



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

MAY 4, 2009

7:00 P.M.

• 5:45 pm – FINANCE COMMITTEE MEETING

A. CONSENT AGENDA

1. SIGNATURES

- a. Treasurer's Warrants

2. SECRETARY'S REPORTS

- a. December 15, 2008
b. April 6, 2009
c. April 13, 2009

3. COMMUNICATIONS

- a. Arbor Day Foundation – 2008 Tree City USA Designation
b. Project Canopy – Application Letter
c. HBA Meeting – 5/5/09 at Noon at Fresh Ginger Restaurant
d. MDOT – Project Award – 4/24/09
e. Raymond Lord – Application for Reappointment – Board of Appeals

4. REPORTS

- a. Infrastructure Committee Minutes – 4/27/09
b. Library Trustees Minutes – 3/11/09
c. Ambulance Collection Worksheet – 4/14/09
d. PERC – 2nd Quarter Tipping Fees
e. Pine Tree – Special Waste Activity Report – March 2009
f. Pine Tree – Landfill Complaints – March 2009
g. Pine Tree – Host Community Benefit – February 2009
h. Pine Tree – Solid Waste License – Minor Revision
i. Communications Committee Minutes – 4/15/09
j. Finance Committee Minutes – 4/6/09

B. PUBLIC COMMENTS

C. POLICY AGENDA

NOTE: The Council will take a 5-minute recess at 8:00 pm.

1. PUBLIC HEARINGS

- a. Application for Liquor License received from Anglers, Inc. d/b/a Anglers Restaurant at 91 Coldbrook Road

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. David Caliendo – Board of Assessment Review – Infrastructure Committee Recommendation for Appointment

3. UNFINISHED BUSINESS

- a. Sewer Line Acceptance – Hughes Brothers, off Coldbrook Road – Infrastructure Committee Recommendation to Approve
- b. Public Works Equipment – Request to put out Truck Bid – Infrastructure Committee Recommendation to Approve
- c. Proposed Private Pump Station – SAD #22 New High School Project – Infrastructure Committee Recommendation to Approve
- d. Transfer Station Review & Operation
 - 1. Infrastructure Committee Recommendation to Continue Current Operations (5-1 Vote)
 - 2. Transfer Station Access Limits – Infrastructure Committee (3-2) Recommendation to deny access without current transfer station decal after February 1, beginning with 2010 year
- e. Services Committee Mission Statement
- f. Dorothea Dix Park Ordinance – Deletion of Section 12, Reservations – Services Committee Recommendation and Introduction for Public Hearing
- g. Tree Board/Friends of Dorothea Dix Park Presentation – Contingency Plan in lieu of Project Canopy Grant

4. NEW BUSINESS

- a. Health Officer Appointment – Town Manager
- b. Sewer Commitment – First Quarter 2009

- c. Request for Tax Abatement – Arthur Murray Estate
 - d. Resources for Appraisals – Hamlin Project – Referral by Planning & Development Committee
 - e. Title Change – Economic Development Specialist – Planning & Development Committee Recommendation
 - f. Budget Schedule
- D. COMMITTEE REPORTS
 - E. MANAGER'S REPORT
 - F. COUNCILORS' COMMENTS
 - G. ADJOURNMENT

TOWN COUNCIL MINUTES**DECEMBER 15, 2008**

The regularly scheduled meeting of the Hampden Town Council was held on Monday, December 15, 2008. The meeting was held at the municipal building council chambers and was called to order by Mayor Rick Briggs at 7:00 p.m.

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

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Public Works Director Galen "Chip" Swan, Town Planner Bob Osborne and GIS/IT Specialist Gretchen Heldmann

Councilors-Elect Janet Hughes, Jean Lawlis and Bill Shakespeare
Citizens

A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. Councilor Brann requested that Item A.4.b. be set aside. Motion by Councilor Arnett, seconded by Councilor Colford to accept the balance of the Consent Agenda – unanimous vote in favor.

A.4.b. CONSERVATION COMMISSION/COUNCIL – NOMINATION FOR CONSERVATION AWARD

Councilor Brann said he wanted to publicly acknowledge Betsy Bass for her volunteer work with the Hampden Academy Envirothon Team. He also thanked the Conservation Commission for its work on behalf of the community. Motion by Councilor Brann, seconded by Councilor Arnett to accept Item A.4.b – unanimous vote in favor.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA**1. PUBLIC HEARINGS**

a. APPLICATION FOR RENEWAL OF A VICTUALER'S LICENSE
RECEIVED FROM KLITON XHEMALI, d/b/a ANGELO'S PIZZA AT 102
MAIN ROAD SOUTH – CONTINUED

This hearing had been postponed at the last meeting because the work on the hood had not been completed. The work has now been done and Councilor Cushing moved to reopen the public hearing. Councilor Cox seconded the motion and vote was unanimously in favor. Mayor Briggs opened the hearing.

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

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

b. APPLICATION FOR RENEWAL OF A VICTUALER'S LICENSE
RECEIVED FROM DANA EDWARDS 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 Arnett, seconded by Councilor Brann to approve the application – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

a. REAPPOINTMENT OF DENISE HODSDON AS REGISTRAR OF
VOTERS

Motion by Councilor Brann, seconded by Councilor Cox to reappoint Denise Hodsdon as Registrar of Voters – unanimous vote in favor.

3. UNFINISHED BUSINESS

a. MAYOR'S REMARKS

This was Mayor Briggs' last Council meeting and he reflected on the accomplishments of the Town during the last ten years while he served on the Council. He recognized and thanked his family for their support and allowing him the time to serve. He thanked his fellow Councilors, Manager Lessard and town staff for their hard work and dedication to the Town of Hampden.

He noted that the next few years are going to be tough and the Council will be faced with many difficult decisions. He urged the citizens to continue their support and faith in the Town Council. He urged the Council to

continue the efforts set in place over the last ten years. Mayor Briggs ended by commenting that the Town of Hampden is a great community in which to live and raise a family and he has no doubt it will survive and will be better than ever. He said it has been an honor and a pleasure to serve as Council Chair.

Mayor Briggs then turned the gavel over to Deputy Mayor Andrew Colford to chair the remainder of the meeting.

b. REGIONAL OPEN SPACE PLAN – DECISION ON DUES

GIS/IT Specialist Gretchen Heldmann explained that this is a one-time assessment to pay for the Trust for Public Lands Regional Greenprinting project, which aims to identify areas of local importance for conservation and park creation. Hampden's assessment is in the amount of \$3,163.50 and Councilors Arnett and Cox feel that this project will help in the Town's comprehensive planning.

Motion by Councilor Arnett, seconded by Councilor Brann to pay the required assessment – unanimous vote in favor.

c. TRANSFER STATION – RULE REGARDING TRUCK WEIGHT

Manager Lessard informed the Council that the Town Office has started issuing transfer station stickers for 2009 and one issue that continues to come up is the 10,000 pound weight limit for trucks. There are many regular pickup trucks in town that are registered for more than 10,000 pounds in order to accommodate hauling campers or snowmobiles. She has discussed this issue with Public Works Director Chip Swan, who suggested that instead of setting a weight limit, to allow pickup trucks with standard 6' or 8' beds and four tires to have a sticker as long as they are not a company vehicle.

There was some discussion about the number of tires on a standard-bed pickup truck. It was pointed out that some standard size pickups do have 6 tires and they would haul the same amount that a 4-tire truck would haul.

Motion by Councilor Arnett to accept the recommendation of the Public Works Director. Following further discussion, Councilor Arnett withdrew the motion and then moved to refer this item to the new Public Works Committee; Mayor Briggs seconded the motion and vote was unanimously in favor.

d. COMMITTEE ON COMMITTEES – REPORT & RECOMMENDATION

Councilor Cushing thanked everyone who helped in this process and noted that in the process of preparing the report, the committee focused on three areas: 1) the structures, the interaction and level of effectiveness of the committees as they relate to the Council and departments of our town government; 2) the manner in which policy is effectively handled by the current system and steps we might take to improve them, if necessary; and

3) the process for orienting and training those who participate in our committees.

Councilor Cox noted that the committee will have to re-visit the role of citizen committees and how those interplay with fully sanctioned sub-committees of the Council. She pointed out that there is some ambiguity about how those committees are structured and how they should be operating.

Councilor Cushing then reported the committee's recommendations for consideration by the full Council (copy attached).

For purposes of discussion, Councilor Cushing moved acceptance of the committee report; Councilor Brann seconded the motion and vote was unanimously in favor. It was stipulated that the motion was only to accept the report, not necessarily the recommendations.

Motion by Councilor Cushing, seconded by Councilor Cox to accept the recommendations of the Committee on Committees to establish five new committees in place of the current eight Council committees. Following considerable discussion about the structure of the proposed committees, it was the consensus of the Council that additional work needed to be done and Councilor Cushing withdrew his motion.

Motion by Councilor Brann, seconded by Councilor Cushing to develop a Council committee structure with no more than four committees – unanimous vote in favor.

Motion by Councilor Brann, seconded by Councilor Cox to schedule a Council workshop for January 26, 2009 for the purpose of discussing committee structure – unanimous vote in favor.

Motion by Councilor Cushing, seconded by Councilor Cox to accept recommendation B.1 of the Committee on Committees that prior to placement on a Council agenda, all items shall obtain a sitting Councilor's sponsorship. A sponsoring Councilor will present a summary of the item to the full Council.

Following discussion about how to handle citizen requests, Councilor Cushing moved and Councilor Cox seconded to table discussion until the workshop on January 26, 2009 – unanimous vote in favor.

e. **MOBILE HOME PARK ORDINANCE TEXT AMENDMENT –
REFERRAL FOR PUBLIC HEARING**

Councilor Arnett referred this item for public hearing at the next meeting.

4. NEW BUSINESS

C-3-d

**Committee on Committee
Report to Town Council
December 15, 2008**

Recommendations:

A. Council Sub-Committees

1. Reduce and the number of Council Sub-Committees from 8 to 5.

New Committee

Former Committee

- | | |
|--------------------------|--|
| 1. Public Works | 1. Public Works |
| 2. Public Safety | 2. Public Safety |
| 3. Community Services | 3. Community Services
4. Communications Committee |
| 4. Community Development | 5. Economic Development
6. Charter/Ordinance |
| 5. Finance | 7. Finance |

Appointments Committee responsibilities to be directed to the applicable Council Sub-Committee having jurisdiction.

2. Establish meeting days for Council Sub-Committees.

Sub-Committee Meetings: Alternating Tuesdays & Thursdays @ 7:00 pm

B. Agenda Items

1. Prior to placement on a Council agenda, all items shall obtain a sitting Councilor's sponsorship. A sponsoring Councilor will present a summary of the item to the full Council.
2. Items requiring Town Council consideration must be directed to a Council Committee of appropriate jurisdiction. Committee's of jurisdiction will hold work sessions and seek staff and public input prior to presenting report with recommendation for action to the full Council..

a. DRAFT CHARTER OF FRIENDS OF DOROTHEA DIX PARK

Councilor Cox reported that the Community Services Committee has unanimously voted to accept the draft Charter of Friends of Dorothea Dix Park (copy attached).

Motion by Councilor Brann, seconded by Councilor Arnett to accept the Charter of Friends of Dorothea Dix Park as submitted; following discussion vote was unanimously in favor of the motion.

b. TREE CITY ARBOR DAY PROCLAMATION

Motion by Councilor Cushing, seconded by Councilor Arnett to add this item to the agenda. Manager Lessard explained that the Council needs to adopt the proposed proclamation prior to December 31st for Arbor Day 2009.

Motion by Councilor Cushing, seconded by Councilor Brann to adopt the proclamation as proposed – unanimous vote in favor.

c. VFW GAMES OF CHANCE

Motion by Councilor Cushing, seconded by Councilor Arnett to add this item to the agenda. Manager Lessard explained that she just received this request today, but the annual authorization for the Hampden VFW to operate games of chance expires on December 31st.

Motion by Councilor Cushing, seconded by Councilor Arnett to authorize the Whitcomb-Baker Post 4633 Veterans of Foreign Wars to operate games of chance – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Cox reported that the Community Services Committee met and worked on the draft charter of Friends of Dorothea Dix Park and continued work on re-writing the Recreation Committee by-laws. The next meeting is scheduled for January 6, 2009.

E. MANAGER'S REPORT

Manager Lessard reported that the audit went very smoothly this year and the auditors were very complimentary about the work of the staff.

She reported that the town will be reimbursed by the Cable Consortium for the recent purchase of a video camera.

Manager Lessard presented engraved clocks to Councilor Colford and Mayor Briggs.

She then read her annual holiday/end of the year poem.

Charter
Friends of Dorothea Dix Park
Hampden, Maine

- 1) Friends of Dorothea Dix Park established: The Town of Hampden hereby establishes the Friends of Dorothea Dix Park for the following purpose:
 - a) To raise awareness of the community of the unique historical resource which the park offers to the Town of Hampden;
 - b) To assure the on-going care and support of the park by providing the organizations of the Town of Hampden and the School Administrative District¹ with information and focus on the park to use in their course of business;
 - c) To advance the history, natural environment, and educational value of the park within the Town of Hampden;
 - d) To facilitate the development of Dorothea Dix Park as an educational facility for the whole community;
 - e) To encourage active and passive recreation opportunities in a natural environment.
- 2) The Friends of Dorothea Dix Park shall collaborate with and work through the Town of Hampden Tree Board
- 3) Membership: It is desired that the Friends of Dorothea Dix Park be comprised of individuals who are appointed through the Town of Hampden appointment process and shall include:
 - a) A representative of the Planning Board;
 - b) A representative of the Tree Board;
 - c) A representative of the Community Services Committee;
 - d) A representative from SAD #22;
 - e) A representative of the Recreation Department;
 - f) A representative from the Town of Hampden staff, appointed by the Town Manager;
 - g) A representative of the Hampden Historical Society;
 - h) A representative of the Hampden Historic Preservation Commission;
 - i) A representative of the Hampden Garden Club;
 - j) Representatives of the community at large.
- 4) Leadership: The Friends of Dorothea Dix Park shall elect a chair and vice-chair to serve for one year term of office.
- 5) Meetings of the Friends of Dorothea Dix Park shall typically coincide with the meetings of the Tree Board.
- 6) Staff support for the Friends of Dorothea Dix Park shall be provided the Town staff as requested.
- 7) Expenditure requests shall be directed to the Town of Hampden through appropriate Town Departments and Committees.

¹ Town Council, Hampden Planning Board, Hampden Community Services Committee, Hampden Tree Board, Hampden Recreation Committee, SAD #22 Board of Directors and Schools

ARBOR DAY PROCLAMATION

WHEREAS, in 1872, Sterling Morton proposed that a special day be set aside for the planting of trees, and

WHEREAS, the holiday called Arbor Day, was first observed with the planting of more than a million trees in a single state, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in Hampden increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

THEREFORE, I RICK BRIGGS, MAYOR OF THE TOWN OF HAMPDEN, TOGETHER WITH THE HAMPDEN TOWN COUNCIL, DO HEREBY PROCLAIM MAY 21, 2009 AS

ARBOR DAY

IN THE TOWN OF HAMPDEN, AND WE URGE ALL CITIZENS TO SUPPORT THE EFFORTS TO PROTECT OUR TREES AND WOODLANDS, and

FURTHER, We urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

DATED this 15th day of December in the year 2008.

Mayor

F. COUNCILOR'S COMMENTS

Councilor Arnett reminded viewers that Hampden Highlights Day will be held on January 17th from 9:00 am to noon. This is an opportunity for all civic-minded organizations to come and present their mission and goals.

Councilor Brann said goodbye to the Councilors who are leaving and thanked them for all that they have contributed over the years. He noted that the Town of Hampden is better off than it was prior their time on the Council. He said he will miss them.

Mayor Briggs wished everyone a Merry Christmas and Happy New Year. He also extended thanks from Councilor Murphy for all the calls and cards. He said Councilor Murphy sends his regrets for not being able to attend his last meeting as a Councilor and to pass on that he has enjoyed his time on the Council. Mayor Briggs wished Councilor Murphy well.

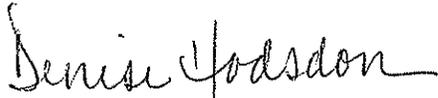
Councilor Cox expressed appreciation to Mayor Briggs for his view of the town's history and for his sense of openness and fairness. She expressed appreciation to Councilor Colford for his willingness to listen. She wished Councilor Murphy well and said she has always appreciated his dedication to the folks on the Public Safety staff.

