

TOWN COUNCIL MINUTES

OCTOBER 15, 2007

The regularly scheduled meeting of the Hampden Town Council was held on Monday, October 15, 2007. The meeting was held at the municipal building council chambers and was called to order by Mayor Briggs at 7:00 p.m.

Attendance: Councilors: Mayor Rick Briggs, Robert Gilberti, Thomas Brann, Matthew Arnett, Andrew Colford, and Shannon Cox. Edward Murphy arrived at 8:15 pm.

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Economic Development Director Bion Foster
Pine Tree Landfill representatives and citizens

A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. The balance of the consent agenda was accepted without objection.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. PROPOSED AMENDMENTS TO SECTIONS 4.2 (MINIMUM SETBACK) AND 4.4(e) (MINIMUM ROOF SLOPES FOR BUILDINGS LESS THAN 10,000 SQUARE FEET) OF THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE HAMPDEN BUSINESS AND COMMERCE PARK.

Economic Development Director Bion Foster explained that the amendment to Section 4.2 is to correct an error in reference to the building envelope area. The second amendment relates to roof slopes for metal frame buildings of less than 10,000 square feet.

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

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

Motion by Councilor Gilberti, seconded by Councilor Arnett to adopt the amendment as drafted – unanimous vote in favor.

Motion by Councilor Arnett, seconded by Councilor Gilberti to authorize the Town Manager to sign the amendment documents – unanimous vote in favor.

b. GENERAL ASSISTANCE ORDINANCE – ADOPTION OF REVISED APPENDICES A, B, C and F

Manager Lessard explained that these are amended guidelines set annually by the State.

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

Motion by Councilor Gilberti, seconded by Councilor Arnett to adopt Appendices A, B, C and F – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

a. WARRANT OF NOTICE OF ELECTION – 11/6/07

Motion by Councilor Brann, seconded by Councilor Gilberti to sign the warrant as proposed – unanimous vote in favor. The warrant was circulated for signatures of the Council.

3. UNFINISHED BUSINESS

a. WATER DISTRICT RATE INCREASE

Mayor Briggs noted that Councilor Murphy had requested that this item be delayed until his arrival later in the evening. Motion by Councilor Arnett, seconded by Councilor Brann to delay discussion of this item until Councilor Murphy arrives – unanimous vote in favor. Councilor Murphy arrived at 8:15 and this item was discussed at that time.

The Water District held a public hearing and Councilors Murphy and Colford attended the hearing with Manager Lessard. Mayor Briggs asked for a report on the public hearing. He did note, however, that Water District Superintendent Cameron Torrey sent a letter informing the Council that the members of the Water District Board would not be able to attend the Council meeting and requested that the Council delay any discussion of the Water District. The letter included an invitation for the Council to attend the Water District's Board meeting on October 18th and a request to forward any questions/concerns that the Council would like to discuss at that meeting.

Proposed Amendments to Sections 4.2 (Minimum Setback) and 4.4(e) (Minimum Roof Slopes for Buildings Less Than 10,000 Square Feet) of the Declaration of Covenants, Conditions, and Restrictions For The Hampden Business and Commerce Park.

Additions underlined.

Deletions ~~stricken~~.

4.2 MINIMUM SETBACK

Notwithstanding any lesser setback requirements under Town of Hampden zoning ordinances, no improvements of any kind, and no part thereof, shall be placed closer than permitted by Declarant to an interior property line or right-of-way, except as otherwise provided in Section 4.3. ~~No buildings or structures shall be placed within the following setback areas:~~

- ~~a. Front setback— within the area designated on the subdivision plan as the *building envelope area* and no less than 20', within the area designated as the *impervious envelope area* and no less than 20' for parking and drives, except entrance drive;~~
- ~~b. Side setback— within the area designated on the subdivision plan as the *building envelope area* and no less than 20', within the area designated as the *impervious envelope area* and no less than 10' for parking and drives, except entrance drive;~~
- ~~e. Rear setback— within the area designated on the subdivision plan as the *building envelope area* and no less than 20', within the area designated as the *impervious envelope area* and no less than 10' for parking and drives, except entrance drive;~~
- a. Front, side and rear setbacks – no buildings shall be placed outside the building area limit for each lot as depicted on the subdivision plan, or within 20' of a property line.
- b. Building to parking setback– no less than 5' between parking spaces and principal buildings, except no less than 20' for entrance drives.
- c. Impervious area setbacks– no paved areas, parking spaces, loading spaces and associated driveways and access aisles shall be placed outside the impervious area limit for each lot as depicted on the subdivision plan, or within 20' of the front property line or 10' of the side and rear property lines, except for entrance drives.

4.4 STRUCTURES AND ARCHITECTURAL STANDARDS

- e. Roof slopes shall be 5"/12" minimum for buildings with footprints less than 10,000 s.f., and 1/2"/12" for others. Provided, however, that roof slopes for metal frame buildings with footprints less than 10,000 s.f. shall be a minimum of 3"/12". Roof eaves shall be projected 6" minimum beyond the exterior of all wall surfaces and trimmed, and 12" beyond for buildings having less than 10,000 s.f. footprint.

Adopted by Town Council 10/15/07

Councilor Murphy reported that a number of questions were raised at the public hearing having to do with some of the operations of the Water District such as subcontracting some of their work to outside agencies in order to get a lower price. He said even after receiving the Water District's letter, he still has concern about how that can be done cheaper, whereas some of the equipment is owned by the Water District. He noted that over \$400,000 of the requested increase is for wages and he asked for a wage scale for Water District employees. He feels that \$400,000 for six people is extensive. Councilor Murphy also noted that he just received his current bill and it raises another question – according to the letter given to the Council, the current rate for anyone using 900 cubic feet is \$59.00 and with the new increase it would be \$70.01. His latest bill was for usage of 421 cubic feet last quarter and his bill was \$70.00. He wondered if \$70.00 is the minimum now and wished somebody from the Water District was here to answer the question.

Councilor Colford echoed Councilor Murphy's comments relative to the wages, but added that the increase was over a three-year period, which is still a big increase for that amount of people. He also added that they have said there is future work to be done and they expect to request another increase within another three years. He said it is time to really take a hard look at the increase as the Town's hydrant rental fee affects all taxpayers, not just district users, and consider taking over the Water District. He also felt that the Council should not delay discussion tonight simply because nobody from their Board could be here.

