

TOWN COUNCIL MINUTES

DECEMBER 17, 2007

The regularly scheduled meeting of the Hampden Town Council was held on Monday, December 17, 2007. The meeting was held at the municipal building council chambers and was called to order by Mayor Briggs at 7:00 p.m.

Attendance: Councilors: Mayor Rick Briggs, Robert Gilberti, Thomas Brann, Matthew Arnett, Andrew Colford, Shannon Cox and Edward Murphy

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne, Public Works Director Chip Swan, Public Safety Director Joseph Rogers, Code Enforcement Officer Ben Johnson and Lieutenant Ray Pipes

Members of Boy Scout Troop #1776, Councilor-Elect Andre Cushing, Gene Weldon from Lane Construction, Representatives from Pine Tree Landfill, a member of the press, and citizens

The first order of business was a special presentation of gifts and a Council Proclamation honoring Councilor Gilberti for his many years of service to the Town.

A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. Councilor Arnett requested that Item A.2.a. and Item A.4.e. be set aside. Motion by Councilor Gilberti, seconded by Councilor Colford to accept the balance of the consent agenda – unanimous vote in favor.

A.2.a COUNCIL MINUTES – SEPTEMBER 4, 2007

Councilor Arnett stated that the minutes are accurate as reported, but he wanted to make a clarification to the item relating to the flag discussion. He noted that the Council has supported the flag proposal with maintenance and installation support. In Allison Berube's presentation, she talked about flags being put only on lighted utility poles along Route 1-A between Western Avenue and Kennebec Road and out Western Avenue to the railroad tracks. Councilor Arnett noted that his motion to support that included that specific area. At the time Mrs. Berube made her presentation, she was under the impression that there were 72 lighted poles in that area. Councilor Arnett wanted to correct the record to reflect that after counting the lighted poles, there are actually only 47 lighted poles in that area and he said that Mrs. Berube has concurred with that number.

Motion by Councilor Arnett, seconded by Councilor Colford to accept Item A.2.a. – unanimous vote in favor.

A.4.e. PINE TREE LANDFILL SPECIAL WASTE ACTIVITY REPORT – OCTOBER 2007

Councilor Arnett noted that the report includes spoiled foods, which is waste that should no longer be received at the landfill. Manager Lessard had already contacted the landfill regarding that entry on the report and they have explained that it was a mislabeling of waste – it was actually C&D, not food. Motion by Councilor Arnett, seconded by Councilor Brann to accept Item A.4.e. – unanimous vote in favor.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. ZONING ORDINANCE TEXT AMENDMENTS FOR EARTHMOVING, MINERAL EXTRACTION, GRAVEL PIT AND QUARRY STOCKPILING (ARTICLE 3, ARTICLE 4.1.9.2, ARTICLE 4.9, ARTICLE 4.23)
Continued

Mayor Briggs explained that this is a continuation of the public hearing that was held at the last meeting. He explained the procedure for the public hearing and then re-opened the hearing for further testimony.

Proponents – None; Opponents – None.

General Questions or Comments: Manager Lessard noted that the Town Planner and Town Attorney have each reviewed the information submitted by Gene Weldon of Lane Construction at the last meeting. Town Planner Bob Osborne wrote a response to Mr. Weldon's issues and Attorney Russell has reviewed Bob's response and submitted a memo to Manager Lessard offering comments on these issues. Manager Lessard requested that both of these documents be entered into the record for this public hearing.

Attorney Russell said he had recommended two amendments and he advised that everyone should have an opportunity to comment on those amendments if they wish. The amendments included revised language to the reclamation provision and changing all of the references to December 19 (which were predicated to the Council adopting the ordinance on November 19th), to January 17th, which would be 30 days from the date of this meeting. Attorney Russell advised that these amendments were not substantive and if the Council is inclined to put those amendments forward,

they could be incorporated into the ordinance now without the need for another public hearing.

Gene Weldon of Lane Construction Corp. expressed appreciation to the Council and Staff for taking additional time to review his comments and concerns. He said Attorney Russell's comments addressed his concerns but he would like to see the recommended amendments be incorporated prior to adoption.

The hearing was closed.

Motion by Councilor Colford, seconded by Councilor Arnett to amend the proposed ordinance to incorporate the two amendments as recommended by the Town Attorney – unanimous vote in favor.

Motion by Councilor Arnett, seconded by Councilor Brann to adopt the proposed ordinance as amended – By roll call, vote on the motion was 6 in favor (Murphy, Cox, Brann, Arnett, Colford and Briggs); 1 opposed (Gilberti) – motion carried.

- b. APPLICATION FOR A VICTUALER'S LICENSE RECEIVED FROM DANA EDWARDS, DLJJ, LLC, d/b/a EDWARDS' FAMILY SHOP 'N SAVE at 77 WESTERN AVENUE

Mayor Briggs opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Gilberti, seconded by Councilor Murphy to approve the application – unanimous vote in favor.

- c. APPLICATION FOR A VICTUALER'S LICENSE RECEIVED FROM TINA CARROLL, CARROLL CREW, LLC d/b/a PAT'S PIZZA at 662 MAIN ROAD NORTH

Mayor Briggs opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Murphy, seconded by Councilor Gilberti to approve the application – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

a. GOALS & OBJECTIVES REVIEW

Manager Lessard compiled a list of the goals and objectives identified by the Council at its special workshop held in August, as well as the responsible parties and proposed time line for implementation of each item. This was informational only for Council review.

It was decided that the Council will hold a special meeting at the end of January to further discuss the list and proposed timelines and to discuss shoreland zoning changes to reflect new State regulations.

Councilor Brann moved to remove the second item from the list – Council Goal Setting Sessions – and to set aside the first non-regularly scheduled Council Meeting Monday as a special meeting for the purpose of setting goals for the next year. Councilor Arnett seconded the motion and vote was unanimously in favor.

b. PRIVATE PUMP STATION RECOMMENDATIONS – KENNEBEC ROAD PROJECT

Councilor Colford reported that the Public Works Committee has reviewed the recommendations of the Public Works Director and Town Attorney relative to the proposed Arey's Corner Condominiums private pump station. The Committee recommends incorporating the recommendations of the Town Attorney and the Public Works Director (copies attached), but to add the requirement for an annual inspection of the generator and a certification that it will work as well as an annual confirmation from the third party that is providing the maintenance that there is an existing contract for that maintenance service. Attorney Russell reported that his proposed amendments have been accepted by the developer and he has received revised documents. Motion by Councilor Colford, seconded by Councilor Arnett to incorporate the recommendations of the Public Works Director and Town Attorney, together with the additional requirements recommended by the Public Works Committee – unanimous vote in favor.

c. BID RESULTS – PUBLIC WORKS

Public Works Director Chip Swan reported the results of the recent bid openings for the sale of the municipal garage heating system, a 1997 Crown Victoria automobile and a 1997 Tommy Lift tail gate. He recommended acceptance of the highest bid for each item.

1. MUNICIPAL GARAGE HEATING SYSTEM

Motion by Councilor Gilberti, seconded by Councilor Colford to accept the bid from Tim McCann in the amount of \$820.43 with the funds to be deposited in the Public Works Garage Reserve account – unanimous vote in favor.

2. 1997 CROWN VICTORIA

Motion by Councilor Gilberti, seconded by Councilor Murphy to accept the bid from Mike Berzinis in the amount of \$216.27 with the funds to be deposited into the Police Cruiser Reserve account – unanimous vote in favor.

3. 1997 TOMMY LIFT TAIL GATE

Motion by Councilor Arnett, seconded by Councilor to accept the bid from Mike Berzinis in the amount of \$45.00 – unanimous vote in favor.

d. APPOINTMENT OF 2 REPRESENTATIVES TO TRUST FOR PUBLIC LANDS

Manager Lessard explained that Hampden needs to appoint two representatives to participate in the discussions regarding the regional public lands approach. She has been involved in the process together with GIS/IT Specialist Gretchen Heldmann and Gayle Zydlewski, who has been involved with the Comprehensive Planning process. Manager Lessard recommended that she be named as a representative together with either Gretchen or Gayle as the second member. Motion by Councilor Arnett, seconded by Councilor Brann to appoint Manager Lessard and Gayle Zydlewski as the two representatives and to appoint Gretchen Heldmann as the alternate representative – unanimous vote in favor.

e. OUTDOOR WOOD BOILER STATE RULES – REFERRAL TO CHARTER & ORDINANCE COMMITTEE

Motion by Councilor Brann, seconded by Councilor Cox to refer this to the Charter and Ordinance Committee – unanimous vote in favor.

Manager Lessard said that the state rules that have been endorsed by the Board of Environmental Protection still need to be ratified by the Legislature and advised that it might be best to wait to see what the Legislature actually does with the rules before spending a lot of time of making changes to incorporate the new rules.

f. AMBULANCE BILLING – CONSIDERATION OF WRITE-OFF OF OLD BALANCES – REFERRAL TO FINANCE COMMITTEE

Manager Lessard requested that the Finance Committee review the outstanding ambulance accounts to determine action necessary to either actively pursue collection or write off older accounts and make recommendation to the full Council. Motion by Councilor Arnett, seconded by Councilor Colford to refer this item to the Finance Committee – unanimous vote in favor.

g. HAMPDEN AUDIT REPORT – MS4 STORMWATER & GARAGE INSPECTION

Manager Lessard reported that thanks to the efforts of a great many people, the Town is now performing well above average for on-the-ground implementation of Maine's MS4 Program and that the Town has made significant improvements towards reaching full compliance by forming and implementing an efficient and well managed Stormwater Team.

h. ARBOR DAY PROCLAMATION – TREE CITY USA

This item was not on the agenda, but requires Council action and needs to be signed by December 31st.

Motion by Councilor Brann, seconded by Councilor Cox to set aside the rules for the purpose of adding an item to the agenda – unanimous vote in favor.

Motion by Councilor Brann, seconded by Councilor Arnett to add the proposed Arbor Day Proclamation to the agenda – unanimous vote in favor.

Motion by Councilor Brann, seconded by Councilor Cox to authorize the Mayor to sign the proclamation – unanimous vote in favor.

4. NEW BUSINESS

a. WHITCOMB-BAKER POST 4633 – RENEWAL OF BINGO & GAMES OF CHANCE LICENSE

Motion by Councilor Brann, seconded by Councilor Colford to approve renewal of the license for 2008 – unanimous vote in favor.

b. FORECLOSED PROPERTY SALE – MOBILE HOME ONLY – GILBERT BELANGER

Manager Lessard explained that the mobile home is located on land owned by another party. The original land owner was a relative of the mobile home owner, but that is no longer the case and the owner is no longer living in the mobile home. Taxes are outstanding from 1997 through 2008 and she requested that the Council authorize putting this mobile home out for public sale.

Motion by Councilor Arnett, seconded by Councilor Brann to approve the sale of real estate owned by Gilbert Belanger located at 151 Pond Road – unanimous vote in favor.

c. HOLIDAY HOURS – TOWN OPERATIONS

Motion by Councilor Brann, seconded by Councilor Colford to close on December 24th and December 31st – unanimous vote in favor.

d. SAD 22 – GRADUATION REQUEST

Hampden Academy Senior Class President Harvey Shue informed the Council that the Senior Class wishes to have an outdoor graduation. He reported that at this time the School Board is prepared to pay \$1500 towards the graduation. The total estimated cost for an outdoor graduation is \$10,500 and he asked the Council if they would consider giving a donation toward the cost of the outdoor graduation similar to the donation it gave to last year's Senior Class. Mayor Briggs reminded the Council that last year the Town made a one-time donation of \$3000 from Host Community Benefits provided the Class raised a matching amount. He noted that at the time, it was the hope of the Council that if the Town helped out that year, that the District would step forward and include the cost in its budget this year.

Motion by Councilor Colford, seconded by Councilor Arnett to make a matching donation of up to \$3000 from Host Community Benefits.

During discussion, several Councilors expressed disappointment with the School Board for not including this in its budget and making the students solicit donations to pay for their outdoor graduation. Councilor Cox said she believes that the School Board is in the process of adding that as a line-item to that budget with the intent that it will be fully funded in two to three years. She expressed concern about creating a situation for the seniors trying to raise the money this year where there is animosity building among the councils and boards. She said she would support the motion with the stipulation that this is the last year. She also suggested that the Council call a meeting with school leadership and members of the Board.

By roll call, vote on the motion was 3 in favor (Cox, Arnett and Colford) and 4 opposed (Murphy, Gilberti, Brann and Briggs) – motion did not carry.

Councilor Brann then moved to donate \$500 from the Council's General Expense account. Mayor Briggs seconded the motion.

Councilor Colford commented that whether the Council gives \$3,000 or \$500, the same principle still stands and if we give \$500, we might as well give \$3000 as we did last year.

Motion by Councilor Arnett, seconded by Councilor Colford to table this item until after a meeting with SAD #22 authorities – unanimous vote in favor.

Motion by Councilor Arnett, seconded by Councilor Brann to direct the Town Manager to speak with Superintendent Lyons to express the Council's concerns regarding this issue and see if something can be resolved – unanimous vote in favor.

e. PERSONAL PROPERTY TAX ABATEMENTS – 1998-2005 - \$1,260.45

Manager Lessard provided a list of outstanding personal property tax

accounts for businesses which are no longer located in Hampden and requested that the Council approve abatement of these amounts.

Motion by Councilor Arnett, seconded by Councilor Brann to approve the abatements as listed – unanimous vote in favor.

f. REAL ESTATE TAX ABATEMENT TO CORRECT ASSESSMENT –
MAP 7, LOTS 17 & 18 - \$116.64

Tax Assessor Vivian Gresser requested that the Council authorize abatement for property located partially in Hampden and partially in Newburgh. Since 2005 the portion located in Newburgh was erroneously added to the portion taxed in Hampden.

