



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

JUNE 4, 2012

7:00 P.M.

• **5:30 pm – FINANCE & ADMINISTRATION COMMITTEE MEETING**

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. David MacDonald/Chief Rogers – Thank you – Shawn Devine
- b. Ann Waitt/Lt. Coombs – Thank You – Shawn McNally
- c. Joshua Sargent – New Application for Pool Board of Trustees – Referral to Services Committee
- d. Richard Peer – Resignation from Historic Preservation Commission
- e. Betsy Bass – Resignation from Historic Preservation Commission
- f. Emails – Councilor Hornbrook – Business Park Revenue Account
- g. Emails – Councilor Hornbrook – Election Results Info
- h. Emails – Councilor Hornbrook – Question re Appointment of Town Treasurer
- i. Emails – Bernie Philbrick & Councilor Hornbrook – Draft Outdoor Policy Ordinance
- j. Email – Bernie Philbrick – Recall of Municipal Officials

4. REPORTS

- a. Finance & Administration Committee Minutes – 5/21/2012
- b. Library Trustees Minutes – 3/14/12

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Zoning Ordinance Text Amendment to create a Waterfront 1 District – Section 3.16
- b. Zoning Ordinance Map Amendment to create a Waterfront 1 District – Map 19, Lots 31 and 31-A and Map 28, Lot 17-A

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

- c. General Assistance Ordinance – Adoption of revised Appendices A-C

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. Old Hampden Academy Property – Credere Associates Report on Environmental Assessment Phase I Results
b. Old Hampden Academy Property – Credere Associates Proposal for Phase II Environmental Assessment
c. Old Hampden Academy Property – Draft Purchase & Sale Agreement
d. Old Hampden Academy Property – Ordinance to Borrow – Introduction for Public Hearing

4. NEW BUSINESS

- a. KahBang Request for use of Section of Hampden Business Park Land for Festival Campsite
b. Request to use Library Reserve Funds – Scott’s Lawn Service - \$205.00
c. 2013 Budget Review & Introduction for Public Hearing

D. COMMITTEE REPORTS

E. MANAGER’S REPORT

F. COUNCILORS’ COMMENTS

G. ADJOURNMENT

May 16, 2012

A-3-a

Hampden Police Dept
106 Western Ave
Hampden, Me 04444

Chief Joe Rogers,

My name is David MacDonald and I have lived in Hampden at 173 Main Rd North for over 40 years and have never had to contact the police until a robbery occurred at my house recently.

My wife and I want to express what a pleasure it was to have Shawn Devine work with us. From his first phone call to subsequent meetings and conversations, Shawn really impressed us with his professionalism, competence, and empathy. It reflects well on you as Chief to have him as a Representative for the Hampden Police Department.

We were pleased that Shawn was able to recover our stolen television which I am sure doesn't happen very often. He was very humble and went the extra mile. The Hampden Police are fortunate to have him for public relations.

Thanks again for your fine service!

David MacDonald
Janice MacDonald

A-3-b

May 15, 2012

Hampden Fire and Ambulance Services
106 Western Avenue
Hampden, ME 04444

Dear Lt. Frank Coombs:

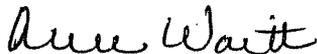
My family and I experienced a very sad and distressing time, one year ago today, when our mother, Ella Waitt, had a massive stroke in her home and passed away later that day.

We are writing to express our gratitude to the ambulance crew who provided such wonderfully skillful and respectful care for our mother.

We would like to specially recognize one of the team members, Shawn McNally. He showed great leadership, skill and most importantly compassion for our mother. In addition to these wonderful qualities, he showed incredible compassion and caring for our family, as evidenced when Shawn came to the ICU to check on us and our mother later that day. Shawn is not only an exemplary healthcare provider but a outstanding individual, and even though it has been a year since that eventful day, his actions stand out and continue to impress us.

We wanted to thank you and make you aware of how much his care and compassion meant to us. It was a time where we knew the outcome was bleak, but still felt that everything that could be done for our mother was being done. In retrospect, this provided my family and I with great comfort and peace of mind.

Sincerely,



Ann Waitt



Check One: Initial Application
 Application

A-3-C

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Sargeant Joshua FL
LAST FIRST MI

ADDRESS: 291 Meadow Rd Hampden
STREET MAILING

TELEPHONE: 404-3213 _____
HOME WORK

OCCUPATION: Intake Specialist

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Lura Hoit Pool

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? I'm on the finance team for my church, so I understand non-profit fundraising. I've worked for non-profits my entire work career.

Are there any issues you feel this board or committee should address, or should continue to address? Continued operation of The pool, as it is a benefit to the local community.

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

FOR TOWN USE ONLY		Date Application Received: MAY 30 2012
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Denise Hodsdon <clerk@hampdenmaine.gov>

Fwd: HHPC meeting

Robert Osborne <planner@hampdenmaine.gov>
 To: Denise Hodsdon <clerk@hampdenmaine.gov>

Mon, May 21, 2012 at 12:26 PM

Denise,

This email is from Richard Peer, Hampden Historic Preservation Commissioner. He indicates that he will no longer be serving on the commission due to having recently moved to Honesdale, PA and serious health issues. We knew that he planned to move later this year but the decline of his health was quite sudden.

Respectfully,

Bob Osborne

----- Forwarded message -----

From: <metaxaide@netscape.net>
 Date: Mon, May 21, 2012 at 9:49 AM
 Subject: Re: HHPC meeting
 To: planner@hampdenmaine.gov, karenrei@gmail.com
 Cc: aebass@roadrunner.com, mike.pullen@wbrcae.com, sreinhart@eatonpeabody.com, debbie.lozito@edythedyer.lib.me.us

I won't be able to attend. I have been in the hospital and rehab for a month after a bout of double pneumonia while visiting my brother in Honesdale PA. I was in ICU for almost 2 weeks getting heavy steroids and antibiotics and arms and hands were twice normal size. I couldn't even stand up by myself and had to go to rehab to gain strength and stamina. I'm at my brother's now and can get around with cane or wheel chair. I need O2 all the time and will probably need it the rest of my life due to my existing lung disease.

I'm also in process of selling my house and adding an addition to my brother's house so I doubt I'll return to Maine any time soon.

I regretfully will have to resign from HHPC but I wish you luck with the Museum on the street project and the other activities. It has been great working with you all.

Sincerely, Dick Peer

-----Original Message-----

From: Robert Osborne <planner@hampdenmaine.gov>
 To: Karen Reilly <karenrei@gmail.com>
 Cc: Betsy Bass <aebass@roadrunner.com>; Mike Pullen <mike.pullen@wbrcae.com>; Sarah Reinhart <sreinhart@eatonpeabody.com>; Richard Peer <metaxaide@netscape.net>; Debbie Lozito <debbie.lozito@edythedyer.lib.me.us>
 Sent: Mon, May 21, 2012 9:24 am
 Subject: Re: HHPC meeting

Karen,

We can have a Preservation meeting 7:00 pm, this Wednesday if we can muster a quorum. Can everyone make it? The 30th is a budget meeting that I have to attend. Please let me know.

Thanks,

Bob Osborne,
 Town Planner

On Thu, May 17, 2012 at 5:20 PM, Karen Reilly <karenrei@gmail.com> wrote:

Hi Bob,

Will we be having a Historic Preservation meeting next Wednesday?

Betsy Bass (Ann Elisabeth Bass)
48 Griffin Avenue
Hampden, Maine 04444
207-862-5612
aebass@roadrunner.com

23 May 2012

Denise R. Hodsdon, CMC
Town Clerk
Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Telephone: 207-862-3034
Fax: 207-862-5067
clerk@hampdenmaine.gov

A-3-e

Dear Ms. Hodsdon,

After many wonderful years serving on the Hampden Historical Preservation Committee, I need to submit my resignation as of May 31st, 2012. With both daughters graduated from Hampden Academy and in college, our lives are much different.

Thank you very much,
Sincerely,

Ann Elisabeth Bass (Betsy)

Betsy Bass

(Ann Elisabeth Bass)



Susan Lessard <manager@hampdenmaine.gov>

Business Park Revenue Account?

2 messages

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
To: Susan Lessard <manager@hampdenmaine.gov>

Wed, May 23, 2012 at 11:35 AM

Good morning Sue,

I am still waiting for information regarding the account, 'Business Park Revenues,' that you mentioned at Monday's Finance Committee meeting. On Monday, when questioned as to why this account was not listed with all the others, you said you would provide that information to the Council.

Here we are on the day of another budget committee meeting, and we still do not have this information.

Furthermore, you also made mention of the sale of a parcel of land in the business park which apparently totaled \$88,000. In your comments about the sale you mentioned a commission of nearly \$8000 that was paid to the real estate broker.

- *Who exactly was the real estate broker who received this commission?
- *When was the date of the transaction?
- *Where is this money being held right now since this account is not listed on the Revenue Detail Report ALL Accounts?
- *Why didn't Council receive a copy of the real estate transaction documents? Consider this my request.

In having to once again request this information, I am beginning to think that the recent comments made made by the former Secretary of State of Maine regarding Hampden quite possibly have merit.

I await your prompt reply with the information I have requested.

Thank you,
Councilor Kristen Hornbrook

Susan Lessard <manager@hampdenmaine.gov>

Wed, May 23, 2012 at 12:48 PM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Councilor Hornbrook and other Town Council Members,

The answers to your questions are below in red.

On Wed, May 23, 2012 at 11:35 AM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:
Good morning Sue,

I am still waiting for information regarding the account, 'Business Park Revenues,' that you mentioned at Monday's Finance Committee meeting. On Monday, when questioned as to why this account was not listed with all the others, you said you would provide that information to the Council.

Here we are on the day of another budget committee meeting, and we still do not have this information. Revenues related to the budget will be discussed at the meeting on May 30th in order to insure that I have the most up-to-date figures on taxable valuation available to the bottom line of the budget. I apologize that your request from Monday night was not answered on Tuesday. Much of the day was devoted to getting the insurance bid packages out, doing minutes from the Finance Committee meeting, and assisting staff since one member was on vacation and another was at a

meeting in Augusta for part of the day. And there was also email activity with requests from both you and Mr. Philbrick, as well as work with staff on current projects.

