

2016

# Waterville Maine Selected Policies

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AS AMENDED ON NOVEMBER 20, 2001

CITY OF WATERVILLE

CITY COUNCIL

State of Maine  
Kennebec ss

ORDER NO: 31-2001

AN ORDER PROVIDING FOR:

AMENDMENT TO ORDER NO. 37-1999  
ESTABLISHING A NEW PROGRAM ENTITLED  
"DEVELOPMENT OF TAX ACQUIRED PROPERTY"  
IN THE COMMUNITY DEVELOPMENT PROGRAM FUND

BE IT ORDERED by the City Council of the City of Waterville,  
acting as the municipal officers as follows:

THAT Order No. 37-1999 (Establishing a New Program Entitled  
"Development of Tax Acquired Property" in the Community  
Development Program Fund) be amended to state that the excess  
proceeds from the sale of tax acquired property will be used on  
any tax acquired property or residential property acquired for  
community development to cover such expenses or costs, including  
but not limited to, demolition, renovation, repair, securing of  
property and other costs that the City Council deems necessary to  
rehabilitate the property.

John M. Fortier  
Councilor, Ward 5

NOTE: Added words are underlined

IN THE CITY COUNCIL

November 20, 2001, First Public Reading and Accepted, as Amended.

December 4, 2001, Second Public Reading and Accepted

December 4, 2001, Third Public Reading: ADOPTED.

APPROVED, December 6, 2001

  
MAYOR



## CITY OF WATERVILLE

## CITY COUNCIL

State of Maine  
Kennebec ss

ORDER NO: 37-1999

## AN ORDER PROVIDING FOR:


ESTABLISHING A NEW PROGRAM ENTITLED  
"DEVELOPMENT OF TAX ACQUIRED PROPERTY"  
IN THE COMMUNITY DEVELOPMENT PROGRAM FUND

BE IT ORDERED by the City Council of the City of Waterville,  
acting as the municipal officers as follows:

THAT proceeds received from the sale of tax acquired  
property shall first be applied to the unpaid taxes, interest and  
costs accrued on the property; and

BE IT FURTHER ORDERED THAT any excess proceeds from the sale  
shall be transferred directly to the "Development of Tax Acquired  
Property" program in the Community Development Program Fund; and

BE IT FURTHER ORDERED THAT the proceeds will be used on any  
tax acquired property to cover such expenses or costs, including  
but not limited to, demolition, renovation, repair, securing of  
property and other costs that the City Council deems necessary to  
rehabilitate the property.

  
John M. Fortier  
Councilor, Ward 5

## IN THE CITY COUNCIL

December 7, 1999, First Public Reading and Accepted.

December 7, 1999, Second Public Reading and Accepted.

December 21, 1999, Third Public Reading: ADOPTED.

APPROVED, December 27, 1999

  
MAYOR



## Capital Improvement Reserve

### Fund Policy

#### **Purpose:**

To establish a permanent fund for minor capital improvements (less than \$100,000) that are critical for the continued operation of municipal services. These improvements are those which are too small for borrowing but too large to add to an annual operating budget.

#### **Funding:**

This account will be initially funded from three existing reserve accounts (Solid Waste Landfill and Recycling), from excess funds from the 2004-2005 year Debt Service account and from the proceeds from the sale of the Gilman School as shown below:

Solid Waste & Recycling	\$ 138,700
Debt Service Acct, (04-05)	\$ 97,600
Gilman Street Sale	\$ 198,000
Landfill Fund	\$ 250,000
FEMA Reimbursement	\$ <u>39,000</u>
Total	\$ 723,300

Future additions to this fund will be through City Council's authorization and may be from unspent capital improvement projects/debt service, sale of city properties, etc.

#### **Appropriation:**

Any appropriations from this fund will require authorization from the Council in the same manner as all other appropriation decisions. Prior to presentation to the Council, any proposed Capital Improvement spending will be reviewed by the City Administrator regarding its priority place on the city's Capital Improvement Plan. A minimum balance of \$200,000 shall be maintained in this account unless approved by a 2/3 vote of the council.

APPROVED

*Waterville City Council  
July 19, 2005  
(Resolution 116-2005)*



## POLICY FOR CDBG COMPLAINT RESOLUTION

### **Purpose:**

The purpose of this Policy is to provide a clear process for the receipt, review and resolution of any and all complaints received as part of the City's implementation of Community Development Block Grants (CDBG).

### **Process:**

If a complaint cannot be resolved by the CDBG Administrator the complainant will be provided with a copy of the rules and regulations and asked to put the complaint in writing to the City Manager. The City Manager will respond, in writing, within ten (10) days of the receipt of the complaint.

If the complainant remains unsatisfied, he/she will be provided with the contact information for the State Community Development CDBG Program Manager.

The State Program Manager will review the process to ensure that it has been fair and consistent with local, state and federal regulations.

If it is found that the CDBG Administrator has acted properly and that program rules have been fairly administered, the decision of the City Manager will be final.

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APPROVED

Waterville City Council  
July 21, 2009



## **COMPLIANCE POLICY**

### **FOR**

## **USE AND DISPOSITION OF BOND FUNDS**

### *Introduction.*

The City of Waterville issues tax-exempt bonds from time to time to finance various capital improvements. As an issuer of such tax-exempt bonds, the City is required by the Internal Revenue Code of 1986, as amended, (the “Code”) and regulations promulgated by the United States Treasury Department to take certain actions subsequent to the issuance of such bonds to ensure the continuing tax-exempt status of the bonds

The City recognizes that compliance with applicable provisions of the Code and Treasury Regulations is an on-going process, necessary during the entire term of a bond issue, and is an integral component of the City’s overall debt-management responsibilities. These requirements apply equally to capital leases. Accordingly, the implementation of these requirements will require on-going monitoring and consultation with Bond Counsel.

### *Issuance.*

The City Manager and the Finance Director shall review the terms and structure of bonds issued by the City to ensure that such bonds are issued in accordance with State Statute, the City Charter, City Ordinances and Orders of the Council. Specific post-issuance compliance procedures are addressed below.