Motion by Councilor Brann, seconded by Councilor Colford to authorize abatement as requested – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Colford reported that the Public Works Committee may be recommending an RFP for services currently provided by the Sewall Company – more information to follow later.

Councilor Arnett reported that the Communications Committee has extended the deadline for the January newsletter to the end of this week.

Councilor Arnett further reported that the Charter & Ordinance Committee met regarding the shoreland zoning issue. He commended the GIS Department and Town Planner for doing a wonderful job of giving a visual of what is going to be involved in this process.

Councilor Brann reported that the Community Services Committee will meet tomorrow at 6:30 pm, to be immediately followed by a Comprehensive Planning Committee at 7:00 pm.

E. MANAGER'S REPORT

A copy of the Manager's Annual Report is attached.

Manager Lessard also read a poem she wrote which included events of 2007, Town Departments and Councilors.

F. COUNCILOR'S COMMENTS

Mayor Briggs gave out Certificates of Appreciation to each Councilor and Town Clerk Denise Hodsdon.

Councilor Murphy wished Councilor Gilberti good luck.

Councilor Cox extended appreciation to the Public Works Department for their hard work during the recent storms and she wished Councilor Gilberti a Happy Retirement.

Councilor Gilberti wished everyone Happy Holidays and said his retirement from the Council is bittersweet – he will miss it.

Councilor Brann told Councilor Gilberti to enjoy his retirement.

Councilor Arnett joined in congratulations to Councilor Gilberti and commended him for his wonderful service. He also gave his compliments to the Mayor for a job well done.

Councilor Colford wished everyone a Merry Christmas and also wished Councilor Gilberti good luck.

Mayor Briggs wished the entire community Happy Holidays.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:57 p.m.



Denise Hodsdon
Town Clerk

TOWN COUNCIL MINUTES

JANUARY 22, 2008

Due to the Martin Luther King, Jr. Day holiday, the regularly scheduled meeting of the Hampden Town Council was held on Tuesday, January 22, 2008. The meeting was held at the municipal building council chambers and was called to order by Mayor Briggs at 7:00 p.m.

Attendance: Councilors: Mayor Rick Briggs, Thomas Brann, Andrew Colford, Edward Murphy, Matthew Arnett, Shannon Cox and Andre Cushing (until 9:00 pm)

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Economic Development Director Bion Foster and Public Works Director Chip Swan

Victoria Burpee of Eastern Maine Development Corporation and citizens

A. CONSENT AGENDA

There were no Treasurer's Warrants for signatures of the Finance Committee. Councilor Arnett requested that Item A.4.b. be set aside. The balance of the Consent Agenda was accepted without objection.

A.4.b. AMBULANCE COLLECTION WORKSHEET – 12/31/07

Councilor Arnett asked Manager Lessard to explain what this report means. Manager Lessard explained that this allows the Council to know how this service is working and gives a monthly breakdown of the amount billed, amount allowed by insurance companies and the amount outstanding. She explained that the amount outstanding is generally the amount that insurance will not pay and/or is payable by the individual. This has already been referred to the Finance Committee for determination of action necessary to either actively pursue collection or write off the older accounts. Motion by Councilor Arnett, seconded by Councilor Cushing to accept Item A.4.b – unanimous vote in favor.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. TAX INCREMENT FINANCING APPLICATION – HEC-HAMPDEN, LLC

Economic Development Director Bion Foster noted that when Haverlock, Estey & Curran made the proposal for the purchase of Lot #3 in the business park, they indicated that it would be their intent to submit an application for tax increment financing. He called upon Victoria Burpee of Eastern Maine Development Corporation to explain the details of the application. She explained this application meets the criteria of public purpose and the term is for ten years, during which 50% of the new assessed value will be returned to HEC-Hampden to assist with the debt service on the new building and 50% will go into the Town's general fund. Bion confirmed that the application also meets the criteria of the Town's Tax Increment Financing Policy.

Mayor Briggs explained the procedure for the public hearing and then opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Arnett, seconded by Councilor Brann to approve the TIF as outlined in the application. By roll call, vote was unanimously in favor of the motion.

b. APPLICATION FOR RENEWAL OF A VICTUALER'S LICENSE RECEIVED FROM WANG & LO, INC., d/b/a FRESH GINGER RESTAURANT AT 64 MAIN ROAD NORTH

Mayor Briggs opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Colford, seconded by Councilor Brann to approve the application – unanimous vote in favor.

c. APPLICATION FOR RENEWAL OF A LIQUOR LICENSE RECEIVED FROM WANG & LO, INC., d/b/a FRESH GINGER RESTAURANT AT 64 MAIN ROAD NORTH

Mayor Briggs opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Murphy, seconded by Councilor Colford to approve the application – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

a. BACKYARD COMPOSTER PROGRAM

Manager Lessard asked if the Council wished to participate in the composter program again this year in the same manner as past years. The last three years, the Council, together with Pine Tree Landfill has subsidized the cost of the composters so residents only paid 50% of the total cost.

Motion by Councilor Brann, seconded by Councilor Colford to continue with the program again this year – unanimous vote in favor.

b. OUTDOOR GRADUATION – COUNCILOR COX

Councilor Cox had some general comments in reference to an article that appeared in the *Bangor Daily News* on January 14, 2008 regarding the request to help fund an outdoor graduation. She said in reading the article, she was a bit distressed because she feels it was not an accurate portrayal of what actually happened in the Council chambers that night. She wished the article had been more reflective of the nature of the discussion that evening and that it had been a 4-3 vote.

Manager Lessard said it is her understanding that the outcome of the meeting between the Administration and the Senior Class is that the Senior Class was instructed to do some fundraising to see what they could raise. They will then go back to the Administration, which will work with them to supplement it in order for the graduation to go forward. Manager Lessard agreed with Councilor Cox and noted that the headline set the tone of the article. She summarized the outcome of the last meeting – that the Council overall was supportive, that she was going to meet with the Superintendent and look for a way to resolve this – it wasn't that the Town did not care.

Councilor Cox expressed the need for a written policy on how the Council handles donation requests from various student groups. Councilor Brann said he would like any policy to also address the annual requests from non-profit organizations at budget time. Councilor Colford said he would agree with a policy as long as it does not set a fixed dollar amount for certain types of groups. He believes the determination needs to be made on a case-by-case basis.

Motion by Councilor Arnett, seconded by Councilor Cox that the issue of discretionary fund use by the Town Council and requests received from outside agencies be referred to the Finance Committee for recommendation of a process – unanimous vote in favor.

c. TRANSFER STATION DECAL POLICY

Manager Lessard informed the Council that there have been many problems related to the issuance of transfer station stickers and requested that this be referred to the Public Works Committee for development of a list of regulations that govern who is eligible for a sticker.

Motion by Councilor Arnett, seconded by Councilor Cushing to refer this item to the Public Works Committee – unanimous vote in favor.

A meeting of the Public Works Committee was scheduled for 6:00 pm on Thursday, January 24th.

d. COMMITTEE ASSIGNMENTS

Committee assignments were made at the Council's workshop held at 6:00 pm. The Council also received a list of outstanding items that each Committee is working on.

4. NEW BUSINESS

There was none.

D. COMMITTEE REPORTS

There were none.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached hereto.

F. COUNCILOR'S COMMENTS

Councilor Arnett commented that during the Council's workshop regarding committee assignments, the Council discussed the status of the Communications Committee and it seemed to be the consensus that it become a regular Town Council Committee. He requested that it be placed on the agenda for consideration and potential adoption of that status at the next Council meeting.

Councilor Brann commented that the list of outstanding items for the Finance Committee should also include establishment of a plan for reserve fund use.

MANAGER'S REPORT

January 22, 2008

WATER DISTRICT RATE INCREASE PUBLIC HEARING REMINDER – Tomorrow evening, January 23, 2008, the Public Utilities Commission will hold a hearing in Hampden for testimony regarding the rate increase proposal for the Hampden Water District. It is being held at 6 p.m. at Reed's Brook Middle School. Anyone interested in this issue should attend.

SPECIAL MEETING – GOALS & OBJECTIVES REVIEW – A reminder that the Town Council has scheduled a special Council meeting on Monday, January 28, 2008 at 7 p.m. to review Goals and Objectives that were developed at the end of 2007. In addition, I am hoping that the Council will also take this opportunity to discuss the 'next step' in going forward with our Economic Development process. Now that we have the Economic & Community Development Specialist on board and Bion has spent nearly a month with him in getting up to speed on ongoing projects, we need to talk about what the Council wishes to proceed. The contractual relationship with Bion is changing to one that is project specific and the definition of those projects needs to occur along with a timetable and budget.

COMMUNITY VISIONING MEETING – HAMPDEN ACADEMY RE-USE – SAD 22 is sponsoring a session on January 29, 2008 from 6-8 p.m. at the Old Gym at the High School. All interested persons are encouraged to attend and contribute input.

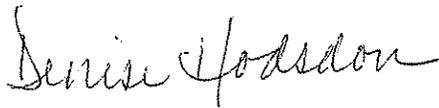
COMMUNICATIONS MEETING - A Communications Committee meeting will be held at 7 p.m. on Thursday, January 24th at the Town Office for the purpose of discussing goals for the coming year. All interested persons are encouraged to attend.

Municipal Review Committee Meeting – The next meeting of the Municipal Review Committee is on January 30th at 10 a.m. at Eastern Maine Development Corporation. EcoMaine will be doing a presentation at the meeting on Single Stream Recycling.

Councilor Arnett commented that the list of outstanding committee items did not include the Economic Development Committee and he recalled that the Council took some action at the point where the comprehensive planning process had gone forward enough to get an independent assessment of what our potential for economic development might be. Councilor Brann said he thought that the Economic Development Committee was also going to look into the TIF program to see if we want to reallocate that and whether we want to change our designation in terms of Pine Tree Zones.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:13 p.m.

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon
Town Clerk

TOWN COUNCIL MINUTES

JANUARY 28, 2008

A special workshop of the Hampden Town Council was held on Monday, January 28, 2008 for the purpose of reviewing goals and objectives. The meeting was called to order at 7:05 p.m.

Attendance: Councilors: Mayor Rick Briggs, Andrew Colford, Andre Cushing, Edward Murphy, Matt Arnett and Shannon Cox. Thomas Brann was absent.

Town Manager: Susan Lessard

This was a round-table type review and discussion of the short-term and long-term goals and objectives identified by the Council in August, 2007. Manager Lessard had compiled an outline of the goals and objectives, including the responsible parties and proposed time line for implementation of each item.

Several items on the list have already been completed or are in progress:

1. **OUTREACH TO EXISTING BUSINESSES** – Economic and Community Development Specialist Dean Bennett has begun mailing letters to existing businesses to introduce himself and the services the Town has to offer.
2. **COUNCIL COMMITTEE ASSIGNMENT PROCESS** – Completed
3. **CABLE TV CHANNEL USE POLICY** – Completed and adopted by Council
4. **TANKER TRUCK PLAN DEFINITION** – A plan is in place for delivery of a new truck in 2010
5. **TRANSFER STATION REVIEW** – The Public Works & Solid Waste Committee has discussed the problems related to the issuance of transfer station stickers and will be bringing a recommendation to the Council on February 4th.
6. **REGIONALIZATION OF SERVICES** – Manager Lessard is currently participating in the regional land trust project and is involved with the Bangor Region Chamber of Commerce and other municipalities in looking at what types of municipal services could be offered on a regional basis such as general assistance, line painting and striping, assessing services and animal control.
7. **WATER SOURCE/WATER DISTRICT** – The PUC is currently reviewing the District's request for a rate increase and a decision could take up to 9 months. Attorney Russell has researched the process for the Town to take over the Water District and he has submitted a letter explaining what steps are necessary. This advisory letter will be on the Council's agenda for its meeting on February 4th. It was decided that it would be

best to wait until the issue of the rate increase is resolved before taking any steps toward taking over the Water District.

8. MAYO ROAD REBUILD – Updated cost numbers are being obtained, but have not come in yet.
9. ECONOMIC DEVELOPMENT ROLE CLARIFICATION – There was some discussion about the roles of the current Economic Development Director, the Economic & Community Development Specialist and the Town's Economic Development Committee. Manager Lessard will prepare a draft plan for the Council's review at its February 4th meeting.

Items yet to be completed are as follows:

1. AFFORDABLE HOUSING – This is part of the comprehensive planning process. Manager Lessard will have Economic & Community Development Specialist Dean Bennett develop a plan as to best way to encourage and assist in the development of affordable housing.
2. PROPERTY TAX REBATE PROGRAM FOR ELDERLY/LONG TERM RESIDENTS – Manager Lessard has obtained information from other municipalities who currently have such a program. She will prepare an analysis using Hampden's numbers to determine fiscal impact. That information will be forwarded to the Finance Committee for review.
3. IMPACT FEE & TIF POLICY REVIEW – The timeline for this item will need to be moved back due to the fact that the Economic & Community Development Specialist was hired later than originally anticipated.
4. COUNCILOR ABSENCE POLICY – The Charter & Ordinance Committee will move this to the front burner and will have a recommendation for the Council in the near future.

The Council also identified several new goals and objectives:

1. NEW SCHOOL PROJECT – Manager Lessard asked that this item be added to the list because it will engage community time and require input from the Council if the question arises about the reuse of Hampden Academy.
2. TRANSPORTATION ISSUES – Councilor Cushing felt that with the new school project, transportation/traffic issues in and around the Four-Mile Square area need to be discussed.
3. ALTERNATIVE ENERGY OPTIONS – Councilor Murphy wants to look at options for alternative energy for town facilities.
4. TOWN FACILITIES – Manager Lessard noted that at some point the Council will have to look at facilities such as whether to have a recreational community

center, potential need for additional space and parking at the municipal building, transfer station operation, and the library building.