Furthermore, you also made mention of the sale of a parcel of land in the business park which apparently totaled \$88,000. In your comments about the sale you mentioned a commission of nearly \$8000 that was paid to the real estate broker.

*Who exactly was the real estate broker who received this commission? David Hughes, Epstein Realty, who was approved by the council to act as a broker for lots in the business park at the Council Meeting held on 10/17/2011. A copy of the contract with Epstein was included as part of the Council Packet on that date and can be found on the Town Website, under 2011 Council Agendas and Packets, October 17, 2011 on pages 28 and 29.

*When was the date of the transaction? The date of the approval by the Town Council for the sale was November 14, 2011. A copy of the sale agreement is contained in the Council Packet for that date and can be found on the Town Website under 2011 Agendas & Packets for November 14th on page 96. The Council approval vote (7-0) can be found on the website under 2011 Council Minutes for November 14th on page 5. The date of the closing of the sale was April 12, 2012.

*Where is this money being held right now since this account is not listed on the Revenue Detail Report ALL - The money is listed in a revenue account called Business park revenue and the total deposited was \$80,960. That account should have shown on the revenue detail report for April, since the transaction happened in that month. There was no activity in it prior to April. As I stated when I presented the financial statements to the Committee and found the typo in regard to property tax collections - I did not have time to proof them since I was in Jury Duty for the majority of the day.. Had I had time to do so, I would have realized that that account should have been listed because it had activity in it, and that the Property Tax Collections amount was wrong. I have also included a copy of that account showing the balance, which is a part of the General Fund balance.

Accounts?

*Why didn't Council receive a copy of the real estate transaction documents? As cited above, the Town Council did receive a copy of the sale document at the time it approved the sale on November 14, 2011. The closing documents are a reflection of that approval. I have attached a copy of the closing document that breaks down the amount of the final payment as well as a copy of the check received. The check total was \$82,573.11. \$80,960 was posted to the Business Park Revenue Account and \$1,613.11 was posted to the Service Fees account since that amount is the amount paid from the sale in lieu of property taxes since the transaction date fell after April 1st. I have also attached the page of the cash receipt audit for that date showing the receipt of this check and the accounts to which it was posted.

Consider this my request. In having to once again request this information, I am beginning to think that the recent comments made by the former Secretary of State of Maine regarding Hampden quite possibly have merit. I honestly do not know what recent comments you are talking about from a former Secretary of State in regard to Hampden. Perhaps you could forward them or let me know where to find them so that I could read them?

Thank you -

Sue Lessard

I await your prompt reply with the information I have requested.

Thank you,
Councilor Kristen Hornbrook

3 attachments

 **Closing Document&Check copy.pdf**
176K

 **Account Postings for Sale.pdf**
88K

 **Cash Receipting Page 4-17-2012 for Real Estate Transaction.pdf**
17K

A-3-g



Susan Lessard <manager@hampdenmaine.gov>

Election results info.

15 messages

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
To: Susan Lessard <manager@hampdenmaine.gov>
Cc: Denise Hodsdon <clerk@hampdenmaine.gov>

Tue, May 22, 2012 at 8:54 AM

Good morning,

I've been requested to collect all the information regarding the election of November 2011. Please forward the official results, tallies, and any other information regarding ballots cast, blank ballots, etc. which was provided to the AG's office for AAG Gardiner's 'report.'

Thank you,
Councilor Kristen Hornbrook

Susan Lessard <manager@hampdenmaine.gov>
To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Tue, May 22, 2012 at 9:18 AM

Kristen-
The Town Clerk is in Augusta today. I will discuss it with her when she returns since I was not part of discussions with the AG's office in regard to this matter.

Susan
[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
To: Susan Lessard <manager@hampdenmaine.gov>

Tue, May 22, 2012 at 9:31 AM

Sue,

You are confused as to what I am asking for, I just need the official documents. Where are they please? Can you send them to me please?

Thank you,
Councilor Kristen Hornbrook

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>
To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Tue, May 22, 2012 at 9:39 AM

Kristen -
I am not confused. You asked for what "was provided to the AG's office for AAG Gardiner's 'report.'"

Since I did not send her anything, I need to ask Denise what she provided to the AG's office so that I can make sure that what you get is accurate.

She will be in the office tomorrow.
Susan
[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Tue, May 22, 2012 at 9:41 AM

To: Susan Lessard <manager@hampdenmaine.gov>

Sue,

Are these documents on the website?
I've been searching and can't find them.
I would think that any documents pertaining to the election would be available for public inspection?

Thank you,
Councilor Kristen Hornbrook

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Tue, May 22, 2012 at 10:46 AM

To: Susan Lessard <manager@hampdenmaine.gov>

Sue,

Could you please tell me why Denise is in Augusta today?
Thank you,

Councilor Kristen Hornbrook

On Tue, May 22, 2012 at 9:18 AM, Susan Lessard <manager@hampdenmaine.gov> wrote:
[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

Tue, May 22, 2012 at 1:35 PM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Councilor Hornbrook,
The Town Clerk is in Augusta because she had a meeting there.
Susan

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Tue, May 22, 2012 at 2:48 PM

To: Susan Lessard <manager@hampdenmaine.gov>

Sue,

I wonder if you could please respond to my question?
What was the nature of the 'meeting' Denise had in Augusta today?

Thank you,
Councilor Kristen Hornbrook

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

Tue, May 22, 2012 at 3:01 PM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

Councilor Hornbrook,

I did respond to your question. The Town Clerk had a meeting in Augusta. The meeting was with the Secretary of State's office. I am somewhat confused as to why a Town Councilor is checking on the activity/location/meeting purpose of a Town staff member.

Susan

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Tue, May 22, 2012 at 3:22 PM

To: Susan Lessard <manager@hampdenmaine.gov>

Thank you Sue,

I am sorry that you are 'somewhat confused' as to why at Town Councilor would ask such questions. However, since you work for the Council, and therefore the people who elected the Council, I am at a loss as to why you would be confused, or why that should matter.

In response to your answer of my question as to why the Hampden Town Clerk was in Augusta 'for a meeting' I would ask you, did this meeting with the Secretary of State's office have anything with her position as Town Clerk?

I would also submit that this evading of direct questions and 'cloak and dagger' approach to your answers to direct questions is EXACTLY the reason why so many residents are just fed up and questioning everything. It makes it appear as though you (and others) have something to hide when a direct answer is not provided to a direct question posed by a duly elected, duly sworn-in representative of the people, or the people themselves.

Thank you for answering my additional questions.

Councilor Kristen Hornbrook

[Quoted text hidden]

Denise Hodsdon <clerk@hampdenmaine.gov>

Tue, May 22, 2012 at 3:25 PM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Susan Lessard <manager@hampdenmaine.gov>

The AG's office was conducting an investigation and requested the information as part of that investigation. The Freedom of Access Request Protocol policy was not adopted by the Council until April 23, 2012.

Denise R. Hodsdon, CMC
Town Clerk
Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

On Tue, May 22, 2012 at 3:15 PM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:
Denise,

I am wondering, did the AAG's office have to fill out an official request form for the information you gave them??

Councilor Kristen Hornbrook

On Tue, May 22, 2012 at 2:39 PM, Denise Hodsdon <clerk@hampdenmaine.gov> wrote:

Per the Council's recently adopted policy, I have attached the Record Request Form and ask that you complete it and return to me. Once returned I will forward email correspondence with Assistant Attorney General Phyllis Gardner, which is the only information submitted by this office. It is my understanding that AAG Gardner also took information off the Town website, but questions related to that should be addressed to the AG's office. I would also note that the report itself has attached the majority of the supporting documents cited in her report.

Thank you.

Denise R. Hodsdon, CMC
Town Clerk
Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

On Tue, May 22, 2012 at 8:54 AM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:
[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

Tue, May 22, 2012 at 4:11 PM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: Andre Cushing <andrec@roadrunner.com>, Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

Councilor Hornbrook -

I am not attempting to evade your questions or to create a cloak and dagger atmosphere. Yes, the Town Clerk's meeting with the Secretary of State's office pertained to her job. She was there at their request to bring the voting machines to Augusta for servicing. These machines belong to the State and having them serviced requires that they be brought to Augusta, unlike the old voting machines of several years ago that were owned by the town and which could be serviced here. You can verify this information with Julie Flynn at the Secretary of State's office is you wish.

Susan

[Quoted text hidden]

Denise Hodsdon <clerk@hampdenmaine.gov>

Tue, May 22, 2012 at 4:41 PM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>

Councilor Hornbrook,

I have received your completed request form. I will forward the emails to and from AAG Gardner but as I indicated in my previous email, it is my understanding that she obtained some of the information on the town's website, but any questions related to what specifically she obtained from the website would have to be directed to her. I only have knowledge of what information I provided to her.

Denise R. Hodsdon, CMC
Town Clerk
Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

On Tue, May 22, 2012 at 3:34 PM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:
Please see my attached request.

If in fact these documents CAN be found on the town website, please inform me as to where.

Councilor Kristen Hornbrook

[Quoted text hidden]

Denise Hodsdon <clerk@hampdenmaine.gov>
To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>

Tue, May 22, 2012 at 5:37 PM

Attachment E-2 of her report is the Official Return of Votes which was included in the December 5th Council packet - pages 91 and 92.

http://www.hampdenmaine.gov/vertical/sites/%7B1FCAF0C4-5C5E-476D-A92E-1BED5B1F9E05%7D/uploads/Council_Agenda__Packet_December_5_2011.pdf

Attachment E-1 was part of the November 2011 election information on the website. I just turned off that page of the website last week because I added a page with information about the June election. To avoid confusion for anyone wanting to request absentee ballots or review sample ballots for the June Primary, I turned off the page for November's election information. I have now turned it back on. It is under Town Departments - Town Clerk - November 8, 2011 Election

http://www.hampdenmaine.gov/index.asp?Type=B_BASIC&SEC={3DBD9183-814B-4F55-ACF7-E36DDCCD855D}

Denise R. Hodsdon, CMC
Town Clerk
Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

On Tue, May 22, 2012 at 4:44 PM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:
Denise,

Thank you for forwarding on the e-mails.
Maybe if I am more precise it would help?
The information I have been requested to get is the information provided in AAG Gardiner's report as item E-1 and E-2.
Are those documents in fact available on the website?
I've been through all the minutes and packets for Council from Nov. on and I am unable to find those documents.
Please advise as to where those are?
I'll wait to get the e-mails you mentioned.