### *General Procedures for Post Issuance:*

The following guidelines will be used to monitor compliance with post-issuance requirements:

1. The Finance Director shall be assisted, to the extent that it may become necessary in complying with Treasury Department Regulations, by one or more of the following persons or entities:

- a. Bond Counsel
- b. Financial Advisor
- c. Paying Agent
- d. Rebate Specialist

The Finance Director shall be responsible for assigning post-issuance responsibilities to other staff, Bond Counsel, the Financial Advisor, the Paying Agent and the Rebate Specialist, and shall utilize such other professional services as are necessary to ensure compliance with all post-issuance requirements.

2. The Finance Director shall verify that the following post-issuance actions have been taken on behalf of the City with respect to each issue of tax-exempt bonds:

- a. Ensure that a full and complete record for the principal documents of each the issue has been completed by Bond Counsel and the Financial Advisor;
- b. Ensure that the Internal Revenue Service (IRS) forms 8038 are properly filed with the IRS by Bond Counsel within the time limits imposed by Section 149(e) of the Code;

- c. Account for the allocation of the proceeds of the tax-exempt bonds to expenditures as required by the Code;
- d. Coordinate receipt and retention of relevant books and records with respect to the investment and expenditures of the issue proceeds from City and school staff;
- e. Identify proceeds of tax-exempt obligations, in consultation with Bond Counsel and the Financial Advisor, that are yield-restricted and monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the bond yield to which such investments are restricted;
- f. Determine, in consultation with Bond Counsel and the Financial Advisor, whether the City is subject to the rebate requirements of Section 148(f) of the Code and related Treasury Regulations with respect to each issue of the City. The Finance Director shall contact a Rebate Specialist, if required, prior to the fifth anniversary of the date of issuance of each issue and each fifth anniversary thereafter until the obligation has matured to arrange for calculation of the rebate requirements, as needed, to be paid by the City. If any rebate is required to be paid to the IRS, the Finance Director will file Form 8038-T, along with the required payment.
- g. Shall monitor the use of all financed facilities in order to determine whether private business uses of financed facilities have exceeded the *de minimis* limits set forth in Section 141(b) of the Code (generally a value or benefit equal to 10% of issue proceeds) that provide special legal entitlements to non-governmental persons.

3. The Finance Director shall collect and retain the following records with respect to each issue of tax-exempt obligations and with respect to the facilities financed with the proceeds of such Obligations:

- a. Audited financial statements of the City;
- b. Appraisals, surveys, feasibility studies, if any, with respect to the facilities to be financed with issue proceeds;
- c. Trustee or Paying Agent statements;
- d. Records of all investments and the gains (or losses) from such investments;
- e. Expenditures reimbursed with the issue proceeds;
- f. Allocation of issue proceeds to expenditures (including cost of issuance) and the dates and amounts of each expenditure (including requisitions, draw down schedules, invoices, bills and cancelled checks as related to each expenditure);
- g. Construction or renovation contracts for financed facilities or projects;
- h. Maintain an asset list of all tax-exempt financed depreciable property and sales of tax-exempt financed assets;
- i. Arbitrage rebate reports and records of rebate and yield reduction payments, if any;
- j. Orders, Resolutions and other actions, if any, adopted by the City Council subsequent to the date of issue of the obligations; and
- k. Relevant correspondence relating to such bonds.

The records collected by the City shall be stored in any format deemed appropriate by the Finance Director and shall be retained for a period equal to the life of the tax-exempt obligations, including the life of any obligations issued to refund obligations, plus three (3) years.

4. In addition to its post-issuance compliance requirements under the Code and Treasury Regulations, the City has agreed to provide Continuing Disclosure, such as annual financial information and material event notices. The continuing disclosure obligations

are governed by the Continuing Disclosure Documents and by the terms of Rule 15c2-12 under the Securities and Exchange Act of 1934, as amended, and officially interpreted from time to time.

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APPROVED

Waterville City Council  
December 18, 2012  
(Resolution # 236-2012)





## **Fund Balance Policy**

WHEREAS, the City Council acknowledges that an adequate Undesignated Fund Balance is essential in maintaining the City's strong financial standing, and;

WHEREAS, a healthy Undesignated Fund Balance level provides evidence to the City's bond holders and bond rating agencies of financial stability and credit worthiness, and;

WHEREAS, an Undesignated Fund Balance can provide for capital expenditures, unanticipated mandatory expenses and one-time expenditures that do not create an ongoing financial obligation;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Waterville City Council, acting as the Municipal Officers, that the following terms and conditions be adopted regarding use of the City's Undesignated Fund Balance:

1. That an amount equal to at least 12% of the City's most recent approved operating budget shall be established as a minimum Undesignated Fund Balance.
2. That annually, following completion of the City's audit, the City Manager shall review the Undesignated Fund Balance and propose to utilize, through the annual budget process, surplus funds above the 12% minimum, if any.
3. That said proposed use of Undesignated Fund Balance funds be dedicated to projects in the Capital Improvement Program or other unanticipated one-time expenses.
4. That the Council may vote to establish certain reserve accounts from the Undesignated Fund Balance for the purpose of funding specific capital improvement needs in the future.
5. That the Council may, by a two-thirds ( $\frac{2}{3}$ ) vote, decide to expend or to reserve amounts greater than that listed above based on the immediate or long-term needs of the City.

**APPROVED**

Waterville City Council  
May 20, 2008

*As Amended May 7, 2013  
(Resolution 79-2013)*

*As Amended April 5, 2011  
(Resolution 55-2011)*



## THE HAINES CHARITY GUIDELINES FOR ASSISTANCE

### **Administration**

The Haines Charity Committee has been established by ordinance by the Waterville City Council and authorized to adopt guidelines for the administration of the Haines Charity Fund. The Committee may, from time to time, amend these guidelines providing that said revisions are substantially in keeping with the requirements stipulated by Mr. Haines and not in conflict with State/Federal law. The City Council will be informed in writing of all revisions to these guidelines.

The City's Health and Welfare Director (Director) shall be responsible for receiving and processing all applications for assistance. The Director or his/her staff shall assist applicants to ensure that all income and expense information is available prior to Committee review. Only those applications with the proper documentation will be forwarded to the Committee for review.