5. PAPERLESS COUNCIL PACKETS – Councilor Cushing asked the Council to consider the possibility of receiving Council packets electronically. This would require purchasing laptop computers for each Councilor and would need to be included in the budget for FY 2009.

It was also decided that the Finance Committee will review the Town Manager's contract and compensation package as well as wage comparisons for other Town Staff.

Additionally, the Council decided that it will hold goal setting sessions in August of each year and then review those goals at the end of January.

There being no further business the meeting was adjourned at 9:55 p.m.



Denise R. Hodsdon
Town Clerk

January 18, 2008
310 Main Road North
Hampden, ME 04444

Susan M. Lessard,
Town Manager,
Town Office
Hampden, ME 04444

Dear Manager Lessard,

I am writing to express my appreciation for the efforts of two members of the Hampden Fire Department who assisted me on the evening of January 10th. Upon leaving the meeting I fell and experienced an extremely painful episode involving my elbow and perhaps blacking out.

The two officers arrived on the scene almost immediately and were so professional and attentive that I feel compelled to write this letter expressing my appreciation for their efforts. I rejected their strong recommendation that I should go to the hospital but I did agree to tests, bandaging, and a ride home.

This brief sketch does not do justice to the extraordinary care and attention I received from these two dedicated public servants. Nonetheless, I am writing to express to you that I am very pleased to realize that our town has such fine personnel and that this citizen greatly appreciates their service.

Sincerely,


Clyde MacDonald



Check One: Initial Application 4-3-b
 Application for Reappointment

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: STACK PHILIP A
LAST FIRST MI

ADDRESS: 1153 Kennebec Rd
STREET MAILING

TELEPHONE: 862-6072 same
HOME WORK

OCCUPATION: Horticulture / Entomologist

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: TREE BOARD

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? I have 30 years experience in

various aspects of horticulture with a specialty
in woody plants (trees/shrubs) I was professor of
horticulture at So. Me. Comm. College. I am also a professional
entomologist.

Are there any issues you feel this board or committee should address, or should continue to address? _____

Application of guidelines for the Hampden Tree
Ordinance

Already a member of commission 3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received <u>JAN 30 2008</u>
APPOINTMENTS COMMITTEE ACTION:	_____	DATE: _____
COUNCIL ACTION:	_____	DATE: _____
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

January 23, 2008

Cyndi Darling
Maine Dept. of Environmental Protection
Bureau of Remediation & Waste Management
106 Hogan Road
Bangor, Maine 04401

**RE: Pine Tree Landfill
2007 MSW Bypass Report**

Dear Cyndi:

Enclosed please find the 2007 MSW Bypass Report for Pine Tree Landfill. As you know, Pine Tree Landfill ceased accepting MSW Bypass effective June 1, 2007 as a condition of the Schedule of Compliance dated October 26, 2006. Since that time, all in-State MSW Bypass has been being shipped to Juniper Ridge Landfill with deliveries being documented in the Monthly Reports provided to the MDEP.

If you should have any questions regarding the enclosed, please feel free to contact me at 394-4371.

Sincerely,

PINE TREE LANDFILL



Tom Gilbert
Environmental Manager

Enclosure

CC: Marty Drew, PTL
Wayne Boyd, PTL
Toni King, Casella Waste Systems, Inc.
Susan Lessard, Town of Hampden

PINE TREE LANDFILL

UNPROCESSED MSW BYPASS REPORT

Reporting Period: 01/01/07 – 12/31/07

Monthly MSW Bypass Data:

Tons of unprocessed MSW bypassed from <i>PERC</i> to Pine Tree Landfill	0
Tons of unprocessed MSW bypassed from <i>Maine Energy</i> to Pine Tree Landfill	13,964.27
Tons of unprocessed MSW bypassed from <i>ECOMAINE (RWS)</i> to Pine Tree Landfill	1,330.00
Total tons of unprocessed MSW accepted at Pine Tree Landfill for reporting period	15,294.27

Monthly Data For Maine Energy:

Tons of RDF bypassed from Maine Energy to Pine Tree Landfill for reporting period	0
Year to date MSW processed at Maine Energy (tons)	277,311.54
Year to date RDF incinerated at Maine Energy (tons)	208,545.04
Year to date yield at Maine Energy	75.20%

January 13, 2008

Susan Lessard
Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

**RE: Pine Tree Landfill
Monthly Report of Landfill Complaints**

Dear Susan:

During the Month of December 2007, Pine Tree Landfill did not receive any complaints pertaining to the landfill.

If you should require any additional information, please feel free to contact me at 394-4371.

Sincerely,

PINE TREE LANDFILL



Tom Gilbert
Environmental Compliance Manager

CC: Cyndi Darling, MDEP
Marty Drew, Casella Waste Systems, Inc.
Wayne Boyd, Casella Waste Systems, Inc.
Don Meagher, Casella Waste Systems, Inc.
Toni King, Casella Waste Systems, Inc.

January 14, 2008

Cyndi Darling
Maine Dept. of Environmental Protection
Bureau of Remediation & Waste Management
106 Hogan Road
Bangor, Maine 04401

**RE: New England Waste Services of ME
d/b/a Pine Tree Landfill
Monthly Special Waste Activity Report**

Dear Cyndi:

Enclosed please find the December 2007 Waste Activity Report for Pine Tree Landfill. All analytical data relating to special waste deliveries to the landfill is kept on file for your review as required.

If you should have any questions regarding the enclosed, please do not hesitate to contact me at 394-4371.

Sincerely,

PINE TREE LANDFILL



Tom Gilbert
Environmental Manager

Enclosure

CC: Marty Drew, PTL
Wayne Boyd, PTL
Toni King, Casella Waste Systems, Inc.
Susan Lessard, Town of Hampden

PINE TREE LANDFILL
HAMPDEN, MAINE
MONTHLY WASTE ACTIVITY REPORT
December 2007

Delivery Date	Manifest Approval #	Waste Description	Quantity Delivered (tons)	Transporter Name	Generator Name	State of Origin
12/03/07	205000	BIO MEDICAL WASTE	1.92	PTS	HYDROCLAVE SYSTEMS	ME
12/05/07	205177	BIO MEDICAL WASTE	0.13	PTS	HYDROCLAVE SYSTEMS	ME
12/07/07	205455	BIO MEDICAL WASTE	1.82	PTS	HYDROCLAVE SYSTEMS	ME
12/10/07	205613	BIO MEDICAL WASTE	2.36	PTS	HYDROCLAVE SYSTEMS	ME
12/10/07	205636	BIO MEDICAL WASTE	6.15	PTS	HYDROCLAVE SYSTEMS	ME
12/12/07	205859	BIO MEDICAL WASTE	3.71	PTS	HYDROCLAVE SYSTEMS	ME
12/14/07	206117	BIO MEDICAL WASTE	2.50	PTS	HYDROCLAVE SYSTEMS	ME
12/17/07	206231	BIO MEDICAL WASTE	3.25	PTS	HYDROCLAVE SYSTEMS	ME
12/19/07	206416	BIO MEDICAL WASTE	2.92	PTS	HYDROCLAVE SYSTEMS	ME
12/21/07	206620	BIO MEDICAL WASTE	5.12	PTS	HYDROCLAVE SYSTEMS	ME
12/24/07	206730	BIO MEDICAL WASTE	5.77	PTS	HYDROCLAVE SYSTEMS	ME
12/26/07	206830	BIO MEDICAL WASTE	1.25	PTS	HYDROCLAVE SYSTEMS	ME
12/28/07	207044	BIO MEDICAL WASTE	4.77	PTS	HYDROCLAVE SYSTEMS	ME
12/31/07	207104	BIO MEDICAL WASTE	2.73	PTS	HYDROCLAVE SYSTEMS	ME
12/13/07	205988	CONTAMINATED SOIL	15.79	RFJ	3 PHASE COMSTRUCTION	ME
12/05/07	205254	CONTAMINATED SOIL	3.08	N.AMERICAN	CROXFORD RESIDENCE	ME
12/18/07	206395	CONTAMINATED SOIL	2.96	CH	ERNEST PARKER	ME
12/08/07	205538	FLY ASH	25.27	GOULET	SCHUILLER STSTION	NH
12/01/07	204923	FLY ASH	32.01	GOULET	SCHUILLER STSTION	NH
12/01/07	204924	FLY ASH	34.74	GOULET	SCHUILLER STSTION	NH
12/08/07	205549	FLY ASH	27.96	GOULET	SCHUILLER STSTION	NH
12/08/07	205550	FLY ASH	32.41	GOULET	SCHUILLER STSTION	NH
12/08/07	205552	FLY ASH	29.68	GOULET	SCHUILLER STSTION	NH
12/15/07	206171	FLY ASH	31.96	GOULET	SCHUILLER STSTION	NH
12/22/07	206692	FLY ASH	29.88	GOULET	SCHUILLER STSTION	NH
12/29/07	207075	FLY ASH	30.08	GOULET	SCHUILLER STSTION	NH
12/29/07	207081	FLY ASH	27.76	GOULET	SCHUILLER STSTION	NH
12/21/07	206636	GRIT SAND BLAST	9.85	PTS	ROCKLAND MARINE	ME
12/13/07	206025	INCINERATOR ASH	0.92	PTS	JACKSON LABORATORY	ME
12/27/07	206871	LAUNDRY RESIDUALS	16.56	EN	ALLTEX UNIFORM	NH
12/04/07	205112	LEATHERSCRAPS	11.70	PTS	IRVING TANNING	ME
12/11/07	205818	LEATHERSCRAPS	8.38	PTS	IRVING TANNING	ME
12/01/07	204904	MUNICIPAL ASH	26.21	KBC	PERC	ME
12/01/07	204905	MUNICIPAL ASH	29.34	KBC	PERC	ME
12/01/07	204908	MUNICIPAL ASH	30.23	KBC	PERC	ME
12/01/07	204914	MUNICIPAL ASH	27.75	KBC	PERC	ME
12/01/07	204950	MUNICIPAL ASH	29.90	KBC	PERC	ME
12/02/07	204963	MUNICIPAL ASH	27.69	KBC	PERC	ME
12/02/07	204964	MUNICIPAL ASH	27.26	KBC	PERC	ME
12/02/07	204965	MUNICIPAL ASH	31.15	KBC	PERC	ME
12/02/07	204966	MUNICIPAL ASH	30.57	KBC	PERC	ME
12/02/07	204967	MUNICIPAL ASH	29.14	KBC	PERC	ME
12/02/07	204977	MUNICIPAL ASH	27.85	KBC	PERC	ME
12/03/07	204992	MUNICIPAL ASH	27.55	KBC	PERC	ME
12/03/07	204993	MUNICIPAL ASH	28.65	KBC	PERC	ME
12/03/07	204994	MUNICIPAL ASH	28.38	KBC	PERC	ME
12/03/07	204995	MUNICIPAL ASH	31.19	KBC	PERC	ME
12/03/07	205028	MUNICIPAL ASH	30.28	KBC	PERC	ME
12/03/07	205044	MUNICIPAL ASH	31.44	KBC	PERC	ME
12/03/07	205062	MUNICIPAL ASH	21.00	KBC	PERC	ME
12/04/07	205079	MUNICIPAL ASH	27.05	KBC	PERC	ME
12/04/07	205094	MUNICIPAL ASH	29.14	KBC	PERC	ME
12/04/07	205095	MUNICIPAL ASH	28.33	KBC	PERC	ME
12/04/07	205108	MUNICIPAL ASH	26.92	KBC	PERC	ME
12/04/07	205109	MUNICIPAL ASH	27.08	KBC	PERC	ME
12/04/07	205151	MUNICIPAL ASH	28.45	KBC	PERC	ME
12/05/07	205182	MUNICIPAL ASH	24.54	KBC	PERC	ME
12/05/07	205183	MUNICIPAL ASH	28.25	KBC	PERC	ME
12/05/07	205186	MUNICIPAL ASH	30.79	KBC	PERC	ME
12/05/07	205217	MUNICIPAL ASH	28.86	KBC	PERC	ME
12/05/07	205247	MUNICIPAL ASH	31.66	KBC	PERC	ME
12/06/07	205293	MUNICIPAL ASH	31.95	KBC	PERC	ME
12/06/07	205294	MUNICIPAL ASH	28.28	KBC	PERC	ME
12/06/07	205295	MUNICIPAL ASH	29.06	KBC	PERC	ME
12/06/07	205315	MUNICIPAL ASH	27.11	KBC	PERC	ME
12/06/07	205349	MUNICIPAL ASH	28.45	KBC	PERC	ME
12/06/07	205384	MUNICIPAL ASH	24.34	KBC	PERC	ME
12/07/07	205432	MUNICIPAL ASH	27.79	KBC	PERC	ME
12/07/07	205433	MUNICIPAL ASH	27.04	KBC	PERC	ME
12/07/07	205434	MUNICIPAL ASH	28.77	KBC	PERC	ME
12/07/07	205436	MUNICIPAL ASH	27.78	KBC	PERC	ME
12/07/07	205477	MUNICIPAL ASH	26.72	KBC	PERC	ME
12/07/07	205521	MUNICIPAL ASH	25.67	KBC	PERC	ME
12/08/07	205535	MUNICIPAL ASH	28.24	KBC	PERC	ME
12/08/07	205536	MUNICIPAL ASH	26.08	KBC	PERC	ME
12/08/07	205537	MUNICIPAL ASH	27.72	KBC	PERC	ME
12/08/07	205560	MUNICIPAL ASH	26.31	KBC	PERC	ME
12/08/07	205586	MUNICIPAL ASH	24.58	KBC	PERC	ME
12/09/07	205592	MUNICIPAL ASH	29.66	KBC	PERC	ME
12/09/07	205593	MUNICIPAL ASH	27.84	KBC	PERC	ME
12/09/07	205594	MUNICIPAL ASH	27.98	KBC	PERC	ME
12/09/07	205595	MUNICIPAL ASH	26.22	KBC	PERC	ME
12/09/07	205596	MUNICIPAL ASH	28.12	KBC	PERC	ME
12/09/07	205599	MUNICIPAL ASH	21.97	KBC	PERC	ME
12/10/07	205626	MUNICIPAL ASH	28.30	KBC	PERC	ME
12/10/07	205627	MUNICIPAL ASH	27.37	KBC	PERC	ME
12/10/07	205628	MUNICIPAL ASH	29.35	KBC	PERC	ME
12/10/07	205629	MUNICIPAL ASH	30.40	KBC	PERC	ME