Thank you,
Councilor Kristen Hornbrook

[Quoted text hidden]

Denise Hodsdon <clerk@hampdenmaine.gov>
To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>

Wed, May 23, 2012 at 9:55 AM

Anyone interested in looking at the machine tapes, tally sheets and return of votes is welcome to come in and look at them. They contain the breakdown of blank ballots and write-ins. We would need to schedule a time for that inspection.

As to the question "how does a resident request to see all of the ballots from the 2011 election" - pursuant to Title 21-A §22 (2) "**Ballots are not public records and may be inspected only in accordance with this Title.**"

I don't understand the second part of that question "including the blank ballots said to have been in the sealed manilla envelope which you carried into the recount room outside of the sealed ballot box". **ALL** ballots, including blank ballots, were sealed in the tamper-proof containers on Election night and were not opened until the recount on November 28th. I did not carry any ballots into the recount room outside of the tamper-proof containers.

Denise R. Hodsdon, CMC
Town Clerk
Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

On Wed, May 23, 2012 at 7:59 AM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:
Denise,

Two more questions from my constituents:

There seems to be some confusion over the 'blanks/undeclared write-ins' on the official election results. Could you please advise me (so that I may advise my constituents) as to where/how to find the breakdown between those ballots which were 'blank' and those which were 'undeclared write-ins'?

Also, how does a resident request to see all of the ballots from the 2011 election including the blank ballots said to have been in the sealed manilla envelope which you carried into the recount room outside of the sealed ballot box?

Thank you,
Councilor Kristen Hornbrook

[Quoted text hidden]

A-3-h



Susan Lessard <manager@hampdenmaine.gov>

a question

14 messages

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
To: Susan Lessard <manager@hampdenmaine.gov>

Thu, May 24, 2012 at 7:48 AM

Good morning Susan,

I have I have not been able to find the answer to and I figured since it is a simple question I would e-mail it to you directly.

Per the town Charter Article III Section 301, "The town manager shall appoint the town clerk, treasurer, tax collector, town assessor and department heads..."

Could you please tell me when exactly did you appoint yourself as town treasurer?

Or, direct me to the minutes of the meeting at which that happened.

Thank you,
Councilor Kristen Hornbrook

Susan Lessard <manager@hampdenmaine.gov>
To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Thu, May 24, 2012 at 11:48 AM

Cc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Councilor Hornbrook-

I did not appoint myself as Treasurer. When hired, the Manager position included the Treasurer position. The Council did that appointment on December 18, 2000. I have attached a copy of the minutes of that meeting. This action can be found on page 3.

Sue

[Quoted text hidden]



December 18, 2000 Council Minutes.pdf

1732K

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
To: Susan Lessard <manager@hampdenmaine.gov>
Cc: Tom Russell <tar@frrlegal.com>

Thu, May 24, 2012 at 1:38 PM

Thank you Susan,

If I am understanding this correctly the Town Council, in the action taken on December 18th, violated Article III Section 301 of the Town Charter by appointing the town Treasurer, is that correct?

How is it possible that the 'town manager included the town treasurer position' if the Charter clearly states that the manager is to appoint the treasurer?

I see from the minutes that attorney Russell was at that meeting in December 2000. I wonder why Mr. Russell did not bring up this point at that meeting or anytime since? Perhaps he would like to explain to the residents?

Thank you,
Councilor Kristen Hornbrook

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>
To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: Tom Russell <tar@frrlegal.com>

Thu, May 24, 2012 at 2:11 PM

Kristen,

I was only providing information on what occurred. Atty Russell is copied on this thread and can address the legality of the action. Despite the wording of the Charter, I would not be comfortable appointing myself to a position without Council approval.

Susan

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>
To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Bcc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Thu, May 24, 2012 at 2:37 PM

Councilor Hornbrook-

As a further follow up - the language in Article III, Section 301 Titles and Appointments also, in the last sentence of the first paragraph states that *"the council may, where appropriate, and where not prohibited by law, vest in the town manager all or part of the duties of any office"*. It would appear that this gives them the authority to appoint the Town Manager as the Treasurer - or any other office, such as the Town Clerk, or Tax Collector, etc. which are allowed by law, but not as the Assessor for example because the law does not allow the Town Manager to perform the duties of an Assessor.

I will check with Tom Russell on this as well.

Susan

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>
To: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, wrighttowncouncil@gmail.com, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Thu, May 24, 2012 at 2:41 PM

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
To: Susan Lessard <manager@hampdenmaine.gov>
Cc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Thu, May 24, 2012 at 6:06 PM

Susan,

This is more semantics.

The point is, you serve as BOTH the Treasurer and the Manager (etc.), here is the first question that must be answered: Since you serve as the treasurer (weather self-appointed, or not) are you bonded for the treasurer's duties specifically? And if so, for how much?

Thank you,

Councilor Kristen Hornbrook

On Thu, May 24, 2012 at 11:48 AM, Susan Lessard <manager@hampdenmaine.gov> wrote:
[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

Fri, May 25, 2012 at 8:10 AM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Councilor Hornbrook,

I was not attempting to use semantics. You stated that the Council had taken an illegal act in appointing the Treasurer, I was providing information that indicated that the Council had the right to take that action.

The Treasurer position is bonded as are the administrative positions that actually handle cash or write checks in the office. There are 5 of those. I have emailed our insurer for the bond(s) amount and will provide that to you when I receive it.

I will be away for much of the Memorial Day weekend and would appreciate it if you have other questions that arise between now and Tuesday that you bring them to the office on Tuesday and I will be happy to sit down with you and answer them.

Thank you-
Sue Lessard

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

Tue, May 29, 2012 at 7:18 AM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Good Morning-

The following is the response from Maine Municipal Association in, who handles the Town Insurance including that held in regard to the bond coverage.

"We currently have Blanket Crime Coverage for the Town at \$500,000 which is also the indicated Bond amount for the positions of the Treasurer, Tax Collector and persons with a primary responsibility to handle municipal funds."

Thank you-
Susan

On Thu, May 24, 2012 at 6:06 PM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:
[Quoted text hidden]

Thomas A. Russell <tar@frrlegal.com>

Tue, May 29, 2012 at 11:36 AM

To: Susan Lessard <manager@hampdenmaine.gov>, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

All:

Section 301 of the Town Charter deals with the appointment of town officials and boards. The last sentence of the first paragraph of Section 301 provides as follows: "The council may, where appropriate, and where not prohibited by law, vest in the town manager all or any part of the duties of any office." Since it is not prohibited by law, the council has the discretion and the authority under Section 301 to vest the town manager with the duties of the office of treasurer.

Although I do not know when a town council first decided it was "appropriate" to have the town manager also serve as the treasurer, I do know that R. Lewis Bone was serving in both capacities when I first began representing the Town in the mid-1980s, and that Marie Baker also served in both capacities during her tenure as town manager. Based on the minutes, it appears that the town council intended to continue that practice when it hired Sue Lessard as the town manager in 2000.

Tom Russell

From: Susan Lessard [mailto:manager@hampdenmaine.gov]
Sent: Friday, May 25, 2012 8:10 AM
To: Kristen Hornbrook
Cc: Denise; Janet Hughes; Jean Lawlis; Jeremy Williams; Jeremy Williams; Shelby Wright; Thomas A. Russell; Tom Brann; Andre Cushing
Subject: Re: a question

[Quoted text hidden]

Janet Hughes <hughestowncouncil@hampdenmaine.gov> Tue, May 29, 2012 at 12:44 PM
To: Susan Lessard <manager@hampdenmaine.gov>
Cc: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>, tar@frrlegal.com

Thank you Sue (and Tom),

Please attach this information to the next council meeting agenda packet. These discussions should take place at a Council level.

Janet Hughes
Council Chair

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> Tue, May 29, 2012 at 3:53 PM
To: Susan Lessard <manager@hampdenmaine.gov>

Susan,

Thank you for your response.

It is curious that you had to go to MMA for this information.
I'm told that a person who is bonded must be able to put his/her hands on such materials and produced them when asked.
I'd like this paperwork prior to the Council meeting on June 4th.
I would like to have a copy, if I may, of this policy and also of any paperwork pertaining to your bonding i.e. proof of coverage, persons covered, and coverage amount.
My understanding is that you and/or the town must have such information on file?

Thank you,

Councilor Kristen Hornbrook

[Quoted text hidden]

Tue, May 29, 2012 at 4:28 PM

Susan Lessard <manager@hampdenmaine.gov>

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Kristen -

Maine Municipal Association is the Town's Insurer. I checked with them for verification to make sure that the information I supplied to you was accurate. As stated in the response from Maine Municipal Association, which is our insurer, the Town has blanket Crime Coverage for the Town with a \$500,000 limit. That covers the bonded positions of Tax Collector and Treasurer as well as the four other people in the organization who actually handle monies. I have attached a copy of our Member Coverage Certificate that documents this coverage and the policy language specific to the Crime Coverage. The six people in the organization who are covered due to their position (Tax Collector and Treasurer) or the fact that they handle funds are:

Cheryl Johnson, Tax Collector
Susan Lessard, Treasurer
Denise Hodsdon, Town Clerk
Tammy Ewing - Finance/HR
Amy Eaton - Office Clerk
Kathy Cole - Utility Billing Clerk

Susan

[Quoted text hidden]

 **Insurance Coverage Document and Crime Policy.pdf**
973K

Wed, May 30, 2012 at 7:47 AM

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

To: Susan Lessard <manager@hampdenmaine.gov>

Good morning Susan,

I noticed that the e-mail from MMA was not forwarded on to me but only part of it was quoted.
Please forward on any and all e-mails both to and from Hampden and MMA in the past week regarding the topic of municipal bonding.
If an official request must be made, see attachment.
Thank you,

Councilor Kristen Hornbrook

[Quoted text hidden]

On Tue, May 22, 2012 at 5:00 PM, Bernie Philbrick <elcobern@aol.com> wrote:
[Quoted text hidden]

 **Papermill Road & Dorothea Dix Park Ordinances.pdf**
556K

Bernie Philbrick <elcobern@aol.com>
To: manager@hampdenmaine.gov

Wed, May 23, 2012 at 9:50 AM

Sue,

Could you please tell me a clear and concise definition of a "pocket park" and where are these located in Hampden?