The Committee meets the second Tuesday of each month to review the applications. Completed applications must be submitted to the Health and Welfare office by the first Friday of each month. For emergency purposes, the Committee may meet at other times provided that a majority of the members are present. The Chair of the Committee, in consultation with the Health and Welfare Director, will determine when there is such a need and he/she will notify other Committee members.

### **Eligibility Criteria**

The Committee shall have the sole responsibility for reviewing eligibility and for determining funding assistance for all applicants in accordance with the following criteria:

1. All applicants must have been residents of the City for 90 days prior to receiving assistance. Exceptions may be granted by unanimous vote of the Committee in an emergency situation.
2. Applicants are deemed ineligible if they have received General Assistance from the City in the past 90 days.
3. Assistance through the Haines Charity Fund should not be considered as a monthly entitlement. Unless otherwise provided by a unanimous vote of the Committee, assistance to individuals or families is limited to a quarterly basis.
4. Total assistance granted by the Committee will be limited to \$1,500 per month, unless a different amount is set by the City Council. Although the Committee will attempt to assist as many as possible, the total monthly allocation may be used on one applicant should the need arise.
5. Although Assistance is not limited to the following categories, the Committee will attempt to provide for:
  - food
  - clothing
  - rent or rental deposits
  - medical assistance (including eye glasses or hearing aids)
  - fuel
  - utilities
  - basic household necessities

6. Should the total monthly allocation not be used, it may be carried forward for use in the next month.

### **Reporting**

Annually, the Committee, through the Finance Director, is required to report the total of all expenditures to the City Council.

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APPROVED

Waterville City Council  
February 20, 2007



# CITY OF WATERVILLE

## INVESTMENT POLICY

(As amended 8/6/2013)

### PURPOSE

It is the purpose of this policy to ensure that public funds are invested in a way that will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City.

The primary objectives, in priority order, of the City of Waterville's investment activities shall be:

- Safety. Safety of principal is the foremost objective of the investment program. Investments of the City of Waterville shall be undertaken in a manner that seeks to ensure preservation of capital in the overall portfolio.
- Liquidity. The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.
- Return on Investment. The City's investment portfolio shall be designed with the objective of attaining a market-average rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio.

### SCOPE

This investment policy applies to all financial assets of the City of Waterville. These funds are accounted for in the City's Annual Financial Report and include:

- General Fund
- Special Revenue Funds
- Capital Project Funds
- Trust and Endowment Funds

This investment policy applies to all transactions involving the financial assets and related activities of all the foregoing funds.

### PRUDENCE

The standard of prudence to be applied by the management shall be the "prudent standard" rule. "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The investment decision should be consistent with the written investment policy of the City.

## **DELEGATION OF AUTHORITY**

Authority to manage the City's investment program is derived from 30-A M.R.S.A. §5706 et seq. Management responsibility for the investment program is hereby delegated to the Finance Director, who may, in consultation with the City Manager, establish procedures for the operation of the investment program consistent with this investment policy. The Finance Director shall be responsible for all transactions undertaken and shall establish a system of internal controls to ensure that all transactions are undertaken by authorized individuals.

## **INVESTMENT PROCEDURES**

The Finance Director and City Manager shall develop and review annually with the oversight of the City's Finance Committee investment procedures and processes to be followed when investing City funds. The procedures shall address such issues as how to handle collection and quotes of data, the establishment of how to diversify maturity while investing, and the process for selection of investment specialists who aid the City.

## **ETHICS AND CONFLICTS OF INTEREST**

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Manager any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio.

## **PROHIBITED INTEREST**

No City employee shall invest City funds in any instrument or institution in which he/she has any direct or indirect financial interest, nor shall he/she accept any gift, free service or payment of any kind for performing their duties under this policy.

## **AUTHORIZED AND SUITABLE INVESTMENTS**

### **1. General, Special Revenue and Capital Project Funds.**

These funds may be invested in the following types of securities:

- Obligations of the U.S. government, its agencies and instrumentalities, i.e., Treasury bills. Treasury notes or bonds maturing within one year.
- Insured or fully collateralized certificates of deposit of banks and savings and loan associations.
- Repurchase agreements collateralized by Letters of Credit from such institutions such as Federal Home Loan Bank or the Federal Reserve Bank; or by U.S. Government backed obligations of U.S. Government agencies and corporations. Pledged collateral must be at least 102% of the market value of the principal and accrued interest and marked-to-market daily. A Master Repurchase Agreement must be signed with the bank or dealer and kept on file by the Finance Director.

- Money market mutual funds whose portfolios consist entirely of U.S. Government securities.

Funds may be invested in longer maturities, prime bankers' acceptances and secured commercial paper with an AAA rating according to the Standard & Poor's rating scale upon adoption of a motion of authorization by the majority of the governing body at a regular or special public meeting.

## 2. **Trust and Endowment Funds.**

The City's trust and endowment funds are considered long-term investments with a goal of achieving an equal balance between maintaining purchasing power through principal appreciation of the endowments and generating income to support its spending purposes. These funds will be managed under a contract between the City and a professional investment manager. The contract will notify the manager of the intended use of the money and give general guidance regarding the overall investment goals. However, the selection of the individual stocks, bonds and money market instruments is left to the discretion of the professional money managers. All management fees are charged to income as they are incurred. We require the manager to operate under the "prudent person" rule.

The City's investment policy for these funds is to maintain a portfolio of high quality stocks, government and corporate bonds to meet the objectives as described above. Generally, principal growth is to be achieved through equity investment and current income needs are to be met through high quality fixed income investments.

