake abatement measures pursuant to 30-A M.R.S.A. §3758-A(4), the Town may recover all direct expenses of the abatement by filing a lien on the real estate where the junkyard is located.
- G. Defendant is ordered to pay the Town \$500.00 plus the Town's reasonable attorneys' fees and costs pursuant to 30-A M.R.S.A. §4452(3) and 30-A M.R.S.A. §3758, execution to issue upon receipt of affidavit from the Town regarding attorneys' fees and costs.

The Clerk is instructed to incorporate this Order by reference on the Docket pursuant to M.R. Civ. P. 79(a)

Dated: May 21, 2009



Judge, District Court

Docket No. _____, SS

Location WTC
Docket No. CV-07-274

Town of Clifton

Charles J. McIntyre ^{v.} SR

NOTICE OF APPEAL

- Civil
- Criminal

I appeal from the judgment, order or ruling entered in this proceeding on 5-21-09

If this is a civil appeal, the Statement of the Issues (reasons for appeal) are (as follows) (attached) pursuant to M.R. App. P. 5 (b)(2)(A). ON THE ISSUES

This case arises from the Maine Tort Claims Act requiring the clerk to send a copy of this Notice of Appeal to the Office of the Attorney General.

If this is a criminal appeal, check one of the following:

- The defendant is presently confined at _____
- The defendant is not in custody. The defendant's address is _____

CHECK APPLICABLE BOX:

- The Transcript Order form is attached.
- No transcript will be ordered.
- No electronic or other recording of the proceedings can be prepared for this civil case. Therefore, a statement in lieu of transcript will be prepared pursuant to M.R.App.P. 5 (d).

Date: 5-5-09

Charles J. McIntyre JR
Appellant

Appellant's attorney

PO BOX 273
167 maine St.
Appellant's address

do SA
Attorney's address

THIS NOTICE OF APPEAL MUST BE FILED IN THE COURT WHERE THE HEARING OR TRIAL WAS HELD.

NOTICE: If this is an appeal from a civil case or a criminal case involving an adult defendant, this notice must be filed within 21 days of the entry of the judgment in the docket. If this is an appeal from a case involving the extradition of a fugitive to another state, this notice must be filed within 7 days of the entry of the judgment in the docket.

Warning: Small Claims, Forcible Entry & Detainer and Juvenile matters have differing time limits for filing a Notice of Appeal. If this is an appeal from a Small Claims, Forcible Entry and Detainer or Juvenile matter, another form must be used which is available from the clerk.

STATE OF MAINE

District Court
Location: Waterville
Docket No: CV-07-274

Inhabitants of the Town of Clinton, Plaintiff
V.S.

Charles S. McIntyre, Defendant

RECEIVED AND FILED
WATERVILLE DISTRICT COURT
JUN 05 2009
JUDY PALLERIN
CLERK OF COURT

Notice of Appeal

Dear Clerk of Court,

I, Charles S. McIntyre ^{SR} am appealing the decision of Judge Charles Dow hearing held May 21, 2009 at Waterville District Court. I am ~~also~~ ordering the transcripts of May 21, 2009 of this appeal and ordering a transcript of when this matter began August 28, 2008 before the same Judge Charles Dow.

LOOK

cc town of Clinton

cc VENTRON, PA

to 61 Winthrop St.

Augusta, Maine

04330-6432

[Handwritten signature]

5-09

TRANSCRIPT ORDER

SUPERIOR COURT

DISTRICT COURT

_____, ss.
Docket No. _____

Location WAL
Docket No. CV-07-274

Plaintiff/State Attorney _____
& Address _____

v. _____
Defendant Attorney Charles J. McIntyre Jr
& Address PO BOX 273
Clinton, MO
64927 Self

REASON FOR TRANSCRIPT: (If the reason for the transcript is for purposes of appeal, this form must be filed at the same time as the Notice of Appeal.)

- Appeal
- Superior Court
- Law Court
- Sentence Review Panel
- Reference: (Please specify) _____

(Please check the box that best describes the type of action and check the appropriate box if the defendant is incarcerated and cannot make bail.)

CIVIL:

- General Civil
- Land Use Enforcement
- Family Matters
- Divorce
- Paternity
- Special Actions
- Money Judgments
- Forcible Entry & Det.
- Real Estate
- Small Claims
- Civil Violation
- Child Protective Custody
- Mental Health Actions
- Protection Abuse/Harass

CRIMINAL:

- Murder
- Felony Charge (A, B, or C)
- Misdemeanor Charge (D or E)
- Defendant is incarcerated and cannot make bail on this case.