Manager Lessard reported that she learned a lot at the hearing that she did not know. The idea of what drove that large a percentage increase in personnel cost didn't make sense until the question was answered that they had hired 1½ people in the past eighteen months. Additional personnel members plus raises had driven that increase. The Water District Superintendent indicated an approximate 20% increase in infrastructure over that time period due to subdivision acceptance, but no corresponding increase proportionately in water users to offset that because they had to use a base year to calculate the increase and the base year doesn't include those new things so the base year predicates expense needed but it doesn't correspond to additional consumption. She did ask questions in regard to the impact that the middle part of Route 1A would have on water rates since DOT has informed the Town that that project is scheduled for 2009 and we were told that was not considered in this, but that increased testing responsibilities and infrastructure had required additional personnel. The day following the hearing, Manager Lessard sent a written request for the information that Councilor Murphy had asked for at the hearing. The response to that request was included in the Council's packet.

Mayor Briggs asked whether the Council wished to continue with discussion or delay it as the Water District had requested. Councilor Gilberti said he did not object to continuing discussion, but felt that it would be a waste of time because there was no one here to answer questions. He moved to postpone any discussion until we get answers that would satisfy questions that the Council might have. Councilor Murphy seconded the motion for discussion purposes.

Discussion: Councilor Murphy asked if the Council should postpone discussion beyond Thursday when they make the decision to send this to the PUC, does that hamper us from having further discussions that will make any difference? Manager Lessard said it was her understanding that if there is additional information, the Town could submit that to PUC separately, but she is not sure of what the deadline is. She noted that their letter asks that the Council put any questions to them in writing prior to the meeting on the 18th. She pointed out that if the Council chose to continue, Councilors could at least formulate the questions. The Board will be making a decision on the 18th as to whether to submit the request to the PUC. Councilor Gilberti withdrew his motion, but thought that the discussion should be focused on what questions the Council wants answered.

Councilor Arnett said he would like to focus on what the increase cost will be for the Town. Secondly, he felt that the Council has the obligation to consider the long-range future and activity of the District – it's not responsive to the specific rate this year, but can some other body operate that function more efficiently than it is currently being operated? Would it make economic sense for all the citizens for the Town to take over that function?

Councilor Colford said while at the public hearing, he felt that the decision has already been made and that a list of questions will not make any difference. He believes that it is time to discuss the possibility of taking over the Water District as a town entity and that the Council should begin exploring that option with the Town Attorney.

Councilor Brann remarked that it seems strange it takes two managers to supervise three people, each with a vehicle. He commented that they all travel around in their own pickup truck and they get to use them for personal time with paying compensation back to the District. He said that provides a perception to some people that the truck is not being properly used. He noted that this was brought up the last time and the District was unresponsive. He said it appears that they don't want to work with us and thought it made no sense that not one person from the District could find the time to attend tonight's meeting to respond to 1/3 of their client base. Councilor Brann agrees that the solution is to annex the District with the Town.

Councilor Cox agreed with everything that has been said and that the District has been unresponsive to requests.

Motion by Councilor Colford, seconded by Councilor Brann to begin the legal and economic research of the process of annexing the Hampden Water District – By roll call, vote was unanimously in favor.

Councilor Brann moved to ask the Town Manager to contact the PUC to find out what options the Town has in terms of intervention or appeal. Councilor Arnett seconded the motion and vote was unanimously in favor.

b. BUILDING PERMIT/CERTIFICATE OF COMPLIANCE – REFER TO ORDINANCE COMMITTEE

Code Enforcement Officer Ben Johnson has informed Manager Lessard that he has been encountering an issue with an element of the Zoning Ordinance regarding issuance of building permits for lots in Planning Board approved subdivisions. There seems to be a disconnect between the point when he is able to begin issuing building permits and the language regarding when a full Certificate of Compliance can be issued. There have been numerous situations whereby an individual purchases a lot from the developer and upon completion of building construction is unable to obtain a Certificate of Compliance because the road was not completed and accepted by the Town. He requested that this be referred to the Charter & Ordinance Committee for review. Motion by Councilor Arnett, seconded by Councilor Brann to refer this to the Ordinance Committee – unanimous vote in favor.

c. COUNCILOR ABSENCE POLICY – COUNCILOR COLFORD

Councilor Colford said he was surprised that he was not granted an excused absence for the last meeting when he was out of town for a trip. He noted that in the past the Council has been very liberal in granting absences and he wanted to get the feeling of the other Councilors as to what constitutes an excused absence.

Mayor Briggs pointed out that there is nothing in the Council Rules regarding absences and the article in the Town Charter dealing with absences only stipulates that a Councilor shall forfeit that person's office if they fail to attend three consecutive regular meetings or misses more than six regular meetings without being excused by the Council. He noted that there is a lack of established protocol and that it can be very subjective.

Councilor Arnett remarked that it has become so automatic that it is sort of meaningless and he felt that it is time to look at defining what would constitute an excused absence. He also expressed concern about attendance at official Council committee meetings.

Following further discussion, Councilor Colford moved and Councilor Cox seconded to refer this to the Ordinance Committee to review as part of Council Rules – unanimous vote in favor.

d. CABLE TV USE POLICY DISCUSSION

Manager Lessard prepared a draft Cable TV Policy for the Council's review and discussion. Councilor Arnett reported that the Communications Committee has also reviewed the draft policy and has suggested the addition of a new section – "Section 10.0 - Authorization to broadcast any program, announcement, or information of any kind shall be at the sole discretion of the Town Manager or her/his designee."

Following discussion, Councilor Brann moved and Councilor Colford seconded to adopt the draft Cable TV policy, with the addition of Section

PROGRAMMING AND PROCEDURES FOR HAMPDEN GOVERNMENT CHANNEL

1.0 PURPOSE

The purpose of this policy is to outline the programming and procedures that will govern the use of the Town's government channel and to describe the responsibilities for programming this channel and utilizing the Town's in-house video production services.