Councilor Cushing commented that it has been a real honor to serve with Mayor Briggs and Councilors Colford and Murphy. He thanked Mayor Briggs for his sense of tradition and his guidance through the Council process. He thanked Councilor Colford for his enthusiasm and persistence. He wished everyone a Merry Christmas and Happy New Year.

Councilor Colford thanked Mayor Briggs for handing the chair over to him this evening. He said he has enjoyed working with the Council and staff and hoped that he will be back in the future.

G. ADJOURNMENT

There being no further business, Mayor Briggs moved to adjourn at 10:25 p.m. Councilor Brann seconded the motion and vote was unanimously in favor.



Denise Hodsdon
Town Clerk

TOWN COUNCIL MINUTES**APRIL 6, 2009**

The regularly scheduled meeting of the Hampden Town Council was held on Monday, April 6, 2009. The meeting was held at the municipal building council chambers and was called to order by Mayor Arnett at 7:00 p.m.

Attendance: Councilors: Mayor Matthew Arnett, Shannon Cox, Andre Cushing, Thomas Brann, William Shakespeare, Jean Lawlis and Janet Hughes

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Public Works Director Chip Swan

Walter Cupples and Dennis Marble from the Bangor Homeless Shelter and citizens

A. CONSENT AGENDA

Treasurer's Warrants were reviewed and signed by the Finance Committee at its meeting earlier in the evening. Motion by Councilor Cox, seconded by Councilor Shakespeare to accept the balance of the Consent Agenda – unanimous vote in favor.

B. PUBLIC COMMENTS

Nancy Hamilton of Dewey Street addressed the Council to express concern about the draft long-term resident tax rebate program that the Finance Committee is considering. She feels that it would be an expensive line-item and said it does not reflect the objective. She said it would be unnecessary spending and hoped that the Council would reconsider the no income-eligibility option. She wondered if the Council would consider another option under the income criteria option, which would be to piggyback the Circuit Breaker program by adding a percentage to that. Mrs. Hamilton expressed concern that people won't be aware of this if the Council decided to pass it by adopting an ordinance and said she would like to see it go out to public vote so that everybody can read it, understand it and then vote on it.

C. POLICY AGENDA**1. PUBLIC HEARINGS**

- a. APPLICATION FOR RENEWAL OF VICTUALER'S LICENSE RECEIVED FROM LAURIE LEE d/b/a COFFEE BREAK CAFÉ at 75 MAIN ROAD NORTH:

Mayor Arnett 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 Cushing, seconded by Councilor Hughes to reissue the Victualer's License for Laurie Lee d/b/a Coffee Break Café – unanimous vote in favor.

b. PROPOSED AMENDMENT TO CONSERVATION ORDINANCE TO DELETE SUNSET PROVISION, SECTION 6.1.4

Councilor Cushing reported that the Planning & Development Committee voted unanimously to recommend the amendment as proposed.

Mayor Arnett opened the hearing: Proponents – none; Opponents – none: General Questions or Comments – None. The hearing was closed.

Motion by Councilor Cushing, seconded by Councilor Shakespeare to amend the Conservation Ordinance to delete the sunset provision, Section 6.1.4 – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

a. AWARD FIRE TRUCK BID

Councilor Brann reported that the Infrastructure Committee has met with Public Safety personnel and discussed the results of the recent bid opening for a new pumper/tanker fire truck. He reported that the new truck would replace two existing trucks and the Committee recommends acceptance of the lowest bid in the amount of \$374,081.00.

Motion by Councilor Brann, seconded by Councilor Hughes to authorize the purchase of the fire truck from Yankee Fire & Rescue in the amount of \$374,081.00 to be funded by the Fire Truck Reserve account and the final payment from Casella when they close the facility at the end of the year – unanimous vote in favor.

Councilor Cushing commended the members of Public Safety who were tasked with this project and noted that they thought through the process very effectively and were able to come up with some options which saved the Town a fair amount of money.

b. AWARD PAVING BID

Public Works Director Chip Swan reported the results of the paving bid opening and noted that the bids were up 13% over last year. He recommended acceptance of the low bid from Lane Construction in the amount of \$347,245.85 and annual line striping in the amount of \$4,000.00 for a total cost of \$351,245.85. The 2009 budget included a

paving line item in the amount of \$150,000.00 and Chip requested that the balance of \$201,245.85 come from the Reserve Account.

Councilor Brann reported that the Infrastructure Committee has reviewed the bids and unanimously accepted Chip's recommendation.

Motion by Councilor Brann, seconded by Councilor Hughes to award the bid to the low bidder, Lane Construction in the amount of \$347,245.85 and \$4,000.00 for striping, to be financed as outlined by the Public Works Director – unanimous vote in favor.

c. CONFIRM MANAGER BUDGET DIRECTION

Manager Lessard summarized her proposals for the 2009/2010 budget (copy attached). She asked the Council for authority to proceed with this plan in her preparation of the upcoming budget. Mayor Arnett reported that the Finance Committee unanimously endorsed these proposals and is recommending confirmation by the full Council.

Motion by Councilor Brann, seconded by Councilor Cushing to support the proposals of the Town Manager – unanimous vote in favor.

Mayor Arnett expressed appreciation to Manager Lessard for these proposals and to Town Employees for their willingness to forego cost of living raises this year. Councilor Brann expressed pride in the employees for setting aside personal gain for the good of the Town.

d. MAY 11th WATER DISTRICT/TOWN MEETING

The Council will meet with the Hampden Water District Board of Trustees at 6:00 pm on Monday, May 11th. Manager Lessard asked Councilors to let her know if they have any items they would like to see on the agenda.

e. HAMPDEN ACADEMY RE-USE COMMITTEE – DISCUSSION AND FINANCE COMMITTEE RECOMMENDATION

Mayor Arnett serves on the Re-use Committee and reported that the visioning process has been completed and they have reached a point where there are formal committee meetings to begin development of a reuse plan. Among the possible reuses would be the transfer of the property to the Town and Mayor Arnett pointed out that if SAD #22 does offer the property to the Town, we need to do due diligence in representing our taxpayers. He asked that the Council authorize utilizing the services of Attorney Russell relative to any legal issues that might come forward. He reported that the Finance Committee has reviewed this issue and has endorsed that utilization.

Motion by Councilor Lawlis, seconded by Councilor Cushing to authorize the use of the Town Attorney's services as might be necessary, with report to the Council of any utilization that might be needed – unanimous vote in favor.

TO: Town Council Finance Committee
FROM: Sue Lessard, Town Manager
DATE: March 12, 2008
RE: Budget 2009/2010

The purpose of this memo is to discuss proposals for consideration by the Council related to preparation of the 2009/2010 budget. I have begun work with department heads and employees on this process already, but want to make sure before proceeding further that the direction that I am heading is acceptable to the Town Council.

Basics:

1. I have begun preparations for this budget with the assumption that we would, at the least, flat fund the tax appropriation for the Municipal Budget. By that I mean that the budget prepared would not contain any 'new' tax expenditures.
2. I am not considering that the Town has any new property valuation for 2009/2010. Discussions with the Assessor indicate that we have at least \$5 million dollars in new construction valuation however I am considering that as available if necessary for people who request, and are granted valuation abatements.
3. In order to accomplish this, it is necessary to ask the employees to forego any cost of living increase for the coming year. Since we have contractual obligations to the police and fire departments through their unions, I have met with the employees and requested that they open the contract(s), and insert an additional year (2009/2010) with a zero percent cost of living. They are meeting with their Union Representative on March 23rd and will be giving me their answer after that. I have met with all department heads and all non-union employees are supportive of this request. They understand the current economic situation and the pressures on the budget and are appreciative that I am working to insure that all of them continue to have a job in this very difficult economy.
4. I am proposing a change in our health insurance offerings from the plan we currently have to the next level down. If employees stay within the network of participating physicians, they will see a \$5 higher co-pay per medical visit, and if they go outside of the network, they would be responsible for 30% of charges instead of the current 20%. This switch would save us 12% of the cost of our health insurance coverage.
5. I am proposing that the Town Office go to a four, ten-hour day work schedule. Not only would it allow us to shut down half of this building for three consecutive days, saving on both heating and air-conditioning

costs, it would also provide the 'earlier - later' hours that customers have been requesting without incurring additional staffing cost. If we were open from 7:30 a.m. until 6 p.m. many more people would find using our services easier. From the employee viewpoint - although it makes for four longer work-days, it also saves on the cost of transportation to and from work for one day a week. From a management viewpoint, I can also require that people make personal appointments for medical, etc. on the Friday that they do not work at the office. I would like to implement this proposal prior to the end of the fiscal year for a trial period to see how the general public reacts to it and how it actually works in reality. If we began it in May, I would have the rest of March and all of April for us to notify people via the net, cable TV and a mailing.

6. The school superintendent has indicated that their union will not agree to open the contract for a wage freeze and additional contractual obligations for them in the coming year are approximately \$985,000 dollars. I do not believe it is reasonable in this environment to ask the taxpayers to raise that much money and told the assistant superintendent that. For them, it would require staff cutbacks and program elimination. Initially, it was indicated that the administration would be willing to take no increase but in a recent conversation with the assistant superintendent there was discussion of a 'percent or two'. The school will be getting some money from the stimulus package but nowhere near enough to compensate for these increases. I am not looking to balance the school budget on the backs of the municipal employees. That is not only not fair - it is not possible.

7. One really important point that I need to make is that my proposals for holding this budget are not consistent with what is happening in the region. I have spoken with many of the area managers and at this point in the process, no one is considering 0% cost of living and no one else has asked their Unions to open their contracts. Many of them consider it to be a near-impossible task to request union cooperation with such a request.

I believe it is the right thing to do despite that fact. I believe that it sends the right message to the taxpayers that we are not just living in some alternate reality where it is possible to do business as usual. I believe that we need to hold the line this year and see what happens when all the dust has settled from the economy, the State, and the Feds. We are in a strong fiscal position and I want us to stay that way. Taking a deep breath for one year and keeping spending the same or slightly less just makes sense. I am not suggesting that we dig an artificially deep hole by slashing services - we would not be able to recover from such an action - and we would impact both the public and the staff in very negative ways.

If this proposal is acceptable to the Council, I would ask that we think long and hard about 'new' things for the coming year. If I am asking employees to accept the idea of a changed schedule and no cost of living increases – they need to feel that we are not creating new things at the expense of existing programs and personnel. That said – I am not discouraging work on completion or implementation of the comprehensive plan or sub-committee work. We just need to be creative about how we fund new ideas – including additional grant-writing.

Budget Info to date:

Department heads are working hard on their budgets and the drafts are not due to me until the 27th of March, however, there are a few numbers that are available based on my initial discussions with them that I think will please the Council. I am in hopes that the savings described below will provide a cushion so that we are in an even stronger position going into the 2010/2011 fiscal year.

1. The budget for the pool will be reduced by at least \$30,000 due to fuel savings from the installation of the new boilers.
2. Changing the health insurance plan will save the town approximately \$60,000 per year.
3. Going to a 4-day workweek in the Town Office will save an estimated \$9 - \$11 thousand dollars
4. The transfer station budget can be reduced by \$60,000 next year due to the savings resulting from the rule changes at the facility. This budget was flat funded in 2008/09 by reducing estimated disposal costs for c & d and wood since we were beginning our new program. Those changes have produced real savings and it is possible to reduce the budget even further.
5. The proposed GIS/IT budget is \$34,000 lower than in 08/09 due to the fact that last year included a new server as well as the Council laptop program and those items are not replicated in this year's budget.
6. Closing the pool on Sundays in the summer saves close to \$2,000 (the difference between loss of revenues for those days and the staff costs). It is a very sparsely used day of the week in the summer and while \$2,000 is not a lot of money – we are not going to find a hundred thousand dollars in the corner – it is going to come in much smaller bites!

Thank you, in advance, for your consideration of this information.

4. NEW BUSINESS

a. HIKE FOR THE HOMELESS PROCLAMATION

This item was moved to the beginning of the agenda. Hampden resident Walter Cupples, President of the Board of the Bangor Area Homeless Shelter and Dennis Marble, Executive Director of the Shelter thanked the Council for the support the Town has given the Shelter in the past with the Hike for the Homeless. Mr. Cupples noted that the Council Challenge surely increased involvement in Bangor and Brewer and thereby helped them reach their primary goal of increasing awareness about the Shelter. Mr. Cupples expressed appreciation for the proclamation and was glad that Mayor Arnett had already notified the other Town Councils of this year's challenge. He also thanked the faculty and students of Hampden Academy for the "Sea of Purple" and all they have done to support the Hike. He informed everyone that the Hike is scheduled for April 18th and in conjunction with that, there will be a raffle for some very nice prizes. Raffle tickets are available at several local businesses.

Mayor Arnett read the proclamation for the record. Motion by Councilor Cushing, seconded by Councilor Cox to endorse the proclamation – unanimous vote in favor.

b. UNITED TECHNOLOGIES – REQUEST FOR DONATION

This is a request for support to help send UTC students to the National Skills Competition in Kansas City in June.

Motion by Councilor Brann, seconded by Councilor Cox to refer this item to the Finance Committee for consideration in the next budget – unanimous vote in favor.

c. PROPOSED AGENDA PROCESS FOR COUNCIL DISTRICT-SPECIFIC ITEMS – COUNCILOR CUSHING

Councilor Cushing explained that this concept is to allow those Councilors representing a district to make motions on items on the agenda which are relative to their specific district. Several Councilors felt that this was not necessary, but the Planning & Development Committee will discuss it.

d. TIME-WARNER REQUEST FOR SUPPORT – PHONE SERVICES

Time Warner Cable is interested in providing digital phone service in the Town of Hampden, but is currently prohibited under a federal law which allows rural incumbent local exchange carriers to block competitors from entering its service territory unless the state PUC overrides the rural exemption. Currently TDS has the exclusive rights for the provision of phone service in Hampden. Time Warner currently has a case before the PUC asking for permission to provide phone service in Hampden and is asking the Council to support this request. They have forwarded a draft resolution for the Council's consideration.

Following discussion, Councilor Shakespeare moved and Councilor Hughes seconded to forward this matter to the Services Committee for further discussion – unanimous vote in favor. Representatives from both TDS and Time Warner will be invited to the meeting.

Town Clerk Denise Hodsdon informed the Council that three Councilors have indicated they will not be available for the next regularly scheduled meeting on April 21st; therefore there would not be a quorum. Following discussion of possible dates for rescheduling the meeting, Councilor Cushing moved and Councilor Lawlis seconded to cancel the meeting of April 21, 2009 – unanimous vote in favor.

Due to scheduling conflicts, it was decided not to have a second meeting in April. The next meeting will be on Monday, May 4th.

D. COMMITTEE REPORTS

Councilor Cox reported that the Services Committee will meet on April 13th at 6:00 pm.

Councilor Cushing reported that the Planning & Development Committee will meet on April 8th at 6:00 pm. He further reported that the Communications Committee will meet on April 15th at 6:00 pm.

Councilor Brann reported that the Infrastructure Committee will meet on April 27th at 6:00 pm. Agenda items will include discussion of transfer station operation and composting.

Councilor Lawlis reported that she has been attending the School Budget Committee meetings. The next meeting is April 9th at 7:00 pm. Additional meetings will be held on April 14th at 6:00 pm, on April 15th at 5:30 pm and on April 27th at 6:00 pm.

E. MANAGER'S REPORT

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

F. COUNCILOR'S COMMENTS

Councilor Shakespeare noted that there have been several changes in committee meeting schedules and he encouraged the Council to try to stay with the set schedule for committee meetings. Councilor Shakespeare also commented that he believes it would be in the Town's best interest, financially and service-wise, if the transfer station was closed on Wednesday and Thursday and open on Friday, Saturday and Sunday to all types of materials, including C & D, on all three days. He encouraged members of the public to attend the next Infrastructure Committee meeting or to contact him or Manager Lessard if they would like to make comments about current transfer station operations.

MANAGER'S REPORT
April 6, 2009

Tax Collections – We are at approximately 94% collection of property taxes for 2008/2009. Considering that the second half due date was April 1st – we are in very good shape.

Health Office Certification – I completed the required training for Health Officer Certification. We are still pursuing a relationship with Bangor that covers this state requirement but in the meantime, it was necessary that at least one person from each municipality complete the training. I am requesting that you appoint me as the Local Health Officer until we reach an arrangement with the City of Bangor. If there are no objections to this, I will include it on the agenda for the next Council meeting.

AFLAC – The AFLAC representatives were on site today to meet with interested employees. I do not yet have a number from them of who decided to sign up for program participation. They will be back again on Thursday the 9th for anyone who took paperwork with them who decides to enroll.