While the ordinances referenced below are still in force, it has been determined that they both are UN-constitutional and considered to be direct assaults against freedom. It would be nice to see this council fix existing or proposed law that directly assaults us the citizens and our liberty, instead of dictating how one is supposed to walk their dog.

Thanks,

Bernie Philbrick
Hampden, ME
[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick <elcobern@aol.com>

Wed, May 23, 2012 at 1:29 PM

Bernie -

As I stated in my earlier email, the purpose of the proposed ordinance was to replace the two that I sent to you. The new version as presented does not restrict the carry of firearms and would 'fix' that issue going forward. Believe it or not, the issue of dogs on or off leashes has strong proponents and opponents. Since we are talking about what happens on public property, we have to find some sort of compromise that takes that into account.

I looked through the proposed ordinance and do not find the term 'pocket park' - I would be happy to try and answer the question if I understood where you got the term.

Thank you -
Sue Lessard

[Quoted text hidden]

Bernie Philbrick <elcobern@aol.com>
To: manager@hampdenmaine.gov

Wed, May 23, 2012 at 3:06 PM

Sue,

I find it a little disturbing that we have our recreation director and a map specialist preparing these types of multiple restrictions intended to control the citizens of Hampden. I am not sure of how much money was spent by the Town between Kurt, Gretchen and Tom Russell to prepare this document, attend Service meetings and to have an attorney review multiple times? This certainly was not money not well spent. It makes me wonder how many sets of hands this went through at the Town Office level? How many times did Tom Russell look at this and not recognize that the ordinance was unconstitutional? Its disturbing to think that we paid for this treatment. Its disturbing to think that this document made its way to Town Council and no one questioned the constitutionality, except for one, Councilor Hornbrook. And when questioned, this person was removed from further participation at the Service Committee by our Mayor, then disrespected in a public forum by our Mayor stating that Hornbrook's citation of the Constitution was her opinion only. Later the Mayor went on to describe how people with guns make her feel, "uncomfortable". So, we have one councilor who correctly cites

Bernie-

You obviously have strong opinions on the subject of your rights under the constitution, and I respect those opinions. I would appreciate it if you could call and set up a time to come in and talk with me about your concerns regarding the ordinances in question and the way in which the Town develops ordinances. I am apparently not doing a good job via email of explaining how the process works or what the role of staff is.

From your description, the term 'pocket park' that you said was used by Councilor Lawlis would describe the open space lots that the Town has in subdivisions throughout the community. When a subdivision is approved, it has to either provide for public open space in it or a fee in lieu of open space that is used by the Town to acquire land for municipal purposes - such as parks. These areas are scattered all over the community. I can provide a map if you like of the land owned by the Town - some of which has municipal buildings such as the Town Office and the Town Garage and Library, etc., and some of which is vacant.

I hope you call to set up a time to come in, at your convenience, and talk.

Susan

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Thu, May 24, 2012 at 10:19 AM

To: Susan Lessard <manager@hampdenmaine.gov>

Cc: Gretchen Heldmann <gheldmann@hampdenmaine.gov>, Dean Bennett <economicdevelopment@hampdenmaine.gov>, Bob Osborne <hampdenmaineplanner@gmail.com>, Denise Hodsdon <clerk@hampdenmaine.gov>

Good morning,

A request has been made for me to find the map which shows all town-owned lands, parks, pocket parks, and open space that the Draft Outdoor Facilities Ordinance covers.

I'm not able to put my fingers on it at the moment. Could someone point me in the direction where I might find that map?

Thank you,

Councilor Kristen Hornbrook

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>

To: Bernie Philbrick <[REDACTED]>

Sent: Tue, May 22, 2012 5:49 pm

Subject: Re: Draft Outdoor Policy Ordinance

[Quoted text hidden]

Bernie Philbrick <[REDACTED]>
To: manager@hampdenmaine.gov

Thu, May 24, 2012 at 10:23 AM

Sue,

Thank you for the invitation to your office but I think I will pass this time. I do have concerns that you have not answered my question regarding the definition of a "pocket park". I do not see that any attempt has been made to define this term either. Maybe you should ask Jean Lawlis what the definition is, after all, it was Jean who slipped and made this term public knowledge. I am sure Jean could help us all get a "handle" on this term, pocket park.

I do wonder why you would use "my" description of this term in your....explanation. Trust me I know what the definition of "Open Space" is. When the town confiscated our families land (without compensation) so that we could utilize what was left to allow my Brother to build a home upon, we became all too familiar with the term "Open Space". At the time we were told by you, the Council, the Planning Board and a gaggle of others from the town office that we just could not ever build on it. Through botched secrecy it now appears that there are further attempts to deny us and others in this town who share similar stories, more of our liberties on "our" property. We now have hundreds of "pocket parks" (back yards) per

Jean that this ordinance is intended for. When you or the Mayor tell people this was intended for the playgrounds and ball fields only, isn't that being just a bit deceptive? Especially when we are talking about hundreds of areas in town.

Why not say it like it is: From this day forward, in the Town of Hampden, tobacco consumption is hereby disallowed and prohibited on all public town owned property, including but not limited town roads, sidewalks and your backyards that have been determined by Hampden to be Open Space. In order to assist the Hampden Public Safety officers in their duties, the Town of Hampden hereby empowers the town forester, ambulance crew, code enforcement officer, fire department, the recreation director and his or her subordinates to enforce all articles of this ordinance. Violators of these provisions will be subject to no less than a \$25 fine and no more than \$150 for certain individuals. Each offense or cigarette butt found will be subject to a separate violation. Proceeds from said violations will contribute to the greater good of the common people of the Town of Hampden and the Bangor STD clinic.

Its not that you all lie, its just that it seems the whole truth is never presented when asked. Please do send me the maps, it would be interesting to see what the IT department has been up to!

Thank You,

Bernie Philbrick
Hampden, ME

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick <[REDACTED]>
Sent: Wed, May 23, 2012 3:30 pm
Subject: Re: Draft Outdoor Policy Ordinance

Bernie-

You obviously have strong opinions on the subject of your rights under the constitution, and I respect those opinions. I would appreciate it if you could call and set up a time to come in and talk with me about your concerns regarding the ordinances in question and the way in which the Town develops ordinances. I am apparently not doing a good job via email of explaining how the process works or what the role of staff is.

From your description, the term 'pocket park' that you said was used by Councilor Lawlis would describe the open space lots that the Town has in subdivisions throughout the community. When a subdivision is approved, it has to either provide for public open space in it or a fee in lieu of open space that is used by the Town to acquire land for municipal purposes - such as parks. These areas are scattered all over the community. I can provide a map if you like of the land owned by the Town - some of which has municipal buildings such as the Town Office and the Town Garage and Library, etc., and some of which is vacant.

I hope you call to set up a time to come in, at your convenience, and talk.
Susan

On Wed, May 23, 2012 at 3:06 PM, Bernie Philbrick <[REDACTED]> wrote:

Sue,

I find it a little disturbing that we have our recreation director and a map specialist preparing these types of multiple restrictions intended to control the citizens of Hampden. I am not sure of how much money was spent by the Town between Kurt, Gretchen and Tom Russell to prepare this document, attend Service meetings and to have an attorney review multiple times? This certainly was not money not well spent. It makes me wonder how many sets of hands this went through at the Town Office level? How many times did Tom Russell look at this and not recognize that the ordinance was unconstitutional? Its disturbing to think that we paid for this treatment. Its disturbing to think that this document made its way to Town Council and no one questioned the constitutionality, except for one, Councilor Hornbrook. And when questioned, this person was removed from further participation at the Service Committee by our Mayor, then disrespected in a public forum by our Mayor stating that Hornbrook's citation of the Constitution was her opinion only. Later the Mayor went on to describe how people with guns make her feel, "uncomfortable". So, we have one

councilor who correctly cites the constitution (the bedrock of freedom) and another who cites her fear (the bedrock of control). Its my OPINION that Councilor Hornbrook deserves a public apology from the Mayor.

However, this is more than an illegally enforced gun control scheme by our town. Why does the Town of Hampden feel the necessity to dictate to the population where they can or cannot use tobacco products, outdoors mind you! Or how to walk a dog, WOW! Did you know that the State has laws regarding dogs at large? What about cats, what are we to do about cats roaming at large? Instead of compromising more rights of citizens, why not look at existing law for precedent? What difference does it make how many people are for or against if the basis is unconstitutional. It also looks like the ordinance is now allowing ANY law enforcement officer to hunt on playgrounds and parks in the Town of Hampden regardless of the no discharge zone. The same document then goes on to say that prescription medicines will be allowed at playgrounds and parks. So its OK to attend a little league game and smoke marijuana, but not a cigarette. Is this what we as a town want? Does anybody have a handle on this?

To answer your question, recently at a council meeting Councilor Lawlis was touting that the Town of Hampden "owns" over a hundred "pocket parks". She also has been stating that this Outdoor Facilities Ordinance will govern peoples actions while visiting these parks. This morning I asked you for the definition of a "pocket park" with locations here in Hampden. Perhaps you can ask Jean what it is she has been talking about. I can't imagine where Hampden would have over 100 parks hiding, in Hampden. One can speculate that this is the next step for land use regulation on land that has been or will soon be confiscated and deemed as "Open Space". This is a little disturbing considering it was you that said the ordinance was written for "playgrounds and ball fields". Now we learn that there are hundreds of other mysterious "pocket park" locations. Something is not adding up. Why would Jean make this stuff up?

Overall the Outdoor Facilities Policy came across as looking very sloppily written. It seems so backwards that its no wonder the people think there is a hidden agenda taking place in Hampden. I commend you for removing at least one of these persons from the Service Committee, you should continue. These people should not be involved at a capacity where they could possibly be authoring ordinances for us all to follow. This should be a function of the duly elected officials in our Town of Hampden. Officials who have sworn the oath as mentioned in our Town Charter:

Sec. 1001 Oath of Office -

Every officer of the town shall, before entering upon the duties of office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the town clerk. "I..... do affirm, that I will support the Constitution of the United States, and of this State, so long as I shall continue a citizen hereof, that I will in all respects observe the provisions of the charter and ordinances of the Town of Hampden, Maine and I will faithfully discharge all the duties incumbent upon me as..... according to the Constitution and laws of the state, so help me, God." (Amended: June 2, 1982, November 6, 1990)

Our founders felt strongly enough about the constitution to include it in our charter. So should our elected officials as they have sworn to uphold it.