2.0 POLICY

The Town's government channel is intended to provide programming and information relating to Hampden Town Government and, until development of the Education Channel is instituted by SAD #22, related SAD #22 activities. As such, use of the channel shall be limited to programs produced by the Town of Hampden, agencies sponsored by the Town, SAD #22, or materials produced by entities other than the Town where such materials directly relate to services, programs, and policies of the Town of Hampden. The government channel is not intended to provide a public forum or duplicate the purposes and functions of a public access channel.

3.0 OBJECTIVES

The fundamental objectives of the government channel are:

- 3.1 To promote the education of the Town's citizens concerning local government by broadcasting Town Council meetings and meetings of various Town Boards, Committees, and Commissions and other official Town events.
- 3.2 To inform citizens about the programs and services provided by the Town and Town-sponsored agencies.
- 3.3 To explain opportunities for citizens to participate in Town programs and services;
- 3.4 To provide information on public health, safety, and welfare issues;
- 3.5 To assist with the internal training of Town departments;

4.0 TYPES OF PROGRAMMING

- 4.1 Community Bulletin Board - Informational messages displayed in typewritten or graphic form. The bulletin board will be in operation when no other programming is scheduled and will accept and display only information received from Town Departments, SAD #22 and agencies, organizations, and events related to Town operations.
- 4.2 Live Broadcast – Televising an event at the time it is occurring. Live coverage of Town events will include, but not be limited to, Town Council and Planning Board meetings and special meetings as requested by Town Departments. Meetings held in the Hampden Town Council Chambers

organized by agencies or officials of local, County, State, or Federal Governments may be broadcast if the purpose of the meeting is directly related to programs or activities of the Town of Hampden and otherwise complies with the prohibitions and limitations of this policy.

- 4.3 Pre-Recorded or Rebroadcast Programming – A program or event videotaped for broadcast at a later time. All live broadcast programs may be rebroadcast. In addition, Town events or events sponsored by the Town and occurring outside of the Town Council Chambers may be recorded for broadcast.
- 4.4 Public Service Announcements – Short pre-recorded messages on a variety of topics produced by the Town, SAD #22, contractors of the Town, Town sponsored organizations, or other levels of government that announce events or issues of importance to the residents of Hampden.
- 4.5 Outside Resource Programs – Pre-recorded material on a variety of topics produced by entities other than the Town may be considered for broadcast under the conditions outlined in Section 5.0 of this policy.
- 4.5 Training Tapes – Instructional videotapes used to discuss, outline, and/or summarize departmental functions or techniques.

5.0 USE OF OUTSIDE PROGRAMMING

Pre-recorded material produced by entities other than the Town may be considered for broadcast if the broadcasting of such material is requested by a Town Department and if:

- 5.1 The subject matter of the programming is directly related to a program or service provided by the Town; or
- 5.2 The programming deals with health, safety or welfare issues of direct concern to our citizens; or
- 5.3 The program is determined to be directly related to priorities established by the Town Council; and
- 5.4 The program does not fall within one of the specific prohibitions outlined in Section 6 of this policy;
- 5.5 Final approval for the airing of such programming shall be at the sole discretion of the Town Manager or his/her designee.

6.0 PROGRAMMING EXHIBITING ANY OF THE FOLLOWING IS SPECIFICALLY PROHIBITED:

- 6.1 Material designed to promote the commercial sale of products or services.
- 6.2 Promotions for or endorsements of individuals seeking public office;
- 6.3 Solicitation of funds, except where such activities are in full compliance with the requirements of the Town's Code of Ethics;
- 6.4 Materials that require copyright or trademark authorization unless written authorization for the use of such materials is secured;
- 6.5 Any material that may constitute libel, slander, invasion of privacy, violation of trade copyright, or which might violate any local, state, or

federal law or regulation, including those required by the Federal Communications Commission;

- 6.6 Material not related to the services, programs, priorities, and mission of the Town of Hampden.

7.0 DUTIES AND RESPONSIBILITIES.

Overall operation and programming of the Town's government channel is the responsibility of the Town Manager or his/her designee and he/she shall be responsible for:

- 7.1 Scheduling and programming the channel;
- 7.2 Managing all equipment associated with the channel;
- 7.3 Insuring that all programming complies with this policy;
- 7.4 Providing training and technical assistance to other departments and town staff on the use of television equipment;
- 7.5 Maintaining video archives of programming;
- 7.6 Copying programs at the request of members of the Town Council, staff, or citizens.

8.0 MISCELLANEOUS PROVISIONS

- 8.1 Live broadcasts of Council and other official meetings of the Town of Hampden will be rebroadcast in their entirety. Editing is permitted only to eliminate dead time, to delete items which might otherwise violate the prohibitions included in Section 6 above, or with the express approval of the Town Manager.
- 8.2 Use of Town video equipment is restricted to purposes related to the Government channel and may be used only by Town employees or members of the Communications Committee and/or interns under the supervision of Town employees. Loaning or renting equipment for personal or outside agency use is strictly prohibited.
- 8.3 Appropriate charges will be established to cover the cost of the time and materials required for copies of programs.
- 8.4 Priority for the use of video equipment shall be given first to the coverage of public meetings of the Town of Hampden.
- 8.5 Outside material submitted and found acceptable for use on the Town channel may be edited as appropriate to meet the needs of the Town.

9.0 RESPONSIBILITY FOR REVIEW

The Town Manager shall periodically review this policy and, when necessary, recommend changes or revisions to the Town Council.

- 10.0 AUTHORIZATION TO BROADCAST any program, announcement or information of any kind shall be at the sole discretion of the Town Manager or her/his designee.

10.0 as proposed, as operating guidelines for the cable channel for a period not to exceed twelve months – unanimous vote in favor.

e. TEMPORARY EASEMENT TO ALEX AND DARLA KING – ICHABOD LANE

Following the last Council meeting Attorney Russell prepared a temporary easement from the Town to Alex J. and Darla R. King over the town-owned strip of land northerly of the traveled way of Ichabod Lane for the purpose of providing temporary vehicular, equipment and pedestrian access, including the right to trim trees and vegetation and to grade and fill the land if necessary to provide the contemplated access. The easement would expire on December 31, 2008. Manager Lessard indicated that the Public Works Director would work with the Kings in determining what trees and vegetation would be removed.