Councilor Lawlis wanted to clarify that when talking about composting, that includes what to do with leaves and grass and is there an alternative to putting them in with other trash. Other towns have programs to compost grass and leaves and that is what the Infrastructure Committee will be discussing at its next meeting. A representative from the Department of Environmental Protection who knows the ins and outs of those kinds of programs will be at the meeting.

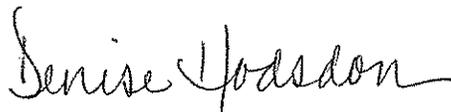
Councilor Brann once again thanked Town Employees for really taking a leadership that you don't see in a lot of towns and businesses in foregoing the cost of living increase and assisting the town in making adjustments in order to hold the budget line. Additionally, he noted that a lot of things have been proposed regarding the transfer station operations and he also encouraged anyone who wishes to express their opinion to attend the Infrastructure Committee meeting on April 27th.

Councilor Cushing commented that he had the pleasure of attending Edna Bragg's 104th birthday party on April 1st. He wished her another wonderful year and noted that she is quite an inspiration. He also commented that the Mock Trial Team is proudly representing both Hampden Academy and the State of Maine once again at the Nationals in Atlanta. Additionally, Project Graduation is sponsoring a "Dancing Like the Stars" competition at Hampden Academy on April 11th and April 18th.

Mayor Arnett wanted to celebrate Hampden Academy's Show Choir who won the state competition this past weekend, not only for the presentation by the entire group, but also by the lead male singer and their musical ensemble group. He also noted that the Hampden Academy Drama Club is performing their play on Tuesday, Wednesday and Thursday of this week.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:45 p.m.



Denise Hodsdon
Town Clerk

TOWN COUNCIL MINUTES

APRIL 13, 2009

A special meeting of the Hampden Town Council was held on Monday, April 13, 2009 for the purpose of acting upon an application for a tournament games license received from the Kiwanis Club. Mayor Arnett called the meeting to order at 6:00 p.m.

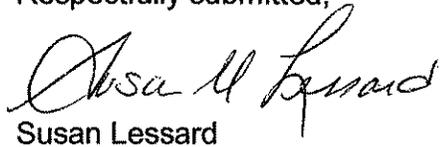
Attendance: Mayor Matt Arnett
 Councilor Thomas Brann
 Councilor Jean Lawlis,
 Councilor Shannon Cox
 Town Manager Susan Lessard
 Kiwanis Club Representative Keith Ociepka
 Councilor Janet Hughes
 Councilor Andre Cushing
 Councilor William Shakespeare

The Town Manager explained that the Kiwanis Club has a planned event on May 2nd that requires a tournament games license from the State. The Town must approve it prior to the Kiwanis Club filing the application with the State. Cancellation of the regular Council meeting on April 21, 2009 required a special meeting to avoid the need for the Kiwanis Club to cancel their event.

Keith Ociepka of the Kiwanis Club answered Council questions about the proposed event.

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

Respectfully submitted,



Susan Lessard
Town Manager



Arbor Day Foundation™

211 N. 12th St. • Lincoln, NE 68508 • 888-448-7337 • arborday.org

We inspire people to plant, nurture, and celebrate trees.

March 25, 2009

A-3-a

Susan M. Lessard
Town Manager
106 Western Ave.
Hampden, ME 04444

Dear Susan,

We congratulate Hampden on having achieved Tree City USA® status for 2008—an accomplishment that assures all your citizens of greater opportunities than they may yet realize!

As you already know, trees are a vital component of the infrastructure in cities and towns, providing environmental and economical benefits. Trees in urban areas reduce the heat island effect caused by pavement and buildings. Properly placed trees can increase property values. Leaves filter the air we breathe by removing dust and other particles.

We have prepared the enclosed press release for your convenience as you prepare to contact local media outlets to share this commendable achievement with the public. We hope you are excited to share the significance of this accomplishment with the media. If you wish to receive this press release in electronic form, please email mdrowitsch@arborday.org. We will send it to you within one work day.

The Tree City USA program is sponsored in cooperation with the National Association of State Foresters and the USDA Forest Service. State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward your awards to Jan Ames Santerre in your state forester's office. They will be coordinating the presentation with you. It would be especially appropriate to make the Tree City USA award a part of your Arbor Day ceremony.

Again, we celebrate your diligence in improving the quality of life for the citizens of Hampden and thank you for creating a healthier, more sustainable world for us all.

Best regards,

John Rosenow
Chief Executive

cc: Mr. Feverston

Enclosure

For more information,
contact Mark Derowitsch,
Public Relations Manager, at
mderowitsch@arborday.org
or call 888-448-7337.



News from Arbor Day Foundation™

211 N. 12th St. • Lincoln, NE 68508 • 888-448-7337 • arborday.org

We inspire people to plant, nurture, and celebrate trees.

FOR IMMEDIATE RELEASE:

Hampden Named Tree City USA® by the Arbor Day Foundation

Hampden, ME has been named a Tree City USA community by the Arbor Day Foundation to honor its commitment to community forestry.

It is the second year Hampden has received this national recognition.

The Tree City USA program is sponsored by the Arbor Day Foundation in cooperation with the National Association of State Foresters and the USDA Forest Service.

Hampden has met the four standards to become a Tree City USA community: having a tree board or department, a tree care ordinance, a comprehensive community forestry program, and an Arbor Day observance and proclamation.

Communities that receive Tree City USA recognition not only have taken the time to meet these four standards, they recognize that:

- Trees promote healthier communities. Leaves filter the air we breathe by removing dust and other particles.
- Trees moderate climate, conserve water and provide habitat for wildlife.
- Trees in urban areas reduce the heat island effect caused by pavement and buildings.
- Properly placed trees can increase property values, and buildings in wooded areas rent more quickly and tenants stay longer.

“A community, its elected officials and its citizens that provide needed care for its trees deserves recognition and thanks,” said John Rosenow, chief executive of the Arbor Day Foundation.

“Trees are a vital component of the infrastructure in our cities and towns, and they also provide environmental and economical benefits. Cities that are recognized with a Tree City USA designation go to great lengths to plant and care for the community forest.”

More information about Tree City USA can be found at www.arborday.org/TreeCityUSA.

About the Arbor Day Foundation

The Arbor Day Foundation is a nonprofit, environmental, an education organization of nearly one million members, with a mission to inspire people to plant, nurture, and celebrate trees. More information on the Foundation and its programs can be found at www.arborday.org.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 8
Fax: (207) 862-
email: hampde. *A-3-b* .com

9

Project Canopy
Maine Forest Service
22 State House Station
Augusta, ME 04333

To Whom It May Concern:

Over the years the Town of Hampden has worked to make the Lura Hoit Pool area an inviting place for residents of town to visit and utilize. Over the years, the Town has made the following improvements to the site:

- planted landscaping trees in front of the pool building
- parking lot area was paved and the drainage improved
- under drainage for the volleyball court installed and then volleyball court was installed
- under drainage for the playground installed, land leveled, and then playground was installed
- town relocated a gazebo from the town office lot to the pool area as it was under-utilized at the town office and is now highly used at the pool

What remains at the site is a blank slate, an open field area of over an acre in size. There are very few trees for shade or sitting areas for parents to watch their children at the playground. This grant would help to improve the overall enjoyment level of the park, as the trees would provide both shade and seating areas, and the variety of trees proposed by the Tree Board allow for an educational component as well. Part of the Tree Board's overall mission is to educate the community about the importance of trees and this will be a project they can point to as an example of their work. The project will also exemplify how groups in Hampden can come together in the community to accomplish a large goal, setting the stage for future collaborative projects. Lastly, this project is a continuance of Hampden's commitment to providing green space for its residents and promoting and continuing its Tree City USA status.

Thank you for considering the Town of Hampden for a 2009 Project Canopy grant.

Sincerely,


Sue Lessard, Town Manager

Town of Hampden
106 Western Ave.
Hampden, ME 04444

A-3-c

H B A

Hampden Business Association

Luncheon Meeting Announcement!!

WHERE: Fresh Ginger Restaurant (Upstairs)
64 Main Rd North
Hampden
862-6208

WHEN: Tuesday, May 5, 2009
Noon – 1 p.m.

TOPIC: *“Fire Department Helps Expand Automated External Defibrillator Availability”*

GUEST: Matt Thomas – Public Education Officer, Hampden Fire Department

Find out more about a project to educate and encourage businesses in Hampden to purchase AED's and provide CPR/AED training for some/all of their employees.

HBA UPDATES:

- New HBA Officers Elected 4-7-09
 1. Ken White – President
 2. Keith Bourgoin – Vice President
 3. Karen Tripp – Secretary
 4. Dewey Martin - Treasurer
- Annual Awards Dinner – May 13th
- Town News
- School News
- Other News and Notes

The HBA wishes to thank the folks at Fresh Ginger for the use of their facility. Please direct questions or comments to Perry Speaker @ 862-9225 or Ken White @ 990-2400. Please visit our website @ www.hampdenbusinessassociation.com.



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0016

A-3-d

JOHN ELIAS BALDACCI
GOVERNOR

DAVID A. COLE
COMMISSIONER

April 24, 2009

City of Hampden
Attn: Susan Lessard, Town Manager
106 Western Avenue
Hampden, Maine 04444-1428

RE: Bangor and Hampden
Project# STP-1585(100)S, Pin# 015851.00 STP-1594(300)S, Pin# 015943.00
NH-1594(800)S, Pin# 015948.00

This is to advise you that the Maine Department of Transportation awarded a project for the above referenced project. The Contractor on this project is Vaughn Thibodeau & Sons, Inc., 1 Ammo Park, Bangor, Maine 04401.

The Resident representing the State of Maine, Department of Transportation is Jon Ketchem, *and can be reached thru* his cell phone #592-2658.

Residents and property owners adjacent to this project may contact Jon Ketchem regarding construction activities, or for obtaining information in connection with this project.

In the event that our Resident cannot be contacted at the project site, you may contact me, Emory Lovely, Project Manager, at 941-4754.

Sincerely,

Emory Lovely
Project Manager
Highway Program

cc: Jon Ketchem, Resident
Robert Clewley, Assistant Project Manager
Project File



PRINTED ON RECYCLED PAPER



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN

A-3-e

APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Lord Raymond M.
LAST FIRST MI

ADDRESS: 30 Cottage St
STREET MAILING

TELEPHONE: 862-4329 Retired
HOME WORK

OCCUPATION: _____

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?

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
- TREE BOARD

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received <u>APR 06 2009</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

INFRASTRUCTURE MEETING MINUTES
April 27, 2009

A-4-A

Attending:

Chair Tom Brann	Sue Lessard, Town Manager
Mayor Matt Arnett	Chip Swan, Public Works Director
Councilor Shannon Cox	
Councilor William Shakespeare	
Councilor Andre Cushing	
Councilor Jean Lawlis (late)	

The meeting was opened at 6 p.m. by Chairman Brann.

1. Minutes of the 3/30/09 Infrastructure Committee meeting were reviewed. There were no corrections and the meetings were accepted by unanimous consent.
2. The Town Manager and the Public Works Director provided an explanation of the recommendation for the Council to approve acceptance of a sewer line constructed on property owned by Hughes Brothers on Coldbrook Road. Part of the acceptance would include the connection to that sewer line of the Angler's Restaurant project that has been previously approved by the Planning Board for which Hughes Brothers had already provided an easement.

Motion by Matt Arnett, seconded by William Shakespeare to recommend to the full council that the sewer line extension off Coldbrook Road constructed by Hughes Brothers be accepted by the Town with the existing permitted connection of Angler's Restaurant. Vote 5-0.

3. David Caliendo – Board of Assessment Review Application
Motion by William Shakespeare, seconded by Shannon Cox to recommend to the full Council the appointment of David Caliendo to the Board of Assessment review. Vote 5-0. Due to Mr. Caliendo's long-term service on the Planning Board, it was not deemed necessary for an interview to be held.
4. Public Works Equipment – request to go out to bid for Truck
The Public Works Director provided information to the Committee regarding a 1998 Sterling Truck that is due to be replaced in the coming year. Common practice is for new trucks to be put out to bid in the fall and new trucks to be received approximately six months later. Due to the deteriorating condition of the Sterling, the Director requested permission to go out to bid for the truck now so that the delivery would be prior to the next winter season. This would save the Town the cost of further extensive repairs to the 1998 Sterling and still allow the new truck to be paid for in the next budget year.

Motion by William Shakespeare, seconded by Andre Cushing to recommend to the full Council that the Public Works Director be allowed to put out a request for bids for a new truck, with delivery in the next fiscal year. Vote 5-0.

The Infrastructure Committee has also requested that the Finance Committee consider the idea of additional funding for Public Works equipment over what is necessary for the purchase of the truck in order to build up the balance in that account.

5. Proposed Private Pump Station – SAD #22 New High School Project
The Public Works Director explained that as part of the design of the new high school there had been discussions between the SAD #22 engineers (WBRC) and the Town about the best way to handle tying the site to the Town's sewer system. The pump station on Western Avenue nearest the site has older piping to it and the slope from the school site would be so minimal that gravity feed would be difficult. The best alternative which allows the school to tie into the Reed's Brook line would require a private pump station on SAD #22 property. The Town's Sewer Ordinance allows those only with the permission of the Town Council.

Motion by Matt Arnett, second by Shannon Cox to recommend to the full council that SAD #22 be permitted to have a private pump station on their property to serve the new high school project under the terms and conditions outlined to WBRC in an letter dated 4/23/07 from Public Works Director Chip Swan. Vote 5-0.

6. Route 1A Sewer – This project will be ready to go out to bid within a week or two.
7. Mayo Road Update – This project has been put on the back burner until the Route 1A sewer project is out to bid. After that the Public Works Director will meet with the engineers and the few property owners in that area that will require construction easements.

Also discussed as part of this item was the serious concern over the speed of traffic on Western Avenue as it approaches the Mayo Road intersection from the west. The 'blind spot' from the railroad crossing toward Mayo Road has created a large number of near misses. The Town Manager and Public Works Director were directed to contact appropriate officials at the Department of Transportation to discuss the need for speed reduction in that area.

8. Transfer Station
 - A. Bruen request for decal.

The Town Manager explained that Mr. & Mrs. Bruen own a tree service business in Hampden and that every single one of their vehicles has the company name on the side of the vehicle. Our rules do not allow contractor or construction vehicles with logos on them access to the Transfer Station, Mrs. Bruen is requesting that we make some accommodation for them to be able to use the station even though the vehicles have logos. After a good deal of discussion of possible solutions, it was the consensus of the Infrastructure Committee to recommend to the Town Council to leave the decal issuance rules as they are. As a result, the Bruens will have to make alternative arrangements for their household trash or remove the logo from one of their vehicles.

B. Additional Discussion on Transfer Station Operation for 2009/2010

All Committee members were given an opportunity by Chairman Brann to voice their opinion on the operation of the Transfer Station and whether or not the current operation should continue or whether it should be amended. Councilor Shakespeare believes that the Transfer Station should be open on Friday – Sunday of each week only and that all waste types should be accepted on those days. It is his opinion that it would be a more effective and convenient way of operating the station. He also indicated that he had talked to many people who were inconvenienced by the fact that they could only dispose of C & D and wood two weekends a month.

Chairman Brann indicated that he personally hated the operation as it now stands because of the fact that he has to store items between collection weekends for c&d and wood, but that due to the fact that the operation was producing the desired results – namely lower costs and more efficiencies – he would be supporting it continuing as is.

Councilor Cox, Councilor Cushing, Mayor Arnett, and Councilor Lawlis all indicated their support for continuing current operations due to the numbers – both in financial savings and in use patterns – that indicate that it is a successful manner of running the Transfer Station.

The Town Manager discussed statistics on use at the transfer station in regard to the c&d and wood, which indicates that approximately 23% of transfer station users utilize the c&D, wood, and metal disposal area. Also, the amount of municipal solid waste disposed of at PERC by the Town has gone down since 2005, and 48% of that amount is hauled to PERC by private haulers who are contracted by residents and businesses of the community.

There was discussion related to possible reconfigurations of entering and leaving the transfer station to make it more effective and reduce any possible

wait times. The Town Manager and Public Works Director were instructed to review the site and see if changes were possible.

Motion by Matt Arnett, seconded by Jean Lawlis to recommend to the full council that the existing transfer station operations be maintained for the 2009/2010 fiscal year.

The Composting discussion will be held at the May meeting and there are possibilities of some changes in regard to brush and leaves that may provide a more cost-effective, 'greener' method of disposal than the current one.

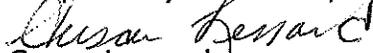
Also discussed was the problem of how to handle the fact that many people were still allowed to access the Transfer Station without a current decal through the current 'warning letter' system. The idea of late fees and fines were discussed as a means of controlling this behavior.