Thank You,

Bernie Philbrick
Hampden, ME

A **lynch mob** is an example of pure **democracy** in action. There is only one dissenting vote, and that is cast by the person at the end of the rope!

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>

To: Bernie Philbrick <~~bern@hampdenmaine.gov~~>

Sent: Wed, May 23, 2012 1:29 pm

Subject: Re: Draft Outdoor Policy Ordinance

Bernie -

As I stated in my earlier email, the purpose of the proposed ordinance was to replace the two that I sent to you. The new version as presented does not restrict the carry of firearms and would 'fix' that issue going forward. Believe it or not, the issue of dogs on or off leashes has strong proponents and opponents. Since we are talking about what happens on public property, we have to find some sort of compromise that takes that into account.

I looked through the proposed ordinance and do not find the term 'pocket park' - I would be happy to try and answer the question if I understood where you got the term.

Thank you -
Sue Lessard

On Wed, May 23, 2012 at 9:50 AM, Bernie Philbrick <[REDACTED]> wrote:

Sue,

Could you please tell me a clear and concise definition of a "pocket park" and where are these located in Hampden?

While the ordinances referenced below are still in force, it has been determined that they both are UN-constitutional and considered to be direct assaults against freedom. It would be nice to see this council fix existing or proposed law that directly assaults us the citizens and our liberty, instead of dictating how one is supposed to walk their dog.

Thanks,

Bernie Philbrick
Hampden, ME

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick <[REDACTED]>
Sent: Tue, May 22, 2012 6:02 pm
Subject: Re: Draft Outdoor Policy Ordinance

Bernie-

As additional information - I have attached copies of the currently existing Dorothea Dix Park and Papermill Road Rec Area Ordinances, one of which was adopted in 1989 and the other in 1986. Both prohibit the carry and discharge of firearms and both are still in force in the Town of Hampden. The initial draft that the Services Committee started with was based on these ordinances, which are pretty close to identical.

Feel free to call or email if you need more information.
Susan

On Tue, May 22, 2012 at 5:00 PM, Bernie Philbrick <[REDACTED]> wrote:

Sue,

Could you be so kind and let me know the name of the person who authored the Draft Outdoor Policy ordinance? I understand that the ordinance was written prior to being presented to the Service Committee. I am assuming it was a staff member, do you know who?

Thank You,

Bernie Philbrick
Hampden, ME

Gretchen Heldmann <gheldmann@hampdenmaine.gov>

Thu, May 24, 2012 at 11:16 AM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Susan Lessard <manager@hampdenmaine.gov>, Dean Bennett <economicdevelopment@hampdenmaine.gov>, Bob Osborne <hampdenmaineplanner@gmail.com>, Denise Hodsdon <clerk@hampdenmaine.gov>

Good morning Councilor Hornbrook,

At the August 8, 2011 Council Services Committee meeting, of which you were an attendee, I provided 11"x17" size handouts including a map of town open space (which included "pocket parks") as well as a detailed spreadsheet inventory of subdivision open space. These are available on the website at the end of the minutes for this meeting. If you have misplaced these I would be happy to print out another set, please let me know.

Thank you,
~G

Gretchen Heldmann
GIS/IT Specialist, Town of Hampden
GeoLibrary Board - Chair & Municipal Representative
<http://www.maine.gov/geolib/>
OFFICE HOURS: Mon.-Thurs. 7:30am-6pm
106 Western Avenue
Hampden, ME 04444
Phone: (207)862.4500 x142
<http://www.hampdenmaine.gov/>
[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

Thu, May 24, 2012 at 12:05 PM

To: Bernie Philbrick <[REDACTED]>

Bernie-

The following link will take you to the map showing all town-owned land. It is included in the minutes of the 8/8/2011 Services Committee Meeting and is followed by a list of town-owned parcels.

http://www.hampdenmaine.gov/vertical/sites/%7B1FCAF0C4-5C5E-476D-A92E-1BED5B1F9E05%7D/uploads/Services08082011Minutes_wAttachmentsRev.pdf

it is on Page 15 of the minutes

Susan
[Quoted text hidden]

Gretchen Heldmann <gheldmann@hampdenmaine.gov>

Thu, May 24, 2012 at 12:12 PM

To: Susan Lessard <manager@hampdenmaine.gov>, Denise Hodsdon <clerk@hampdenmaine.gov>, Hampden Recreation <recreation@hampdenmaine.gov>

Gretchen Heldmann
GIS/IT Specialist, Town of Hampden

GeoLibrary Board - Chair & Municipal Representative
http://www.maine.gov/geolib/
OFFICE HOURS: Mon.-Thurs. 7:30am-6pm
106 Western Avenue
Hampden, ME 04444
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----- Forwarded message -----

From: **Kristen Hornbrook** <hornbrooktowncouncil@hampdenmaine.gov>
Date: Thu, May 24, 2012 at 11:43 AM
Subject: Re: Draft Outdoor Policy Ordinance
To: Gretchen Heldmann <gheldmann@hampdenmaine.gov>

Thank you Gretchen,

I have indeed misplaced them.
There are so many topics, meetings, and minutes for Council that it is easy to lose track of where the information is to be located.
I will go on the website and find the minutes and print them out.
Thank you,

Councilor Kristen Hornbrook

[Quoted text hidden]

Bernie Philbrick <[REDACTED]>
To: manager@hampdenmaine.gov

Thu, May 24, 2012 at 2:09 PM

Sue,

It appears that this map is missing parcels of open space, therefore it is basically, incomplete. It seems like if we are going to show this map to people, we as a town should show them all of the open space in town. Without every piece, this map could be very misleading.

Thank You,

Bernie Philbrick

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick <[REDACTED]>
Sent: Thu, May 24, 2012 12:05 pm
Subject: Re: Draft Outdoor Policy Ordinance

Bernie-

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it is on Page 15 of the minutes

Susan

On Thu, May 24, 2012 at 10:23 AM, Bernie Philbrick <elcobern@aol.com> wrote:
Sue,

Thank you for the invitation to your office but I think I will pass this time. I do have concerns that you have not answered my question regarding the definition of a "pocket park". I do not see that any attempt has been made to define this term either. Maybe you should ask Jean Lawlis what the definition is, after all, it was Jean who slipped and made this term public knowledge. I am sure Jean could help us all get a "handle" on this term, pocket park.

I do wonder why you would use "my" description of this term in your....explanation. Trust me I know what the definition of "Open Space" is. When the town confiscated our families land (without compensation) so that we could utilize what was left to allow my Brother to build a home upon, we became all too familiar with the term "Open Space". At the time we were told by you, the Council, the Planning Board and a gaggle of others from the town office that we just could not ever build on it. Through botched secrecy it now appears that there are further attempts to deny us and others in this town who share similar stories, more of our liberties on "our" property. We now have hundreds of "pocket parks" (back yards) per Jean that this ordinance is intended for. When you or the Mayor tell people this was intended for the playgrounds and ball fields only, isn't that being just a bit deceptive? Especially when we are talking about hundreds of areas in town.

Why not say it like it is: From this day forward, in the Town of Hampden, tobacco consumption is hereby disallowed and prohibited on all public town owned property, including but not limited town roads, sidewalks and your backyards that have been determined by Hampden to be Open Space. In order to assist the Hampden Public Safety officers in their duties, the Town of Hampden hereby empowers the town forestor, ambulance crew, code enforcement officer, fire department, the recreation director and his or her subordinates to enforce all articles of this ordinance. Violators of these provisions will be subject to no less than a \$25 fine and no more than \$150 for certain individuals. Each offense or cigarette butt found will be subject to a seperate violation. Proceeds from said violations will contribute to the greater good of the common people of the Town of Hampden and the Bangor STD clinic.

Its not that you all lie, its just that it seems the whole truth is never presented when asked. Please do send me the maps, it would be interesting to see what the IT department has been up to!

Thank You,

Bernie Philbrick
Hampden, ME

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick [REDACTED]
Sent: Wed, May 23, 2012 3:30 pm
Subject: Re: Draft Outdoor Policy Ordinance

Bernie-

You obviously have strong opinions on the subject of your rights under the constitution, and I respect those opinions. I would appreciate it if you could call and set up a time to come in and talk with me about your concerns regarding the ordinances in question and the way in which the Town develops ordinances. I am apparently not doing a good job via email of explaining how the process works or what the role of staff is.

From your description, the term 'pocket park' that you said was used by Councilor Lawlis would describe the open space lots that the Town has in subdivisions throughout the community. When a subdivision is approved, it has to either provide for public open space in it or a fee in lieu of open space that is used by the Town to acquire land for municipal purposes - such as parks. These areas are scattered all over the community. I can provide a map if you like of the land owned by the Town - some of which has municipal buildings such as the Town Office and the Town Garage and Library, etc., and some of which is vacant.

I hope you call to set up a time to come in, at your convenience, and talk.

Susan

On Wed, May 23, 2012 at 3:06 PM, Bernie Philbrick <[REDACTED]> wrote:

Sue,

I find it a little disturbing that we have our recreation director and a map specialist preparing these types of multiple restrictions intended to control the citizens of Hampden. I am not sure of how much money was spent by the Town between Kurt, Gretchen and Tom Russell to prepare this document, attend Service meetings and to have an attorney review multiple times? This certainly was not money not well spent. It makes me wonder how many sets of hands this went through at the Town Office level? How many times did Tom Russell look at this and not recognize that the ordinance was unconstitutional? Its disturbing to think that we paid for this treatment. Its disturbing to think that this document made its way to Town Council and no one questioned the constitutionality, except for one, Councilor Hornbrook. And when questioned, this person was removed from further participation at the Service Committee by our Mayor, then disrespected in a public forum by our Mayor stating that Hornbrook's citation of the Constitution was her opinion only. Later the Mayor went on to describe how people with guns make her feel, "uncomfortable". So, we have one councilor who correctly cites the constitution (the bedrock of freedom) and another who cites her fear (the bedrock of control). Its my OPINION that Councilor Hornbrook deserves a public apology from the Mayor.