JUVENILE:

- Murder
- Felony Charge (A, B, or C)
- Misdemeanor Charge (D or E)

PAYMENT INFORMATION:

- Transcript will be paid for with private funds.
- Defendant/Respondent has been determined indigent by the trial court.
- Defendant/Respondent has filed a Motion for Transcript at State expense.
- Transcript will be paid for from Government Agency funds.

(See reverse side for instructions)

Indicate below each proceeding you request transcribed in the above case.

COUNSEL MUST PROVIDE SPECIFIC INFORMATION FOR EACH HEARING TO BE TRANSCRIBED.
Except as otherwise designated, trial transcripts shall include testimony, bench conferences and the charge to the jury.

HEARING DATE	PROCEEDING (Trial/Sentencing/Motion/Etc.)	Court Reporter/Elec. Recording Tape & Index No.
1. <u>max 21-09</u>	<u>and</u>	
2. <u>aug 08</u>	<u>SAME COURT</u>	
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

Charles J. McIntyre Jr

Print Name of Person Ordering Transcript
PO BOX 273 1167 maine
Address
Clinton mo 64927
City/Town State Zip

Telephone No. _____
Charles J. McIntyre Jr
Signature of Person Ordering Transcript Date 6-5-09

OFFICE USE ONLY

DCO: _____
ERD: _____
Reporter: _____
Date Filed: _____
Place Filed: _____
No. of Pages: _____
Signature & Title of Official Receiving Transcript _____
Date transcript received _____

Certificate of Service
that I have this day hand delivered or mailed
to Mary A. Dennison Attorney and the Town of
Clinton Notice of this Appeal May 21, 2009 and
Objection & Transcript of May 21, 2009 and ordering
a transcript of August 28, 2008 where this matter
began or before Judge Dow on August 28, 2008
at Waterville District Court.

~~Charles McIntyre~~ I thank you
ALL
6-5-09

to cc town of Clinton
and
to cc Mary A. DENISON P.A.
61 Winthrop St
Augusta
Maine.
~~Charles McIntyre~~
6-5-09
I thank you ALL

MAINE SUPREME JUDICIAL COURT
205 NEWBURY STREET
ORLANDO, ME - 04401-4425
TOWN OF CLINTON

Sitting as the Law
COURT
DOCKET No: Ken-09-31

vs

Charles J. McIntyre SR Appellant

"I have this DAY "JUNE (13) DAY
received" the cost of the transcripts
2009

(#2)

Office of the State of Maine
Office of Transcript Production
Administrative Office of the Courts
159 Center Street

Bangor, Maine - 04401

"I am (Attending) "FULL" payment
of \$255.00"

Charles J. McIntyre SR

6-24-09

CERTIFICATE OF SERVICE

I HAVE THIS DAY sent to

MARY A. DENISON Esquire
61. W. Inthrop St. Augusta, Me. Attorney for the
Town of Clinton, Me.
Hand to the

Town of Clinton, Me. ZF Baker of

THIS DAY

6-24-09 of the foregoing

Hand delivered & mailed

Chaub, S. W. Judge JR

6-24-09 of you
Thank ALL

and to
WATERVILLE
COURT
18 COLBY STREET
WATERVILLE, ME
-04901-

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Office of Transcript Production
Administrative Office of the Courts
159 Center Street
Bangor, Maine 04401

Tel: (207) 941-3025
(207) 941-3022

June 12, 2009

Charles S. McIntyre, Sr.
P.O. Box 273
Clinton, ME 04927

Case Title: Town of Clinton v. Charles S. McIntyre
WATDC-CV-2007-274

Dear Mr. McIntyre,

We are in receipt of your order for a transcript in the above-captioned matter.

Per Administrative Order, we are required to receive payment of the total estimated cost of the transcript before the transcript can be prepared.

The estimated cost of the transcript you have ordered in this matter is \$255. Upon receipt of your payment in this amount, we shall notify you of the expected completion date of the transcript.

If we have not received your deposit on or before June 26, 2009, we shall consider your order canceled, and no transcript will be prepared.

PLEASE SEND A MONEY ORDER OR CERTIFIED BANK CHECK MADE PAYABLE TO THE OFFICE OF TRANSCRIPT PRODUCTION.