Councilor Colford expressed concern about giving an easement to town-owned land and said he would vote against granting it.

Walter Jakubas of 67 Ichabod Lane addressed the Council to discuss the value of the existing trail off of Ichabod Lane. He also submitted and read a signed letter by Wesley Wright, another abutting property owner to the land in question. A copy of Mr. Wright's letter is attached. Mr. Jakubas also provided a photograph of the area (copy attached). Mr. Jakubas explained that the existing trail starts at his property and the Wright's property, runs through a forested area and connects to a state-owned wetland mitigation area. He feels that the trail has a lot of value to the local neighborhood and greater Bangor area. He said neighbors regularly use it as a biking, hiking and walking trail, it is used by ecology classes at the University of Maine to access the wetland and Maine Audubon conducts bird walks on the trail.

Mr. Jakubas said that several of the neighbors regularly mow the trail and many help to maintain the trail and keep brush trimmed back. He and his wife also have hosted trail-work days and have planted and maintained a perennial garden for over ten years. They have also constructed a small footbridge over a wet area on the trail and brought in gravel to fill in a muddy area to make it more passable. He noted that the willingness of the neighbors to maintain the trail speaks a lot to its importance to the neighborhood. Mr. Jakubas went on to say that for many years the residents thought the trail was a community open space and only recently learned that it was never formally adopted as town open space and that there really is no formal open space for this subdivision. He said ultimately, it is his and his wife's desire to see this trail continue to be used as community open space and that the natural characteristics of this trail be maintained.

Mary Kellogg, Walter Jakubas' wife, submitted a letter from both herself and Mr. Jakubas (copy attached) raising several concerns about the proposed easement. She noted that these questions relate to 1) the status of the rights in the property on which the easement would be; 2) the legal authority of the Town to grant an easement to a private individual for any

October 14, 2007

To the Hamden Town Council:

My wife and I live at 83 Ichabod Lane, which is listed as lot 13 on the town map of the area. We moved here in September 2006. A major attraction to this location was the privacy afforded by the surrounding wooded area and the peaceful neighborhood. Last month my wife and son were walking the path bordering our property that leads to a wetland. They had to clear the path of downed branches to continue. Assuming that the town was involved, the next day I stopped by the town office to ask about the activity. They were unaware of any town involvement. A few days later, I walked the area and noticed lines cut at intervals 90 degrees from the path toward my property. I then observed a line cleared along the entire length of my boundary. No notice was given to me that this was being done or by whom. Once again, I thought the only likely party was the town. Fortunately, a few days later, I was working outside and Mr. King stopped and explained to me that he had a survey done.

My concern for the future of the 66 ft wide strip of land that runs along the entire length of my western property line is two-fold. Firstly, if access is given for vehicular use along the unimproved way, the quiet nature of this location will change. If future permission is given for road access through this area, I would become a corner lot. Mr. King indicated to me that he planned to build a house for himself and his wife on his land. My understanding is that he has other access from Ichabod Lane that would allow him access to his planned house location. He also indicated to me that other houses may eventually be built on his property. This outcome would have the most impact on me with a road, traffic and an intersection at my property boundary.

Secondly, I value the path for its recreational value. As a biologist who has worked on various projects involving Maine's natural history, I enjoy the out-of doors. Many neighbors also enjoy this area. Last spring, I was pleasantly surprised to learn that Maine Audubon was to kick off its neighborhood spring nature walk program with a bird walk to the wetland behind Ichabod Lane! The outing started at my back yard! Many neighbors took part and this became a way of meeting them for the first time.

I urge the town to consider carefully the use of this strip of land. I also urge the town to keep its citizens informed as to discussions regarding town land and adjacent landowners. The town did not inform me that there were on-going discussions about this land. I heard of tonight's discussion through word-of-mouth.

Sincerely,



Wesley Wright
83 Ichabod Lane



Walter J. Jakubas
Mary F. Kellogg
67 Ichabod Lane
Hampden, ME 04444

October 15, 2007

Town of Hampden
269 Main Rd.
Hampden, ME 04444

Dear Town Council members:

We understand that at tonight's town council meeting a proposed easement to Alex King off of Ichabod Lane will be addressed. We live at 67 Ichabod Lane (i.e., Lot 009, Panel X). Wally Jakubas owns 67 Ichabod Lane, which abuts the land that is in issue before the town council. We wish to raise several concerns about the proposed easement.

- We question whether the Town of Hampden owns the land in issue. Assuming the Town accepted this land as a public way, it appears that the Town discontinued the public way by abandonment pursuant to 23 M.R.S.A. § 3028. This statute basically states that if a public way is not kept passable for a period of 30 or more consecutive years, it may be considered discontinued by abandonment. Under this same statute, isolated acts of maintenance are not normally considered sufficient for maintaining a public way. All remaining property interests revert to the abutting property owners to the center of the way. 23 M.R.S.A. § 3026. It is possible that the abutting property owners are the rightful owners of the property in question.
- If a town has discontinued a public way by abandonment, the Town may hold a public easement only if there is no other access to a public way. 23 M.R.S.A. § 3021(2). We understand that Mr. King does have frontage on Ichabod Lane and his land is thus already connected to a public way. There seems to be no justification for any public easement.
- If the Town asserts that it owns this land as a public way, by what legal authority can the Town grant an easement to an individual for any purpose with respect to a public way? By what authority can the Town grant permission to Mr. King to cut shrubbery on Town land?
- If the Town grants the easement, what would be the Town's maintenance obligations, including access for emergency vehicles? It seems likely that Mr. King would eventually ask the Town to maintain this as a public way. He may also ask the Town to extend the public way, especially if he is contemplating building additional housing on the property at some point in the future.