PINE TREE LANDFILL
HAMPDEN, MAINE
MONTHLY WASTE ACTIVITY REPORT
December 2007

12/10/07	205655	MUNICIPAL ASH	27.46	KBC	PERC	ME
12/10/07	205697	MUNICIPAL ASH	28.43	KBC	PERC	ME
12/11/07	205734	MUNICIPAL ASH	29.13	KBC	PERC	ME
12/11/07	205735	MUNICIPAL ASH	29.35	KBC	PERC	ME
12/11/07	205738	MUNICIPAL ASH	26.52	KBC	PERC	ME
12/11/07	205816	MUNICIPAL ASH	26.90	KBC	PERC	ME
12/12/07	205883	MUNICIPAL ASH	29.61	KBC	PERC	ME
12/12/07	205884	MUNICIPAL ASH	27.44	KBC	PERC	ME
12/13/07	205976	MUNICIPAL ASH	26.03	KBC	PERC	ME
12/13/07	205977	MUNICIPAL ASH	26.35	KBC	PERC	ME
12/13/07	205981	MUNICIPAL ASH	25.09	KBC	PERC	ME
12/13/07	206067	MUNICIPAL ASH	26.02	KBC	PERC	ME
12/14/07	206093	MUNICIPAL ASH	31.70	KBC	PERC	ME
12/14/07	206108	MUNICIPAL ASH	30.51	KBC	PERC	ME
12/14/07	206151	MUNICIPAL ASH	28.24	KBC	PERC	ME
12/15/07	206164	MUNICIPAL ASH	28.65	KBC	PERC	ME
12/15/07	206165	MUNICIPAL ASH	28.25	KBC	PERC	ME
12/15/07	206166	MUNICIPAL ASH	27.70	KBC	PERC	ME
12/15/07	206183	MUNICIPAL ASH	24.09	KBC	PERC	ME
12/15/07	206209	MUNICIPAL ASH	25.56	KBC	PERC	ME
12/16/07	206216	MUNICIPAL ASH	28.76	KBC	PERC	ME
12/16/07	206217	MUNICIPAL ASH	28.62	KBC	PERC	ME
12/16/07	206218	MUNICIPAL ASH	29.73	KBC	PERC	ME
12/17/07	206222	MUNICIPAL ASH	27.82	KBC	PERC	ME
12/17/07	206223	MUNICIPAL ASH	28.29	KBC	PERC	ME
12/17/07	206224	MUNICIPAL ASH	28.61	KBC	PERC	ME
12/17/07	206243	MUNICIPAL ASH	22.67	KBC	PERC	ME
12/17/07	206269	MUNICIPAL ASH	24.23	KBC	PERC	ME
12/17/07	206285	MUNICIPAL ASH	28.44	KBC	PERC	ME
12/18/07	206321	MUNICIPAL ASH	26.03	KBC	PERC	ME
12/18/07	206322	MUNICIPAL ASH	25.99	KBC	PERC	ME
12/19/07	206406	MUNICIPAL ASH	27.12	KBC	PERC	ME
12/19/07	206407	MUNICIPAL ASH	23.97	KBC	PERC	ME
12/19/07	206478	MUNICIPAL ASH	30.74	KBC	PERC	ME
12/20/07	206523	MUNICIPAL ASH	28.45	KBC	PERC	ME
12/20/07	206524	MUNICIPAL ASH	28.76	KBC	PERC	ME
12/20/07	206577	MUNICIPAL ASH	25.58	KBC	PERC	ME
12/21/07	206599	MUNICIPAL ASH	30.58	KBC	PERC	ME
12/21/07	206600	MUNICIPAL ASH	28.79	KBC	PERC	ME
12/21/07	206672	MUNICIPAL ASH	22.92	KBC	PERC	ME
12/22/07	206688	MUNICIPAL ASH	26.65	KBC	PERC	ME
12/22/07	206689	MUNICIPAL ASH	31.08	KBC	PERC	ME
12/22/07	206719	MUNICIPAL ASH	28.08	KBC	PERC	ME
12/23/07	206724	MUNICIPAL ASH	30.19	KBC	PERC	ME
12/23/07	206725	MUNICIPAL ASH	28.86	KBC	PERC	ME
12/23/07	206727	MUNICIPAL ASH	28.25	KBC	PERC	ME
12/24/07	206731	MUNICIPAL ASH	30.13	KBC	PERC	ME
12/24/07	206732	MUNICIPAL ASH	27.92	KBC	PERC	ME
12/24/07	206761	MUNICIPAL ASH	29.78	KBC	PERC	ME
12/26/07	206762	MUNICIPAL ASH	29.71	KBC	PERC	ME
12/26/07	206763	MUNICIPAL ASH	29.56	KBC	PERC	ME
12/26/07	206764	MUNICIPAL ASH	21.41	KBC	PERC	ME
12/26/07	206765	MUNICIPAL ASH	31.07	KBC	PERC	ME
12/26/07	206766	MUNICIPAL ASH	29.44	KBC	PERC	ME
12/26/07	206831	MUNICIPAL ASH	27.55	KBC	PERC	ME
12/27/07	206864	MUNICIPAL ASH	29.80	KBC	PERC	ME
12/27/07	206918	MUNICIPAL ASH	30.81	KBC	PERC	ME
12/28/07	206987	MUNICIPAL ASH	27.36	KBC	PERC	ME
12/28/07	207003	MUNICIPAL ASH	30.77	KBC	PERC	ME
12/28/07	207035	MUNICIPAL ASH	21.16	KBC	PERC	ME
12/29/07	207057	MUNICIPAL ASH	30.37	KBC	PERC	ME
12/29/07	207058	MUNICIPAL ASH	27.23	KBC	PERC	ME
12/29/07	207070	MUNICIPAL ASH	25.80	KBC	PERC	ME
12/29/07	207086	MUNICIPAL ASH	26.72	KBC	PERC	ME
12/30/07	207089	MUNICIPAL ASH	27.62	KBC	PERC	ME
12/30/07	207090	MUNICIPAL ASH	26.88	KBC	PERC	ME
12/30/07	207091	MUNICIPAL ASH	28.08	KBC	PERC	ME
12/30/07	207092	MUNICIPAL ASH	23.18	KBC	PERC	ME
12/30/07	207093	MUNICIPAL ASH	26.43	KBC	PERC	ME
12/30/07	207096	MUNICIPAL ASH	31.32	KBC	PERC	ME
12/31/07	207102	MUNICIPAL ASH	30.46	KBC	PERC	ME
12/31/07	207113	MUNICIPAL ASH	30.37	KBC	PERC	ME
12/31/07	207115	MUNICIPAL ASH	30.46	KBC	PERC	ME
12/31/07	207116	MUNICIPAL ASH	27.52	KBC	PERC	ME
12/31/07	207130	MUNICIPAL ASH	25.47	KBC	PERC	ME
12/31/07	207136	MUNICIPAL ASH	21.59	KBC	PERC	ME
12/03/07	205063	NON FRIABLE ASBESTOS	30.53	KBC	BONO INC	MA
12/03/07	205073	NON FRIABLE ASBESTOS	30.40	KBC	BONO INC	MA
12/04/07	205145	NON FRIABLE ASBESTOS	27.41	KBC	BONO INC	MA
12/04/07	205158	NON FRIABLE ASBESTOS	28.72	KBC	BONO INC	MA
12/05/07	205161	NON FRIABLE ASBESTOS	27.69	KBC	BONO INC	MA
12/05/07	205221	NON FRIABLE ASBESTOS	25.65	KBC	BONO INC	MA
12/05/07	205225	NON FRIABLE ASBESTOS	29.49	KBC	BONO INC	MA
12/05/07	205268	NON FRIABLE ASBESTOS	27.90	KBC	BONO INC	MA
12/05/07	205275	NON FRIABLE ASBESTOS	27.98	KBC	BONO INC	MA
12/06/07	205286	NON FRIABLE ASBESTOS	26.43	KBC	BONO INC	MA
12/06/07	205313	NON FRIABLE ASBESTOS	26.50	KBC	BONO INC	MA
12/06/07	205333	NON FRIABLE ASBESTOS	27.21	KBC	BONO INC	MA
12/06/07	205363	NON FRIABLE ASBESTOS	30.49	KBC	BONO INC	MA
12/06/07	205391	NON FRIABLE ASBESTOS	27.59	KBC	BONO INC	MA
12/06/07	205394	NON FRIABLE ASBESTOS	27.57	KBC	BONO INC	MA
12/06/07	205395	NON FRIABLE ASBESTOS	29.65	NA	BONO INC	MA
12/06/07	205399	NON FRIABLE ASBESTOS	26.22	KBC	BONO INC	MA

PINE TREE LANDFILL
HAMPDEN, MAINE
MONTHLY WASTE ACTIVITY REPORT
December 2007

12/07/07	205519	NON FRIABLE ASBESTOS	26.33	KBC	BONO INC	MA
12/07/07	205520	NON FRIABLE ASBESTOS	26.79	KBC	BONO INC	MA
12/07/07	205528	NON FRIABLE ASBESTOS	26.87	KBC	BONO INC	MA
12/07/07	205529	NON FRIABLE ASBESTOS	28.62	KBC	BONO INC	MA
12/07/07	205531	NON FRIABLE ASBESTOS	25.89	KBC	BONO INC	MA
12/07/07	205533	NON FRIABLE ASBESTOS	23.63	KBC	BONO INC	MA
12/08/07	205546	NON FRIABLE ASBESTOS	23.68	KBC	BONO INC	MA
12/10/07	205667	NON FRIABLE ASBESTOS	22.55	KBC	BONO INC	MA
12/10/07	205668	NON FRIABLE ASBESTOS	19.49	KBC	BONO INC	MA
12/13/07	206030	NON FRIABLE ASBESTOS	2.40	PTW	KENNEBEC MENNONITE CHURCH	ME
12/14/07	206102	NON FRIABLE ASBESTOS	0.09	PTW	KENNEBEC MENNONITE CHURCH	ME
12/28/07	206975	NON FRIABLE ASBESTOS	3.36	PTW	KENNEBEC MENNONITE CHURCH	ME
12/04/07	205144	NON FRIABLE ASBESTOS	20.95	KBC	MCCONNELL/TAUNTON	MA
12/05/07	205164	NON FRIABLE ASBESTOS	22.41	KBC	MCCONNELL/TAUNTON	MA
12/05/07	205166	NON FRIABLE ASBESTOS	21.55	KBC	MCCONNELL/TAUNTON	MA
12/07/07	205407	NON FRIABLE ASBESTOS	15.95	KBC	MCCONNELL/TAUNTON	MA
12/11/07	205768	NON FRIABLE ASBESTOS	27.04	KBC	MCCONNELL/TAUNTON	MA
12/14/07	206100	NON FRIABLE ASBESTOS	22.20	KBC	MCCONNELL/TAUNTON	MA
12/27/07	206867	NON FRIABLE ASBESTOS	27.61	KBC	MCCONNELL/TAUNTON	MA
12/05/07	205170	NON FRIABLE ASBESTOS	4.97	PTW	NEW MEDOWS ABATEMENT	ME
12/03/07	205015	NON FRIABLE ASBESTOS	13.50	PTS	PORTLAND DIVERSIFY	ME
12/03/07	205016	NON FRIABLE ASBESTOS	10.88	PTS	PORTLAND DIVERSIFY	ME
12/31/07	207107	NON FRIABLE ASBESTOS	0.50	B. H. BIKE	BAR HARBOR YACHT CLUB	ME
12/06/07	205354	NON FRIABLE ASBESTOS	0.78	BOB	BOB WAVE	ME
12/01/07	204906	NON FRIABLE ASBESTOS	3.53	CRESCIO	BU/BRANDIS/PRK ST CONDOS	MA
12/12/07	205908	NON FRIABLE ASBESTOS	0.75	GELDART	GARY GELDART	ME
12/03/07	205047	NON FRIABLE ASBESTOS	29.44	KBC	BONO INC	MA
12/26/07	206792	NON-HAZARD CHEMICAL RELATED	4.54	PTS	TOM'S OF MAINE	ME
12/27/07	206882	NON-HAZARD CHEMICAL RELATED	19.13	EN	ENPRO	ME
12/27/07	206940	OILY DEBRIS	4.81	CH	ADAM CORAGAIN	ME
12/28/07	207037	OILY DEBRIS	1.87	CH	ADAM CORAGAIN	ME
12/07/07	205486	OILY DEBRIS	29.77	EN	ENPRO ENVIRONMENTAL SERVICES	ME
12/27/07	206922	OILY DEBRIS	16.04	EN	ENPRO ENVIRONMENTAL SERVICES	ME
12/01/07	204915	OILY DEBRIS	32.49	J&J	UNITED OIL RECOVERY	NH
12/05/07	205219	OILY DEBRIS	32.05	J&J	UNITED OIL RECOVERY	NH
12/06/07	205348	OILY DEBRIS	32.29	J&J	UNITED OIL RECOVERY	NH
12/10/07	205651	OILY DEBRIS	31.59	J&J	UNITED OIL RECOVERY	NH
12/11/07	205776	OILY DEBRIS	32.06	J&J	UNITED OIL RECOVERY	NH
12/13/07	206054	OILY DEBRIS	32.96	J&J	UNITED OIL RECOVERY	NH
12/18/07	206361	OILY DEBRIS	32.42	J&J	UNITED OIL RECOVERY	NH
12/20/07	206504	OILY DEBRIS	32.15	J&J	UNITED OIL RECOVERY	NH
12/21/07	206647	OILY DEBRIS	32.67	J&J	UNITED OIL RECOVERY	NH
12/26/07	206803	OILY DEBRIS	32.78	J&J	UNITED OIL RECOVERY	NH
12/27/07	206860	OILY DEBRIS	23.88	J&J	UNITED OIL RECOVERY	NH
12/26/07	206771	OILY DEBRIS	3.07	PS	VERSO TAPERS	ME
12/10/07	205607	PIGEON WASTE	0.01	CH	UNIVERSITY OF MAINE	ME
12/04/07	205111	SUMP CLEAN OUT	0.28	DOT	MAINE DOT	ME
12/18/07	206326	SUMP CLEAN OUT	0.19	DOT	MAINE DOT	ME
12/28/07	207006	SUMP CLEAN OUT	6.04	CH	GLIDDEN AUTO BODY	ME
12/18/07	206399	SUMP CLEAN OUT	3.31	CH	GUILFORD OF ME.	ME
12/19/07	206412	SUMP CLEAN OUT	4.94	CH	GUILFORD OF ME.	ME
12/19/07	206483	SUMP CLEAN OUT	5.29	CH	GUILFORD INDUSTRIES	ME
12/08/07	205547	WATER FITRATION MEDIA	25.66	KBC	TOWN OF BILLERICA	MA
12/17/07	206257	WOOD ASH	10.17	PTS	AROOSTOOK & BANGOR RELOAD	ME
12/12/07	205856	WOOD ASH	0.92	PTS	TOWN OF HAMPDEN	ME