Very truly yours,

Danielle A. Beckwith
Danielle A. Beckwith
Supervisor (BJC)

DAB/bjc
cc: File
cc: Law Court

Administrative Office of the Courts
Electronic Recording Division
159 Center Street
Bangor, Maine 04401



Charles S. McIntyre, Sr.

P.O. Box 273

Clinton, ME 04927

04927+0273





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Amount			TWO HUNDRED FIFTY FIVE DOLLARS & 00c *****

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DYER GOODALL AND DENISON, P.A.

Attorneys at Law
61 Winthrop Street
Augusta, Maine 04330

Writer's E-Mail: mdenison@mainelanduselaw.com

Clifford H. Goodall
Mary A. Denison

Telephone
(207) 622-3693

Linda Smith Dyer
(1948 – 2001)

Fax:
(207) 622-4417

February 1, 2008

Judy Pellerin, Clerk
Waterville District Court
18 Colby Street
P.O. Box 397
Waterville, Maine 04903-0397

RECEIVED AND FILED
WATERVILLE DISTRICT COURT

FEB 04 2008

JUDY PELLERIN
CLERK OF COURT

Re: Town of Clinton v. James Wells, Jr.; Civil Docket No. CV-07-038

Dear Judy:

I am writing to request a Writ of Execution be issued in the above referenced matter. Judge Tucker issued an Order in this case dated September 19, 2007 and amended that Order with a Correction issued on October 11, 2007. The Order awarded the Plaintiffs civil fines in the amount \$7,600.00 along with all post-judgment interest accruing after November 13, 2007. The Defendant did not appeal the Order nor has he tendered payment to the Plaintiff.

Please issue a Writ of Execution against the Defendant, James Wells, suitable for recording in the Kennebec County Registry of Deeds. I have enclosed payment in the amount of \$32.00 - \$25.00 for the writ and \$7.00 for an additional copy.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to call.

Best regards,



Mary A. Denison
Enclosure

cc: James Rhodes, Clinton Town Manager
Robert Sharkey, Clinton Code Enforcement Officer

State of Maine

District Court
Division of Northern Kennebec
Waterville

Town of Clinton Plaintiff

Docket No. CV-2007-38

v.

Writ of Execution

James Wells Jr Defendant

To the sheriffs of our several counties or any of their deputies:

The Plaintiff on November 13, 2007, recovered judgment in the District Court in Waterville against Defendant, James Wells Jr, in this action for the sum of \$7,600.00 in debt or damage and in costs of suit as appears of record:

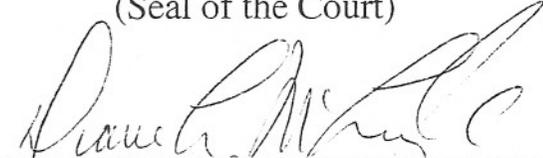
\$7600.00	Judgment Amount
\$0.00	Pre-Judgment Interest
	Interest per the Complaint
	Costs
	Atty Fees
\$189.93	Post-Judgment Interest
<hr/>	
\$7789.93	Total

We command that you cause the goods, chattels, or lands of the Debtor within your county to be paid and satisfied to the Creditor in the sum of \$7,789.93, with legal interest from the date of judgment, together with \$25.00 for this First Writ of Execution, and make return of this writ within three years from this date.

February 4, 2008

Attorney for Plaintiff
Mary Denison, Esq.
61 Winthrop Street
Augusta, ME 04330

(Seal of the Court)


Diane McLaughlin, Admin. Clerk

Name: Town of Clinton v Wells

Pl. Present Attorney _____

Def. Present Attorney _____

Other parties: _____ Attorney _____

_____ Attorney _____

Hearing on (Pl.) (Def.) (Complaint) (Motion) for In response ^{to} the plaintiff's request for reconsideration,

(Judgment) (Order) (Other Action) _____

The order of 50th mo. entered 10/17/07 is vacated, leaving the applicable order 10/11/07 indicating post judgment interest after 11/13/07, as well as the issuance of an execution. Thereafter disclosure procedures can be used to collect the debt.

The original 9/19/07 order does not include a provision requiring remediation of what the court described as a junk yard, so this judge enters no additional orders in this regard, although the defendant is exposed to additional enforcement action and fines if remediation does not take place. The parties are urged to meet and agree on a remediation plan.