### **Asset Allocation Guidelines**

(As a Percentage of the Total Market Value)

Investment	Minimum %	Maximum %
Cash Equivalents	0	20
Fixed Income	30	80
Large Cap Domestic Equities	20	60
Mid Cap Domestic Equities	0	15
Small Cap Domestic Equities	0	15
International Equities Mutual Fund	0	30

## **Allowable Investments**

- U.S. Treasury and Agency Securities
- Corporate Bonds
- Convertible Corporate Debentures
- Common Stocks
- Preferred Stocks
- Convertible preferred Stocks
- Money Market Mutual Funds
- Mutual Funds and Exchange Traded Funds
- As otherwise approved or directed in writing by the City of Waterville, Maine

## **Prohibited Investments**

Short selling, security lending, speculative derivative products, commodities, individual foreign stocks not traded on U.S. Exchanges, and the use of futures and option contracts are prohibited. Certain derivative products may be acquired in unusual circumstances without written approval of the Finance Director.

## **MAXIMUM MATURITIES**

To the extent possible, the City of Waterville will attempt to match investments with anticipated cash requirements. Maturities will be two years or less for operating fund investments and five years or less for other long term funds. The prior does not apply to trust funds held by the City. The City of Waterville may collateralize its repurchase agreements using longer investments through a Letter of Credit with banks of such standing and quality as the Federal Home Loan Bank of Boston or the Federal Reserve Bank.

## **DIVERSIFICATION**

The City of Waterville will diversify its investment portfolios. Assets shall be diversified to eliminate the risk of loss resulting from overconcentration of assets in a specific maturity, a specific issuer or a specific class of security. With the exception of U.S. Treasury securities or FDIC insured CDs, no more than 70 percent of the City of Waterville's total investment portfolio will be invested in a single security type or with a single financial institution.

## **COLLATERALIZATION**

Collateralization will be required on any investment, including repurchase agreements, where funds are not insured, or any other investment balance that exceeds the stated limits of insurance. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest. This paragraph excludes investments in permanent funds and private-purpose trust funds designated otherwise.

Collateral will always be held by an independent third party with whom the entity has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained.

The right of collateral substitution is granted.

## **SAFEKEEPING AND CUSTODY**

To protect against potential fraud and embezzlement, the assets of the City of Waterville shall be secured through third party custody and safekeeping procedures. Bearer instruments shall be held only through third-party institutions. Investment officials shall be bonded to protect the public against possible embezzlement and malfeasance. Collateralized securities such as repurchase agreements shall be purchased using the delivery vs. payment procedure. Unless prevailing practices or economic circumstances dictate otherwise, ownership shall be protected through third-party custodial safekeeping. Safekeeping procedures shall be reviewed annually by the independent auditor.

## **INTERNAL CONTROL AND REVIEW**

The Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the city are protected from loss, theft, or misuse. A process for annual independent review by an external auditor to assure compliance with policies and procedures shall be established. These will include separation of duties, custodial safekeeping, avoidance of physical delivery of securities, oversight control of staff, written confirmation for investment purchases, wire transfer agreement.

## **REPORTING**

The City Manager and Finance Director shall provide the Finance Committee and the City Council semi-annual investment reports which provide a clear picture of the status of the current investment portfolio.

Schedules in the report should include the following:

- A listing of securities held at the end of the reporting period by authorized investment category
- Average life and final maturity of all investments categories.
- Percentage of the Portfolio represented by each investment category

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**APPROVED**

Waterville City Council  
January 2, 2008  
(Resolution 12-2008)

*As Amended: July 15, 2008*  
(Resolution 97-2008)

*As Amended: August 6, 2013*  
(Resolution 132-2013)

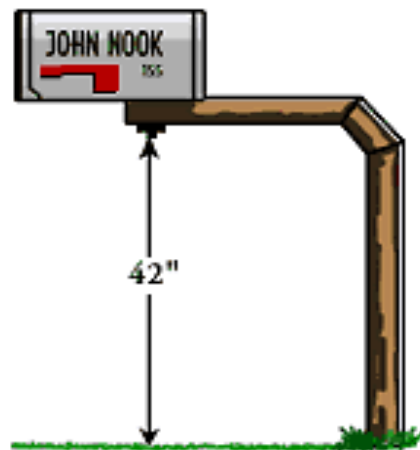


## City of Waterville - Mailbox Guidelines

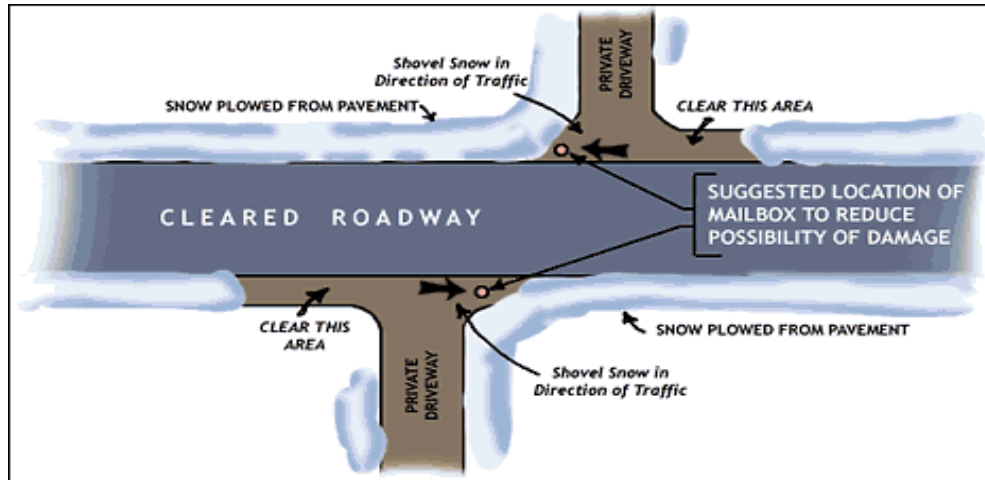
Our plow drivers are instructed to take all necessary precautions to avoid striking mailboxes with the wing of their plow truck. Please remember, State law provides that any installations within the City's Right-Of-Way including mailboxes, shrubbery, fences and other property enhancements are placed there at the owner's risk. Municipalities are not responsible for any damages caused during snow removal operations. In most cases, mailboxes are damaged by the weight of the snow and not from direct contact from plow equipment.

The City of Waterville has adopted a policy that mailbox damages will be evaluated on a case-by-case basis. However, damaged mailboxes will only be replaced when it is determined to be caused by direct contact with plow equipment and not caused by incidental conditions such as heavy snow. The City will replace damaged structures with a typical 4 X 4 pressure treated post and standard metal USPS box.