Motion by William Shakespeare, seconded by Matt Arnett to recommend to the full council that a February 1st deadline be established for obtaining Transfer Station decals, beginning with the 2010 year and that persons without current stickers after that date be denied access until they had obtained the sticker. Vote 3 – 2.

Councilor Cox also raised to additional subjects for consideration by the Infrastructure Committee, which were the idea of a Community Garden and a fenced-in Dog Park. The Services Committee will also be considering these items.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,


Susan Lessard

Town Manager

**EDYTHE L. DYER LIBRARY
BOARD OF TRUSTEES
MINUTES
March 11, 2009**

A-4-b

Members present: Debbie Lozito (ex officio), Don Desmarais, Richard Jenkins, Tony Mourkas, Yvonne Lambert, John Skehan, Judy Beebe and Mary Ann Bjorn.

Members absent: Fred Jones, Cheri Condon, Dave Barrett, Mark Russell and Ruth Stearns.

Meeting called to order at 7:45 a.m.

Minutes of the February 11, 2009 meeting were read. John Skehan motioned to accept, Mary Ann Bjorn seconded and the minutes were accepted as read.

A question was raised regarding terminology on the UBS Endowment report. Debbie will call Bill Arata for clarification and report back to the Board.

Motion was made to adjourn. All were in favor. Meeting adjourned at 8:15 a.m.

The next meeting will be April 8.

Respectfully submitted,

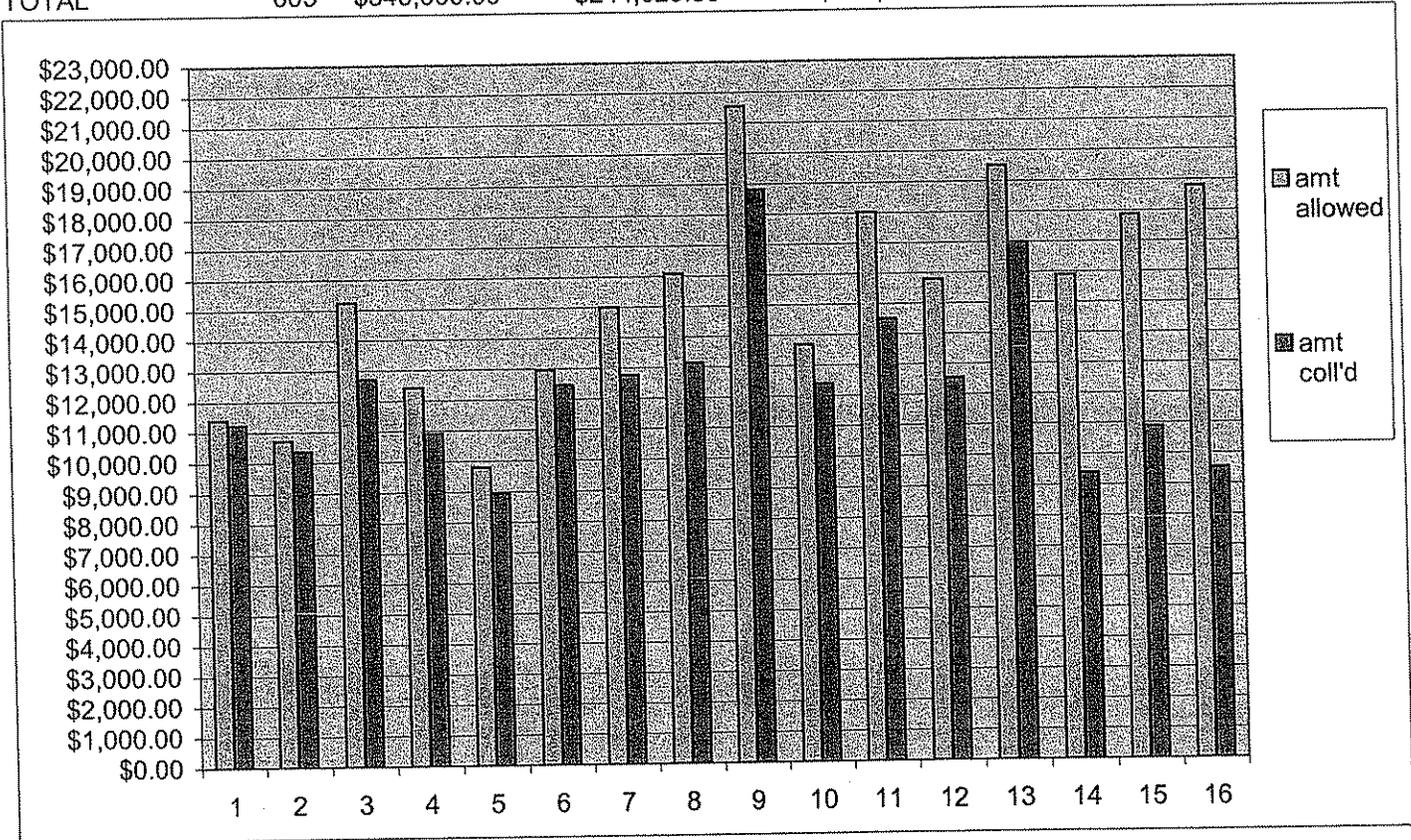
Donna Beck
Recording Secretary

April 14, 2009

AMBULANCE COLLECTION WORKSHEET

A-4-c

MONTH	#RUNS	AMOUNT BILLED	AMOUNT ALLOWED	AMOUNT COLLECTED	AMOUNT OUTSTANDING	PERCENT COLLECTED
MAY'07	33	\$17,165.00	\$11,390.94	\$11,231.09	\$159.85	98.60
SEPTEMBER'07	30	\$14,965.00	\$10,713.21	\$10,363.21	\$350.00	96.73
JANUARY '08	25	\$21,090.00	\$15,228.44	\$12,703.62	\$2,524.82	83.42
FEBRUARY '08	36	\$14,685.00	\$12,412.26	\$10,907.26	\$1,505.00	87.87
MARCH '08	30	\$12,360.00	\$9,795.87	\$8,965.87	\$830.00	91.53
APRIL '08	36	\$17,015.00	\$12,945.00	\$12,444.64	\$500.36	96.13
MAY '08	46	\$23,860.00	\$14,999.55	\$12,752.55	\$2,247.00	85.02
JUNE '08	36	\$23,519.00	\$16,082.19	\$13,136.86	\$2,945.33	81.69
JULY '08	51	\$31,591.00	\$21,531.06	\$18,808.46	\$2,722.60	87.36
AUG '08	41	\$23,728.00	\$13,676.41	\$12,389.09	\$1,287.32	90.59
SEPT '08	39	\$23,053.00	\$18,014.40	\$14,499.38	\$3,515.02	80.49
OCT '08	38	\$21,814.00	\$15,782.10	\$12,535.38	\$3,246.72	79.43
NOV '08	45	\$28,158.00	\$19,501.78	\$16,973.31	\$2,528.47	87.03
DEC '08	40	\$23,412.00	\$15,894.60	\$9,382.08	\$6,512.52	59.03
JAN '09	40	\$24,852.00	\$17,863.11	\$10,874.22	\$6,988.89	60.88
FEB '09	39	\$23,793.00	\$18,798.88	\$9,527.00	\$9,271.88	50.68
TOTAL	605	\$345,060.00	\$244,629.80	\$197,494.02	\$47,135.78	80.73



April 14, 2009

AMBULANCE COLLECTION WORKSHEET

CURRENT YEAR STATUS

MONTH 2009	#RUNS	AMOUNT BILLED	AMOUNT ALLOWED	AMOUNT COLLECTED	AMOUNT OUTSTANDING	PERCENT COLLECTED
JANUARY	40	\$24,852.00	\$17,863.11	\$10,874.22	\$6,988.89	60.88
FEBRUARY	39	\$23,793.00	\$18,798.88	\$9,527.00	\$9,271.88	50.68
MARCH					\$0.00	#DIV/0!
APRIL					\$0.00	#DIV/0!
MAY					\$0.00	#DIV/0!
JUNE					\$0.00	#DIV/0!
JULY					\$0.00	#DIV/0!
AUGUST					\$0.00	#DIV/0!
SEPTEMBER					\$0.00	#DIV/0!
OCTOBER					\$0.00	#DIV/0!
NOVEMBER					\$0.00	#DIV/0!
DECEMBER					\$0.00	#DIV/0!
TOTAL	79	\$48,645.00	\$36,661.99	\$20,401.22	\$16,260.77	55.65

April 14, 2009

AMBULANCE COLLECTION WORKSHEET

FISCAL YEAR STATUS

MONTH	#RUNS	AMOUNT BILLED	AMOUNT ALLOWED	AMOUNT COLLECTED	AMOUNT OUTSTANDING	PERCENT COLLECTED
2007-2008						
SEPTEMBER	30	\$ 14,965.00	\$ 10,713.21	\$ 10,363.21	\$ 350.00	96.73
JANUARY	25	\$ 21,090.00	\$ 15,228.44	\$ 12,703.62	\$ 2,524.82	83.42
FEBRUARY	36	\$ 14,685.00	\$ 12,412.26	\$ 10,907.26	\$ 1,505.00	87.87
MARCH	30	\$ 12,360.00	\$ 9,795.87	\$ 8,965.87	\$ 830.00	91.53
APRIL	36	\$ 17,015.00	\$ 12,945.00	\$ 12,444.64	\$ 500.36	96.13
MAY	46	\$ 23,860.00	\$ 14,999.55	\$ 12,752.55	\$ 2,247.00	85.02
JUNE	36	\$ 23,519.00	\$ 16,082.19	\$ 13,136.86	\$ 2,945.33	81.69
TOTAL	239	\$ 127,494.00	\$ 92,176.52	\$ 81,274.01	\$ 10,902.51	88.17
2008-2009						
JULY	51	\$ 31,591.00	\$ 21,531.06	\$ 18,808.46	\$ 2,722.60	87.36
AUGUST	41	\$ 23,728.00	\$ 13,676.41	\$ 12,389.09	\$ 1,287.32	90.59
SEPTEMBER	39	\$ 23,053.00	\$ 18,014.40	\$ 14,499.38	\$ 3,515.02	80.49
OCTOBER	38	\$ 21,924.00	\$ 15,782.10	\$ 12,535.38	\$ 3,246.72	79.43
NOVEMBER	45	\$ 28,158.00	\$ 19,501.78	\$ 16,973.31	\$ 2,528.47	87.03
DECEMBER	40	\$ 23,412.00	\$ 15,894.60	\$ 9,382.08	\$ 6,512.52	59.03
JANUARY	40	\$ 24,852.00	\$ 17,863.11	\$ 10,874.22	\$ 6,988.89	60.88
FEBRUARY	39	\$ 23,793.00	\$ 18,798.88	\$ 9,527.00	\$ 9,271.88	50.68
MARCH				\$ -	\$ -	#DIV/0!
APRIL				\$ -	\$ -	#DIV/0!
MAY				\$ -	\$ -	#DIV/0!
JUNE				\$ -	\$ -	#DIV/0!
TOTAL	333	\$ 200,511.00	\$ 141,062.34	\$ 104,988.92	\$ 36,073.42	74.43



Penobscot Energy Recovery Company

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

A-4-d

ESOCO ORRINGTON, LLC.
Plant Operator

MEMORANDUM

TO: PERC Charter Municipalities

FR: Gary Stacey, Plant Controller 

Date: April 6, 2009

Subject: 2nd Quarter 2009 Tipping Fee for Charter Municipalities

The tipping fee for the 2nd quarter of 2009 (Apr., May, June) **will be \$72.50 per ton**. This figure is based on our best estimate of expected waste deliveries and pass-through costs for the 2nd quarter of 2009, **plus an adjustment (reconciliation) for actual performance in the 1st quarter of 2009**.

Calculations for the 2nd quarter tipping fee include a positive adjustment carried over from the 1st quarter of \$3,186. The major components in the adjustment from the prior quarter were due to:

- 1) Total MSW deliveries being below the estimated amount by 3,002 tons (68,352 estimated vs. 65,350 actual)
- 2) Charter MSW deliveries being below estimated deliveries by 3,088 tons (43,226 estimated vs. 40,138 actual)
- 3) Charter share of disposal costs was below estimates by \$26,635.

2009 Charter tip fees by quarter:

- 1st quarter was budgeted at \$71.93 with actual of \$73.20
- 2nd quarter was budgeted at \$73.01 with actual of \$72.50
- 3rd quarter was budgeted at \$72.97
- 4th quarter was budgeted at \$73.24

PERC will be forwarding detailed information relating to the 2nd quarter tipping fee calculations to the Municipal Review Committee for their review and approval.

If you have any questions about the quarterly tipping fee, your town's billing, or your contract, please call Gary Stacey at 1-800-698-0859 ext.17.

A-4e

April 9, 2009

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 March 2009 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 862-4200, ext.245.