(Judgment) (Order) to be prepared by _____

W Anderson
District Court Judge.

AGENDA

ITEM

7.a.

SPO



Maine State Planning Office

Executive Department

JOHN ELIAS BALDACCI
Governor

MARTHA E. FREEMAN
Director

07/09/2009

Gerald Howard, Sr.
CLINTON REGION
31 Old Leonard Wood Road
Clinton ME 04927

Dear Gerald:

Thank you for completing your 2008 Municipal Solid Waste Annual Report. This year's combined report contained more categories than in previous years; therefore, the attached summary has been modified to adapt to reporting changes. Your regional recycling rate is 30.70 %. Your commitment to recycling will help the State of Maine achieve its 50% recycling goal.

A summary of your region's 2008 waste management and recycling program is attached. Please review this information and contact this Office if there are any discrepancies you would like to discuss. If you have any questions, please call me at 287-1489 or 1-800-662-4545. I encourage you to visit our website www.recyclemaine.com.

Sincerely,

Lana LaPlant-Ellis
Senior Planner

Enclosures

Municipal Recycling Report - 2008

CLINTON REGION

Date: 07/09/2009
 Report Number: 08183
 Geo Code: 11071

Municipal Recycling Rate:

Base Rate	Return Bottle Credit	Compost Credit	2008 Adjusted Recycling Rate
19.70 % +	5. % +	6. % =	30.70 %

	Tons			Tons			Tons	
	Res.	Com.		Res.	Com.		Res.	Com.
Office Paper	0	0	Mixed Metals	0	0	Mixed Plastics	0	0
Mixed Paper	23.95	0	Alum. Cans/Foil	0	0	PETE/PET (#1)	0	0
Cardboard (OCC)	276	0	Tin Cans	5.11	0	HDPE (#2)	2.42	0
Newspaper (ONP)	0	0	WTE Metal	81.1	0	PVC (#3)	0	0
Magazines (OMG)	0	0	White Goods	79.12	0	LDPE (#4)	0	0
Mixed News/Mag	43.58	0	Clearing Debris	0	0	CoMingled Fiber	0	0
Mixed Glass	0	0	(compost)	0	0	CoMingled Cont.	0	0
(beneficial)	0	0	(energy)	0	0	Single Stream	0	0
Clear Glass	0	0	Leaf/Yard	0	0	Sheetrock	0	0
(beneficial)	0	0	(compost)	0	0	(beneficial)	0	0
Green Glass	0	0	Mixed CDD	0	0	Shingles	0	0
(beneficial)	0	0	(beneficial)	0	0	(beneficial)	0	0
Brown Glass	0	0	(energy)	0	0	Cooking Oil	0	0
(beneficial)	0	0	Wood CDD	0	0	Reuse Tons	19	
Car Batteries	0	0	(energy)	69.9	0	Other:		
Tires	0	0	Carpet	0	0	—		
(beneficial)	0	0	Ash (beneficial)	0	0		0	0
(energy)	0	0						

<u>Universal Waste</u>	Tons			Tons			Tons	
	Com.	Res.		Res.	Com.		Res.	Com.
Monitors & TVs	21.97	0	Mercury Therm.	0	0	Other:		
Computers	2.163	0	Other Mercury	0	0	<u>Non PCB Ballasts</u>	0.259	0
Mercury Lamps	0.0227	0	Batteries	0.0035	0	—	0	0
CFLs	0.0002	0	Intact PCB Ballasts	0	0			

<u>Municipal Soild Waste</u>	Tons		Tons	
	Res.	Com.	Res.	Com.
	Landfilled		Incinerated	
MSW	0	0	2042.46	312
Mixed CDD	191.71	0	0	0
Ash	0	0	0	0

Sub Total Recycled	581.18
Reused Materials	19
Universal Waste	24.42
Total Recycled	624.60
Total MSW	2546.17

AGENDA

ITEM

7.b.



Memo

To: Municipal officials, Members of the Kennebec Regional Development Authority

From: Leonard Dow, Executive Director *Leonard Dow*

Date: June 25, 2009

Re: Apportionment of 2008-2009 Real Property Taxes

Enclosed you will find a check for your municipality's portion of the 2008-2009 Kennebec Regional Development Authority's property tax distribution.