However, this is more than an illegally enforced gun control scheme by our town. Why does the Town of Hampden feel the necessity to dictate to the population where they can or cannot use tobacco products, outdoors mind you! Or how to walk a dog, WOW! Did you know that the State has laws regarding dogs at large? What about cats, what are we to do about cats roaming at large? Instead of compromising more rights of citizens, why not look at existing law for precedent? What difference does it make how many people are for or against if the basis is unconstitutional. It also looks like the ordinance is now allowing ANY law enforcement officer to hunt on playgrounds and parks in the Town of Hampden regardless of the no discharge zone. The same document then goes on to say that prescription medicines will be allowed at playgrounds and parks. So its OK to attend a little league game and smoke marijuana, but not a cigarette. Is this what we as a town want? Does anybody have a handle on this?

To answer your question, recently at a council meeting Councilor Lawlis was touting that the Town of Hampden "owns" over a hundred "pocket parks". She also has been stating that this Outdoor Facilities Ordinance will govern peoples actions while visiting these parks. This morning I asked you for the definition of a "pocket park" with locations here in Hampden. Perhaps you can ask Jean what it is she has been talking about. I can't imagine where Hampden would have over 100 parks hiding, in Hampden. One can speculate that this is the next step for land use regulation on land that has been or will soon be confiscated and deemed as-"Open Space". This is a little disturbing considering it was you that said the ordinance was written for "playgrounds and ball fields". Now we learn that there are hundreds of other mysterious "pocket park" locations. Something is not adding up. Why would Jean make this stuff up?

Overall the Outdoor Facilities Policy came across as looking very sloppily written. It seems so backwards that its no wonder the people think there is a hidden agenda taking place in Hampden. I commend you for removing at least one of these persons from the Service Committee, you should continue. These people should not be involved at a capacity where they could possibly be authoring ordinances for us all to follow. This should be a function of the duly elected officials in our Town of Hampden. Officials who have sworn the oath as mentioned in our Town Charter:

Sec. 1001 Oath of Office -

Every officer of the town shall, before entering upon the duties of office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the town clerk. "I..... do affirm, that I will support the Constitution of the United States, and of this State, so long as I shall continue a citizen hereof, that I will in all respects observe the provisions of the charter and ordinances of the Town of Hampden, Maine and I will faithfully discharge all the duties incumbent upon me as..... according to the Constitution and laws of

the state, so help me, God." (Amended: June 2, 1982, November 6, 1990)

Our founders felt strongly enough about the constitution to include it in our charter. So should our elected officials as they have sworn to uphold it.

Thank You,

Bernie Philbrick
Hampden, ME

A **lynch mob** is an example of pure **democracy** in action. There is only one dissenting vote, and that is cast by the person at the end of the rope!

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick <[REDACTED]>
Sent: Wed, May 23, 2012 1:29 pm
Subject: Re: Draft Outdoor Policy Ordinance

Bernie -

As I stated in my earlier email, the purpose of the proposed ordinance was to replace the two that I sent to you. The new version as presented does not restrict the carry of firearms and would 'fix' that issue going forward. Believe it or not, the issue of dogs on or off leashes has strong proponents and opponents. Since we are talking about what happens on public property, we have to find some sort of compromise that takes that into account.

I looked through the proposed ordinance and do not find the term 'pocket park' - I would be happy to try and answer the question if I understood where you got the term.

Thank you -
Sue Lessard

On Wed, May 23, 2012 at 9:50 AM, Bernie Philbrick <[REDACTED]> wrote:
Sue,

Could you please tell me a clear and concise definition of a "pocket park" and where are these located in Hampden?

While the ordinances referenced below are still in force, it has been determined that they both are UN-constitutional and considered to be direct assaults against freedom. It would be nice to see this council fix existing or proposed law that directly assaults us the citizens and our liberty, instead of dictating how one is supposed to walk their dog.

Thanks,

Bernie Philbrick
Hampden, ME

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick <[REDACTED]>
Sent: Tue, May 22, 2012 6:02 pm

Subject: Re: Draft Outdoor Policy Ordinance

Bernie-

As additional information - I have attached copies of the currently existing Dorothea Dix Park and Papermill Road Rec Area Ordinances, one of which was adopted in 1989 and the other in 1986. Both prohibit the carry and discharge of firearms and both are still in force in the Town of Hampden. The initial draft that the Services Committee started with was based on these ordinances, which are pretty close to identical.

Feel free to call or email if you need more information.

Susan

On Tue, May 22, 2012 at 5:00 PM, Bernie Philbrick <[REDACTED]> wrote:

Sue,

Could you be so kind and let me know the name of the person who authored the Draft Outdoor Policy ordinance? I understand that the ordinance was written prior to being presented to the Service Committee. I am assuming it was a staff member, do you know who?

Thank You,

Bernie Philbrick
Hampden, ME

Susan Lessard <manager@hampdenmaine.gov>

Thu, May 24, 2012 at 4:25 PM

To: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Kristen L Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Good Afternoon -

I am forwarding this email thread to the entire Council since it has been received, at least in part, by one Councilor and because it relates in part to the Services Committee work on the Outdoor Facilities Licensing Ordinance and all of you should have the same information.

Sue

Forwarded conversation

Subject: **Draft Outdoor Policy Ordinance**

From: **Bernie Philbrick** <[REDACTED]>

Date: Tue, May 22, 2012 at 5:00 PM

To: manager@hampdenmaine.gov

Sue,

Could you be so kind and let me know the name of the person who authored the Draft Outdoor Policy ordinance? I understand that the ordinance was written prior to being presented to the Service Committee. I am assuming it was a staff member, do you know who?

Thank You,

Bernie Philbrick
Hampden, ME

From: **Susan Lessard** <manager@hampdenmaine.gov>
Date: Tue, May 22, 2012 at 5:48 PM
To: Bernie Philbrick [REDACTED]

Good afternoon-

The first draft of the Outdoor facilities Ordinance was distributed to the Services Committee at its meeting on September 14, 2009. The draft was prepared by Kurt Mathies, the Town's Recreation Director and Gretchen Heldmann, the GIS/IT person for the Town. It was provided to the Services Committee for review and recommendations for changes and its purpose was to replace the two existing park ordinances (Dorothea Dix and Papermill Road Rec Area) and provide standardized rules for the use of Town property. It has been reviewed a number of times since then, and the current version that was set for a public hearing at the last Council meeting (May 7th) contained a number of changes made by the Committee members (Town Councilors) since the original draft was prepared in 2009. All Town Ordinances that are requested to be created or updated by the Town Council are initially prepared by a staff member. The drafts are then reviewed and changed by Town Councilors in Committee meetings, reviewed by the Town Attorney for legality, and then presented at a Public Hearing before the Town Council.

At the hearing, two issues were identified that caused the majority of the Council to postpone a decision on the ordinance and send it back to the Services Committee. One was a question about dogs needing to be on leashes and the other was whether the Town had the right to limit firearms at ballfields/parks. The first question - about dogs on leashes - is still up in the air and the Services Committee will deal with that at its next meeting in June. The second question has been answered. The Town is pre-empted by State law from passing any ordinance which limits the carry provision of firearms. The draft that was presented at the public hearing had no limitations on the right of persons to carry weapons on town property.

I hope this is helpful.
Susan

From: **Susan Lessard** <manager@hampdenmaine.gov>
Date: Tue, May 22, 2012 at 6:02 PM
To: Bernie Philbrick [REDACTED]

Bernie-

As additional information - I have attached copies of the currently existing Dorothea Dix Park and Papermill Road Rec Area Ordinances, one of which was adopted in 1989 and the other in 1986. Both prohibit the carry and discharge of firearms and both are still in force in the Town of Hampden. The initial draft that the Services Committee started with was based on these ordinances, which are pretty close to identical.

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On Tue, May 22, 2012 at 5:00 PM, Bernie Philbrick <elcobern@aol.com> wrote:

From: **Bernie Philbrick** [REDACTED]
Date: Wed, May 23, 2012 at 9:50 AM
To: manager@hampdenmaine.gov

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Thanks,

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Hampden, ME

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Date: Wed, May 23, 2012 at 1:29 PM
To: Bernie Philbrick <[REDACTED]>

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Sue Lessard

From: **Bernie Philbrick** <[REDACTED]>
Date: Wed, May 23, 2012 at 3:06 PM
To: manager@hampdenmaine.gov

Sue,

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zone. The same document then goes on to say that prescription medicines will be allowed at playgrounds and parks. So its OK to attend a little league game and smoke marijuana, but not a cigarette. Is this what we as a town want? Does anybody have a handle on this?

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-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick <~~bern@hampdenmaine.gov~~>

From: **Susan Lessard** <manager@hampdenmaine.gov>
Date: Wed, May 23, 2012 at 3:30 PM
To: Bernie Philbrick <~~bern@hampdenmaine.gov~~>

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apparently not doing a good job via email of explaining how the process works or what the role of staff is.

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I hope you call to set up a time to come in, at your convenience, and talk.
Susan

From: **Kristen Hornbrook** <hornbrooktowncouncil@hampdenmaine.gov>
Date: Thu, May 24, 2012 at 10:19 AM
To: Susan Lessard <manager@hampdenmaine.gov>
Cc: Gretchen Heldmann <gheldmann@hampdenmaine.gov>, Dean Bennett <economicdevelopment@hampdenmaine.gov>, Bob Osborne <hampdenmaineplanner@gmail.com>, Denise Hodsdon <clerk@hampdenmaine.gov>

Good morning,

A request has been made for me to find the map which shows all town-owned lands, parks, pocket parks, and open space that the Draft Outdoor Facilities Ordinance covers.

I'm not able to put my fingers on it at the moment. Could someone point me in the direction where I might find that map?