Residential property owners are advised to place these structures at the maximum usable distance beyond the paved area of the roadway. Below are some tips for mailbox placement to help reduce the chances of damage during winter plowing:



- Place reflective material on the side of the box visible to approaching traffic, also, 4" high letters to identify the address is recommended to assist emergency vehicles.
- Mailbox post size must not exceed 4" by 4" for a wooden post or 2" diameter for a steel pipe post for roadside barrier safety. Posts that are more substantial in construction are considered "deadly fixed objects" and are not permitted within the Right-Of-Way.
- Mailboxes should be installed at least 42 inches high to provide clearance for the plow wing as shown in the picture above. We recommend the use of an extended arm type of post with a free-swinging suspended mailbox, again, as shown in the picture above. This allows snow-plows to sweep near or under boxes without damage to supports and provides easy access to the boxes by your postal carrier.
- Below you will find a sketch showing the recommended location for your mailbox. Placing the mailbox on the side of your driveway away from approaching traffic will allow our driver to properly clear the roadway and to get as close as possible to your mailbox to minimize the amount of shoveling you will have to do to clear the mailbox for the postal carrier.



- For uncurbed roadways, set the mailbox back at the far edge of the road shoulder to provide the maximum possible roadway clearance. For curbed roads the face of the mailbox should be 8-12 inches back from the curb face.

Your participation and cooperation in complying with the above recommendations will be greatly appreciated by your rural carrier, postal service and the Waterville Public Works & Public Safety Departments.

In the event your mailbox is damaged during a storm, we ask you to make any needed temporary repairs or arrangements to pick up your mail at the Post Office. If you are a senior citizen or are otherwise unable to make such repairs on your own, please call the Public Works Department at 680-4744 and we will attempt to repair or replace the mailbox as time allows. Only substantially damaged structures resulting from direct contact with plow equipment will be replaced in the spring with a basic metal mailbox and 4" X 4" post. Newspaper boxes or other attachments not above the recommended 42 inch height will not be repaired or reset by the City.



## **PINE GROVE CEMETERY RULES & REGULATIONS**

### **1.0 SCOPE**

This policy regulates the sales of lots, the maintenance of lots, the use of burial lots, the placement of flowers, urns, shrubs and other decorative items, times of operation, perpetual care and the interment and disinterment of deceased persons within Pine Grove Cemetery grounds.

### **2.0 PURPOSE**

The policy will formalize the fees that are charged for the sale of burial lots, interments and disinterments, and other services that may be performed by cemetery staff and will establish rules regarding interments, disinterments, monuments and memorials, placement and planting of flowers, wreaths and shrubs, perpetual care and visitors.

### **3.0 BURIAL LOTS**

- 3.1 Vacant burial lots are available for sale for final disposition of human remains or cremains.
- 3.2 Prices for various lots are detailed in Appendix A.
- 3.3 Certain lots may be sold with restrictions applicable to a specific section of the cemetery.
- 3.4 Lot ownership passes equally to blood descendants and legally adopted children of the original owner next in line, unless designated otherwise through a will.
- 3.5 Burials must be authorized by the lot owner or surviving heirs.

### **4.0 MONUMENTS AND MEMORIALS**

- 4.1 All monuments and markers must be constructed of granite.
- 4.2 All lots consisting of two grave spaces or larger are allowed one monument above grade.
- 4.3 Single graves are allowed one flush marker.
- 4.4 The length of a monument shall not exceed 60% of the width of the lot, and the base shall not exceed 8% of the area of the lot.
- 4.5 No eternal flames or perpetual lights are allowed on the cemetery grounds.
- 4.6 Curbing, corner posts, above grade platforms, steps, buttresses or settees are not allowed.

- 4.7 The Pine Grove Cemetery reserves the right to remove any monuments that become unsightly, dilapidated or dangerous at the owner or heir's expense.
- 4.8 While all possible care will be taken to protect monuments and markers, vaults and mausoleums from damage, the Pine Grove Cemetery is not liable for any damages or loss.
- 4.9 Designs, locations and materials for all monuments and markers or other structures must be submitted to the cemetery superintendent for approval prior to installation.
- 4.10 Pine Grove Cemetery is not liable for loss of grave space due to the placement of monuments.
- 4.11 Government markers can be installed by cemetery staff. Payment is required in advance and is detailed in Appendix A.

## **5.0 FLOWERS, WREATHS, VASES, TREES, SHRUBS**

- 5.1 Annual plantings are allowed directly in front of the monument and shall not exceed one foot in depth and shall not be wider than the monument.
- 5.2 No plantings shall be made at or near any flush markers, as they interfere with mowing and grave opening.
- 5.3 Artificial flowers are restricted to urns, baskets and vases. No artificial flowers are to be placed in the ground.
- 5.4 Vases or urns that are an obstacle to mowing operations shall be removed without notice.
- 5.5 Use of jars, glass, china, tin cans, rocks, bricks, wires and crushed stone are prohibited.
- 5.6 Beginning October 1<sup>st</sup> of each year, cemetery staff will remove all flowers, vases, baskets, etc. Lot owners must remove any items they wish to keep prior to this date. Urns may be left on burial lots during the winter months, but must be emptied and turned over.
- 5.7 Winter decorations are permitted from November 1<sup>st</sup> through April 30<sup>th</sup>. After April 30<sup>th</sup>, any decorations remaining will be removed and discarded by cemetery staff.
- 5.8 Planting of evergreens, trees or shrubs is prohibited without the written permission of the cemetery superintendent.
- 5.9 Any tree or shrub that is not maintained, becomes unsightly, encroaches on a neighboring lot or obstructs the normal operation of cemetery staff shall be removed by the cemetery staff at the expense of the owner or heirs, including the cost of replacement of the sod, if necessary.
- 5.10 Cemetery staff is not responsible for the care and trimming of any plantings on individual lots.