Sincerely,

PINE TREE LANDFILL



Tom Gilbert
Environmental Compliance Manager

Enclosure

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

PINE TREE LANDFILL
HAMPDEN, MAINE
MONTHLY WASTE ACTIVITY REPORT
 March 2009

Delivery Date	Manifest Approval #	Waste Description	Quantity Delivered (tons)	Transporter Name	Generator Name
3/23/2009	240570	BIO MEDICAL WASTE	0.39	PTS	HYDROCLAVE SYSTEMS
3/18/2009	240305	CATCH BASIN GRIT	0.73	DOT	DOT ENFIELD
3/17/2009	240246	CATCH BASIN GRIT	12.14	CH	LOVEY CAR WASH
3/17/2009	239934	CATCH BASIN GRIT	3.61	CH	MAINE DOT REGION #5
3/23/2009	240587	CATCH BASIN GRIT	11.97	CH	NORTRAX
3/23/2009	240600	CATCH BASIN GRIT	1.06	CH	NORTRAX
3/24/2009	240696	CONTAMINATED SOIL	11.72	FAMILYTREE	FAMILY DOLLAR STORE
3/24/2009	240725	CONTAMINATED SOIL	0.20	FAMILYFUEL	FAMILY FUEL
3/13/2009	240086	CONTAMINATED SOIL	8.22	NETRAM	STATE FARM INSURANCE
3/17/2009	240233	CONTAMINATED SOIL	10.26	LYNCH	JOHN HASKELL JR.
3/17/2009	240234	CONTAMINATED SOIL	11.20	LYNCH	JOHN HASKELL JR.
3/17/2009	240249	CONTAMINATED SOIL	13.86	LYNCH	JOHN HASKELL JR.
3/17/2009	240251	CONTAMINATED SOIL	15.40	LYNCH	JOHN HASKELL JR.
3/11/2009	239971	CONTAMINATED SOIL	8.26	PS	KEN MERRITT
3/18/2009	240332	CONTAMINATED SOIL	2.32	PS	GERALD MOODY
3/10/2009	239873	CONTAMINATED SOIL	11.59	LYNCH	MIKE RAMSEY
3/10/2009	239874	CONTAMINATED SOIL	10.16	WILLIAMS	MIKE RAMSEY
3/10/2009	239880	CONTAMINATED SOIL	11.93	LYNCH	MIKE RAMSEY
3/10/2009	239885	CONTAMINATED SOIL	12.73	WILLIAMS	MIKE RAMSEY
3/10/2009	239887	CONTAMINATED SOIL	15.98	LYNCH	MIKE RAMSEY
3/10/2009	239896	CONTAMINATED SOIL	13.01	WILLIAMS	MIKE RAMSEY
3/9/2009	239836	CONTAMINATED SOIL	8.86	CH	TRUCK ACCIDENT
3/9/2009	239550	CONTAMINATED SOIL	1.86	PS	LEONARD WALLACE
3/24/2009	240689	LAUNDRY RESIDUALS	18.86	NA	ALUTEX UNIFORM
3/13/2009	240059	LAUNDRY RESIDUALS	8.95	PS	UNIFIRST
3/13/2009	240064	LEATHERSCRAPS	8.56	PTS	IRVING TANNING
3/26/2009	240828	LEATHERSCRAPS	10.04	PTS	IRVING TANNING
3/20/2009	240997	NON FRIABLE ASBESTOS	4.63	N.E.DISPOS	GAF MATERIALS CORP.
3/17/2009	240235	NON FRIABLE ASBESTOS	24.38	KBC	HENRY NGUYEN
3/17/2009	240236	NON FRIABLE ASBESTOS	30.87	KBC	HENRY NGUYEN
3/17/2009	240237	NON FRIABLE ASBESTOS	34.20	KBC	HENRY NGUYEN
3/18/2009	240278	NON FRIABLE ASBESTOS	34.10	TWILITE	HENRY NGUYEN
3/18/2009	240279	NON FRIABLE ASBESTOS	31.64	TWILITE	HENRY NGUYEN
3/18/2009	240301	NON FRIABLE ASBESTOS	28.85	KBC	HENRY NGUYEN
3/19/2009	240357	NON FRIABLE ASBESTOS	25.60	TWILIGHT	HENRY NGUYEN
3/19/2009	240362	NON FRIABLE ASBESTOS	24.89	TWILIGHT	HENRY NGUYEN
3/20/2009	240437	NON FRIABLE ASBESTOS	20.50	KBC	HENRY NGUYEN
3/20/2009	240451	NON FRIABLE ASBESTOS	26.41	KBC	HENRY NGUYEN
3/20/2009	240452	NON FRIABLE ASBESTOS	27.45	TWILIGHT	HENRY NGUYEN
3/20/2009	240456	NON FRIABLE ASBESTOS	26.94	KBC	HENRY NGUYEN
3/20/2009	240478	NON FRIABLE ASBESTOS	38.72	TWILIGHT	HENRY NGUYEN
3/20/2009	240526	NON FRIABLE ASBESTOS	20.00	TWILIGHT	HENRY NGUYEN
3/21/2009	240536	NON FRIABLE ASBESTOS	27.84	KBC	HENRY NGUYEN
3/21/2009	240538	NON FRIABLE ASBESTOS	25.48	KBC	HENRY NGUYEN
3/23/2009	240567	NON FRIABLE ASBESTOS	22.60	TWILIGHT	HENRY NGUYEN
3/30/2009	241000	NON FRIABLE ASBESTOS	6.99	PTW	BIO-SAFE ENVIRONMENTAL
3/30/2009	241006	NON FRIABLE ASBESTOS	8.90	PTS	BIO-SAFE ENVIRONMENTAL
3/3/2009	239559	NON FRIABLE ASBESTOS	32.64	KBC	REGIONAL IND.SERVICES
3/12/2009	240016	NON FRIABLE ASBESTOS	21.32	RED	REGIONAL IND.SERVICES
3/12/2009	240022	NON FRIABLE ASBESTOS	35.91	WC	REGIONAL IND.SERVICES
3/12/2009	240024	NON FRIABLE ASBESTOS	17.44	RED	REGIONAL IND.SERVICES
3/13/2009	240083	NON FRIABLE ASBESTOS	24.85	WC	REGIONAL IND.SERVICES
3/13/2009	240084	NON FRIABLE ASBESTOS	36.47	WC	REGIONAL IND.SERVICES
3/18/2009	240348	NON FRIABLE ASBESTOS	32.37	KBC	REGIONAL IND.SERVICES
3/23/2009	240577	NON-HAZARD CHEMICAL RELATED	9.19	TRO	ENPRO
3/3/2009	239533	NON-HAZARD CHEMICAL RELATED	2.92	ENV	SAFE HANDLING
3/5/2009	239664	NON-HAZARD CHEMICAL RELATED	6.71	ENV	SAFE HANDLING
3/4/2009	239608	NON-HAZARD CHEMICAL RELATED	0.19	CH	SPRAGUE ENERGY
3/6/2009	239726	NON-HAZARD CHEMICAL RELATED	1.87	CH	SPRAGUE ENERGY
3/13/2009	240076	OILY DEBRIS	1.29	EN	MARK BILODEAU
3/3/2009	239518	OILY DEBRIS	8.44	TRO	ENPRO ENVIRONMENTAL SERVICES
3/6/2009	239713	OILY DEBRIS	27.81	EN	ENPRO ENVIRONMENTAL SERVICES
3/24/2009	240654	OILY DEBRIS	17.89	EN	ENPRO ENVIRONMENTAL SERVICES
3/24/2009	240669	OILY DEBRIS	12.41	EN	ENPRO ENVIRONMENTAL SERVICES
3/3/2009	239540	OILY DEBRIS	13.96	CLEAN VENT	GENERAL CHEMICAL
3/11/2009	239938	OILY DEBRIS	16.64	CLEAN VENT	GENERAL CHEMICAL
3/26/2009	240818	OILY DEBRIS	15.99	CLEAN VENT	GENERAL CHEMICAL
3/26/2009	240831	OILY DEBRIS	0.83	MEDEP	NICOLE TELIAFERRO
3/3/2009	239532	OILY DEBRIS	26.09	SAMS	UNITED OIL RECOVERY
3/4/2009	239589	OILY DEBRIS	28.33	SAMS	UNITED OIL RECOVERY
3/5/2009	239654	OILY DEBRIS	30.63	SAMS	UNITED OIL RECOVERY
3/12/2009	240008	OILY DEBRIS	32.13	SAMS	UNITED OIL RECOVERY
3/12/2009	240036	OILY DEBRIS	30.83	SAMS	UNITED OIL RECOVERY
3/20/2009	240504	OILY DEBRIS	34.83	SAMS	UNITED OIL RECOVERY
3/25/2009	240763	OILY DEBRIS	30.74	SAMS	UNITED OIL RECOVERY
3/27/2009	240881	OILY DEBRIS	32.77	SAMS	UNITED OIL RECOVERY
3/30/2009	240989	OILY DEBRIS	29.27	SAMS	UNITED OIL RECOVERY
3/30/2009	241018	OILY DEBRIS	29.81	SAMS	UNITED OIL RECOVERY
3/12/2009	239973	SUMP CLEAN OUT	0.14	DOT	MAINE DOT REGION#3
3/27/2009	240871	SUMP CLEAN OUT	0.09	DOT	MAINE DOT REGION#3
3/23/2009	240614	URBIN FILL SOILS	6.57	SULLY'S	CITY OF LOWELL MA.
3/11/2009	239917	WOOD ASH	0.50	PTS	TOWN OF HAMPDEN
3/18/2009	240284	WOOD ASH	0.26	PTS	TOWN OF HAMPDEN

MONTH TOTAL (TONS): 1,384.99

April 9, 2009

4-4-A

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 March 2009, no complaints were received pertaining to Pine Tree Landfill.

If you should require any additional information, please feel free to contact me at 862-4200, ext. 245.

Sincerely,

PINE TREE LANDFILL



Tom Gilbert
Environmental Compliance Manager

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

PINE TREE LANDFILL
-LANDFILL COMPLAINT RECORD FORM-
MARCH 2009

Date of Complaint	Time of Day	Nature of Complaint	Complaint Originating From	Real-time Complaint?	Wind From What Direction & Speed	Site downwind From landfill?	Call or Site Visit Made By	Potential Source of Odor	Landfill Odor Confirmed?	Caller/Responder Comments
Real-time Complaints for the Month:										
		NONE								
Non-Real-time Complaints for the Month:										
		NONE								
Mobile Complaints for the Month:										
		NONE								

Month Total Complaints: 0

Number of Complaints Confirmed to be Landfill: 0

Number of Complaints Not Confirmed as Originating from landfill or Possibly from Other Sources: 0

Note:

A "Real-time Complaint" is a complaint called in within the first 30 minutes of detecting the odor to allow for proper response.

A "Non-Real-time Complaint" is a complaint called in after 30 minutes or more have passed since first detecting the presence of odor and does not allow for proper response time (the odor may no longer be present).

A "Mobile Complaint" is a complaint called in as detecting odor on a roadway and not at a particular residence.

 **PINE TREE LANDFILL**

A-4-g

March 26, 2009

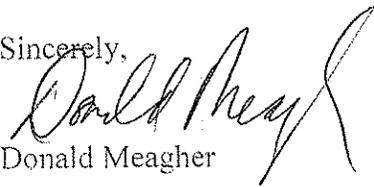
Susan Lessard
Town Manager
Municipal Building
106 Western Avenue
Hampden, ME 04444

Dear Susan:

The enclosed host fee payment of \$32,350.47 represents the period February 2009, during which 17,487 tons were disposed at PTL.

As always, please give me a call if you have any questions about the landfill.

Sincerely,



Donald Meagher

Enc: Host community benefit check

Town copy



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

A-4-h

IN THE MATTER OF

NEW ENGLAND WASTE SERVICES OF	)	SOLID
ME, INC. d/b/a/ PINE TREE LANDFILL	)	WASTE
HAMPDEN, PENOBSCOT COUNTY, MAINE	)	LICENSE
PROCESSING FACILITY/STORAGE AREAS)	
#S-021816-WK-B-M	)	MINOR
(APPROVAL WITH CONDITIONS)	)	REVISION

Pursuant to the provisions of the *Maine Hazardous Waste, Septage, and Solid Waste Management Act*, 38 M.R.S.A. §§ 1301–1319-Y and the Department’s *Solid Waste Management Regulations: General Provisions*, 06-096 CMR 400 (last amended March 5, 2001), *Transfer Stations and Storage Sites for Solid Waste*, 06-096 CMR 402 (last amended June 16, 2006) and *Processing Facilities*, 06-096 CMR 409 (last amended June 16, 2006) the Department of Environmental Protection (“Department”) has considered the application of NEW ENGLAND WASTE SERVICES OF ME, INC. d/b/a/ PINE TREE LANDFILL (“PTL”) with its supportive data and other related materials on file and FINDS THE FOLLOWING FACTS:

1. APPLICATION SUMMARY

- A. Application: PTL has requested a minor revision to Department license #S-021816-WK-A-N. This order licensed the construction and operation of a construction and demolition debris (“CDD”) processing facility with an associated transfer station for solid waste in Hampden, Maine.
- B. History: The Department issued a license (Department license #S-021816-WK-A-N) to Sawyer Environmental Recovery Facilities, Inc. (“SERF”), the predecessor to PTL, on April 28, 1998 for a new CDD processing facility and solid waste transfer station (including storage areas for tires, CDD and metals) to be located on the west side of a Bangor & Aroostook Railroad track, on property owned by SERF off Emerson Mill Road in Hampden, Maine. Neither SERF nor PTL ever constructed the CDD processing facility. The area licensed for the facility has been used for the storage of solid waste, and as a storage area for empty roll-off containers and dumpsters. PTL owns and operates the Secure III Landfill Expansion, which is located east of the Bangor & Aroostook Railroad track. The processing/storage facility and the Secure III Landfill Expansion share a common entrance and scalehouse. The Secure III Landfill Expansion is

NEW ENGLAND WASTE SERVICES OF	2	SOLID
ME, INC. d/b/a/ PINE TREE LANDFILL	)	WASTE
HAMPDEN, PENOBSCOT COUNTY, MAINE	)	LICENSE
PROCESSING FACILITY/STORAGE AREAS)	
#S-021816-WK-B-M	)	MINOR
(APPROVAL WITH CONDITIONS)	)	REVISION

undergoing a phased closure; all waste acceptance will cease by December 31, 2009, and the landfill closure will be completed by December 31, 2010.

- C. Summary of Proposal: PTL proposes to continue use of the area licensed for a processing facility and transfer station after closure of the Secure III Landfill Expansion is completed, but still does not intend to construct the CDD processing building. The application provides a listing of the wastes PTL currently and will in the future store at the facility, and describes where and how each waste will be handled.

2. DESCRIPTION OF PROJECT

PTL proposes to relinquish its intention to construct a CDD processing facility on the site. Currently and in the future, the site will be used only for the storage of the materials listed below.

The following is a summary of the storage activities PTL proposes to continue at the facility:

- (1) CDD would continue to be collected and stored in the 10,000 square foot concrete pad structure known as Area C. The CDD will be delivered by local area contractors and residents, and then transferred into a tractor trailer unit for delivery to Juniper Ridge Landfill in Old Town, Maine for disposal;
- (2) Used tires would continue to be collected and stored in the concrete pad structure adjacent to the CDD storage area. When a full trailer load of tires has accumulated, the tires will be transferred offsite for recycling;
- (3) Metals would continue to be collected and stored in a roll-off container placed adjacent to the CDD and tire storage areas. Once the roll off container is full, the metal will be transferred offsite for recycling;
- (4) Appliances containing chloroflouorocarbons ("CFCs") or hydrochlorofluorocarbons ("HCFCs") would continue to be collected and stored in a portion of the existing concrete pad structure, and then transferred offsite for recycling; and

NEW ENGLAND WASTE SERVICES OF	3	SOLID
ME, INC. d/b/a/ PINE TREE LANDFILL	)	WASTE
HAMPDEN, PENOBSOT COUNTY, MAINE	)	LICENSE
PROCESSING FACILITY/STORAGE AREAS)	
#S-021816-WK-B-M	)	MINOR
(APPROVAL WITH CONDITIONS)	)	REVISION

- (5) Empty roll off containers and dumpsters would continue to be stored in the same area currently used for this purpose.

The application includes a drawing showing the layout of the storage areas for the above wastes. No changes to the operation of the storage areas are proposed, and thus no changes to the operations manual are necessary. No processing of CDD, or any other waste stream, will occur at the facility.

3. DEPARTMENT REVIEW

Department staff ("staff") have reviewed the application to modify the processing facility license to reflect how the facility is currently operated and will be operated after closure of the Secure III Landfill Expansion. Staff comment that the storage areas are operated in substantial compliance with the operating manual and the applicable requirements of 06-096 CMR 402. Staff also comment that in a communication dated March 12, 2009, PTL confirmed that the CDD stored at the facility and transferred to JRL for disposal is expected to come from sources local to the greater Bangor area, and will not include CDD hauled from outside Maine. All CDD deliveries will continue to be scaled and documented. PTL stated in the March 12, 2009 communication that if a delivery was to be received from an out-of-state source, it would be isolated and then transferred to a CDD processing facility for handling. Staff recommend approval of this application. The Department finds that the application to modify Department license #S-021816-WK-A-N to reflect the current and future operation of the facility, and to remove approval to construct and operate a CDD processing facility at the site, is acceptable as described in the application.

NEW ENGLAND WASTE SERVICES OF	4	SOLID
ME, INC. d/b/a/ PINE TREE LANDFILL	)	WASTE
HAMPDEN, PENOBSCOT COUNTY, MAINE	)	LICENSE
PROCESSING FACILITY/STORAGE AREAS)	
#S-021816-WK-B-M	)	MINOR
(APPROVAL WITH CONDITIONS)	)	REVISION

4. OTHER FACTS AND FINDINGS

The Department finds that all other findings made in the license for the PTL processing facility and storage facility (Department license #S-021816-WK-A-N) remain unchanged.

BASED on the above Findings of Fact, and subject to the Conditions listed below, the Department makes the following CONCLUSION:

Revision of Department license #S-021816-WK-A-N as proposed by PTL will not pollute any water of the state, contaminate the ambient air, constitute a hazard to health and welfare, or create a nuisance, provided the facility is operated as described and in accordance with the conditions below.

THEREFORE the Department APPROVES the above noted application of NEW ENGLAND WASTE SERVICES OF ME, INC. d/b/a/ PINE TREE LANDFILL SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations.

1. The Standard Conditions of Approval, a copy attached as Appendix A.
2. The invalidity or unenforceability of any provision, or part thereof, of this license shall not affect the remainder of the provision or any other provisions. This license shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
3. The facility shall be operated only for the storage of the following waste streams: CDD, used tires, metals, and CFC/HCFC-containing appliances. No processing of solid waste may occur at the facility.

NEW ENGLAND WASTE SERVICES OF 5 SOLID
ME, INC. d/b/a/ PINE TREE LANDFILL) WASTE
HAMPDEN, PENOBSCOT COUNTY, MAINE) LICENSE
PROCESSING FACILITY/STORAGE AREAS)
#S-021816-WK-B-M) MINOR
(APPROVAL WITH CONDITIONS)) REVISION

4. All other findings, conclusions, and conditions remain as approved in Department license #S-021816-WK-A-N.

DONE AND DATED AT AUGUSTA, MAINE, THIS 21ST DAY
OF APRIL, 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  FOR
DAVID P. LITTELL, COMMISSIONER

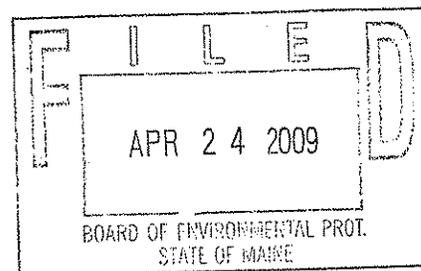
PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

Date of initial receipt of application: July 15, 2008

Date of acceptance: August 5, 2008

Date filed with Board of Environmental Protection:

XCD68297/djp



Appendix A

STANDARD CONDITIONS TO ALL SOLID WASTE FACILITY LICENSES

STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL. VIOLATIONS OF THE CONDITIONS UNDER WHICH A LICENSE IS ISSUED SHALL CONSTITUTE A VIOLATION OF THAT LICENSE, AGAINST WHICH ENFORCEMENT ACTION MAY BE TAKEN, INCLUDING REVOCATION.