Thank you,

Councilor Kristen Hornbrook

-----Original Message-----

From: Susan Lessard <manager@hampdenmaine.gov>
To: Bernie Philbrick <[REDACTED]>
Sent: Tue, May 22, 2012 5:49 pm
Subject: Re: Draft Outdoor Policy Ordinance

From: **Bernie Philbrick** <[REDACTED]>
Date: Thu, May 24, 2012 at 10:23 AM
To: manager@hampdenmaine.gov

[Quoted text hidden]

From: **Gretchen Heldmann** <gheldmann@hampdenmaine.gov>
Date: Thu, May 24, 2012 at 11:16 AM
To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>, Dean Bennett <economicdevelopment@hampdenmaine.gov>, Bob Osborne <hampdenmaineplanner@gmail.com>, Denise Hodsdon <clerk@hampdenmaine.gov>

Good morning Councilor Hornbrook,

At the August 8, 2011 Council Services Committee meeting, of which you were an attendee, I provided 11"x17" size handouts including a map of town open space (which included "pocket parks") as well as a detailed spreadsheet inventory of subdivision open space. These are available on the website at the end of the minutes for this meeting. If you have misplaced these I would be happy to print out another set, please let me know.

Thank you,
~G

Gretchen Heldmann
GIS/IT Specialist, Town of Hampden
GeoLibrary Board - Chair & Municipal Representative
<http://www.maine.gov/geolib/>
OFFICE HOURS: Mon.-Thurs. 7:30am-6pm
106 Western Avenue
Hampden, ME 04444
Phone: (207)862.4500 x142
<http://www.hampdenmaine.gov/>

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Date: Thu, May 24, 2012 at 12:05 PM
To: Bernie Philbrick 

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Susan

From: **Gretchen Heldmann** <gheldmann@hampdenmaine.gov>
Date: Thu, May 24, 2012 at 12:12 PM
To: Susan Lessard <manager@hampdenmaine.gov>, Denise Hodsdon <clerk@hampdenmaine.gov>, Hampden Recreation <recreation@hampdenmaine.gov>

Gretchen Heldmann
GIS/IT Specialist, Town of Hampden
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Thank you Gretchen,

I have indeed misplaced them.
There are so many topics, meetings, and minutes for Council that it is easy to lose track of where the information is to be located.
I will go on the website and find the minutes and print them out.
Thank you,

Councilor Kristen Hornbrook

From: **Bernie Philbrick** <[REDACTED]>
Date: Thu, May 24, 2012 at 2:09 PM
To: manager@hampdenmaine.gov

[Quoted text hidden]

 **Papermill Road & Dorothea Dix Park Ordinances.pdf**
556K

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
To: Bernie Philbrick <[REDACTED]>
Cc: manager@hampdenmaine.gov

Fri, May 25, 2012 at 12:10 PM

Good morning Sue,

It is a little disconcerting to say the least to find out that I swore an oath to uphold the Charter of the town of Hampden as well as the Ordinances of Hampden only to find out that **at least** two of them have now (according to your own words) been proved to be in direct violation to state law, i.e. municipalities not being allowed to write laws or ordinances which regulate the carry of firearms.

From another resident, these questions have come up which I was asked to forward on to you:

Can you also ask Sue

- 1) What qualifications does Gretchen have to write ordinances (Hampden Law)?
- 2) Does Gretchen have a law degree?
- 3) Is the constitution ever considered when writing Hampden Law?
- 4) Does Gretchen write Hampden Law solely on her own? If not on her own - who helps her?
- 5) Does Tom Russell have any qualifications to write Hampden Law?
- 6) Can we see all billing from Russell that pertains to this ordinance alone dating back 10 years?

- 7) Did Tom Russell help write this ordinance?
8) How many other ordinances has Tom Russell written?

Thank you,
Councilor Kristen Hornbrook
[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

Tue, May 29, 2012 at 10:08 AM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Bcc: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Kristen L Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Good morning Sue,

It is a little disconcerting to say the least to find out that I swore an oath to uphold the Charter of the town of Hampden as well as the Ordinances of Hampden only to find out that **at least** two of them have now (according to your own words) been proved to be in direct violation to state law, i.e. municipalities not being allowed to write laws or ordinances which regulate the carry of firearms.

From another resident, these questions have come up which I was asked to forward on to you.

Councilor Hornbrook,

I have addressed the questions below in a narrative form.

These questions appear to be based on the assumption that staff members write ordinances without direction, review or input from the elected municipal officers - the Town Council – and that is not correct. Ordinances are created when the Town Council directs staff to prepare a draft set of 'rules' in regard to a particular subject. That draft is then provided to the relevant Council Committee and dissected and changed by the Council members in that Committee in order to come up with a final draft that is then sent to the full Council for a public hearing after it is reviewed by the Town's legal counsel to insure that it is compliant with state and federal law..

The original 'draft' of the outdoor facilities ordinance was the same as the current Dorothea Dix Park/Papermill Road Rec Area Ordinance. Neither of those ordinances were in computerized form, so all Gretchen and Kurt did was computerize them and provide them to the Services Committee as a template from which to work. The Town Councilor Committee members are the ones who determined what the final content of the ordinance was going to be – not staff members.

No staff member has a law degree, including Gretchen. Her bachelor's degree is in Forestry and GIS and her Master's work is in Forestry.

Tom Russell is a licensed attorney. He does not write Hampden Law, he reviews what is provided to him and provides the Council with input as to the legality of what it is proposing to do with an ordinance. The constitutionality of an ordinance would be considered by him in his review. Tom Russell reviews all proposed ordinances prior to final adoption by the Council and provides input as to the legality of them. I will provide copies of any bills that he has sent related to

the Outdoor Facilities Licensing Ordinance, however, the work on this ordinance only goes back to 2009. Are you looking for work on the Dorothea Dix Park or Papermill Road Rec Area ordinances since those are the foundation for this one?

I think it would be helpful if the Town Council had a workshop, or at the very least an agenda item at a regular Council meeting to provide information on how ordinances are created and amended. It appears that individual staff members and the Town Attorney are being blamed for the creation and content of ordinances, when in reality, Ordinances are reviewed, adopted, and amended only through the vote of the elected officials – Town Councilors – of the community.

Susan

Can you also ask Sue

- 1) What qualifications does Gretchen have to write ordinances (Hampden Law)?
- 2) Does Gretchen have a law degree?
- 3) Is the constitution ever considered when writing Hampden Law?
- 4) Does Gretchen write Hampden Law solely on her own? If not on her own - who helps her?
- 5) Does Tom Russell have any qualifications to write Hampden Law?
- 6) Can we see all billing from Russell that pertains to this ordinance alone dating back 10 years?
- 7) Did Tom Russell help write this ordinance?
- 8) How many other ordinances has Tom Russell written?

[Quoted text hidden]



Susan Lessard <manager@hampdenmaine.gov>

Information related to Legal Bills for the Outdoor Facilities Ordinance

1 message

Susan Lessard <manager@hampdenmaine.gov>

Wed, May 30, 2012 at 11:44 AM

To: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Kristen L Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Dear Councilor Hornbrook,

Among the questions you forwarded to me in regard to the Outdoor Facilities Ordinance/staff/etc was one that requested information from legal bills for the past ten years in regard to this ordinance. Since work on the Ordinance began in 2009, I have reviewed the legal bills from July 1, 2008 to date and have found three that indicate this subject - all three of which are in the 11/12 year. I have attached a copy of each as well as a cover sheet that identifies the cost.

The Town does not have ten years of legal bills. Paid bills are kept (per State record retention rules) for six years. I will review the two years prior to the ones already done to see if any work was billed for either the Dorothea Dix Park Ordinance or the Papermill Road Recreation Area Ordinance and will provide copies of anything that I locate.

Susan



Legal Fees - Outdoor Facilities Ordinance.pdf

321K



Susan Lessard <manager@hampdenmaine.gov>

Additional Bill

1 message

Susan Lessard <manager@hampdenmaine.gov>

Wed, May 30, 2012 at 12:21 PM

To: Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Jeremy Williams <jeremy@renegadeair.com>, Jeremy Williams <williamstowncouncil@hampdenmaine.gov>, Kristen L Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <andre@andrecushing.com>

Councilor Hornbrook

Attached please find a copy of an additional charge not listed on the original list sent to you a short while ago. This 1.2 hours adds \$180 in cost to the review of the proposed ordinance. bringing the total to \$735.

Susan

 **3-29 charge - Legal fees outdoor facilities .pdf**
102K

A-3-j



Denise Hodsdon <clerk@hampdenmaine.gov>

Recall of Muni Officials

2 messages

Bernie Philbrick <bern@hampdenmaine.gov>

Thu, May 24, 2012 at 2:17 PM

To: clerk@hampdenmaine.gov

Good Afternoon Denise,

Could you please explain where I would go to find details of how to perform the necessary steps in exercising the election recall process for an elected municipal officer in the Town of Hampden. With this information could you please let me know of any fees associated with the Town of Hampden regarding filing of paperwork and the processing recall petitions.

Have a great weekend,
Bernie Philbrick
Hampden, ME

Denise Hodsdon <clerk@hampdenmaine.gov>

Thu, May 24, 2012 at 2:46 PM

To: Bernie Philbrick <bern@hampdenmaine.gov>

Cc: Susan Lessard <manager@hampdenmaine.gov>

Mr. Philbrick,

There are no recall provisions in the Town of Hampden.

Denise R. Hodsdon, CMC
Town Clerk
Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

[Quoted text hidden]

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, May 21, 2012

Attending:

Mayor Janet Hughes	Councilor Andre Cushing
Councilor Shelby Wright	Councilor Kristen Hornbrook (6:10 p.m.)
Councilor Tom Brann	Town Manager Susan Lessard
Councilor Jean Lawlis	

The meeting was called to order at 5:45 p.m. by Mayor Hughes.

1. Minutes – 4/23/2012 and 5/7/2012 Meetings – The minutes of the two meeting dates were reviewed and approved with no changes.
2. Review & Signature of Warrants – Payment warrants were reviewed by Committee members and signed
3. Financial Statements – April – The Town Manager presented the April financial statements and answered questions about them.
4. Old Business
 - a. Survey Questions for Community Survey – Ideas given for topics of the survey
 1. District/at large Councilor
 2. Where do you get your information about the Town?
 3. Services – ranked by priority
 4. Recreation/Pool
 5. Transfer station/curbside pickup
 6. Hampden Academy re-use
 7. Service improvements
 8. What type of industry should be recruited for Hampden?
The Town Manager will compile the lists from each committee and bring it back to the Council for decisions on what should be included.
5. New Business
 - a. Begin Review of Town Charter – Discussion postponed until next meeting
 - b. Planning & Development Recommendation – Cost Estimate to finish Business Park (This item was added to the agenda at the beginning of the meeting at the request of Mayor Hughes)
The purpose of this item was to discuss the recommendation of the Planning & Development Committee to spend up to \$2,500

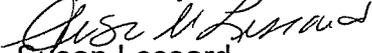
for a cost estimate to complete the infrastructure build out for the business park. Having this knowledge would allow the Council to make a more informed decision about whether or not to market the remainder of the park as a single unit or to seek to finish the infrastructure so that individual lots can be sold. The source of the monies would be paid from Business Park Revenue – which this year are monies paid by Central Maine Diesel for the lot that they purchased. Councilor Hornbrook requested that information be provided to the Council regarding that revenue account. This item is for reference since the funding source is not a reserve account and the amount requested is less than the \$10,000 bid amount threshold.