- If Mr. King is allowed to clear the public way, what if any restrictions would be placed on the types, sizes, and locations of trees and shrubs he could cut? What alterations, if any, to the roadbed would he be permitted to make? We are concerned because Mr. King, through his surveying contractor, Plisga & Day, has already taken limbs off trees on town and/or private land, without obtaining landowner permission or giving notice.
- ATV use is not currently allowed on Town of Hampden lands. Would this restriction be maintained on any easement that may be granted to Mr. King?
- Mr. King has informed us of his intention to put in electrical utility lines down the property in question. If he is allowed to do this, what additional tree and shrub cutting will have to be done to install and maintain these utility lines?
- We question whether the Town has given proper notice for issuing this easement. If the Town is asserting its authority under 23 M.R.S.A. § 3022, this statute requires at least 7 days notice in 2 public places in the municipality and in the vicinity of the way. The actions proposed by Mr. King would alter the way, therefore it appears that notice under this statutory section would be applicable. We have not seen any notice in the vicinity of the way.

Please note that we are attempting to respond on very short notice and feel disadvantaged by the lack of information. We welcome discussion but request that it be postponed sufficiently to give us an adequate opportunity to gather facts and research the law.

Sincerely,



Walter J. Jakubas



Mary F. Kellogg

purpose; and 3) what the Town's maintenance obligations will be with respect to this property.

Alex King asked to clarify a few things. He explained that he thought the 66-foot right of way was part of what he was buying. It was only when he hired Plisga & Day to determine where the right of way was that he learned it was deeded to the Town in 1986. Mr. King stated that he owned Lot 25 in the subdivision for 25 years and has used and maintained the trail and is familiar with its use. He said if he has to put a driveway through Lot 29, it would be far more intrusive to the wetland and it would put traffic all the way to the end of the street. He feels that it is best for the street and this would create less intrusion. He said that right now he is just looking for access to his property and asked that the Council really analyze the end result before denying the temporary easement.

Attorney Russell advised that this section is not a town way or a public way – it was never built and when the Town accepted Ichabod Lane, it was not included, but the Town was deeded fee ownership in 1986. He said he was willing to review the materials submitted tonight and provide a written opinion to the Council. He advised postponing any action until he has had the opportunity to do his research.

Councilor Brann also recommended that this be sent to the Community Services Committee and Conservation Commission to determine what the Town can do to best maintain the recreational value of that area.

Motion by Councilor Arnett, seconded by Councilor Cox to table this request until the next meeting and to send it to the Community Services Committee to look at recreational use in that area – by roll call, vote was unanimously in favor of the motion.

4. NEW BUSINESS

a. HAMPDEN CENTER ESTATES – ACCEPTANCE OF BOWEN DRIVE

Manager Lessard informed the Council that all documentation has been received and the road is ready for acceptance. Motion by Councilor Brann, seconded by Cox to accept Bowen Drive – unanimous vote in favor.

b. TREE ORDINANCE – INTRODUCTION FOR PUBLIC HEARING

Councilor Brann introduced this item for public hearing.

c. NOMINATION FOR MRC DIRECTOR – 2008-2010

Motion by Councilor Brann, seconded by Councilor Arnett to nominate Susan Lessard to the MRC Board of Directors – unanimous vote in favor.

d. APPLICATION FOR RENEWAL OF LIQUOR LICENSE RECEIVED FROM BEST WESTERN MOTEL FILIBUSTER LOUNGE

**TOWN OF HAMPDEN, MAINE
DRAFT
TREE ORDINANCE**

ENACTED DATE: month/day/year
EFFECTIVE DATE: month/day/year

CERTIFIED BY: _____
Name

Title Affix Seal

**TOWN OF HAMPDEN, MAINE
DRAFT TREE ORDINANCE
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ARTICLE XXII. SEVERABILITY 9

DRAFT

The Town of Hampden hereby ordains that the following Tree Ordinance be enacted.

**ARTICLE I.
PURPOSE**

1.1. Purpose. It is the purpose of this ordinance to promote and protect the rural character and ecological health of the Town of Hampden's landscape and further protect the health, safety and general welfare of its residents, by providing guidance for, and where appropriate, the regulation of the planting, maintenance, and removal of trees, shrubs, and other plants within the Town.

**ARTICLE II.
AUTHORITY**

2.1. Authority. Pursuant to the provision Title 30-A M.R.S. Sections 3001 and 3280-3281 and the Charter of the Town of Hampden, Article II, Section 212, and Article III, Section 302, there is hereby established a tree ordinance to be organized, administered and governed in accordance with the following provisions.

**ARTICLE III.
APPLICABILITY**

3.1. Applicability. This ordinance provides full power and authority over all trees, shrubs and other plants within street rights-of-way, parks and public places of the Town, and to trees, shrubs and other plants located on private property that constitute a hazard or threat as defined herein.

**ARTICLE IV.
DEFINITIONS**

4.1. Definitions. Unless specifically defined below, words and phrases used in this Ordinance shall have the same meaning as they have at common law and to give this Ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

Abutter- One whose property touches or adjoins along a border of another person's property as defined herein.

Drip Line- An imaginary, vertical line that extends from the outermost tips of the tree branches to the ground.

Person- Any individual, firm, partnership, association, corporation, company, organization, or entity of any kind.

Property Owner- The person owning such property as shown by the Town of Hampden's tax assessor records, unless proof to the contrary is available.

Public Property- Includes all property owned, leased, or occupied by the Town of Hampden or any of its administrative agencies or departments, or any property on which the Town is the holder of a conservation easement.

Public tree, shrub, or other plant- All trees, shrubs, or other plants now or hereinafter growing in any street or road right-of-way, park, town forest, or other public property.

Right of way - The strip of public or private land subject to a right to traverse and on which facilities such as streets, utilities and drainage conveyances are built.

Street or Road- The entire width of every public way or right-of-way when part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular or pedestrian traffic.

Street Tree- Any tree located or planted within the right-of-way of a street or road.

Threat or hazard- A threat or hazard is that which constitutes an infringement on public health or safety by a tree, shrub, or other plant that is located on public property or rights-of-way or located on private property that is adjacent to a public area or right-of-way.

Topping- The severe cutting back of limbs to stubs larger than three inches in diameter within a tree's crown to such a degree as to remove the normal canopy and disfigure the tree.

Town Forester- The designated official of the Town assigned to carry out the enforcement of this ordinance.

Treelawn- That part of a street or highway right-of-way, not covered by sidewalk or other paving, lying between the property line and that portion of the street or highway usually used for vehicular traffic.