1. **Approval of Variations from Plans.** The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed by the licensee. Any consequential variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
2. **Compliance with All Applicable Laws.** The licensee shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
3. **Compliance with All Terms and Conditions of Approval.** The licensee shall submit all reports and information requested by the Department demonstrating that the licensee has complied or will comply with all terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
4. **Transfer of License.** The licensee may not transfer the solid-waste facility license or any portion thereof without approval of the Department.
5. **Initiation of Construction or Development Within Two Years.** If the construction or operation of the solid waste facility is not begun within two years of issuance or within 2 years after any administrative and judicial appeals have been resolved, the license lapses and the licensee must reapply to the Department for a new license unless otherwise approved by the Department.
6. **Approval Included in Contract Bids.** A copy of the approval must be included in or attached to all contract bid specifications for the solid waste facility.
7. **Approval Shown to Contractors.** Contractors must be shown the license by the licensee before commencing work on the solid waste facility.
8. **Background of key individuals.** A licensee may not knowingly hire as an officer, director or key solid waste facility employee, or knowingly acquire an equity interest or debt interest in, any person convicted of a felony or found to have violated a State or federal environmental law or rule without first obtaining the approval of the Department.
9. **Fees.** The licensee must comply with annual license and annual reporting fee requirements of the Department's rules.

ADDITIONAL STANDARD CONDITIONS FOR
SOLID WASTE DISPOSAL FACILITIES

10. Recycling and Source Reduction Determination for Solid Waste Disposal Facilities. This condition does not apply to the expansion of a commercial solid waste disposal facility that accepts only special waste for landfilling.

The solid waste disposal facility shall only accept solid waste that is subject to recycling and source reduction programs, voluntary or otherwise, at least as effective as those imposed by 38 M.R.S.A. Chapter 13.

11. Deed Requirements for Solid Waste Disposal Facilities. Whenever any lot of land on which an active, inactive, or closed solid waste disposal facility is located is being transferred by deed, the following must be expressly stated in the deed:

- A. The type of facility located on the lot and the dates of its establishment and closure.
- B. A description of the location and the composition, extent, and depth of the waste deposited.
- C. The disposal location coordinates of asbestos wastes must be identified.



DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: January 2004

Contact: (207) 287-2811

SUMMARY

One of two methods is available to an aggrieved person for appealing a licensing decision made by the Department of Environmental Protection's ("DEP") Commissioner -- in an administrative process before the Board of Environmental Protection ("Board") or a judicial process before Maine's Superior Court. This FACT SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, will assist aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeals. A failure to file an appeal within the identified time periods will result in the Commissioner's decision becoming final.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

DEP's *General Laws*, 38 M.R.S.A. § 341-D(4), and its *Rules Concerning the Processing of Applications and Other Administrative Matters* (Chapter 2), 06-096 CMR 2.24.

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes and photocopies are not acceptable. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

An appeal must contain the following information:

1. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
2. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
3. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
4. *All the matters to be contested.* As part of the appeal, the Board will limit its consideration to those arguments specifically raised in the written notice of appeal.

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5).

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

II. APPEALS TO MAINE SUPERIOR COURT

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.

A-4-1

COMMUNICATIONS COMMITTEE MEETING MINUTES
April 15, 2009

Attendance:

- Mayor Matt Arnett
- Councilor Andre Cushing
- Councilor Shannon Cox
- Annie Gabbiannelli O'Reilly, Newsletter Editor
- Denise Hodsdon, Town Clerk
- Sue Lessard, Town Manager

The meeting was opened at 6 p.m. by Mayor Arnett.

Website –

Denise informed the Committee that the Town of Holden had contacted her about our website because they were impressed with it when reviewing those of area communities.

The Committee discussed ways to increase utilization of the website. The Town Manager will insert language on upcoming sewer and tax bills encouraging people to go to the website and sign up for email notifications. In addition, the July newsletter will feature the Town's communication efforts with a major piece on the website.

The Town Manager will discuss with firefighter Matt Thomas the possibility of helping Public Works and Economic Development get their website sections up to date.

Cable TV

Paul O'Reilly has left the state and will no longer be doing the taping of council meetings and planning board meetings. While the Town is seeking a replacement, Brandon Gassett will fill in. Annie will check with NESCOM about an appropriate person to assist the Town not only with the filming of those meetings but coordinating Cable TV operations in general. Both the Town Manager and the Clerk indicated that communication between the Town and the student interns was sketchy at best and that getting shows advertised and scheduled appropriately was not working well.

Possible shows discussed were:

- ◆ Hampden Academy Show Choir
- ◆ Swimathon
- ◆ Easter Egg Hunt
- ◆ Dancing Like the Stars (1 & 2)
- ◆ Inventors Night at the Middle School
- ◆ Interview with Kurt Mathies (already aired)
- ◆ Interview with Phil Ruck (already aired)
- ◆ Show about Website and Communications

- ◆ Mock Trial Team
- ◆ SAD #22 New School Project
- ◆ Liberia Student Project
- ◆ Hike for the Homeless
- ◆ Show on Defibrillator Use
- ◆ Show on Opiate Addiction
- ◆ Show on Rain Garden construction

Newsletter

The Committee discussed the request from editor Annie O'Reilly for an increase in the stipend associated with the newsletter due to the number of hours involved in its preparation. It was the consensus of the committee that \$125/per month be paid for the editor function for the newsletter. There is sufficient money in the budget to accommodate that amount.

Possible articles for the July newsletter include:

- ◆ Communications
- ◆ Website
- ◆ Arbor Day
- ◆ Stream Clean-up
- ◆ Memory Project Celebration
- ◆ Children's Day

Proposed Budget

The Committee reviewed the proposed budget for the 2009/2010 fiscal year, which is \$1,972 less than the 2008/2009 budget. It was the consensus of the Committee to support the proposed budget as presented.

The next meeting of the Communications Committee will be June 10th at 6 p.m.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

FINANCE COMMITTEE MEETING MINUTES
April 6, 2009

A-4-j

Attending:

Mayor Matt Arnett	Town Manager Sue Lessard
Councilor Shannon Cox	Public Safety Director Joe Rogers
Councilor Tom Brann	Lieutenant Ray Pipes
Councilor Janet Hughes	Firefighter Tony Redmond
Councilor Jean Lawlis	Public Works Director Chip Swan
Councilor Andre Cushing	
Councilor William Shakespeare	

The meeting was opened at 5:45 p.m. The minutes of the March 17, 2009 meeting were reviewed. No corrections were made.

Warrants were reviewed and signed by Committee members. Motion by William Shakespeare, seconded by Shannon Cox to approve the warrants. Vote 7-0.

1. Fire Truck Bids

The Committee reviewed the recommendation of the Infrastructure Committee for purchase of the fire truck identified as the Rosenberg/Spartan from Yankee Fire and Rescue in the amount of \$374,081, with the savings included for up-front payment for the chassis.

Motion by Andre Cushing, seconded by Shannon Cox to recommend to the full council funding of the new fire truck with \$200,000 from Fire Truck Reserve and \$174,081 from the July 1, 2009 Host Community Benefit lump sum payment to be received from Casella waste. Vote 7-0.

The Committee members commended the Public Safety department for all the hard work that they put into the bidding and selection process and in coming in under the \$400,000 price ceiling that had been set prior to the bid process.

2. Paving recommendation

The Committee reviewed the Infrastructure Committee recommendation for 2008/09 paving bids. Motion by Andre Cushing, seconded by Shannon Cox to recommend to the full council a total of \$351,245.85 to Lane Construction funded by \$150,000 from the Public Works Operating Account and the balance from Streets and Roads Reserve. Vote 7-0.

3. Budget Proposal – No Cost of Living/Changes.

The Town Manager presented the budget construction proposal that she and department heads had developed which included no cost of living raises and a

change in the municipal health insurance as well as changes in hours of operation for the town office and the pool. Motion by Jean Lawlis, seconded by William Shakespeare to recommend that the full council endorse this budget preparation method. Vote 7 – 0.

Committee Member Comments:

4. School Re-use Committee

Mayor Arnett asked the Committee for endorsement for the use of the Town Attorney when necessary during the School Re-use hearings. The consensus of the Committee was that this would be acceptable as long as it was done in such a manner that the School Board and Committee were not constrained in any way from conducting their own process on this issue.

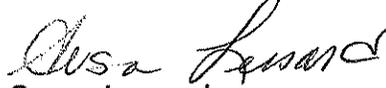
5. Outside Agency Requests

Councilor Shakespeare brought up the need for a process by which the Council reviews and accepts outside agency requests. This issue has been raised in the past by Councilor Cox as well. The Town Manager was directed to have a policy for review by the Finance Committee at the next meeting.

Public Comments – None

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,



Susan Lessard
Town Manager

**Department of Public Safety
Division**

Liquor Licensing & Inspection



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

<u>BUREAU USE ONLY</u>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

RESTAURANT (Class I,II,III,IV)

RESTAURANT/LOUNGE (Class XI)

HOTEL-OPTIONAL FOOD (Class I-A)

HOTEL (Class I,II,III,IV)

CLASS A LOUNGE (Class X)

CLUB-ON PREMISE CATERING (Class I)

CLUB (Class V)

GOLF CLUB (Class I,II,III,IV)

TAVERN (Class IV)

OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Anglers, Inc.</u>			2. Business Name (D/B/A) <u>Anglers Restaurant</u>		
DOB:			DOB:		
DOB:			Location (Street Address) <u>91 Coldbrook Rd</u>		
Address <u>60 W Evergreen Lane</u>			City/Town <u>Hampden</u>	State <u>ME</u>	Zip Code <u>04444</u>
City/Town <u>Swanville</u>			State <u>ME</u>	Zip Code <u>04915</u>	Mailing Address <u>91 Coldbrook Rd</u>
Telephone Number <u>207-323-4966</u>			City/Town <u>Hampden</u>		State <u>ME</u>
Fax Number			Business Telephone Number		Fax Number
Federal I.D. # <u>01-0531899</u>			Seller Certificate # <u>1103786</u>		

3. If premises are a hotel, indicate number of rooms available for transient guests: N/A

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____

5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO

7. If manager is to be employed, give name: John Moody

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: 60 W Evergreen Lane, Swanville, ME 04915

10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Albert Hall IV	3.1.56	Sanford, ME
John Moody	12.11.87	Milford, Conn.

Residence address on all of the above for previous 5 years (Limit answer to city & state)
Swanville, ME - Albert Hall
Monroe, ME + Swanville, ME - John Moody

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
Offense: _____ Location: _____
Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) 100 Seat restaurant with a service bar.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mile Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: mortgages - Camden National

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: _____ on _____, 20____
Town/City, State Date

Please sign in blue ink

Albert Hall IV
Signature of Applicant or Corporate Officer(s)
Albert Hall IV

Signature of Applicant or Corporate Officer(s)

STATE OF MAINE

Dated at: Hampden, Maine Penobscot ss
City/Town (County)

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: Hampden, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS
NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	
FILING FEE	.....	\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE
 Liquor Licensing & Inspection Division
 164 State House Station
 Augusta ME 04333-0164
 Tel: (207) 624-7220 Fax: (207) 287-3424



SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES, AND LIMITED PARTNERSHIPS

- Exact Corporate Name: Angels, Inc.
 Business D/B/A Name: Angels Restaurant
- Date of Incorporation: 2/16/2000
- State in which you are incorporated: MAINE
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: N/A
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
Albert Hall IV	61 W Evergreen Lane, Swanville, ME 02915	3.1.50	100	Pres.

- What is the amount of authorized stock? 1000 Outstanding Stock? 1000
- Is any principal officer of the corporation a law enforcement official? Yes No
- Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes No
- If YES, please complete the following: Name: _____
 Date of Conviction: _____ Offense: _____
 Location: _____ Disposition: _____
 Dated at: _____ City/Town _____ On: _____ Date _____

Albert Hall IV
 Signature of Duly Authorized Officer
Albert Hall IV
 Print Name of Duly Authorized Officer

 Date



CARPENTER ASSOCIATES
CONSULTING ENGINEERS
687 STILLWATER AVENUE • OLD TOWN • MAINE 04468

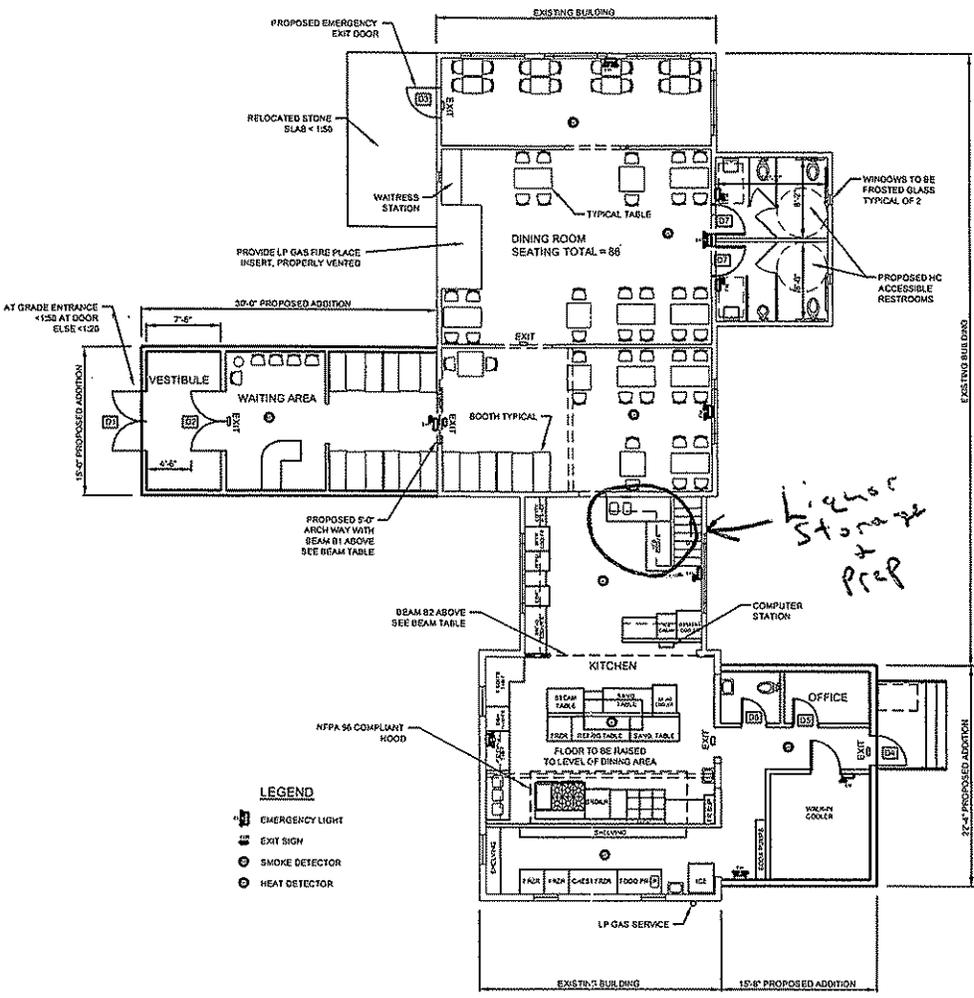
E
PENING

ENTRY DOOR
LIGHTS TO BE
J AND PATCH OPENING

EXISTING ENTRANCE
AND REPLACE AT
AGENCY EXIT

WING

MOVED,
ISSARY



PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

BEAM TABLE		
SYMBOL	MAX. SPAN	AT Δ = L/460
B1	6'-0"	OPTION 1: 1-3/4" x 11-7/8" 1.8E LVL OPTION 2: 3-1/2" x 7-1/4" 1.8E LVL OPTION 3: (4) 2x 10S OPTION 4: (5) 2x 12"
B2	15'-0"	OPTION 1: 3-1/2" x 20" 1.8E LVL OPTION 2: 5-1/4" x 18" 1.8E LVL OPTION 3: 5-1/4" x 18" 2.0E PSL OPTION 4: 7" x 18" 2.0E PSL

NEW DOOR SCHEDULE				
SYMBOL	SIZE	TYPE	HARDWARE	FRAME
D1	6'-0" X 6'-8"	ALUMINUM ENTRANCE	PUSH, PULL, DEAD BOLT, KICK PLATE AND CLOSURE, LOW PROFILE THRESHOLD	ALUM.
D2	6'-0" X 6'-8"	ALUMINUM ENTRANCE	PUSH, PULL, HOLD OPEN, KICK PLATE AND CLOSURE	ALUM.
D3	3'-0" X 6'-8"	ALUMINUM	PUSH EXIT DEVICE, CLOSURE, LOW PROFILE THRESHOLD	ALUM.
D4	3'-0" X 6'-8"	INSULATED STEEL	ADA LEVER LOCK SET, KICK PLATE AND CLOSURE, LOW PROFILE THRESHOLD	STEEL
D5	3'-0" X 6'-8"	SOLID CORE WOOD	ADA LEVER LOCK SET	STEEL
D6	3'-0" X 6'-8"	SOLID CORE WOOD	ADA LEVER PRIVACY LOCK	STEEL
D7	3'-0" X 6'-8"	SOLID CORE WOOD	PUSH, PULL, KICK PLATE AND CLOSURE	STEEL

NOTES:
1. MORE THAN ONE OF EACH TYPE OF DOOR MAY BE REQUIRED.
2. CONTRACTOR TO VERIFY EXISTING DIMENSIONS BEFORE ORDERING NEW DOORS.
3. SPECIFIC TYPE AND STYLE TO BE DETERMINED BY OWNER.