MONTH TOTAL (TONS): 5,505.92

Request for Proposal

Hampden Fish Agent

The town of Hampden is requesting proposals from individuals interested in serving as Fish Agent in the 2008 calendar year. This is envisioned as a three year position, conditional on satisfactory performance.

The primary responsibility involved in this position is the harvesting of alewives in accordance with Maine State Department of Marine Resources regulations under the general supervision of the Hampden Conservation Commission.

The successful applicant will be issued the sole license for alewife fishing in the Town of Hampden and will be required to maintain accurate records of the harvest and pay the Town of Hampden a competitive percentage of the proceeds from the harvest.

Please submit qualifications and references to the Town Clerk, at the Hampden Town Office.

Appointments Committee Minutes
January 29, 2008

Attending:

- Chairman Andrew Colford
- Councilor Ed Murphy
- Councilor Andre Cushing, III
- Sue Lessard, Town Manager

The meeting was opened at 7:00 p.m. for the purpose of interviewing candidates for the Recreation Committee and Pool Board of Trustees as well as reviewing candidate applications for reappointments.

The Committee interviewed Mary Ellen Connor for Pool Board Trustee, and Tracey Mahoney, Kevin Gendreau, and Terry Bean for Recreation Committee. The Committee also discussed elevating Michael Clisham from Associate to Regular member of the Appeals Board due to a vacancy.

Committee action was taken as follows:

1. New Appointments:

- a. Mary Ellen Conner – Pool Board of Trustees
- b. Tracey Mahoney – Recreation Committee
- c. Kevin Gendreau – Recreation Committee
- d. Terry Bean – Recreation Committee
- e. Michael Clisham – Board of Appeals – Associate to Regular Member

Motion by Ed Murphy, seconded by Andre Cushing, III to recommend appointment. Vote 3-0

2. Reappointments:

- a. Bion Foster – Library Board of Trustees
- b. Ruth Stearns – Library Board of Trustees
- c. John Skehan – Library Board of Trustees
- d. Donald Desmarais – Library Board of Trustees
- e. Dana Skinner – Economic Development Committee
- f. Norman Stern – Pool Board of Trustees
- g. Michael Avery – Planning Board
- h. Morten Syversen – Planning Board
- i. Peter Frazier – Planning
- j. David Lindemann – Recreation Committee

Motion by Andre Cushing, seconded by Ed Murphy to recommend re-appointment. Vote 3-0. The next meeting of the Appointments Committee will be at 7 p.m. on Monday, February 11, 2008 at the Town Office.

Respectfully submitted
Susan Lessard
Town Manager



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Canner MARY Ellen
LAST FIRST MI

ADDRESS: 10 South Rd Brewer
STREET MAILING

TELEPHONE: 989-7434
HOME WORK

OCCUPATION: Retired - Bangor Hydro Elec.

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: Lura Hoyt Memorial Pool

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? _____

Former Hampden Resident - 1939-1984
3 children thru Hampden school sys.

Are there any issues you feel this board or committee should address, or should continue to address? _____

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

3 YEAR

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received DEC 18 2007
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Mahoney Tracey S
LAST FIRST MI

ADDRESS: 59 Surrey Ln Hampden ME 04444
STREET MAILING

TELEPHONE: 862-4575 299-4575
HOME WORK

OCCUPATION: Medical Communications Consultant

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Recreation

SECOND CHOICE (OPTIONAL): —

How would your experience, education and/or occupation be a benefit to this board or committee? I've participated in rec programs as a child and adult, was captain of the track team at UMaine where I also ran cross-country, was a volunteer coach for a high school track team, and am a parent of children who participate in rec programs.

Are there any issues you feel this board or committee should address, or should continue to address? Not at this time

- 3 YEAR
- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

- 5 YEAR
- PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>12/17/07</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

C-2-a-1-c

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: GENDREAU LAST KEVIN FIRST J. MI

ADDRESS: 20 NORWAY DRIVE STREET HAMPDEN, ME 04444 MAILING

TELEPHONE: 207/433-0689 HOME 207/944-4570 WORK

OCCUPATION: DIRECTOR OF SALES & MARKETING

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: RECREATION COMMITTEE (PARKS & REC)

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? AS A PAST BUSINESS OWNER & CURRENT DIRECTOR,

MY CAPABILITIES ASSOCIATED WITH PLANNING & STRATEGIC PLANNING
WOULD BE OF GREAT VALUE TO THIS BOARD. AS A PARENT OF
TWO YOUNG BOYS - I ALSO KNOW WHAT CHILDREN & VOLUNTEERS NEED
IN THE WAY OF SERVICES AND GUIDANCE.

Are there any issues you feel this board or committee should address, or should continue to address? ACCESS TO MORE PROGRAMS, BETTER

GUIDANCE & PLANNING FOR VOLUNTEERS, IMPROVEMENT TO
THE REPUTATION OF HAMPDEN PARKS & RECREATION DEPT.

3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>8/13/07</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Bean Terry A.
LAST FIRST MI

ADDRESS: 387 Old County Rd
STREET MAILING

TELEPHONE: 990-3339 941-2610
HOME WORK

OCCUPATION: Mechanist

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Rec Committee

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? My company rents softball field every year for inter-mural league. Kids have played sports in Hampden rec.

Are there any issues you feel this board or committee should address, or should continue to address? None

- 3 YEAR
- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- 5 YEAR
- PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>12/10/07</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment to full Member

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Clisham Michael R.
LAST FIRST MI

ADDRESS: 135 Mayo Road, Unit E, Hampden ME 04444
STREET MAILING

TELEPHONE: 356-2845 992-4328
HOME WORK

OCCUPATION: Attorney

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: BOARD OF APPEALS

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? See prior application. Application for appointment to full member from associate member.

Are there any issues you feel this board or committee should address, or should continue to address?

- 3 YEAR
- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- 5 YEAR
- PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>12/11/07</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Foster Bion A.
LAST FIRST MI

ADDRESS: B Foster Avenue, P.O. Box 287, Hampden, ME
STREET MAILING 04444

TELEPHONE: 862-2466 862-2466
HOME WORK

OCCUPATION: Self-employed

BOARD OR COMMITTEE PREFERENCE:
 FIRST CHOICE: E
 SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? I have been a member of this Board since the day it was gifted to the Town of Hampden, serving as Past Chairman of the Board, current Treasurer, and Chairman of the Dyer Library Endowment Fund Capital Campaign.

Are there any issues you feel this board or committee should address, or should continue to address?

- 3 YEAR
- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- 5 YEAR
- PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>DEC 26 2007</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Stearns Ruth G.
LAST FIRST MI

ADDRESS: 180 Main Road North Hampden 04444
STREET MAILING

TELEPHONE: 207 942-0396 _____
HOME WORK

OCCUPATION: Retired Teacher & Guidance Counselor

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: Library

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee?

Are there any issues you feel this board or committee should address, or should continue to address?
Increase in reader members
and eventually a large library

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

3 YEAR

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>DEC 18 2007</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Skahan John W.
LAST FIRST MI
ADDRESS: 22 Mountain View Drive
STREET MAILING
TELEPHONE: 945-9652 NA
HOME WORK
OCCUPATION: Retired

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: Dyer Library Board of Trustees
SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? Several terms on Library Bd of Trustees

Are there any issues you feel this board or committee should address, or should continue to address? _____

- | | | |
|--|---------------------------------|--|
| CONSERVATION COMMITTEE
BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
ECONOMIC DEVELOPMENT COMMITTEE | <u>3 YEAR</u> | DYER LIBRARY
RECREATION COMMITTEE
ZONING BOARD OF APPEALS
HISTORIC PRESERVATION COMMITTEE |
| | <u>5 YEAR</u>
PLANNING BOARD | |

FOR TOWN USE ONLY	Date Application Received <u>JAN 03 2008</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____
COUNCIL ACTION: _____	DATE: _____
<input type="checkbox"/> NEW APPT <input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Desmarais, Donald M
LAST FIRST MI

ADDRESS: 6 Charles St. Same
STREET MAILING

TELEPHONE: 862-5053 862-3620
HOME WORK

OCCUPATION: Own + Operate Hampden Redemption Center

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Dyer Library Board of Trustees

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? _____

Have been on the board and currently on
2nd term as chairman as well as chairman
of the endowment fund.

Are there any issues you feel this board or committee should address, or should continue to address? _____

We should continue to update our
by-laws.

3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY

Date Application Received: DEC 26 2007

APPOINTMENTS COMMITTEE ACTION: _____ DATE: _____

COUNCIL ACTION: _____ DATE: _____

NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Skinner, Dana L.
LAST FIRST MI

ADDRESS: 35 Pleasant St, Hampden, Me 04444
STREET MAILING

TELEPHONE: 862-4055 942-4618
HOME WORK

OCCUPATION: Real Estate Broker

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: Economic Development

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee?

Are there any issues you feel this board or committee should address, or should continue to address?

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

3 YEAR

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>DEC 26 2007</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: STERN NORMAN A
LAST FIRST MI

ADDRESS: 79 SUMMER ST
STREET MAILING

TELEPHONE: 862 5577 SAME
HOME WORK

OCCUPATION: RETIRED

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: LURA HOIT POOL

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee?

I have worked on the current Pool board for 3 years and am currently involved with many projects at the pool

Are there any issues you feel this board or committee should address, or should continue to address?

We are currently involved in a five year plan!

- 3 YEAR
- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

- 5 YEAR
- PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>DEC 26 2007</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Avery Michael J.
LAST FIRST MI

ADDRESS: 40 Riverview Road
STREET MAILING

TELEPHONE: 299-7988 989-4827
HOME WORK

OCCUPATION: Land Surveyor

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Planning Board

SECOND CHOICE (OPTIONAL): ZBA

How would your experience, education and/or occupation be a benefit to this board or committee? _____

30 years land surveyor / 18 years V.P.
CES, Inc. working closely with development
and Land Use Ordinances. 5 years P.B.

Are there any issues you feel this board or committee should address, or should continue to address? _____

This board should continue to treat applicants fairly,
professionally & consistently with respect to
assessing applicable ordinances.

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE

3 YEAR
5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY

Date Application Received: DEC 18 2007

APPOINTMENTS COMMITTEE ACTION: _____ DATE: _____

COUNCIL ACTION: _____ DATE: _____

NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application Application for Reappointment

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: FRAZIER PETER
LAST FIRST MI

ADDRESS: 80 GRIFFIN AVE
STREET MAILING

TELEPHONE: 862-5273 659-9929
HOME WORK

OCCUPATION:

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: PLANNING

SECOND CHOICE (OPTIONAL):

How would your experience, education and/or occupation be a benefit to this board or committee?

Are there any issues you feel this board or committee should address, or should continue to address?