Large Trees- are those tree species that habitually attain a height of forty-five feet or more.

Medium Trees- are those tree species that habitually attain a height of thirty to forty-five feet.

Small Trees- those tree species that habitually attain a height of less than thirty feet.

ARTICLE V. HAMPDEN TREE BOARD AUTHORITY AND POWER

5.1. Authority and Power. The Hampden Tree Board is hereby created and established. The Board shall consist of a minimum of five members, appointed by the Town Council. It is preferred that members be residents of the town, that one member be a licensed professional forester or have education/experience in forest resources, that one member be a licensed arborist or have education/experience in arboriculture, and that one be a member of the Town of Hampden Conservation Commission. The Town Forester shall serve as an ex-officio member of the board.

ARTICLE VI. TERM OF OFFICE

6.1. Term of Office. The term of the members shall be for three years, except that the term of the members approved to the first Board shall be as follows: three members shall be appointed for two years, and two members shall be appointed for three years. In the event that a vacancy shall occur during the term of any member, a successor shall be appointed for the unexpired portion of the term. Members may renew their membership upon re-appointment by the Town Council.

ARTICLE VII. DUTIES AND RESPONSIBILITIES

7.1. Public Area Tree Plan. It shall be the responsibility of the Board to study, develop, update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or

disposition of trees and shrubs in parks, along streets within the public right of way, and in other public areas.

7.2. General Forest Plan. The Board shall similarly study, develop, and update annually a general forest plan with non-regulatory guidelines and recommendations for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs on private lands with the intent of preserving the rural character and ecological health of the Town. These documents will be presented annually to the Town Council and upon their acceptance and approval shall constitute the official comprehensive tree plan for the Town of Hampden, Maine.

7.3. Research and Education. When requested by the Town Council, the Board shall investigate and report upon any matter coming within the scope of its work. The Board also may initiate such actions itself, as it deems appropriate. The Board shall promote and assist in the dissemination of information, for the purpose of public education related to the Town's comprehensive tree plan and the standards and guidelines therein. The Board shall be involved in the selection of the Town Forester.

ARTICLE VIII. OPERATION

8.1. Operation. The Board shall choose its own officers, develop its own bylaws, and maintain a public record of its proceedings. A majority of the members shall be a quorum for the transaction of business. Members shall serve without compensation.

ARTICLE IX. LANDSCAPING

9.1. Landscaping. The Board will assist with the development of new ordinance sections relating to landscaping and in new subdivisions or other new developments, which shall be included in the Town Subdivision Ordinance and Zoning Ordinance. As part of the review process for site plan and subdivision proposals, the Tree Board shall review landscaping plans for pending applications and may make written comments and/or suggestions to the planning board concerning the adequacy of the plans under this ordinance and the comprehensive tree plan and program.

ARTICLE X. TOWN FORESTER

10.1. Town Forester Established. The position of Town Forester is hereby created. The Town Forester shall be appointed by the Town Manager and be a person skilled and trained in municipal arboriculture, and shall hold a college degree or its equivalent in arboriculture/ornamental or landscape horticulture, urban forestry, or other closely related field. The Town Forester shall hold a current license from the State of Maine in either arboriculture or forestry. The Town Manager initially may delegate the duties and responsibilities to qualified existing staff and/or contract with qualified professionals to provide services in a timely and professional manner.

10.2. Oversight Responsibilities. The Town Forester shall, in concert with the Tree Board, oversee all forest management and urban tree care for the Town. It shall be the duty of the Town Forester to ensure compliance of all contractual agreements entered into by the town for work done in accordance with the terms of this ordinance. The Town Forester shall ensure that a current management plan is on file for all town forest parcels, and that an inventory and care plan of all street trees is created and maintained. At the discretion of the Town Forester and the Tree Board, additional inventory and management plans of trees, shrubs, or other plants may be conducted. The Town Forrester shall provide administrative support to the Tree Board as requested.

10.3. Enforcement Responsibilities. The Town Forester shall also enforce the rules and regulations of this ordinance and the annual plans as developed by members of the Tree Board and approved by the Town Council.

10.4. Ex-officio Member of Tree Board. The Town Forester will serve on the Tree Board as an ex-officio member.

ARTICLE XI. UTILITIES

11.1. Utilities. Street Trees shall be planted in a manner so as to not create conflict with overhead utility wires, or any underground water line, sewer line, transmission line or other utility. These guidelines may be modified dependent upon specific circumstances, subject to approval of the Town Forester.

ARTICLE XII. PUBLIC TREE, SHRUB, AND OTHER PLANT CARE

12.1. Planting, Maintenance and Removal of Public Trees. The Town shall have the right to plant, prune, maintain and remove trees, shrubs and other plants within the right-of-way of all roads, streets, alleys, avenues, lanes and squares, as well as all parks, town forests, and other public property grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

12.2. Removal of Public Trees in Unsafe Condition. The Tree Board or Town Forester may remove, cause or order to be removed, any public tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewer, electric power lines, gas lines, water lines, or other public improvements, or is affected by an injurious disease, insect or other pest. This section does not prohibit the planting of Street Trees by adjacent property owners providing that the selection and location of said trees is in accordance with the approved comprehensive town tree plan.

12.3. Protection of Public Trees During Construction Activities. Persons working construction in the Town of Hampden shall provide protection for public trees by erecting a temporary snow fence on the drip line of any such trees on the site of or that could be negatively affected by any excavation, construction or street work and care shall be taken that injury does not occur either above ground to trunk or limbs or compaction or smothering of roots occur below ground. No person shall deposit or store any machinery, stone, brick, soil, metal, concrete or similar materials which may compact soil or impede the free passage of water and air to the roots within the area of the drip line. The Town Forester may waive these requirements in extenuating circumstances.

12.4. Protection of Public Trees From Excavation Activities. No person shall excavate any ditches, tunnels, trenches, or lay any drive within the dripline of any public tree without first obtaining written permission from the Town Forester. This rule may be superseded if the project is approved and permitted by the State Department of Transportation.