- GENERAL NOTES:**
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS IN THE FIELD.
 2. THIS SET OF PLANS IS BASED ON OWNER'S FIELD DIMENSIONS AND LIMITED OBSERVATION. ACTUAL CONDITIONS MAY VARY.
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR CUTTING, REMOVING, DISPOSING, PATCHING, ETC. OF EXISTING WALLS, SOFFITS, FLOORING, ETC. RELATED TO NEW WORK. NOTIFY ENGINEER UPON FINDING ANY ROT OR DETERIORATION.
 4. CONTRACTOR IS RESPONSIBLE FOR THE PROPER DISPOSAL OF ALL REMOVED DOORS, STAIRS, PLUMBING FIXTURES, KITCHEN CABINETS AND ALL ASSOCIATED DEMOLITION DEBRIS.
 5. CONTRACTOR IS RESPONSIBLE FOR THE CONDITION OF ALL DOORS DURING THE RENOVATION PROCESS.
 6. MAINTAIN AND PROTECT POWER, SEWER AND WATER CONNECTIONS.
 7. PROPOSED LAYOUT PROVIDED BY OWNER.
 8. INFORMATION ON THIS PLAN ARE FOR FIRE MARSHAL AND TOWN OF HAMPDEN'S REVIEW.
 9. PROVIDE FOR A OR B FINISH RATING ON ALL SURFACES.

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	03-23-09	TOWN OF HAMPDEN REVIEW	JD
2	03-25-09	FIRE MARSHAL REVIEW	JD

ANGLERS INC.
ANGLERS RESTAURANT
91 COLDBROOK ROAD HAMPDEN, MAINE
**DEMOLITION AND PROPOSED FLOOR PLANS,
SECTIONS AND DOOR SCHEDULE**

Drawn: JD
Checked: RB
Scale: AS NOTED
Date: 02-18-09
Project No: 20911
Sheet Number:

FOR REVIEW
04-15-09

1

DETAIL



Check One: Initial Application
 Application for Reappointment

C-2-a

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: CAUENDO DAVID A
LAST FIRST MI

ADDRESS: 28 CANAAN RD SAME
STREET MAILING

TELEPHONE: 862-3625 745-7285
HOME WORK

OCCUPATION: BROKER

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: BOARD OF ASSESSMENT REVIEW

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
TREE BOARD

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>3/25/09</u>
<u>Infrastructure</u>		
APPOINTMENTS COMMITTEE ACTION: <u>Recommend approval</u>	DATE: <u>4-27-09</u>	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



C-3-a

TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 23, 2009

To: Sue Lessard
From: Chip Swan
Subject: Sewer Line extension on Coldbrook Rd

In 2007 Hughes Brothers installed a sewer line extension to the business park off Coldbrook Rd. The agreement with Hughes Brothers was to pay for and install a sewer line extension to their business park and upon completion the Town would accept and own the sewer line extension.

I would recommend accepting the sewer line for the Town to own and maintain.

Yours truly,

Chip Swan, PWD

719 Main Road North
Hampden, ME 04444-1901



207-942-4606
FAX 207-942-5635

April 14, 2009

Susan Lessard
Town of Hampden
106 Western Ave.
Hampden, Maine 04444

RE: Public Sewer Extension

Dear Susan;

In October of 2007, Hughes Bros., Inc. installed an 8" PVC sewer line from an existing manhole at the corner of Coldbrook Road and Laskey Lane, extending approximately 485 feet northerly along the shoulder and within the right-of-way of Coldbrook Road, and continuing approximately 630 feet northwesterly along the northern property boundary of Hughes Bros. property shared with former Plaza Properties property to a sewer manhole. The sewer manhole includes three 6" PVC stubs for future connection of existing buildings on the Hughes Bros. property and the former Plaza Properties property. The Plaza Properties property has been recently conveyed to Albert Hall IV and the connection to Angler's Restaurant is proposed in May 2009. The Hughes property is currently serviced by an on-site subsurface wastewater disposal system which is reaching its intended design life and we intend to close this system and connect to the public sewer in the next year or so. Designs were previously approved by the Town's Consultant, J. W. Sewall Co., and construction was coordinated with Gregg Nash and Chip Swan of the Town's Public Works Department.

The sewer was installed in the location and as shown on the attached Record Drawings prepared by Carpenter Associates dated December 11, 2006, revised May 17, 2007 and April 4, 2009. The installation was inspected and testing was satisfactorily conducted and observed by the Town's Engineering Consultant, J. W. Sewall Co.

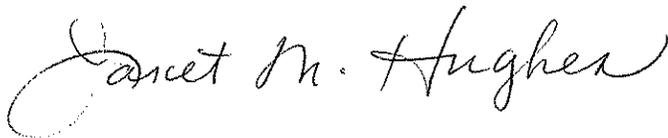
Hughes Bros. requests public acceptance of the sewer by the Town of Hampden. We have attached two sets of Record Drawings and a draft copy of a 20' wide sewer easement. The final draft of the sewer easement will be forwarded to you from our Attorney this week for the Town's legal review and to support our request prior to the

Infrastructure Committee meeting on April 27th. We request that this request be placed on the Infrastructure Committee meeting agenda for discussion and on the agenda for the Town Council meeting on May 4, 2009 for final acceptance.

Please feel free to call with any questions or concerns at the number below or by cell phone at 768-1396. Thank you for your assistance.

Sincerely,

HUGHES BROS., INC.

A handwritten signature in cursive script that reads "Janet M. Hughes". The signature is written in black ink and is positioned above the typed name and title.

Janet M. Hughes, P.E.
Project Manager

Attchmts

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, That, HUGHES BROS., INC., a Maine Corporation, having its principal place of business in the Town of Hampden, County of Penobscot, State of Maine, does hereby grant and convey to the Town of Hampden, a municipal corporation the following:

A sewer line easement twenty (20) feet in width located in the Town of Hampden, County of Penobscot, State of Maine, for purposes of the maintenance, repair, and replacement of a subsurface sewer line leading from the southwesterly bound of the Coldbrook Road and Hughes Bros., Inc. property described by deed recorded in Penobscot County Registry Book 3605, Page 70, in a generally westerly direction for approximately 650 feet extending twenty (20) feet beyond the subsurface sewer manhole located in that proximity, generally along the northerly bound of the Hughes Bros., Inc. property. The location of the twenty (20) foot wide sewer line easement herein conveyed shall be in close proximity to that shown on Record Drawings prepared by Carpenter Associates and surveyed by Plisga & Day Land Surveyors dated December 11, 2006, revised May 17, 2007, and April 2, 2009. The centerline of the easement shall coincide with the sewer pipe and appurtenances actually installed and shall thence be measured ten (10) feet on each side of the centerline of said sewer pipe.

The easement herein granted shall specifically include the right to maintain, repair and replace a subsurface sewer line and associated structures and appurtenances. Following any excavation related to maintenance and repair by the Town of Hampden or representatives thereof, the premises shall be restored to its prior condition as near as practicable.

This easement is given subject to the right to connect to the existing sewer line within the above described easement area granted by Hughes Bros., Inc. To Albert Hall, IV, by Deed of Easement dated March 19, 2009, recorded in the Penobscot County Registry of Deeds in Book 11712, Page 335.

IN WITNESS WHEREOF, Hughes Bros., Inc. Has caused this instrument to be executed by its duly authorized undersigned representative on this _____ day of _____, 2009 and delivered this _____ day of _____, 2009.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

HUGHES BROS., INC.

Witness

By: _____
Peter Hughes Its President

STATE OF MAINE
PENOBSCOT, ss.

_____, 2009

Personally appeared the above-named Peter Hughes, President of Hughes Bros., Inc. And acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said Hughes Bros., Inc.

Before me,

Notary Public - Attorney at Law

Printed Name: _____

My Commission Expires: _____

DEED OF EASEMENT*for Sewer Connection*

KNOW ALL PERSONS BY THESE PRESENTS, That, **HUGHES BROS. INC.**, a Maine Corporation, having its principal place of business in the Town of Hampden, County of Penobscot, State of Maine,

in consideration of one dollar and other valuable considerations

paid by **ALBERT HALL, IV** of Swanville, County of Waldo, State of Maine, and whose mailing address is 60 West Evergreen Lane, Swanville, ME 04915

the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever quitclaim unto the said **ALBERT HALL, IV**, his heirs and assigns for so long as the existing sewer line reference below is in existence:

A sewer line easement twenty (20) feet in width located in the Town of Hampden, County of Penobscot, State of Maine, for purposes of the construction, maintenance, repair and replacement of a subsurface sewer line leading from the southwesterly bound of that premises conveyed to Plaza Properties by deed recorded in Penobscot County Registry Book 10430, Page 182, in a generally southerly direction to the most westerly manhole associated with the existing sewer line leading from the westerly bound of Coldbrook Road in a generally westerly direction by and along the southerly bound of that premises described in Book 10430, Page 182. The location of the twenty (20) foot wide sewer line easement herein conveyed shall be in close proximity to that twenty (20) foot strip of land depicted upon the site development plan for Plaza Properties dated December 11, 2006, revised May 17, 2007, prepared by Pligas & Day Land Surveyors and Carpenter Associates, Consulting Engineers. The centerline of the easement shall coincide with the sewer pipe actually installed and shall thence be measured ten (10) feet on each side of the centerline of said sewer pipe.

The easement herein granted shall specifically include the right to construct, maintain, repair and replace a subsurface sewer line, together with related conduits, stubs and cleanouts. Following any excavation, the premises shall be restored to its prior condition, as near as practicable. This easement herein granted shall further include the right to connect to the existing sewer line, above referenced. This easement shall further include the right to maintain and repair the existing sewer line until it is accepted by the Town of Hampden.

The easement herein granted shall run with the land and benefit that property conveyed to Plaza Properties by deed recorded in Penobscot County Registry Book 10430, Page 182 and to be conveyed to the Grantee herein, Albert Hall, IV.

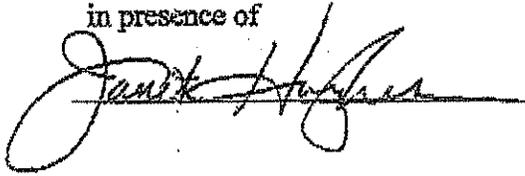
The land burdened by this deed of easement is a small portion of that premises conveyed to Hughes Bros. Inc. by deed recorded in Penobscot County Registry Book 3615, Page 70.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenant thereunto belonging, to the said ALBERT HALL, IV, heirs and assigns forever.

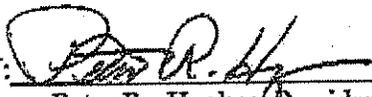
AND it does COVENANT with the said Grantee, his heirs and assigns, that it shall and will WARRANT AND DEFEND the same to the said Grantee, his heirs and assigns against the lawful claims and demands of all persons claiming by, through or under it.

IN WITNESS WHEREOF, the said HUGHES BROS. INC. has caused this instrument to be sealed with its corporate seal and signed by its corporate names by Peter R. Hughes, its President, thereunto duly authorized, this 19TH day of the month of MARCH, A.D., 2009.

Signed, Sealed and Delivered
in presence of



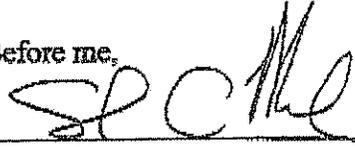
HUGHES BROS. INC.

BY: 
Peter R. Hughes, President
Its President thereunto duly
authorized

State of Maine
County of Penobscot, ss.

3/19, 2009

Then personally appeared the above named Peter R. Hughes and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

Notary Public

Print/Type Name

My commission expires: SHAWN A. MEEHAN
NOTARY PUBLIC - MAINE
MY COMMISSION EXPIRES APRIL 1, 2014

C-3-b



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 23, 2009

To: Sue Lessard
From: Chip Swan
Subject: Vehicle Replacement Schedule

Attached is the next 10 year vehicle replacement schedule.

Currently we have a 1998 Sterling dump truck we need to replace. Last summer we invested \$5,000.00 replacing a hydraulic tank and springs.

The truck needs a clutch and brakes if we keep it for next winter. This would be another \$5000.00.

When a truck is bid, the turn around time from award to receiving the vehicle is approximately 6 months. I would like to recommend we bid this truck in May to have delivery in November to prevent investing more money in a truck we plan on replacing.

Yours truly,

Chip Swan, PWD

2-C

YEAR	DESCRIPTION	MAKE	YEAR	EST. COST
2009	TRUCK	FORD	1998	\$130,000
2010	LOADER	JOHN DEERE	2005	\$95,000.00
	TRUCK	STERLING	2001	\$130,000.00
				\$225,000.00
2011	TRUCK	FREIGHTLINER	2001	\$130,000.00
	TRUCK	FORD F-450	2006	\$70,000.00
	TRUCK	FORD F-450	2006	\$70,000.00
				\$270,000.00
2012	BACKHOE	JOHN DEERE 310	2007	\$70,000.00
	TRUCK	FREIGHTLINER	2002	\$100,000.00
				\$170,000.00
2013	TRACTOR	TRACKLESS	2003	\$130,000.00
	TRUCK	FREIGHTLINER	2003	\$130,000.00
	PICKUP	FORD	2009	\$30,000.00
				\$290,000.00
2015	TRUCK	STERLING	2005	\$130,000.00
	LOADER	JOHN DEERE	2010	\$95,000.00
				\$225,000
2016	TRUCK	FORD F-450	2006	\$70,000.00
	TRUCK	FORD F-450	2006	\$70,000.00
				\$140,000.00
2017	BACKHOE	JOHN DEERE 310	2012	\$70,000.00
	PICKUP	FORD	2013	\$30,000.00
				\$100,000.00
2018	TRUCK	STERLING	2008	\$130,000.00
2019	TRUCK	GMC-5500	2009	\$100,000.00
				\$1,780,000.00



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 23, 2009

John Kenney
WBRC Architects/ Engineers
44 Central Street
Bangor, Maine 04401

Dear Mr. Kenney,

This letter is in response to the meeting held on March 27th 2009, requesting a capacity statement and sewer easement from the Town of Hampden.

The Town of Hampden Sewer System has the capacity to accept a maximum of 15,950 per day from the new facility.

The new sewer configuration, with the town staff suggesting adding pump station and pumping to Reed's Brook location is much better than the previous one. Removing this added flow from the existing RTE 202 pump station will help eliminate future problems with our pumps.

The Town owned land south of the new school site is unsuitable for development because of environmental constraints. It is very unlikely we would ever provide sewer service for this area.

The new pump station will serve only the high school; therefore, it would be a private pump station. We request the following stipulations.

- A. Backup electrical power
- B. Along term maintenance contract with a reputable firm

C-3-c

I will put the private pump station request on the next infrastructure committee meeting agenda April 27th. The full council will need to approve this pump station and I will put that on the council agenda for May 4th.

Please feel free to contact me if you have any further questions or concerns

Sincerely,

Chip Swan, PWD



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 23, 2009

To: Sue Lessard
From: Chip Swan
Subject: Proposed Pump Station for the new Hampden Academy

In reviewing the first set of Hampden Academy plans, showed sewer going to the Rte 202 pump station. The sewer line that serves the pump station on Western AVE. was installed in the 40's.

I recommended to WBRC to design sewer flow to Reed's Brook school where the line that serves that system is PVC and installed in the 80's. In order to do this would require a pump station.

I would like this item placed on the next infrastructure committee meeting to discuss accepting the pump station that would serve the new High School.

Yours truly,

Chip Swan, PWD

5.3.1.5 The private pump stations and sewer extensions must be maintained in perpetuity by either a single private entity or a maintenance association.

5.3.1.6 Any private pump stations and sewer extension must be designed and stamped by a duly licensed and qualified professional engineer.