## **6.0 FLAGS AND FLAG HOLDERS**

- 6.1 Flags and flag holders may be placed on lots or graves of veterans by representatives of various veterans' organizations, not to exceed one week before Memorial Day and must be removed within two days after Flag Day, June 14.
- 6.2 Flags and holders that remain after June 16 will be removed by cemetery staff.
- 6.3 Pine Grove Cemetery is not responsible for safekeeping of flags or flag holders.

## **7.0 INTERMENTS**

- 7.1 No interment shall be made until the proper permits are provided to the cemetery superintendent.
- 7.2 No interment shall be made until the grave space which is to be used has been paid in full, including any annual or perpetual care fees.
- 7.3 No interments are scheduled on Sundays or federally recognized holidays.
- 7.4 Written authorization for interment must be submitted from the owner of heirs to the cemetery superintendent prior to any interment.
- 7.5 Personal representatives of the deceased may authorize the funeral director to act as the agent of the family in scheduling burial dates. Such authorization must be given in writing to the cemetery superintendent.
- 7.6 Requests for interment must be made at least 48 hours prior to the requested time of interment.
- 7.7 Interments are scheduled from April 1<sup>st</sup> through November 1<sup>st</sup>. Winter burials may be scheduled, depending upon remaining snow and frost levels as determined by cemetery staff.
- 7.8 For deaths that occur during winter months, spring and summer interments may be scheduled through the cemetery superintendent beginning April 15<sup>th</sup>.
- 7.9 Personal representatives of the deceased must give written approval of the location of the grave to be used.
- 7.10 Remains being interred must be in a concrete vault, steel vault or cement liner.
- 7.11 Cremains can be buried in an occupied lot as space allows. This service would incur a user fee detailed in Appendix A.
- 7.12 Fees for interments can be found in Appendix A.

## **8.0 DISINTERMENTS**

- 8.1 No disinterment shall be made until the proper permits are provided to the cemetery superintendent.
- 8.2 No disinterment shall be made without signed authorization from the next of kin.
- 8.3 No disinterment shall be made until all perpetual care fees are paid.
- 8.4 Pine Grove Cemetery shall assume no liability for the damage of any casket, burial case or urn.

- 8.5 Fees for disinterments can be found in Appendix A.

## **9.0 PERPETUAL CARE**

- 9.1 Perpetual care is a one-time payment that funds annual maintenance of cemetery grounds which includes mowing, seeding, tree maintenance and raking of fall leaves.
- 9.2 Half of the proceeds from every lot sold are dedicated to the perpetual care fund.
- 9.3 Annual care billing for lot maintenance had been an option for lot owners, but has been phased out over time.
- 9.4 Perpetual care does not include maintenance, repair or replacement of any monuments, tomb, mausoleum or marker.
- 9.5 Perpetual care shall not include filling or rising or sunken graves where permanent containers were not used.

## **10.0 OTHER SERVICES**

- 10.1 Requests for additional services must be made to the cemetery superintendent.
- 10.2 Additional services require payment of the associated fee, detailed in Appendix A.
- 10.3 Available services include the application of fertilizer, installation of government markers, removal of shrubbery, lifting of sunken markers, repairing of sunken graves, tree removal, stump removal, straightening of monuments, photocopies of records and maps and genealogy research.

## **11.0 VISITORS**

- 11.1 The Pine Grove Cemetery is open daily from sunrise to sunset from May 1<sup>st</sup> through October 1<sup>st</sup>.
- 11.2 From November through April, entrances to the cemetery may be closed due to poor road conditions.
- 11.3 Visitors are asked to maintain a quiet and peaceful atmosphere.
- 11.4 Children must be accompanied by an adult at all times and are prohibited from climbing on any monuments or memorials.
- 11.5 Pets must be leashed and their waste properly removed.
- 11.6 Vehicles must follow the speed limit of 5 mph and are urged not to pass a funeral procession or any lot where a burial service is in process.
- 11.7 No firearms are allowed in the cemetery except at military funerals.
- 11.8 Vehicles must not be parked on the grass.
- 11.9 Visitors are prohibited from picking flowers or injuring trees or shrubs.
- 11.10 Solicitation of business on cemetery grounds is prohibited.

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**APPROVED**

## Pine Grove Cemetery Price List

Appendix A

<b>Lot Sales</b>		
<b>Lot Location</b>	<b>Burial types allowed</b>	<b>Price</b>
Section H	Full & cremation	\$700 per space
Section I	Cremation (3 spaces)	\$500 per space
Chapel Section	Full	\$750 per space
Chapel Section	Cremation	\$450 per space

All other lots	Full & cremation	\$500 per space
<b>Interments</b>	<b>Price for Weekday</b>	<b>Price for Saturday</b>
Adult (full)	\$725	\$825
Child (full)	\$525	\$625
Infant (full)	\$325	\$425
Single Urn (cremation)	\$400	\$475
Double Urn (cremation)	\$625	\$775
Double Urn in vault (cremation)	\$650	\$800
Urn/vault combo	\$425	\$500

<b>Disinterments</b>	<b>Price</b>
Disinterment & Reinterment (full)	\$1,700
Disinterment (full)	\$1,000
Disinterment & Reinterment (cremains)	\$500
Disinterment (cremains)	\$400
<b>Other Services</b>	
Installment of Government marker	\$75
User fee for burial of cremains on grave space with existing interment	\$150
Fertilize & weed	\$125 up to 6 graves
Fertilize & weed	\$200 up to 12 graves
Removal of shrubbery	\$50
Markers lifted	\$50
Straightening of Monuments	\$75
Repair sunken graves	Price quoted after evaluation
Photocopies	\$1 per page
Small map	\$2
Large map	\$5
Genealogy	\$5 per search



CITY OF WATERVILLE

CITY COUNCIL

RESOLUTION 130-2013

A RESOLUTION PROVIDING FOR:

POLICY FOR SALE OF CITY PROPERTY

BE IT RESOLVED by the City Council of the City of Waterville, acting as the Municipal Officers, as follows:

THAT, the City Manager be authorized to sell City property (excluding real estate) according to the following requirements:

1. This policy shall only apply to property (e.g. phones, computers, desks, etc.) which have an estimated value of \$5,000 or less.
2. For property with an estimated value of \$1,000 or less the City Manager may sell said property by placing a notice on the City's web site for a period no less than 10 days prior to bids being due.
3. For property with estimated values from \$1,001 to \$5,000, the City shall place a notice on the City's web site and once in the local newspaper at least 14 days prior to bids being due.
4. All bids shall be submitted as sealed bids.
5. Sales to governmental or non-profit organizations are exempt from these requirements. In such cases, the City Manager will be responsible for establishing a price which is in the best interest of the City.
6. The City Manager shall maintain a record of all property sold under this policy and report to the Council on a periodic basis.