12.5. Protection of Public Trees From Alteration, Removal and Injury. Under no circumstance shall any person cut, carve, transplant, top, tip or remove any public tree, shrub or other plant; attach any rope, wire, nails, advertising posters, or other contrivance to any such tree; allow any gas, liquid or solid substance which is harmful to trees, shrubs or other plants to come in contact with them; or to set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree, shrub or other plant.

**ARTICLE XIII.
REMOVAL OF STUMPS**

13.1. Removal of Public Stumps. All stumps of street and park trees and shrubs shall be removed below the surface of the ground so that the top of the stump shall not project above ground level.

Notwithstanding this requirement stump removal in rural forested areas of the Town is at the discretion of the Town Forester and Tree Board.

**ARTICLE XIV.
DISTANCES FROM CURB, SIDEWALK, AND DRIVEWAYS ON PUBLIC PROPERTY**

14.1. Separation Between Trees and Public Ways. The distance trees may be planted from curbs or curblines, driveways and sidewalks shall be enough so as not to create damage to infrastructure or impede the health of the tree as determined by the Town Forester.

**ARTICLE XV.
DISTANCES FROM STREET CORNERS AND HYDRANTS**

15.1. Separation Between Trees and Corners No tree, shrub or other plant shall be within 30 feet of any road intersection or street corner, measured from the point of nearest intersecting curbs or curblines, if it constitutes a safety hazard. The purpose of this restriction is to ensure public safety by prohibiting the planting of vegetation that may impede or obstruct sightlines.

15.2. Separation Between Trees and Fire Hydrants. No tree, shrub or other plant shall be planted closer than ten feet of any fire hydrant.

**ARTICLE XVI.
PRIVATE PROPERTY OWNER RESPONSIBILITIES**

16.1. Maintenance Required. Every property owner shall maintain trees, shrubs or other plants on the owner's property so as to prevent a threat or hazard as defined herein.

16.2. Threat or Hazard. A tree, shrub or other plant located on privately owned property shall be deemed a threat or hazard if it, or any part of it, by reason of its condition and in the professional judgment of the Town Forester: is likely to fall onto adjacent public ways or public property; or is not pruned to a height of 14 feet above the traveled portions of the public ways and eight feet above public sidewalks.

**ARTICLE XVII.
PRUNING FOR VISIBILITY/ REMOVING OBSTRUCTIONS**

17.1. Pruning. The Town shall have the right to prune or remove any tree, shrub or other plant if and when, in the opinion of the Town Forester, Public Works Department, or Public Safety Director, it interferes with visibility of any traffic control device or intersection, or interferes with pedestrian or vehicular traffic, or impedes or obstructs sightlines. A clearance of fourteen feet above street surface or eight feet above the sidewalk surface shall be maintained.

17.2. Modification of Guideline. This guideline may be modified dependent upon specific circumstances, subject to approval of the Town Forester.

**ARTICLE XVIII.
INTERFERENCE WITH TREE BOARD AND TOWN FORESTER**

18.1. Interference Prohibited. No person shall hinder, prevent, delay, or interfere with the Tree Board or Town Forester or any other town agent, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street tree, shrub or other plant, park tree, town forest tree, tree on other public property, or tree on private property, as authorized in this ordinance; provided, however, that nothing herein shall be construed as an attempt to prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the town.

18.2. The Town Forester can, if informed of a threat or hazard, approach a private landowner and request correction of the situation. If informal contact does not resolve the threat or hazard, The Town Forester may provide written notification thereof to the property owner, along with an order to abate the threat or hazard. The notification shall also advise the property owner of the owner's rights of appeal under this ordinance. If the threat or hazard is not adequately abated by the landowner, the owner may be subject to further action by the Town as provided elsewhere in this ordinance.

ARTICLE XIX PENALTIES, CLAIMS, AND APPEALS

19.1. Civil Penalty. Any person who violates any provision of this ordinance or who fails to comply with any notice issued pursuant to any provision of this ordinance, upon being found guilty of violation, shall be subject to a civil penalty not to exceed \$500 for each separate offense. Each day during which any violation of the provisions of this ordinance shall occur or continue shall be a separate offense.

19.2. Repair and Replacement Costs. If, as the result of the violation of any provision of this ordinance, the injury, mutilation, or death of a tree, shrub, or other plant located on public property is caused, the cost of repair or replacement, or the appraised dollar value of such tree, shrub, or other plant, shall be borne by the party in violation. The value of trees and shrubs shall be determined in accordance with the latest revision of *A Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs, and Evergreens*, as published by the International Society of Arboriculture.

19.3. Abatement Costs. In the event that a threat or hazard is not abated by the date specified in the notice, the Town Forester is authorized to cause the abatement of said threat or hazard. The reasonable cost of such abatement shall be reimbursed to the Town by the property owner. Failure to reimburse the Town within thirty (30) days of the issuance of an invoice by Town shall be a violation of this ordinance. In addition, the owner of the property on which the threat or hazard was located shall be subject to prosecution.

19.4. Compliance With Board of Appeals Ordinance. All appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance including but not limited to filing deadlines, application requirements, fees, appeal procedures, decisions of the Board of Appeals and subsequent appeals to Superior Court. The property owner or any other aggrieved person may appeal to the Town of Hampden Board of Appeals, from a decision of the Town Forester and/or Tree Board refusing to grant a modification to the provisions of this ordinance covering maintenance and removal of trees, shrubs and plants. Such appeal shall be commenced within 30 days of the decision.

19.5. Appellate Review. The Board of Appeals may conduct an appellate review of the refusal to grant a modification to the provisions of this ordinance covering maintenance and removal of trees, shrubs and plants.

19.6. Basis of the Appeal. The appellant must demonstrate that the decision of the Town Forester/Tree Board having jurisdiction: (1) failed to correctly interpret the provisions of this ordinance or the rules, and regulations established pursuant to this ordinance, (2) the provisions of this ordinance do not fully apply,

or (3) failed to consider that an equivalent form of maintenance and removal of trees, shrubs and plants can be used.

19.7. Modification or Reversal of the Decision. The Board of Appeals may modify or reverse the decision of the Town Forester/Tree Board upon making a determination that (1) the provisions of this ordinance or the rules and regulations established pursuant to this ordinance have been incorrectly interpreted, (2) the provisions of this ordinance do not fully apply, or (3) an equivalent form of tree, shrub or plant care can be used.