Of the \$276,538.80 collected seventy-five percent, \$207,404.10, is available for redistribution to the twenty-four members of the KRDA. You will see on the enclosed spreadsheet not only the amount your community is receiving, but how much each member municipality will receive. The remaining twenty-five percent remains with the KRDA to fund a portion of its administrative budget and to pay the 25% TIF negotiated by T-Mobile five years ago.

For the first time this year, one tax payer has failed to pay its real estate tax to the Town of Oakland. The amount is \$30,150. Oakland has begun the lien process. When that tax is paid, KRDA members can expect to receive 75% of the amount collected, \$22,612.50, with the remaining 25%, \$7,537.50 staying with the Authority. I have included a second spreadsheet that indicates the amount you can expect sometime in the future, once those taxes have been paid.

If you have questions, please feel free to contact me, or your General Assembly Representative.

Leonard Dow, Executive Director KRDA

P. O. Box 246

Oakland, ME 04963-0246

ldow@firstpark.com

859-9716

1-800-966-1002

**Real Estate Taxes from
Town of Oakland
FY July 1, 2008 - June 30, 2009
Collected \$276,538.80**

KRDA Municipalities	Accumulative Investment To Date	Accumulative TIF Refund to Date	Net Paid by Town	2008-2009 Share	Tax Revenue Available for Distribution* \$276,538.80 x 75%	Each KRDA Member Amount Refunded June 2009
Anson	106,731.40	14,866.24	91,865.16	0.0230950	\$207,404.10	\$4,790.00
Benton	119,046.99	15,811.66	103,235.33	0.0259535	\$207,404.10	\$5,382.86
Canaan	79,019.92	10,422.38	68,597.54	0.0172455	\$207,404.10	\$3,576.79
China	271,144.64	34,468.60	236,676.04	0.0595007	\$207,404.10	\$12,340.68
Clinton	128,402.72	17,144.16	111,258.56	0.0279706	\$207,404.10	\$5,801.21
Cornville	60,595.99	7,933.28	52,662.71	0.0132395	\$207,404.10	\$2,745.92
Fairfield	288,569.30	38,519.51	250,049.79	0.0628629	\$207,404.10	\$13,038.01
Farmingdale	143,385.51	18,741.44	124,644.07	0.0313357	\$207,404.10	\$6,499.15
Gardiner	270,654.22	35,290.20	235,364.02	0.0591708	\$207,404.10	\$12,272.27
Hartland	106,142.72	13,900.95	92,241.77	0.0231897	\$207,404.10	\$4,809.64
Manchester	215,907.72	27,256.03	188,651.69	0.0474273	\$207,404.10	\$9,836.61
Norridgewock	142,971.34	18,881.18	124,090.16	0.0311964	\$207,404.10	\$6,470.27
Oakland	327,882.36	42,356.69	285,525.67	0.0717815	\$207,404.10	\$14,887.81
Palmyra	88,404.89	11,514.56	76,890.33	0.0193303	\$207,404.10	\$4,009.19
Pittsfield	202,465.74	26,964.88	175,500.86	0.0441212	\$207,404.10	\$9,150.91
Readfield	187,220.56	23,758.96	163,461.60	0.0410945	\$207,404.10	\$8,523.16
Rome	185,882.59	22,812.44	163,070.15	0.0409961	\$207,404.10	\$8,502.75
Sidney	233,961.14	29,162.85	204,798.29	0.0514866	\$207,404.10	\$10,678.52
Smithfield	75,216.74	9,665.01	65,551.73	0.0164798	\$207,404.10	\$3,417.98
Solon	55,874.37	7,347.84	48,526.53	0.0121996	\$207,404.10	\$2,530.25
Starks	25,930.40	3,534.72	22,395.68	0.0056303	\$207,404.10	\$1,167.75
St. Albans	102,031.51	12,672.19	89,359.32	0.0224651	\$207,404.10	\$4,659.34
Waterville	694,162.62	93,984.90	600,177.72	0.1508855	\$207,404.10	\$31,294.27
Winslow	466,161.44	63,052.67	403,108.77	0.1013421	\$207,404.10	\$21,018.76
TOTAL	4,577,766.83	600,063.34	3,977,703.49	100.00000%		\$207,404.10

Amounts by Town that are
to be paid to KRDA members
once \$30,150 is received by Town of Oakland and remitted to the KRDA