IN THE CITY COUNCIL

August 6, 2013 Read and Approved.  
Bette Dubois  
CITY CLERK

APPROVED:

MAYOR





## Downtown TIF Expenditure Policy

### INTRODUCTION

The Downtown Redevelopment and Tax Increment Financing District was approved by the City in December 2004 and by the State in March 2005.

This TIF plan provides a mechanism for the capture and reallocation of revenues (from new improvements) generated with the TIF District. As stated in the approved plan “the City’s proposal for the creation of a Tax Increment Financing (TIF) district allows incremental tax revenues be allocated toward costs incurred by the City to implement the downtown redevelopment plan.”

### PURPOSE

The purpose of this Policy is to provide a mechanism for Council review and approval of proposed TIF expenditures on a case-by-case or an annual basis.

### USE OF TIF PROCEEDS

Included in this plan are a number of activities which are deemed eligible for funding. These include:

#### ***Capital costs:***

City of Waterville eligible activities, such as:

- Acquisition of property and demolition of structures
- Parking development and debt service payments
- Construction and modification of public infrastructure, including but not limited to: sewer, water, streets, telecommunications, sidewalks, and common elevators
- Streetscape improvements, including but not limited to: streetlights and enhanced pedestrian connections in Downtown, especially to the Head-of-Falls and Hathaway areas
- Signage program
- Façade program

#### ***Financing costs:***

City of Waterville eligible activities, such as:

- Site specific Credit Enhancement Agreements
- Common elevator program
- Façade program

#### ***Professional services:***

City of Waterville eligible activities, such as:

- Procurement of engineers, architects, planners and consultants to undertake activities to implement the development program and downtown plan
- Update existing downtown plans and create new plans, as necessary

***Administrative expenses:***

City of Waterville eligible activities, such as:

- Contractual arrangements with Waterville Main Street, Waterville Development Corp. and City Economic Development that are linked to specific downtown redevelopment activities
- Costs of increased public services in the DT that result from successful implementation of the Downtown TIF, including but not limited to, increased public safety/security (police, fire, emergency), increased public maintenance (plowing, mowing, trash/litter removal), and increased utility costs.
- Marketing: collateral material, advertisements
- Promotions: events, festivals

**SUBMISSION OF EXPENDITURE PROPOSALS**

It shall be the responsibility of the City Manager to present requests for funding to the City Council. Prior to submission, the City Manager may consult with the TIF Advisory Committee, Waterville Main Street, or other affected organizations.

As much as possible, such requests should be presented on an annual basis as with the annual City budget. Approval may be sought however, for individual expenditures which may be of a one-time nature or for cases of emergency. Accounting for these activities will be within the TIF Fund.

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APPROVED

Waterville City Council  
January 2, 2008  
(Resolution # 13-2008)



## **City of Waterville Policy for use of Tax Increment Financing**

### **Purpose**

Tax Increment Financing (TIF) is a local economic development tool, permitted under Maine law, that allows municipalities to use all, or a portion of the tax revenues generated from a new capital investment to assist in that project's financing. It also has the advantage of sheltering new tax revenues generated in a TIF district against adverse adjustments to the municipality's state subsidies and county taxes.

The purpose of this Policy is to provide a framework for the City by which applications for a TIF can be evaluated. Notwithstanding compliance with any or all of the guidelines below, the creation of a TIF District is a policy choice to be evaluated on a case-by-case basis by the TIF Advisory Committee and the City Council. A TIF is not a right under Maine law and meeting the state TIF requirements or the criteria established in this Policy does not create a right or entitlement for any applicant.

The burden of establishing the public value of a TIF shall be placed upon the applicant and the application must substantially meet the criteria contained herein. The Council, however, reserves the right to consider any TIF proposal provided a majority of the Council believes that acceptance of the TIF is in the best interest of the City of Waterville.

The authority for creation of Tax Increment Financing Districts is established in State Law, Title 30A Sections 5251-5261.

### **General Provisions:**

In addition to the requirements and criteria listed elsewhere in this document, all applications for TIF assistance and the review thereof must comply with the following objectives:

1. The creation of TIFs within the City should be limited to those projects which result in a minimum increase of \$500,000 to the City's tax base.
2. Although the level of reimbursement (through a Credit Enhancement Agreement) may vary depending on the term, number of new jobs created, etc., it shall not exceed 75% over the term of the TIF Agreement. The TIF Advisory Committee may recommend, but the City Council will determine the appropriate percentage to be returned based on the community benefit of the project.
3. Absent any extenuating circumstances, the term of the TIF shall not exceed the expected longevity of the improvements proposed. The City prefers shorter terms

and may consider returning up to the 75% maximum in return for a reduced term.

4. Information must be provided to document the number of new jobs created (or existing jobs retained), the number and type (affordable or market rate) of housing units created, the improvement of a blighted area or the improvement of public infrastructure which can be achieved with approval of a particular TIF project.
5. Applicants must document why TIF assistance is necessary to address one or more of the following concerns:
  - The need to offset economic advantages available to the applicant if it should build (or expand) outside of City of Waterville;
  - The need to offset infrastructure costs unique to the development or redevelopment site and required to make the site economically feasible;
  - The need to assist with financing because of the lack of sufficient private or other public funding sources.
6. City approval should, to the greatest extent possible, be limited to those projects which do not directly compete with existing businesses within the City. It is the City's preference to provide assistance only when necessary for location of new businesses that help diversify the local economy by offering services or producing products not presently provided or produced by other area employers.