- 3 YEAR
CONSERVATION COMMITTEE
BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
ECONOMIC DEVELOPMENT COMMITTEE
DYER LIBRARY
RECREATION COMMITTEE
ZONING BOARD OF APPEALS
HISTORIC PRESERVATION COMMITTEE
5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY
Date Application Received: 12/17/07
APPOINTMENTS COMMITTEE ACTION: DATE:
COUNCIL ACTION: DATE:
NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES:



Check One: Initial Application Application for Reappointment

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Lindemann David M.
LAST FIRST MI

ADDRESS: 2 Main Trail
STREET MAILING

TELEPHONE: 862-3131 469-1317
HOME WORK

OCCUPATION: Area Manager - Production Scheduling & Distribution

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Recreation Committee

SECOND CHOICE (OPTIONAL):

How would your experience, education and/or occupation be a benefit to this board or committee? Rec. Committee member for 9 years; past president of Hampden Soccer Club; umpire-in-chief of H-N L.L.; coach of soccer, football, baseball

Are there any issues you feel this board or committee should address, or should continue to address? volunteerism; planning for future recreation needs of Hampden residents esp. facilities

3 YEAR

- CONSERVATION COMMITTEE
BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
ECONOMIC DEVELOPMENT COMMITTEE

- DYER LIBRARY
RECREATION COMMITTEE
ZONING BOARD OF APPEALS
HISTORIC PRESERVATION COMMITTEE

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY
Date Application Received: JAN 15 2008
APPOINTMENTS COMMITTEE ACTION: DATE:
COUNCIL ACTION: DATE:
NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES:

ECONOMIC DEVELOPMENT TRANSITION

As discussed at the time that the Town Council established the position of Community and Economic Development Specialist, there was to be a transition from current operations to a different structure. That structure includes the following:

1. Hiring an Economic and Community Development Specialist. (Completed 1/7/08)
2. Period of utilizing both Bion Foster and the new hire with Bion providing background and information for the new person on the status of all ongoing Town economic development projects. (Began 1/08, period to end 2/29/08)
3. Change of the role of Bion Foster from Contracted Economic Development Director to Consultant with project-specific duties as defined by the Town Council. (Discussion of projects with Council to take place on 2/4/08 at regular council meeting and status change to take place concurrent with end of new hire training period of 2/29/08)
4. Current economic development activities for the Town of Hampden include:
 - Business Park promotion and lot sales. Determination of future actions relative to Phase II of park construction.
 - Work on Comprehensive Plan in representing economic development and business interests
 - Waterfront development projects including Hodgdon Yachts potential plan, planning/marketing appropriate business for Route 1A North.
 - 4 Mile square development – in conjunction with new school project.
 - Village Center concept as part of the process of re-use of the Hampden Academy site.
 - Locating affordable/workforce housing development in Hampden.
 - Revamping/reviewing the Town’s Tax Increment Financing Policy
 - Work with property owners/businesses interested in development of the Coldbrook Road corridor consistent with emerging Comprehensive Planning priorities.
 - Coordination with other staff for inclusion of ‘town forest’ or greenspace as part of development within the Coldbrook Road/95/202 corridor.
 - Outreach to existing businesses/work with the Hampden Business Association
 - Work with Recreation/residential development interests to insure that economic and residential development can be managed in such a way as to retain the character of the community while creating additional business opportunities as well



HAMPDEN PUBLIC SAFETY
Code Enforcement Division
106 Western Avenue
Hampden, Maine 04444
Phone 207-862-4500
Fax: 207-862-5067



Memo

Date: January 25, 2008
To: Susan Lessard, Town Manager
From: Ben Johnson, Code Enforcement Officer *BJ.*
→Representing the Staff-level Stormwater Group
Subject: Potential Rain Garden Funding

This memo is a follow-up to our discussions regarding possible funding for a rain garden. At a recent Bangor Area Stormwater Group Meeting, funding options for a regional model rain garden were discussed. Knowing that Hampden was interested in hosting such a rain garden, our staff-level stormwater group wanted to get a feel for how much money the Town would be willing to commit to a project of this nature.

At this point, the BASWG may be able to provide some funding for the design and planning of the garden. The BASWG would like to avoid committing those funds for design and planning if there is not at least some upper limit of financial support that the host community would be willing to designate.

C-3-C

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MEMORANDUM

VIA EMAIL

Date: January 17, 2008

To: Susan Lessard

From: Tom Russell

Re: Hampden Water District

BACKGROUND

The Hampden Water District was established as a public municipal corporation pursuant to the enactment by the Maine Legislature of Chapter 34 of the Private and Special Laws of Maine (1937). The stated purpose of the District is to supply the inhabitants of the District "with pure water for domestic, sanitary, manufacturing and municipal purposes." The legislation authorized the District to take water from the Souadabscook Stream, to exercise the right of eminent domain, to lay and maintain pipes, mains and fixtures in and through public ways and private land, and to erect and maintain dams, pumping stations, reservoirs, standpipes and structures necessary and convenient to accomplish its purposes. The legislation also provided that all affairs of the District shall be managed by a five (5) member, elected Board of Trustees, who shall be residents of the District. The District, through its Trustees, is authorized to borrow money to pay for any necessary expenses, including (1) securing sources of supply, (2) taking water and land, (3) laying pipes and mains, (4) constructing, installing, maintaining and operating reservoirs, standpipes, dams, pumping stations and other necessary or incidental equipment, (5) and making extensions, additions and improvements to the system of water works. Chapter 34 was amended in 1961 (Private and Special Laws 1961, c. 32) to permit the District to use wells as a source of supply or to purchase water from any town, city, corporation or district. In 1969, Private & Special Laws 1969, c. 34, expanded the territorial limits of the District to include the entire Town of Hampden. The 1937 Chapter 34, as amended, was again amended by Private & Special Laws 2001, c. 5. Those amendments appear to be minor. I previously provided you with a copy of those legislative enactments.

LEGAL STATUS OF DISTRICT

The Hampden Water District is a separate and distinct public municipal corporation, and its operations are governed by the enabling legislation. Since the District is a public utility, it is also subject to the applicable laws and regulations of the State of Maine that apply to public utilities. Unlike the Town of Hampden, the District does not have "home rule" authority. Therefore, any change in its corporate existence, authority, duties, etc. must be authorized by the Maine Legislature via the Private & Special Laws mechanism.

PROCESS FOR TOWN TO TAKE OVER WATER DISTRICT

There is no statutory mechanism for a municipality to dissolve and take over the functions of a water district, and the Town does not have that authority under "home rule". If the Town of Hampden desires to pursue the dissolution of, and take over the rights, responsibilities, assets, liabilities, indebtedness, and obligations of, the Hampden Water District, the Town would need to pursue the enactment of a Private & Special Law in the Maine Legislature to authorize that action.

EXAMPLE – City of Brewer / Brewer Water District

As you may recall, the City of Brewer recently went through the process to dissolve and take over the functions of the Brewer Water District. The Maine Legislature passed L.D. 2147 as Private & Special Laws 2001, c. 99, which was entitled "An Act Providing for the Supply of Water to the City of Brewer." The legislation was enacted as an emergency measure so that the question of the dissolution of the Brewer Water District could be submitted to the voters of the City of Brewer at the June primary in 2002. I have enclosed a copy of Chapter 66 for your information. The Act provided that upon approval by the City Council and the Trustees, the District was to convey, assign and transfer to the City of Brewer, for no consideration, all of the District's assets, and the City was to assume all obligations and liabilities of the District. The Act also contained provisions dealing with the dissolution and termination of the District, and directed the City Clerk, once the transfer of assets had been completed, to submit a bill to the Legislature to repeal the private and special laws pertaining to the Brewer Water District. Finally, the Act required the submission of the proposed dissolution of the District and transfer of assets to the City of Brewer to the voters of the City of Brewer. In order to become effective, the total number of votes cast on the question had to equal or exceed 15% of the total vote for gubernatorial candidates in Brewer at the last gubernatorial election, and a majority of the votes cast had to be in favor of the dissolution and transfer. The dissolution and transfer did occur in Brewer, and Private & Special Laws 2003, c. 26 repealed the private and special laws concerning the Brewer Water District. Since the underlying legislative provisions creating both the Brewer Water District and the Hampden Water District are similar, it seems to me that Chapter 99 is a good model for legislation for the Town to seek dissolution of the Hampden Water District, and the transfer of its assets and functions to the Town.

Based on my discussion with Joel Dearborn, City Solicitor of Brewer, the City hired a law firm with experience in both utility law and the legislative process to draft the Act and shepherd it through the legislative process. If the Town of Hampden desires to pursue the dissolution of the Hampden Water District and the transfer of its rights, responsibilities, assets, liabilities, indebtedness and obligations to the Town, I recommend that the Town also retain a law firm that has experience in both utility law and the legislative process. Mr. Dearborn has agreed to provide me with the name of the attorney that represented the City of Brewer on this matter. In addition, it probably would be beneficial to discuss the process and the issues encountered with the appropriate officials from Brewer.

Whereas, this legislation authorizes submission of the issue of dissolution of the Brewer Water District to the voters of the City of Brewer at the June primary; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Transfer of assets of Brewer Water District. Upon the approval of a majority of the City Council of Brewer and the approval of a majority of the trustees of the Brewer Water District, the Brewer Water District shall expeditiously convey, assign and transfer to the City of Brewer for no consideration:

1. All physical and intangible assets of the Brewer Water District, including all cash, lands, water rights, waters, dams, reservoirs, mains, pipes, service pipes, hydrants, gates, gate-boxes, fixtures, machinery, tools, apparatus, appliances, structures and any other physical element necessary and convenient for providing pure water for domestic, commercial, sanitary and municipal purposes;

2. All valid and legally enforceable contracts or other obligations between the Brewer Water District and any 3rd party as of the effective date of this Act. The City of Brewer shall redeem or otherwise satisfy all nonassumable debt of the Brewer Water District; and

3. All permits, licenses and approvals of any municipal, state or federal entity or agency.

All property, contracts, obligations and franchises of the Brewer Water District must be conveyed subject to all debentures, bonds, mortgages, liens and encumbrances thereon, all of which must be assumed by the City of Brewer.

Sec. 2. Contractual obligations not impaired. In order to avoid any unconstitutional impairment of existing contractual rights that are valid and enforceable, the City of Brewer and, if necessary, the Brewer Water District shall enter into any contractual agreements necessary for the City of Brewer to fulfill any such contractual obligations of the Brewer Water District, including any existing financial obligations to the Brewer Water District's bondholders.

Sec. 3. Pledge of revenues. In order to carry out the purposes of this Act and notwithstanding the

CHAPTER 66

S.P. 794 - L.D. 2147

An Act Providing for the Supply of Water to the City of Brewer

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Maine Revised Statutes, Title 30-A, section 5772, the City of Brewer is authorized to issue its notes or bonds in the form of either a general obligation pledge or a revenue pledge, as the municipal officer may determine, to replace or refinance any or all of the existing debts or obligations of the Brewer Water District and is authorized to deliver other instruments evidencing its assumption of the debts, obligations and other liabilities of the Brewer Water District without the need for any further action or approval from the Brewer City Council or the voters of the City of Brewer. Any notes or bonds or other instruments evidencing the city's assumption of the debts, obligations and other liabilities of the Brewer Water District may be issued in the amounts necessary to pay the principal of, premium, if any, and interest on the debts, obligations and other liabilities of the Brewer Water District and may mature up to but not later than the stated maturity date of the debts, obligations and other liabilities of the Brewer Water District.

Sec. 4. Corporate successor to Brewer Water District. For purposes of assuming all debts and obligations of the Brewer Water District, the City of Brewer is the corporate successor to the Brewer Water District upon the transfer of the assets and obligations of the Brewer Water District to the City of Brewer pursuant to this Act.

Sec. 5. Public Utilities Commission review of contracts. In order to facilitate the efficient transfer of water service from the Brewer Water District to the City of Brewer, the Public Utilities Commission, at the request of the City of Brewer, shall review any employment contract of the Brewer Water District entered into within one year of the effective date of this Act. If the commission finds after review that any such contract was an unreasonable act of the Brewer Water District when executed, it may enter an order providing that such contract is void and unenforceable by any party. Enforcement of any such contract under review by the commission must be tolled pending a final decision of the commission.

Sec. 6. Water service outside the City of Brewer. Upon the transfer of the assets and obligations of the Brewer Water District to the City of Brewer pursuant to this Act, the City of Brewer is authorized to provide water service to customers of the Brewer Water District who as of the effective date of this Act do not reside within the city. In order to serve these customers, the City of Brewer is authorized to take and hold, as for public uses, by purchase or otherwise, including by right of eminent domain, any land or interest in land considered necessary. In addition, the City of Brewer may petition the Public Utilities Commission to extend service to any additional individuals residing outside the city.

Sec. 7. Transfer of rights to acquire source of supply. Upon the transfer of the assets and obligations of the Brewer Water District to the City of Brewer pursuant to this Act, the City of Brewer may, for the purpose of providing water service to its customers, take, collect, store, flow, use, detain, distribute and convey water from Eaton Brook and its tributaries in the City of Brewer and the Town of Eddington and the Town of Holden, from Hatcase Pond in the Town of Dedham and the Town of Eddington and Mountainy Pond in the Town of Dedham. The City of Brewer has the right to maintain, repair and replace any water pipes, pumps and associated fixtures and appurtenances necessary to deliver water from these sources of supply to customers receiving water service from the City of Brewer and is authorized to take and hold, as for public uses, by purchase or otherwise, including by right of eminent domain, any land or interest in land necessary for delivering water from these sources of supply and any rights-of-way or roadways to these sources of supply.

Sec. 8. General rule-making authority. Upon the transfer of the assets and obligations of the Brewer Water District to the City of Brewer pursuant to this Act, the City of Brewer may adopt rules not inconsistent with the general laws of the State to prevent the pollution and preserve the purity of the water of Hatcase Pond, and the City of Brewer may prescribe penalties for the violation of those rules. Those rules may specifically restrict or prohibit boating or fishing, in a manner not inconsistent with the general laws of the State, to prevent pollution and preserve the purity of the water. Those rules may restrict swimming to prevent pollution and preserve the purity of the water, but any such restriction may not be more stringent than the 3,000-foot ban contained in Private and Special Law 1945, chapter 146, section 14-B and must be consistent with the general laws of the State. The rules have the same force and effect as municipal ordinances, and the District Court has jurisdiction over violations.