<u>KRDA Municipalities</u>	<u>Accumulative Investment To Date</u>	<u>Accumulative TIF Refund to Date</u>	<u>Net Paid by Town</u>	<u>2008-2009 Share</u>	<u>Tax Revenue Available for Distribution once \$30,150 taxes are paid</u> 75% = 22,612.50	<u>Additional Amount To be Refunded When outstanding taxes are paid</u>
Anson	106,731.40	14,866.24	91,865.16	0.0230950	\$22,612.50	\$522.24
Benton	119,046.99	15,811.66	103,235.33	0.0259535	\$22,612.50	\$586.87
Canaan	79,019.92	10,422.38	68,597.54	0.0172455	\$22,612.50	\$389.96
China	271,144.64	34,468.60	236,676.04	0.0595007	\$22,612.50	\$1,345.46
Clinton	128,402.72	17,144.16	111,258.56	0.0279706	\$22,612.50	\$632.48
Cornville	60,595.99	7,933.28	52,662.71	0.0132395	\$22,612.50	\$299.38
Fairfield	288,569.30	38,519.51	250,049.79	0.0628629	\$22,612.50	\$1,421.49
Farmingdale	143,385.51	18,741.44	124,644.07	0.0313357	\$22,612.50	\$708.58
Gardiner	270,654.22	35,290.20	235,364.02	0.0591708	\$22,612.50	\$1,338.00
Hartland	106,142.72	13,900.95	92,241.77	0.0231897	\$22,612.50	\$524.38
Manchester	215,907.72	27,256.03	188,651.69	0.0474273	\$22,612.50	\$1,072.45
Norridgewock	142,971.34	18,881.18	124,090.16	0.0311964	\$22,612.50	\$705.44
Oakland	327,882.36	42,356.69	285,525.67	0.0717815	\$22,612.50	\$1,623.14
Palmyra	88,404.89	11,514.56	76,890.33	0.0193303	\$22,612.50	\$437.11
Pittsfield	202,465.74	26,964.88	175,500.86	0.0441212	\$22,612.50	\$997.69
Readfield	187,220.56	23,758.96	163,461.60	0.0410945	\$22,612.50	\$929.26
Rome	185,882.59	22,812.44	163,070.15	0.0409961	\$22,612.50	\$927.02
Sidney	233,961.14	29,162.85	204,798.29	0.0514866	\$22,612.50	\$1,164.24
Smithfield	75,216.74	9,665.01	65,551.73	0.0164798	\$22,612.50	\$372.65
Solon	55,874.37	7,347.84	48,526.53	0.0121996	\$22,612.50	\$275.86
Starks	25,930.40	3,534.72	22,395.68	0.0056303	\$22,612.50	\$127.32
St. Albans	102,031.51	12,672.19	89,359.32	0.0224651	\$22,612.50	\$507.99
Waterville	694,162.62	93,984.90	600,177.72	0.1508855	\$22,612.50	\$3,411.90
Winslow	466,161.44	63,052.67	403,108.77	0.1013421	\$22,612.50	\$2,291.60
TOTAL	4,577,766.83	600,063.34	3,977,703.49	100.00000%	\$22,612.50	\$22,612.50

KRDA FY 2008 - 2009

Value of property assessed on 4/01/08

Real Estate	\$19,912,300	
Personal Property	<u>\$ 5,823,100</u>	\$ 25,735,400
Less: base value before TIF		<u>\$ 178,000</u>
Net Valuation after TIF deduction		\$ 25,557,400

Taxes to be collected on \$25,557,400 @ 12.0 mils \$ 306,688.80
(due KRDA by June 15, 2009)

Taxes actually collected (non-payment \$30,150) \$276,538.80

K R D A:

75% of \$276,538.80 to be returned to member municipalities, based on their contributions to date vs. total contributions to date: \$207,404.10

25% available for approved Economic Development Purposes: \$ 69,134.70
\$276,538.80

25% of T-Mobile's total tax payments to be returned to them: - \$ 51,488.10
(12.0 mils @ 17,162,700 x 25%)

Balance to be placed in a KRDA reserve account for approved Economic Development purposes, June 2009 17,646.60
\$ 69,134.70

* T-Mobile's 2008 valuation (Real and Personal) = \$17,162,700
Oakland Tax Rate 12.0 mils
T-Mobile's Tax due 6/15/09 = \$ 205,952.40
25% TIF reimbursement to T-Mobile = \$51,488.10