Exceptions to this Policy could include projects which improve a blighted area of the City or make improvements to a blighted building.

7. The preferred form of tax increment financing assistance is a Credit Enhancement Agreement (CEA) that avoids the necessity of issuing general obligation debt.
8. In evaluating the overall project, the City may choose to issue debt to be repaid over time through tax increment revenues. Where the City chooses to issue such debt, a higher level of financial scrutiny will be applied to the project to ensure that risk to the City and its taxpayers are minimized. To this end, the City will seek through agreements with the developer, to guarantee the necessary revenue flow to pay the debt and to ensure that the City is protected against changes in State Law or tax structure that might result in lower than needed incremental revenue.

## **Criteria For Approval**

The following criteria shall be used by the City of Waterville to determine the public benefit of the application and the recommended percentage of taxes to be returned for the benefit of the project. It is not mandatory that all criteria be met.

1. The creation of the TIF District will diversify the economy and broaden the City's tax base.
2. The creation of the TIF District is financially necessary to bring about the proposed investments.

3. The project improves a blighted area or a building in need of redevelopment or rehabilitation, or is in an area identified as a priority by the City of Waterville.
4. The project creates public infrastructure facilities which have application beyond the particular development, such as improving traffic flow, upgrading sewer or water capacity, providing public parking facilities, etc.
5. The activities resulting from the creation of the TIF District will generate benefits to the community that exceed any potential for adverse impacts on existing businesses within Waterville.
6. A portion of tax increment revenue within the district is set aside for the City of Waterville to support economic development activities or, in the case of housing projects - housing needs identified from time to time in strategic plans adopted by the City Council.
7. The project creates new jobs or retains existing jobs, especially those in the manufacturing sector.
8. The project creates new housing units or rehabilitates existing housing units consistent with housing needs identified from time to time in strategic plans adopted by the City Council.
9. For those projects which require specific improvements or commitments be completed over time, the applicant /developer will be required to submit a progress report to the City Manager's office by July 1 of each year. The report must provide details regarding completion of any and all commitments (job creation, property improvements, etc.) as specified in the CEA.

In the event that any approved TIF project does not meet the terms (e.g., job creation, building rehabilitation, etc) of the CEA, the City reserves the right to reduce the tax benefit to the applicant proportional to the degree of non-compliance.

## **Application Procedure**

The establishment of a Tax Increment Financing (TIF) District, Development Program, and Financing Plan, can involve complex public policy decisions. This section sets out a process for reviewing and acting on development proposals. The procedure is intended to be a guide for the City and the applicant. The City may modify this process as necessary to assure thorough but timely consideration of TIF Proposals.

Private parties contemplating the creation of a TIF District will be required to meet with the City's TIF Advisory Committee. The purpose of this meeting is to:

- allow city staff, City Council members and other members of the Advisory Committees to obtain an understanding of the possible activities and structure of the proposed TIF;
- assure that the applicant understands the process the City will use in considering a TIF request or development application, and the information that will be required as part of the process.

This meeting is not obligatory and shall be informational. No commitments shall be made in conjunction with this meeting.

Should the applicant decide to continue, a formal proposal must be submitted on a form prepared by the City. The TIF advisory Committee will review the project proposal and recommend a course of action to the City Council. As part of this review process, the City may request a legal review which cost shall be borne by the developer.

Council approval, if granted, will be in the form of an Order adopted in the manner as prescribed by the City Charter.

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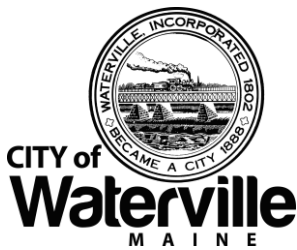
APPROVED

Waterville City Council  
June 21, 2001

*As Amended*  
October 4, 2005

*As Amended*  
December 6, 2011

*As Amended*  
March 1, 2016



## **Policy for Use of** **South End Capital Improvement Account**

Adopted by the City Council on July 19, 2011 (Resolution No. 88-2011) this Policy is created for assignment and use of funds in the South End district. This area is defined as being from the intersection of Spring Street and Silver Street, south along Silver Street to the Messalonskee Stream, along the Messalonskee Stream to the Kennebec River, north along the Kennebec River to Spring Street, west along Spring Street to the point of beginning.

Funds deposited into this account are to come from all sales of tax acquired property in the South End and from any other source that the Council may choose.

Use of these funds shall be restricted to the following activities unless decided otherwise by the City Council:

1. The creation of trails, pathways, open spaces, parks, parking areas and snow storage areas in the South End.
2. Improvements of roads, sidewalks, parking areas, etc.
3. Demolition (including disposal costs) of dilapidated buildings in the South End.
4. Purchase of property(ies) including buildings in order to assist with the creation of trails, open spaces, parking areas, etc.
5. Any other capital improvement type projects what will benefit the residents of the South End.







Recommendations for the use of such funds may come from City staff, the Mayor and members of the City Council or the South End Neighborhood Association.

**APPROVED**

Waterville City Council  
July 19, 2011

# WHY CARRY IN, CARRY OUT?

Thank you for being a steward of your City of Waterville Parks by taking an active role in keeping them clean and green. There are many ways that our Carry-in/Carry-out policy helps to improve your parks.

-  Taking responsibility for our waste encourages awareness of our impact on natural resources, and can prompt environmentally-friendly behaviors such as recycling, and use of recycled or biodegradable products.
-  It fosters a partnership between visitors and the parks by encouraging all visitors to help maintain clean parks.
-  Saves money used to pay for garbage disposal, which can then be spent to improve your parks in other ways.
-  Increases the safety of your visit by reducing the number of bees, wasps and other pests (such as skunks and rats) in/around picnic areas, playgrounds, ballfields and trails.
-  Redirects staff resources to other necessary park improvement projects.
-  Avoids the unpleasant smells and messes associated with dumpsters and trash cans.
-  It eliminates unsightly trash and receptacles in the park that can detract from the beauty of the natural environment.
-  Improves health of wildlife by reducing their dependency on trash as a food source.
-  The parks belong to all of us...so just like our own homes...it is our responsibility to care for them and protect them for generations to come.