Sec. 9. Dissolution and termination of the Brewer Water District. Upon completion of the transfer of assets and obligations of the Brewer Water District to the City of Brewer in accordance with this Act, the clerk of the City of Brewer shall file a certificate to this effect with the Secretary of State and the corporate existence of the Brewer Water District terminates. The certificate must be prepared by the clerk of the City of Brewer once all of the necessary assets and obligations have been transferred to the city from the Brewer Water District. The City of Brewer may commence and carry out municipal water service prior to completion of the transfer of assets and obligations of the Brewer Water District, if necessary to carry out the purposes of this Act, and, in such event, the Brewer Water District may continue to exist

for the limited purpose of carrying out the requirements of this Act until such time as the transfer of assets and obligations is complete. After filing the certificate with the Secretary of State, the clerk of the City of Brewer shall submit legislation to repeal Private and Special Law 1909, chapter 265 and Private and Special Law 1945, chapter 146, as amended. The legislation may include any necessary amendments or additions to this Act to allow the City of Brewer to provide adequate water service in accordance with this Act.

Sec. 10. Referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters of the City of Brewer at the next regular town election to be held on June 11, 2002 or at a special election called and held for the purpose not later than December 31, 2002. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters of the City of Brewer is not required to prepare nor the clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters in the City of Brewer must be in session the secular day next preceding the election. The subject matter of this Act must be reduced to the following question:

"Do you favor the dissolution of the Brewer Water District and the transfer of the district's assets to the City of Brewer?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the City of Brewer and due certification of the results filed by the city clerk with the Secretary of State.

This Act takes effect for all purposes immediately upon acceptance by a majority of the legal voters voting in the election only if the total number of votes cast for and against the acceptance of this Act equals or exceeds 15% of the total vote for candidates for Governor cast in the City of Brewer at the next preceding gubernatorial election, but failure of approval by the necessary percentage of voters at any election does not prohibit a subsequent election or elections to be held for the purpose on or before December 31, 2002.

Effective pending referendum.

PUBLIC WORKS COMMITTEE MINUTES
January 24, 2008

Attending:

Chairman Ed Murphy

Councilor Matthew Arnett

Councilor Andrew Colford

Sue Lessard, Town Manager

Chip Swan, Public Works Director

Highway Foreman, Dudley Patterson

Transfer Station Operator, Tom Colpitts

The meeting was opened at 6 p.m. by Chairman Ed Murphy.

The two purposes of the meeting were to discuss staff difficulty with the issuance of Transfer Station stickers due to people trying to circumvent the rules, and not wanting to provide proof of local vehicle registration, and to discuss ways in which problems with construction and demolition debris and refrigerator disposal can be more effectively managed.

The Committee listened to staff discuss issues with the current wide-open-acceptance operation for refrigerators and construction and demolition debris. It is their observation that the majority of the c & d is disposed of by a minority of transfer station users. The suggestion was made to change to a Spring/ Fall demolition debris schedule as a way of allowing residents to use the facility – but eliminating the ongoing attempts to ‘sneak in’ or use ‘legal’ vehicles with stickers for disposing of commercially generated c & d. This would allow a month in each of those seasons for residents to access the transfer station for such material. The rest of the year they would have to take it to Pine Tree or to Brewer or some other c & d disposal site.

A wide range of other options, from an outright ban on c & d disposal to the idea of hiring personnel to stand at the gate during all open hours to police entrants and challenging those who come (albeit with stickers) on a frequent basis with large loads of c & d as to the origination of such cargo.

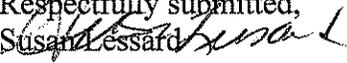
Motion by Matt Arnett, seconded by Ed Murphy to recommend to the Town Council a proposal in which construction and demolition debris would only be accepted at the Transfer Station during the months of May and October. Vote 2 in favor, 1 opposed (Andrew Colford).

The discussion of refrigerator disposal centered on the large number that are deposited at the transfer station that may arrive in a vehicle with a Hampden sticker but do not originate from the community. The suggestion was made that a fee be assessed for the disposal of a refrigerator in the amount of \$15, since that is our fee to have the refrigerant removed, and that fee must be paid and a slip obtained from the Town Office for disposal. That would insure that those disposing of refrigerators actually had stickers and also would provide a record if someone was depositing refrigerators on a more than reasonable basis.

It was the consensus of the committee that the current policy of requiring a vehicle registration to be presented at the time of issuing a transfer station sticker was the best way to continue even though it caused some upset with the public.

The Town Manager was instructed to provide the Council with information relative to costs for construction and demolition debris disposal and trucking along with the committee recommendations for the next Council meeting.

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

RESOLVE, Supporting Penobscot County's Grant Application to the State Fund for the Efficient Delivery of Local and Regional Services

WHEREAS, the Town of Hampden (hereinafter "Town") acknowledges the benefits of collaborating with Penobscot County and other municipalities along the Penobscot Corridor to provide certain services on a regional basis; and

WHEREAS, Penobscot County has agreed to submit a grant application to the State Fund for the Efficient Delivery of Local and Regional Services to explore the feasibility of and develop such regional services; and

WHEREAS, Penobscot County has agreed to manage and implement the grant; and

WHEREAS, the Bangor Region Chamber of Commerce supports this effort and has been actively engaged in facilitating submission of this grant application; and

WHEREAS, the grant presents a unique opportunity to the Town, other municipalities in the Penobscot Corridor, and Penobscot County to craft an effective and practical model for regional collaboration designed to reduce property taxes; and

WHEREAS, such a model could be utilized throughout the State of Maine by other governmental entities;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF HAMPDEN THAT:

1. The Town will support and cooperate with Penobscot County's application to the State of Maine for the Penobscot Corridor Grant for purposes of obtaining funds from the Efficient Delivery of Local and Regional Services for the fiscal year 2008;
2. The Town will work with the members of the Penobscot Corridor, *to wit*, Bangor, Brewer, Hampden, Hermon, Old Town, Orono, and Veazie, in implementing the grant;
3. The Town will review and consider participating in a contract for services to be offered by Penobscot County beginning on or around September 1 of 2008, that may include Animal Control, Assessment, General Assistance, and/or Street Painting; and

4. The Town will participate in the review process of the implementation of the grant and further collaboration where evidence suggests it is in the benefit of the City to do so.

Date

Town Manager



C-4-b

TO: Mayor Briggs and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Referral from Planning Board for Draft Subdivision Ordinance Text Amendments to revise the definition of subdivision to conform to the State Statute.
DATE: January 30, 2008

Overview. The Planning Board held a public hearing on this item at its January 16, 2007 meeting and has recommended the attached Subdivision Ordinance Text Amendments to the Town Council with an "ought-to-pass" recommendation. The overall purpose of the amendments is to make the definition of subdivision consistent with the state statute. The Planning Board has recently heard from an applicant for a subdivision that expressed concern that they had gifted land to children and under their reading of the local ordinance those lots were exempt from subdivision review, but it turned out that the lots were not exempt under state standards because they had not held the land for 5 years. The Board subsequently compared the town ordinance with the definition contained in the statute and a number of discrepancies were identified. The Board proposes to adopt the state definition by reference so that as subsequent legislative changes are made that the local definition will not conflict with the statutory definition.

Included in your packet is the draft language as well as a document that illustrates a side by side comparison of the local and state definitions so that you can see exactly what would be adopted and how it is changing.

It should be noted that several additional changes are proposed. The initial reference to the subdivision statute in Article 100 Declaration Of Purpose is incorrect or outdated and an amendment is proposed to address that. Additionally the reference to the subdivision statute in Article 200 Authority and Administration is incorrect or outdated and an amendment is proposed to address that. Finally, at the end of the existing town definition for subdivision there is a list of exemptions. Those exemptions in the statute address applicability of the statute and its enforcement. They were not intended to modify the definition of subdivision. Thus the Board recommended moving those exemptions from the definition of subdivision and add the full list of permissible exemptions to Article 200 Authority and Administration of the subdivision ordinance. (Two newer exemption standards from the statute that do not currently appear in the ordinance are also included).

TOWN OF HAMPDEN

Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Subdivision Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

ARTICLE 1000 DEFINITIONS

1010. Words and terms not defined in section 1020 shall have the meanings given them in the Zoning Ordinance of the Town of Hampden, or in the absence of definitions in said Ordinance, such words and terms shall have their customary dictionary meanings.

1020. The following words and terms, for the purpose of this Ordinance, shall be designated as follows:

1021. *Subdivision.* "Subdivision" shall be defined according to the Maine Subdivision Statute Chapter 187: PLANNING AND LAND USE REGULATION (HEADING: PL 1989, c. 104, Pt. A, §45 (new)) Subchapter 4: SUBDIVISIONS (HEADING: PL 1989, c. 104, Pt. A, §45 (new)) §4401. Definitions. Note that in the referenced definition of subdivision subchapter shall mean Town of Hampden Subdivision Ordinance and municipality shall mean Town of Hampden.

~~1021. *Subdivision.* "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5 year period that begins on or after September 23, 1971. This definition applies whether the division is accomplished by sale, lease, development, buildings or otherwise. The term "subdivision" also includes the division of a new structure or structures on a tract or parcel of land into 3 or more dwelling units within a 5 year period, the construction or placement of 3 or more dwelling units on a single tract or parcel of land and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units with a 5 year period.~~

~~1. In determining whether a tract or parcel of land is divided into 3 or more lots, the first dividing of the tract or parcel is considered to create the first 2 lots and the next dividing of either of these first 2 lots and the next dividing of either of these first 2 lots, by whomever accomplished, is considered to create a 3rd lot, unless:~~

~~A. Both dividings are accomplished by a subdivider who has retained one of the lots for the subdivider's own use as a single family residence or for open space land as defined in Title 36, M.R.S.A. Section 1102, for a period of at least 5 years before the 2nd dividing occurs; or~~

~~B. The division of the tract or parcel is otherwise exempt under this definition.~~

~~1. The dividing of a tract or parcel of land and the lot or lots so made, which dividing or lots when made are not subject to this Ordinance, do not become subject to this Ordinance by the subsequent dividing of that tract or parcel of land or any portion of~~

~~that tract or parcel. The Planning Board shall consider the existence of the previously created lot(s) in reviewing a proposed subdivision created by a subsequent dividing.~~

~~2. A lot of 40 or more acres shall not be counted as a lot, except:~~

~~A. When the lot or parcel from which it was divided is located entirely or partially within any shoreland area as defined in the Hampden Zoning Ordinance, or any superseding state statute.~~

~~3. A division accomplished by devise, condemnation, order of court, gift to a person related to the donor by blood, marriage or adoption, or a gift to a municipality, or by the transfer of any interest in land to the owner of land abutting that land, does not create a lot or lots for the purposes of this definition, unless the intent of the transferor in any transfer or gift within this paragraph is to avoid the objectives of this Ordinance. If the real estate exempt under this paragraph by a gift to a person related to the donor by blood, marriage or adoption is transferred within 5 years to another person not related to the donor of the exempt real estate by blood, marriage or adoption, then the previously exempt division creates a lot or lots for the purposes of this subsection.~~

~~4. The division of a tract or parcel of land into 3 or more lots and upon each of which lots permanent dwelling structures legally existed before September 23, 1971, is not a subdivision.~~

~~5. In determining the number of dwelling units in a structure, the provisions of this subsection regarding the determination of the number of lots apply, including exemptions from the definition of a subdivision of land.~~

~~6. The grant of a bona fide security interest in an entire lot that has been exempted from the definition of subdivision under paragraph D, or subsequent transfer of that entire lot by the original holder of the security interest or that person's successor in interest, does not create a lot for the purposes of this definition, unless the intent of the transfer is to avoid the objectives of this Ordinance.~~

~~— Exceptions~~

~~— This Ordinance does not apply to:~~

~~1. Previously approved subdivisions. Proposed subdivisions approved by the Planning Board before September 23, 1971, in accordance with laws then in effect;~~

~~2. Previously existing subdivisions. Subdivision in actual existence on September 23, 1971, that did not require approval under prior law; or~~

~~3. Previously recorded subdivision. A subdivision, a plan of which had been legally recorded in the Penobscot County Registry of Deeds before September 23, 1971.~~

~~(Amended: 02-07-94)~~

TOWN OF HAMPDEN

Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Subdivision Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

ARTICLE 100 *DECLARATION OF PURPOSE*

The purpose of these standards shall be to assure the comfort, convenience, safety, health, and welfare of the people, to protect the environment, to promote the development of an economically sound and stable community, and to uphold the state Subdivision Law (MRSA) Title 30-A, Section 4404 ~~Title 30, Section 4956~~.

ARTICLE 200 *AUTHORITY AND ADMINISTRATION*

210. Authority - This Ordinance is enacted pursuant to and consistent with MRSA Title 30-A, Section 4404 ~~Title 30 MRSA Section 4956~~; the Subdivision Law.

220. Administration and Enforcement

221. This Ordinance shall be known and may be cited as the "Subdivision Ordinance of the Town of Hampden, Maine."

222. The Planning Board of the Town of Hampden, with the assistance of the code enforcement officer and the Town Manager (as specified in the ordinance) shall administer this Ordinance.

223. The provisions of this Ordinance shall pertain to all land proposed for subdivision as herein defined within the boundaries of the Town of Hampden.