5.3.1.7 The private pump station design, and the construction thereof, must include a redundant pump.

The Planning Board shall not approve any development or subdivision that includes private pump stations or private sewer extensions unless the design thereof and the legal documents showing evidence of their perpetual maintenance have been reviewed and approved by the Town Council with written recommendation of the Public Works Director, Town Attorney and Town engineering consultant. *(Effective: 5-5-88) (Amended: 5-21-90) (Amended: 8-7-2007)*

Mission Statement:

As directed by the Town Council the Services Committee shall advise and recommend strategies and actions on matters of community recreation and development, parks, forests and reserves, sports grounds, public halls, libraries, walkways, camping grounds, community and cultural facilities, underground and above ground water resources and public property management.

The Services Committee shall promote a family-oriented community environment that provides for balanced allocation of the land resources among residential, business, and natural resource protection. It will encourage regional planning to promote connectivity to include trails providing natural interior and shoreland pathways within Hampden as well as pedestrian access to neighboring communities throughout the greater Bangor area.

TOWN OF HAMPDEN
DOROTHEA DIX PARK ORDINANCE

1. Purpose. The purpose of this Ordinance is to provide rules and regulations for the use of and conduct in the Dorothea Dix Park situated in Hampden.
2. Motor Vehicle Access. Access to the Park by motor vehicles (as defined in 29 M.R.S.A. §1) will generally be permitted between April 1 and November 1, although the Public Works Director shall have the authority to provide for different dates of motor vehicle access if circumstances are such that alternative dates are necessary to preserve the condition of the Park or are necessary for the proper operation and maintenance of the Park. No person shall operate a motor vehicle in the Park, or leave a motor vehicle standing or parked therein, during times when it is closed to the public. No person shall operate a motor vehicle in the Park on or in any area except established roads, driveways, or parking areas, or such other areas as may, on occasion, be specifically designated as temporary parking areas by the Public Works Director.
3. Other Vehicles Prohibited. No person shall operate a trail bike, all terrain vehicles, snowmobile, or any other motorized recreational vehicle within the Park.
4. Hours. The Park shall be open to the public during the hours of 6:00 a.m. to 10:00 p.m., Eastern Standard Time or Eastern Daylight Time, as may be in effect from time to time.
5. Camping. No person shall set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in the park after closing hours, any movable structures or special vehicle that could be used for such purposes. Upon prior approval of a law enforcement officer of the Town of Hampden, overnight camping may be permitted in situations involving unique circumstances.
6. Firearms/Hunting. No person shall carry or discharge a firearm or engage in any hunting activity within the Park.

7. Fires. No person shall kindle, build, maintain or use a fire except in areas designated for such purposes. All fires shall be properly extinguished. Fires may be prohibited by the Public Works Director when, in his or her judgment, the conditions are such that any fire would represent a safety hazard.
8. Wood. No person shall cut any wood within the Park without a prior permit from the Public Works Director, who shall have the discretion to deny any application for such a permit if he or she determines that the proposed activity is inconsistent with the goal of maintaining the majority of the Park as wooded land.
9. Alcoholic Beverages. No person shall bring alcoholic beverages or controlled substances into the Park, nor shall any person drink or use the same at any time or be under the influence of the same in the Park.
10. Trash. No person shall scatter, drop or leave any debris trash or other rubbish within the Park except in receptacles provided for that purpose.
11. Animals. All animals brought into the Park shall be under the control of their owners or custodians at all times so as to not interfere with the enjoyment of the Park by other members of the public.
- ~~12. Reservations. Although all areas of the Park are to be generally open to the public, the ballfield area of the Park may be reserved on a first come, first served basis through the Town Office for family and civic group outings, community groups and the like. Any person seeking the reservation of said portion of the Park for such a use shall make application to the Town Office, setting forth their name and address, the person or group sponsoring the event, and the day and hours for which the reservation is sought.~~
- 13-12. Enforcement.
 - A. Any law enforcement officer of the Town of Hampden shall have the authority to revoke the permission of any individual to use the Park when the officer observes, or has probable cause to believe, that such individual has violated any provisions of this ordinance, committed a civil infraction within the Park, or has violated any provision of the laws and ordinances of the State of Maine or the Town of Hampden within the Park.

B. The Public Works Director and his or her subordinate employees shall be empowered to enforce the provisions of this Ordinance. In addition, the Code Enforcement Officer and the members of the Hampden Police Department shall also have the authority to enforce the provisions of this Ordinance.

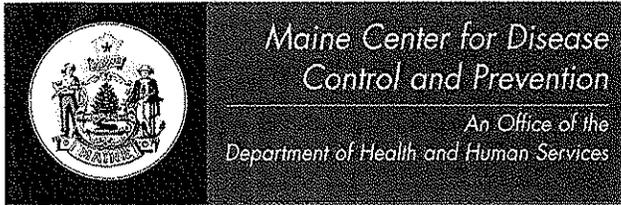
~~14~~.13. Penalties. Any person, firm or corporation violating any provisions of this Ordinance shall be fined not less than Twenty-five (\$25.00) nor more than One Hundred Fifty Dollars (\$150.00) for each violation. Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any fines recovered shall inure to the benefit of the Town of Hampden.

~~15~~.14. Separability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed as separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

11/3/86 Public Hearing

Adoption

Effective Date: 12/3/86



John E. Baldacci, Governor

Brenda M. Harvey, Commissioner

Department of Health and Human Services
Maine Center for Disease Control and Prevention
286 Water Street
11 State House Station
Augusta, Maine 04333-0011
Tel: (207) 287-8016
Fax: (207) 287-9058; TTY: 1 800 687 6877

March 30, 2009

C-4-A

Susan Lessard
106 Western Avenue
Hampden, ME 04444

Dear Ms. Lessard,

Please find enclosed your certificate of completion for the initial Local Health Officer certification training. We do appreciate the time dedicated to serving your community and also the time taken to complete this training. We do hope you found the training beneficial and would appreciate any suggestions you might have to improve the program. As always, if you need assistance or have questions, do not hesitate to call or email.

Again, our thanks!

Sue Dowdy

Sue Dowdy, LHO Coordinator
Office of Local Public Health
Maine CDC, DHHS
286 Water Street, 8th Floor, SHS #11
Augusta, ME 04333-0011
Phone: (207) 287-6372
Fax: (207) 287-9058
www.mainepublichealth.gov

Cc: Town of Hampden

Enclosure

STATE OF MAINE
MAINE CDC
OFFICE OF LOCAL PUBLIC HEALTH

This is to certify that

SUSAN LESSARD — HAMPDEN, MAINE

has successfully completed the initial Local Health Officer certification training delivered by
the Department of Health and Human Services, Maine CDC,
Office of Local Public Health, as required by Title 22, Chapter 153, §451(2).



Issue Date: MARCH 30, 2009

Dana Amadio

Director, Maine CDC

3/30/09

Marjorie Walsh

Director, OLPH

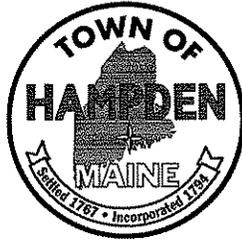
3/30/09



Maine Center for Disease
Control and Prevention
An Office of the
Department of Health and Human Services

John E. Baldacci, Governor Brenda M. Harvey, Commissioner

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: hampden@midn

C-4-b

CERTIFICATE OF COMMITMENT OF SEWER USER RATES

To: Susan M. Lessard, the treasurer of the municipality of Hampden, Maine.

We, the undersigned municipal officers of the municipality of Hampden, Maine hereby certify and commit to you a true list of the sewer rates established by us pursuant to 30-A M.R.S.A §3406 for those properties, units, and structures required by local and state law to pay a sewer rate to the municipality, for the period beginning 01/01/09 and ending 03/31/09. This list is comprised of the pages numbered 1 to 1 inclusive which are attached to this certificate. The date(s) on which the rates included in this list are due and payable is (are) 05/28/09. You are hereby required to collect from each person named in the attached list his or her respective amount as indicated in the list, the sum total of those lists being \$ 109,187.47. You are hereby required to charge interest at a rate of 9 % per annum on any unpaid account balance beginning 05/29/09. You are hereby authorized to collect these rates and any accrued interest by any means legally available to you under State law. On or before 09/2009 you shall complete and make an account of your collections of the whole sum herein committed to you.

Given under our hands this _____ day of _____, 20__.

Municipal Officers of the Town of Hampden, Maine

C-4-c

TO: Town Council
FROM: Sue Lessard, Town Manager
DATE: 4/29/09
RE: Abatement Request – Arthur Murray Estate

The request for abatement of taxes on this parcel is not for a full abatement or the taxes but abatement back to the valuation that has been put on the property by the Assessor due to the severely deteriorated condition of the building. That action would still require that \$367.29 in taxes be paid plus the interest that has accrued since the original due date in October of 2008. If this request had been made prior to December 31, 2008, the Assessor could have handled it, but anything after that date requires that the Council make the decision.

We foreclosed on this property several years ago while the Estate and the State were wrangling about property prices due to a claim that the State was trying to establish related MaineCare benefits paid. The Estate reclaimed it within 30 days upon payment of all taxes, costs and fees associated with it through the 2007/2008 year. The amount of actual tax principal abated would be \$666.21.

April 22, 2009

Ronald Murray
1095 Dixmont Rd
Etna, Me. 04434

Hampden Town Council
Hampden Me. 04444

Dear Sirs:

I am contacting you as the personal representative for the Arthur Murray Estate, for the purpose of abating the 2009 taxes. The taxes are currently paid through 2008.

The reason for the abatement is that there has been no electricity or heat for the past three years, creating excessive mold and mildew, causing the property to become uninhabitable. I have contacted the tax assessor and she has reassessed the property down to \$23,100 (see attached form)

The State of Maine has a claim against the estate for \$156,860.28 for MaineCare benefits. (see attached form). There is no money or other value in the estate other than the value of the property.

As of April 22, 2009 I have a signed contract for sale of real estate for \$25,000 from the abutting landowner Anthony Sangiovanni. Mr. Sangiovanni is going to be removing the building from the property and just adding the land to his property.

Respectfully,

Ron Murray



Personal Rep.

Hampden
 Name: MURRAY, ARTHUR, ESTATE
 MURRAY, RONALD W., P.R.

Valuation Report

04/14/2009

Page 1

Account: 2972 Card: 1 of 1

Map/Lot:
 Location:

46-0-002
 98 HOPKINS RD

Neighborhood 16 Hopkins/MainRdSo

Zoning/Use Residential A
 Topography /Level
 Utilities Drilled Well/Septic System
 Street Gravel

*5/4/09
 Council Mtg.*

Reference 1
 Reference 2
 Tran/Land/Bldg 1 1 1
 X Coordinate 0 Y Coordinate 0
 Exemption(s) Land Schedule 3

Land Description

Units	Method - Description	Price/Unit	Total	Fctr	Influence	Value
0.15	Acres-ImprovSite(Frac)	59,080.00	22,882	100%		22,882
Total Acres	.15				Land Total	22,882

Dwelling Description

Replacement Cost New

Conventional	One Story	288 Sqft	Grade C 90	Base	26,085
Exterior	Wood Siding	Masonry Trim	None	Trim	0
Dwelling Units	1 OTHER Units-0	Roof Cover	Asphalt Shingles	Roof	0
					0
Foundation	Concrete Block	Basement	Wet Full Bmt	Basement	-149
Fin. Basement Area	None	Basement Gar	None	Fin Bsmt	0
Heating	100% Not Heated	Cooling	0% None	Heat	-894
Rooms	6				
Bedrooms	3	Add Fixtures	0		
Baths	0	Half Baths	0	Plumbing	-1,941
Attic	None			Attic	0
FirePlaces	0			Fireplace	0
Insulation	None			Insulation	-298
Unfin. Living Area	NONE			Unfinished	0

Dwelling Condition

Built	Renovated	Kitchens	Baths	Condition	Layout	Total	
1945	0	Obsolete	Obsolete	Poor	Typical	22,803	
Functional Obsolescence		Economic Obsolescence		Phys. %	Func. %	Econ. %	Value(Rcnld)
None		None		30%	9%	14%	86

Outbuildings/Additions/Improvements

Description	Year	Units	Grade	RCN	Cond	Phy	Func	Econ	Value Rcnld
One Story Frame	1945	336	C 90	7344	Poor	30%	9%	14%	28
Encl Frame Porch	1945	180	C 90	1904	Poor	30%	9%	14%	7
One Story Frame	1945	196	C 90	4285	Poor	30%	9%	14%	16
Frame Garage	1945	304	C 90	4531	Poor	30%	9%	14%	17
Frame Shed	1945	76	C 90	610	Poor	30%	9%	14%	2
820 SFLA		0.16 = \$/SFLA (4)							
						Outbuilding Total			70

Acpt Land 22,900 Accepted Bldg 200 Total 23,100

STATE OF MAINE

Penobscot COUNTY PROBATE COURT

DOCKET NO. 06-659

Arthur J. Murray

Estate of _____
Deceased

CLAIM AGAINST ESTATE¹

1. Residence and date of death of decedent if known.

**Hampden, Maine
Date of Death: February 3, 2005**

2. Name of claimant: **State of Maine, Department of Health and Human Services**
3. Address of claimant: **Third Party Liability Unit
State House Station 11
Augusta, Maine 04333**
4. Amount claimed: **\$156,860.28 (payable to Treasurer, State of Maine)**
5. Basis for claim: (Explain or attach evidence.)

While age 55 or over the decedent received MaineCare benefits paid on or after October 1, 1993. During the above time period MaineCare has expended \$156,860.28 on his behalf. Pursuant to 22 M.R.S.A., Section 14(2-I) the Maine Department of Health and Human Services has a claim against the estate of MaineCare members after their death. The amount of benefits paid and recoverable under this section is a claim against the decedent's estate pursuant to 18-A M.R.S.A., Section 3-801 et seq. (A copy of Chapter VII, Section 5, Estate Recovery of the Maine Medical Assistance Manual (now known as MaineCare Benefits Manual) has been attached to claim copies sent to the Personal Representative and/or Attorney of the Estate.)

6. Date claim will become due if not yet due: **Now Due**
7. Nature of any uncertainty about claim: **NA**

8. Security for claim: (Describe in detail, including recording information, if any.)

NA

C-4-d

dlbhampden@hotmail.com

From: <dlbhampden@hotmail.com>
Date: Tuesday, April 14, 2009 10:03 AM
To: "Sue Lessard" <lightlady_1@yahoo.com>
Subject: Planning and Development Committee Action

Sue,

I have two action items to report to you from the April 4th Planning and Development Committee.

1. Hamlin Marine Project Consideration

The Planning and Development Committee decided by consensus to forward, for full Council consideration, the appropriation of resources for the purposes of conducting two appraisals and one boundary survey in order to determine the value of the current Marina parcel and adjacent parcel and boundary survey of the current Hampden property. The estimated costs as solicited by Hamlin Marine for the boundary surveys and the "yellow-book" appraisals is noted below. Hamlin Marine to assume the costs of the boundary survey on the adjacent parcel.

Town of Hampden:	Two parcel appraisals:	\$ 7,250
	One boundary survey:	\$ 5,800
Hamlin Marine:	One boundary survey:	\$ 1,800

2 Title Change

The Planning and Development Committee decided by consensus, with recommendation to approve, full Council consideration of their request for title change from Economic Development Specialist to Community and Economic Development Director in acknowledgment of a completed transition and accurate reflection of position responsibilities.

C-4-e

If you need anything further, please let me know.
Dean

Dean L. Bennett
Economic Development Specialist
Town of Hampden
106 Western Ave.
Hampden, ME 04444
207-862-3034

4/28/2009

TOWN OF HAMPDEN
2009/2010 BUDGET MEETING SCHEDULE

(Meetings start at 6:00 p.m. and are held in the Council Chambers on non-council meeting dates. Budget discussions on Council meeting nights follow the regular agenda.)

May 11, Monday: Public Safety
 Police
 Fire
 Administration
 Town Council
 Municipal Building
 Tax Collector
 Elections
 Assessor/Planning
 Economic Development
 GIS/IT
 Communications

C-4-f

May 18, Monday: (Council Meeting)
 Library
 Recreation
 Lura Hoit Pool
 Debt Service

May 20, Wednesday Reserves
 General Assistance
 Education
 County Tax
 Revenues
 Social Service Agency Requests

May 27, Wednesday: Public Works
 Municipal Garage
 Solid Waste
 Buildings & Grounds
 Marina
 Non-Departmental Utilities
 The Bus

June 1, Monday: (Council Meeting)
 Budget Review – Post for Public Hearing

June 2, Tuesday: Budget Review – if necessary – Post for Public Hearing

June 15, Monday: (Council Meeting)
 Budget Adoption