**ARTICLE XX.
ENFORCEMENT**

20.1. Enforcement. This ordinance shall be effectively enforced and administered by the Town Forester, with the assistance of all town departments, as necessary to accomplish the spirit and letter of this ordinance and annual tree plan. When any violation of any provision of this ordinance is found to exist, the Town Forester is hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, that the Town Forester may deem appropriate or necessary to enforce the provisions of this ordinance.

**ARTICLE XXI.
REVIEW BY TOWN COUNCIL**

21.1. Town Council Review Authority. The Town Council shall have the right to review the conduct, acts and decisions of the Tree Board and Town Forester.

**ARTICLE XXII.
SEVERABILITY**

22.1. Severability. Should any section, clause, or provision of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

Motion by Councilor Brann, seconded by Councilor Murphy to grant the request for waiver of public hearing – unanimous vote in favor.

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

e. APPLICATION FOR RENEWAL OF LIQUOR LICENSE RECEIVED FROM PIZZA GOURMET

Motion by Councilor Arnett, seconded by Councilor Gilberti to grant the request for waiver of public hearing – unanimous vote in favor.

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

f. APPLICATION FOR OUTDOOR WOODBURNING FURNACE LICENSE RECEIVED FROM DOUG AND APRIL STANHOPE, 560 WESTERN AVENUE

Motion by Councilor Arnett, seconded by Councilor Gilberti to approve the application and grant the license – unanimous vote in favor.

g. TAX ABATEMENT – 681 MAIN ROAD NORTH, LOT #11 – 2002 to 2004 - \$402.27

Motion by Councilor Brann, seconded by Councilor Gilberti to add this item to the agenda – unanimous vote in favor.

Manager Lessard explained that this abatement is for a mobile home that was in Hampden Trailer Park. The tenant was eligible for the homestead exemption, which is greater than the value of the mobile home and there has no been property tax payable since 2004. The \$402.27 represents principal, interest and costs accrued during the period of 2002 to 2004 and the mobile home is no longer in Hampden.

Motion by Councilor Murphy, seconded by Councilor Cox to approve the abatement – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Arnett reported that the Charter & Ordinance Committee has been meeting jointly with the Planning Board's Ordinance Committee regarding the mineral extraction ordinance. The joint committees will meet this Wednesday at 6:00 pm for final revisions to that document and the Planning Board will hold a special meeting the following week to act on it.

Councilor Arnett reported that the Communications Committee continues to be active and is looking for additional help in terms of reporting on the newsletter and to help us to be more up to date in the sense of community involvement on the website.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached.

F. COUNCILOR'S COMMENTS

Councilor Colford reported that he attended the Maine Municipal Association's annual convention and he brought back information on a new traffic/speed sign and will give that to Manager Lessard. He also has contact information for a company to look into a flashing strobe light in the crosswalk by Hampden Academy.

Mayor Briggs commended new Public Works Director Chip Swan for his work to date. He said Chip has done an outstanding job and is handling the transition with strong professionalism and diplomacy.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:32 p.m.

Denise Hodsdon
Town Clerk

MANAGER'S REPORT
October 15, 2007

Newsletter – The newest edition of Hampden Highlights Newsletter went to the Post Office today for delivery. Thanks to those who donated time, effort, and energy to writing the articles and to Val Williams for her expert work in doing the layout for us. This is our seventh edition since the newsletter started and we have had positive feedback on every issue.

Community & Economic Development Specialist – Two sets of interviews have been conducted with candidates for this position. The third and final round will be scheduled over the next two weeks. We have some great candidates for the position.

Candidate's Night – The Communications Committee will be hosting a Candidate's night on Thursday, October 25th at 7 p.m. in the Council Chambers. All candidates for all vacancies – school, water district, and town – will be invited to attend.

Sniffer School – Town staff will be attending refresher training for 'sniffer school' this week. The landfill annually schedules this so that our personnel remains certified to do odor control monitoring.

Gazebo Project – Recreation Director Kurt Mathies is applying for a grant to assist with the Gazebo move/rebuild project. The money should help defray the cost of putting a cement pad down, doing some rehab to the structure, and relocating it to the area adjacent to the pool facility where it can be better utilized by the community.

Hazardous Waste Collection Day – Public Works Director Chip Swan, Transfer Station manager Tom Colpitts, and Rosemary Bezanson assisted at the Hazardous Waste Collection Day in Bangor on October 6th. 24 households from Hampden took advantage of the opportunity to dispose of hazardous items at no cost.

PERC Tipping Fee – The tipping fee for solid waste disposal at the PERC facility for the 4th quarter of 2007 will be \$65.25 per ton. As a charter member of that facility, we get a reimbursement at the end of the quarter which refunds us the difference between that fee and the guaranteed \$45/per ton fee that we have through 2018. This long term arrangement will save the town of Hampden hundreds of thousands of dollars over the life of the contract. With an estimated annual tonnage going to PERC of 2700 tons – this year alone it will save us nearly \$55,000 over the 'going rate' for tipping fees.

FYI – Recall Information Request – Just to let you know, I had a request this past week for information on the procedure necessary to consider recall of elected

officials in Hampden. We have no charter provision for recall and no separate ordinance. I provided information on what is necessary to initiate such an ordinance or charter change.

Chamber Breakfast – Commissioner Gendron – I will be attending the Chamber Breakfast tomorrow (10/16) to hear comments on progress with the school consolidation program from Commissioner Gendron.

Quarterly Meeting – Superintendent/Managers – I will be attending the next quarterly meeting of the School Management/Town Managers of MSAD #22 on Tuesday, October 23rd. If there are issues that Councilors would like raised – please let me know.

Municipal Review Committee – The next meeting of the Municipal Review Committee will be held on October 24th at Eastern Maine Development Corporation. As a board, we are starting to talk about waste disposal options following the 2018 ‘contract end’ of the PERC facility. It is likely that the facility will continue in some fashion beyond that date but we are looking ahead to make sure that we can continue with an economically viable, environmentally sound waste policy for the region.

Partition Wall - The partition wall has been installed in the Community Room of the Public Safety Building – it is working well and is a very attractive and useful feature.