224. No person, firm, corporation or other legal entity may sell, lease, develop, build upon or convey for consideration, offer or agree to sell, lease, develop, build upon or convey for consideration any land in a subdivision which has not been approved by the Hampden Planning Board and recorded in the Penobscot County registry of deeds, nor shall such person, firm, corporation or other legal entity sell or convey any land in such approved subdivision unless at least one permanent marker is set at one lot corner of the lot sold or conveyed. The term "permanent marker" includes but is not limited to the following: a granite monument, a concrete monument, an iron pin or a drill hole in ledge. No subdivision plat or plan shall be recorded by the register of deeds which has not been approved as required. Approval for the purpose of recording shall appear in writing on the plat or plan. No public utility, water district, sanitary district or any utility company of any kind shall install services to any lot in a subdivision for which a plan has not been approved.

225. The Hampden Planning Board, the Town Council of the Town of Hampden, the code

enforcement officer, or the Town of Hampden may institute proceedings to enjoin any violations of this Ordinance, and if a violation is found in court, the Town of Hampden may be allowed attorney fees.

226. Any person, firm, or corporation or other legal entity found guilty of a violation of this Ordinance shall be punished by a fine of not more than one thousand dollars (\$1,000) for each such occurrence.

230 Exceptions. This Ordinance does not apply to:

1. Previously approved subdivisions. Proposed subdivisions approved by the planning board or the municipal officials before September 23, 1971 in accordance with laws then in effect;

2. Previously existing subdivisions. Subdivisions in actual existence on September 23, 1971 that did not require approval under prior law;

3. Previously recorded subdivisions. A subdivision, a plan of which had been legally recorded in the proper registry of deeds before September 23, 1971;

4. Airports with an approved airport layout plan. Any airport with an airport layout plan that has received final approval from the airport sponsor, the Department of Transportation and the Federal Aviation Administration; or

5. Subdivisions in existence for at least 20 years. A subdivision in violation of this subchapter that has been in existence for 20 years or more, except a subdivision:

A. That has been enjoined pursuant to MRSA Title 30-A, Section 4406;

B. For which approval was expressly denied by the municipal reviewing authority, and record of the denial was recorded in the appropriate registry of deeds;

C. For which a lot owner was denied a building permit under MRSA Title 30-A, Section 4406, and record of the denial was recorded in the appropriate registry of deeds; or

D. That has been the subject of an enforcement action or order, and record of the action or order was recorded in the appropriate registry of deeds.

The intent of this sheet is to show how the local ordinance and state statute differ from one another and what would be added or deleted from the local ordinance.

*Hampden Subdivision Ordinance
Definition of Subdivision*

1021. *Subdivision.* "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5 year period that begins on or after September 23, 1971. This definition applies whether the division is accomplished by sale, lease, development, buildings or otherwise. The term "subdivision" also includes the division of a new structure or structures on a tract or parcel of land into 3 or more dwelling units within a 5 year period, the construction or placement of 3 or more dwelling units on a single tract or parcel of land and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units with a 5 year period.

1. In determining whether a tract or parcel of land is divided into 3 or more lots, the first dividing of the tract or parcel is considered to create the first 2 lots and the next dividing of either of these first 2 lots and the next dividing of either of these first 2 lots, by whomever accomplished, is considered to create a 3rd lot, unless:

A. Both dividings are accomplished by a subdivider who has retained one of the lots for the subdivider's own use as a single-family residence or for open space land as defined in Title 36, M.R.S.A. Section 1102, for a period of at least 5 years before the 2nd dividing occurs; or

B. The division of the tract or parcel is otherwise exempt under this definition.

*Maine Subdivision Statute
Definition of Subdivision*

4. **Subdivision.** "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5-year period that begins on or after September 23, 1971. This definition applies whether the division is accomplished by sale, lease, development, buildings or otherwise. The term "subdivision" also includes the division of a new structure or structures on a tract or parcel of land into 3 or more dwelling units within a 5-year period, the construction or placement of 3 or more dwelling units on a single tract or parcel of land and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units within a 5-year period.

A. In determining whether a tract or parcel of land is divided into 3 or more lots, the first dividing of the tract or parcel is considered to create the first 2 lots and the next dividing of either of these first 2 lots, by whomever accomplished, is considered to create a 3rd lot, unless:

(1) Both dividings are accomplished by a subdivider who has retained one of the lots for the subdivider's own use as a single-family residence that has been the subdivider's principal residence for a period of at least 5 years immediately preceding the 2nd division; or

(2) The division of the tract or parcel is otherwise exempt under this subchapter. [2001, c. 359, §1 (AMD).]

The intent of this sheet is to show how the local ordinance and state statute differ from one another and what would be added or deleted from the local ordinance.

Hampden Subdivision Ordinance
Definition of Subdivision

1. The dividing of a tract or parcel of land and the lot or lots so made, which dividing or lots when made are not subject to this Ordinance, do not become subject to this Ordinance by the subsequent dividing of that tract or parcel of land or any portion of that tract or parcel. The Planning Board shall consider the existence of the previously created lot(s) in reviewing a proposed subdivision created by a subsequent dividing.
2. A lot of 40 or more acres shall not be counted as a lot, except:
 - A. ~~When the lot or parcel from which it was divided is located entirely or partially within any shoreland area as defined in the Hampden Zoning Ordinance, or any superseding state statute.~~

Maine Subdivision Statute
Definition of Subdivision

- B. The dividing of a tract or parcel of land and the lot or lots so made, which dividing or lots when made are not subject to this subchapter, do not become subject to this subchapter by the subsequent dividing of that tract or parcel of land or any portion of that tract or parcel. The municipal reviewing authority shall consider the existence of the previously created lot or lots in reviewing a proposed subdivision created by a subsequent dividing. [1989, c. 104, Pt. A, §45 (NEW); Pt. C, §10.]
- C. A lot of 40 or more acres must be counted as a lot, except:
 - (1) REPEALED
 - (2) When a municipality has, by ordinance, or the municipal reviewing authority has, by regulation, elected not to count lots of 40 or more acres as lots for the purposes of this subchapter when the parcel of land being divided is located entirely outside any shoreland area as defined in Title 38, section 435 or a municipality's shoreland zoning ordinance. [2001, c. 651, §1 (AMD) .]

The intent of this sheet is to show how the local ordinance and state statute differ from one another and what would be added or deleted from the local ordinance.

Hamden Subdivision Ordinance
Definition of Subdivision

~~3. A division accomplished by devise, condemnation, order of court, gift to a person related to the donor by blood, marriage or adoption, or a gift to a municipality, or by the transfer of any interest in land to the owner of land abutting that land, does not create a lot or lots for the purposes of this definition, unless the intent of the transferor in any transfer or gift within this paragraph is to avoid the objectives of this Ordinance. If the real estate exempt under this paragraph by a gift to a person related to the donor by blood, marriage or adoption is transferred within 5 years to another person not related to the donor of the exempt real estate by blood, marriage or adoption, then the previously exempt division creates a lot or lots for the purposes of this subsection.~~

Maine Subdivision Statute
Definition of Subdivision

- D. [2001, c. 359, §2 (RP).]
- ~~D-1. A division accomplished by devise does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. [2001, c. 359, §3 (NEW).]~~
- ~~D-2. A division accomplished by condemnation does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. [2001, c. 359, §3 (NEW).]~~
- ~~D-3. A division accomplished by order of court does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. [2001, c. 359, §3 (NEW).]~~
- ~~D-4. A division accomplished by gift to a person related to the donor of an interest in property held by the donor for a continuous period of 5 years prior to the division by gift does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. If the real estate exempt under this paragraph is transferred within 5 years to another person not related to the donor of the exempt real estate as provided in this paragraph, then the previously exempt division creates a lot or lots for the purposes of this subsection. "Person related to the donor" means a spouse, parent, grandparent, brother, sister, child or grandchild related by blood, marriage or adoption. A gift under this paragraph can not be given for consideration that is more than 1/2 the assessed value of the real estate [2001, c. 359, §3 (NEW).]~~
- ~~D-5. A division accomplished by a gift to a municipality if that municipality accepts the gift does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. [2001, c. 359, §3 (NEW).]~~
- ~~D-6. A division accomplished by the transfer of any interest in land to the owners of land abutting that land that does not create a separate lot does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. If the real estate exempt under this paragraph is transferred within 5 years to another person without all of the merged land, then the previously exempt division creates a lot or lots for the purposes of this subsection. [2001, c. 359, §3 (NEW).]~~

The intent of this sheet is to show how the local ordinance and state statute differ from one another and what would be added or deleted from the local ordinance.

*Hampden Subdivision Ordinance
Definition of Subdivision*

4. The division of a tract or parcel of land into 3 or more lots and upon each of which lots permanent dwelling structures legally existed before September 23, 1971, is not a subdivision.
5. In determining the number of dwelling units in a structure, the provisions of this subsection regarding the determination of the number of lots apply, including exemptions from the definition of a subdivision of land.

*Maine Subdivision Statute
Definition of Subdivision*

- E. The division of a tract or parcel of land into 3 or more lots and upon each of which lots permanent dwelling structures legally existed before September 23, 1971 is not a subdivision. [1989, c. 104, Pt. A, §45 (NEW); Pt. C, §10.]
 - F. In determining the number of dwelling units in a structure, the provisions of this subsection regarding the determination of the number of lots apply, including exemptions from the definition of a subdivision of land. [1989, c. 104, Pt. A, §45 (NEW); Pt. C, §10.]
 - G. Notwithstanding the provisions of this subsection, leased dwelling units are not subject to subdivision review if the municipal reviewing authority has determined that the units are otherwise subject to municipal review at least as stringent as that required under this subchapter. [1989, c. 104, Pt. A, §45 (NEW); Pt. C, §10; c. 497, §2 (AMD).]
 - H. [2001, c. 651, §2 (RP).]
 - H-1. This subchapter may not be construed to prevent a municipality from enacting an ordinance under its home rule authority that:
 - (1) Expands the definition of "subdivision" to include the division of a structure for commercial or industrial use, or
 - (2) Otherwise regulates land use activities.
- A municipality may not enact an ordinance that expands the definition of "subdivision" except as provided in this subchapter. A municipality that has a definition of "subdivision" that conflicts with the requirements of this subsection at the time this paragraph takes effect shall comply with this subsection no later than January 1, 2006. Such a municipality must file its conflicting definition at the county registry of deeds by June 30, 2003 for the definition to remain valid for the grace period ending January 1, 2006. A filing required under this paragraph must be collected and indexed in a separate book in the registry of deeds for the county in which the municipality is located. [2001, c. 651, §3 (NEW).]

The intent of this sheet is to show how the local ordinance and state statute differ from one another and what would be added or deleted from the local ordinance.

Hamden Subdivision Ordinance
Definition of Subdivision

6. The grant of a bona fide security interest in an entire lot that has been exempted from the definition of subdivision under paragraph D, or subsequent transfer of that entire lot by the original holder of the security interest or that person's successor in interest, does not create a lot for the purposes of this definition, unless the intent of the transfer is to avoid the objectives of this Ordinance.

Exceptions (move to Article 200)

This Ordinance does not apply to:

1. Previously approved subdivisions. Proposed subdivisions approved by the Planning Board before September 23, 1971, in accordance with laws then in effect;
2. Previously existing subdivisions. Subdivision in actual existence on September 23, 1971, that did not require approval under prior law; or
3. Previously recorded subdivision. A subdivision, a plan of which had been legally recorded in the Penobscot County Registry of Deeds before September 23, 1971.
(Amended: 02-07-94)

Maine Subdivision Statute
Definition of Subdivision

1. The grant of a bona fide security interest in an entire lot that has been exempted from the definition of subdivision under paragraphs D-1 to D-6, or subsequent transfer of that entire lot by the original holder of the security interest or that person's successor in interest, does not create a lot for the purposes of this definition, unless the intent of the transfer is to avoid the objectives of this subchapter. [2001, c. 359, § 5 (AMD).]

[2001, c. 651, §§1-3 (AMD).]

30-A §4402. Exceptions

This subchapter does not apply to: [1989, c. 104, Pt. A, §45 (NEW); Pt. C, §10.]

1. **Previously approved subdivisions.** Proposed subdivisions approved by the planning board or the municipal officials before September 23, 1971 in accordance with laws then in effect;
[1989, c. 104, Pt. A, §45 (NEW); Pt. C, §10.]
2. **Previously existing subdivisions.** Subdivisions in actual existence on September 23, 1971 that did not require approval under prior law;

[1997, c. 51, §1 (AMD).]

3. **Previously recorded subdivisions.** A subdivision, a plan of which had been legally recorded in the proper registry of deeds before September 23, 1971;

[1997, c. 323, §1 (AMD).]

The intent of this sheet is to show how the local ordinance and state statute differ from one another and what would be added or deleted from the local ordinance.

*Hampden Subdivision Ordinance
Definition of Subdivision*

Exceptions (continued)

*Maine Subdivision Statute
Definition of Subdivision*

4. Airports with an approved airport layout plan. Any airport with an airport layout plan that has received final approval from the airport sponsor, the Department of Transportation and the Federal Aviation Administration; or

[1997, c. 323, §2 (AMD).]

5. Subdivisions in existence for at least 20 years. A subdivision in violation of this subchapter that has been in existence for 20 years or more, except a subdivision:

A. That has been enjoined pursuant to section 4406: [1997, c. 323, §3 (NEW).]

B. For which approval was expressly denied by the municipal reviewing authority, and record of the denial was recorded in the appropriate registry of deeds: [1997, c. 323, §3 (NEW).]

C. For which a lot owner was denied a building permit under section 4406, and record of the denial was recorded in the appropriate registry of deeds; or [1997, c. 323, §3 (NEW).]

D. That has been the subject of an enforcement action or order, and record of the action or order was recorded in the appropriate registry of deeds. [1997, c. 323, §3 (NEW).]