6. Public Comment - None

7. Committee Member Comments – None – The Town Manager notified those in attendance that she would be staffing the Services Committee for the next several months to better understand how the staff and the Committee could work better together.

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

Respectfully submitted,



Susan Lessard

Town Manager

EDYTHE L. DYER COMMUNITY LIBRARY
BOARD OF TRUSTEES' MEETING
MARCH 14, 2012
MINUTES

A-4-b

A. Call to order: The meeting of the Board of Trustees of the Edythe L. Dyer Community Library was held at the Edythe L. Dyer Community Library, Hampden, Maine on March 14, 2012. The meeting convened at 7:00 am, Mark Russell presiding, Debbie Lozito recording secretary.

Members present: Debbie Lozito (ex officio), Tony Mourkas, John Skehan, Richard Jenkins, Dave Barrett, Yvonne Lambert, Mary Ann Bjorn, Ruth Stearns, Cheri Condon, Mark Russell

Members absent: Don Desmarais

B. Approval of minutes: Motion was made by Mary Ann and Dave seconded to approve the minutes of the January 11, 2011 meeting. Motion carried.

C. Library reports:

Fees and fines

Morgan Stanley Smith Barney

Circulation Tony pointed out that year to date circ numbers are incorrect, Debbie will fix them.

Director

D. New Business

1. appointment of a nominating committee Mark, Dave, Mary Ann
2. policy work—library card policy tabled

Adjournment: The meeting was adjourned at 8:19 a. m.
The next meeting is scheduled for May 9, 2012.

Debbie Lozito


Recording Secretary

Date of approval



C-1-a
d
C-1-b

TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner *RO*
SUBJECT: Planning Board Recommendation on Draft Zoning Ordinance Text Amendment to Create a Waterfront 1 District Referral Item.
DATE: May 10, 2012

Please be advised that the Hampden Planning Board at their May 9, 2012 meeting voted unanimously to return the attached Zoning Ordinance text amendment and map amendment to the Town Council with an ought to pass recommendation. The Board held public hearings on the proposed amendments at their April 11, 2012 meeting and the only public comment was from Town Staff. Subsequently the item was sent to the Planning Board Ordinance Committee at their meeting on May 9, 2012. The committee recommended two modest changes to the text amendment which the full Board included with their ought to pass recommendation.

First they proposed that the citation in Article 3.16.5.2 be clarified that it is referring to *MRSA Title 28-A Section 1051(3)* (State law governing serving of alcoholic beverages for outdoor restaurants).

Second, they proposed that Article 3.16.5.4 be added to clarify the access requirements of new lots in the district (given that this area lacks town streets):

4. *All new lots in the district are to be served by and have access to a paved right-of-way leading to a public way. Such right-of-way shall be dimensionally adequate to accommodate two-way traffic and utility services.*

Regarding the map amendment it should be noted that there are three parcels that are proposed to be changed from Commercial Service District to Waterfront 1 District. They are Tax Map 19, Lots 31 and 31-A and Tax Map 28, Lot 17-A.

5/21/2012 - Introduced for Public Hearing

TOWN OF HAMPDEN

Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

3.16. Waterfront 1 District

3.16.1. Purpose - This district is intended for the location of a wide variety of water dependent and water related uses as well as commercial retail and service uses. In general this area is devoted to uses that are consistent with the Shoreland Zoning General Development uses. Furthermore it is recognized that limited land area is available for such uses thus innovative development standards are required.

3.16.2. Permitted Uses (Subject to Site Plan Review) - Any retail or service business, boat sales, service and storage, hotel and motels, business or professional offices, take-out restaurant, small restaurant, sit-down restaurant, place of assembly, outdoor recreation and accessory uses or structures. Essential service and buildings for essential service.

3.16.3. Conditional Uses (Subject to Site Plan Review) - Outdoor dining restaurant, tavern, bar, dance hall, commercial school. Functionally water-dependent uses along the Penobscot River. Any establishment which provides in excess of 5,000 square feet of outdoor display or storage of goods or equipment. Stockpiles (subject to Article 4.9) not accessory to excavation, gravel pit and quarry activities.

3.16.4. Lot Dimensions

<u>Minimum Lot Area</u>	-	<u>20,000 sq. ft.</u>
<u>Minimum Road Frontage</u>	-	<u>none</u>
<u>Minimum Setbacks:</u>		
<u>Street Yard</u>	-	<u>10 feet</u>
<u>Other Yards</u>	-	<u>10 feet</u>
<u>Maximum Ground Coverage</u>	-	<u>50 percent</u>
<u>Maximum Building Height</u>	-	<u>35 feet</u>

3.16.5. Special District Regulations

1. Notwithstanding the maximum building height regulations in Article 3.16.4. building height may be up to 50 feet under the following standards. Buildings in excess of 35 feet in height shall provide additional setbacks on all yards as herein stipulated: Subtract 35 feet from the proposed building height and add that difference to each yard setback requirement.

EXAMPLE: A 48 foot tall building is proposed. By subtracting the base Commercial Service District maximum building height from the proposed height the following is the result $48' - 35' = 13'$.

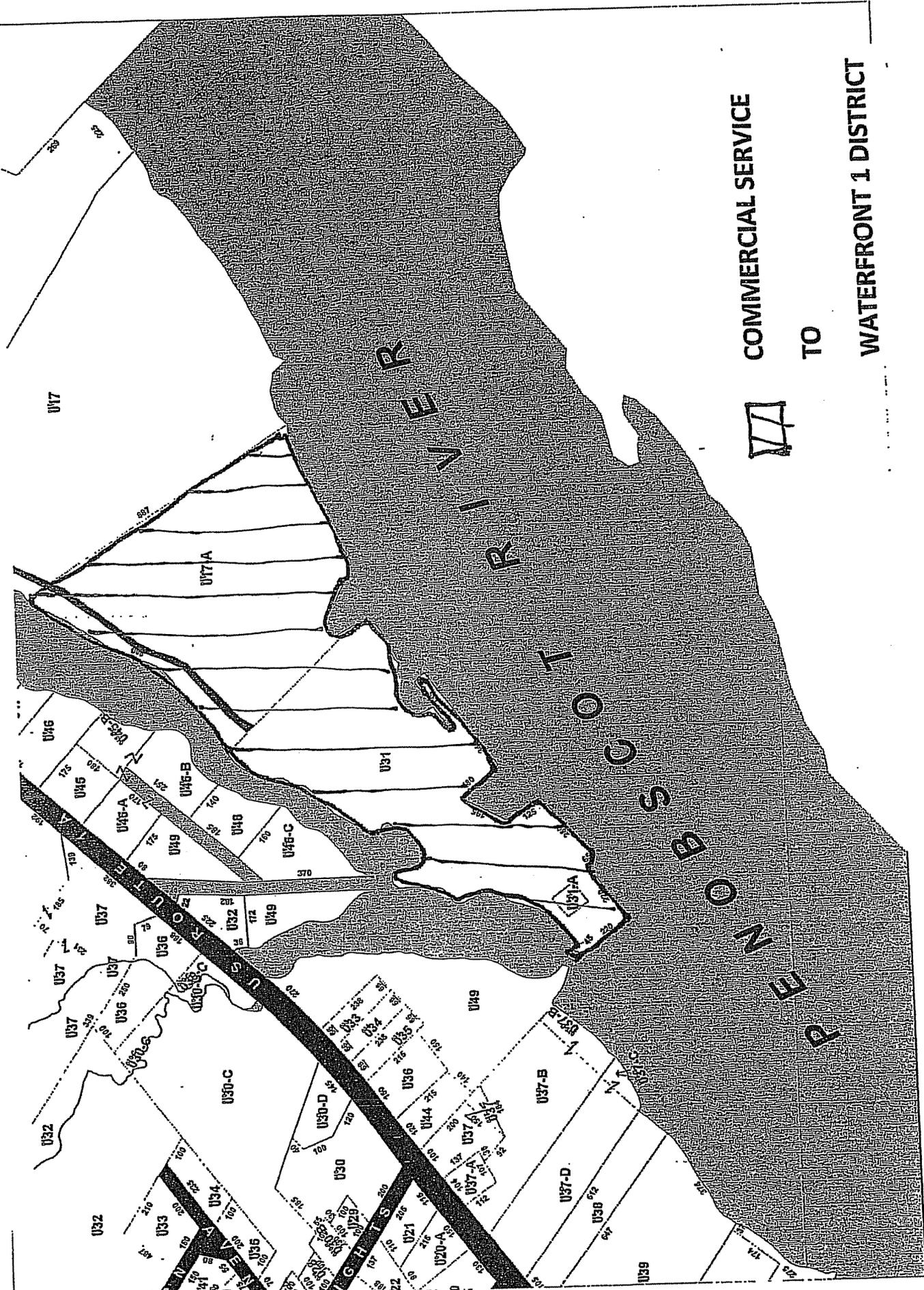
Then add that amount to each yard or setback.

<u>Setback Type</u>	<u>Base Setbacks:</u>	<u>Total Setback</u>
<u>Street Yard</u>	<u>- 10 feet</u>	<u>23 feet</u>
<u>Other Yard</u>	<u>- 10 feet</u>	<u>23 feet</u>

2. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. Title 28-A Section 1051(3). Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. Title 28-A: LIQUORS §1051. Licenses generally which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers.

3. Notwithstanding the maximum building height regulations buildings used for functionally water-dependent uses along the Penobscot River are not subject to the maximum building height standard in Article 3.16.4. or 3.16.5.1. provided the lot area for such a use is at least five acres in size.

4. All new lots in the district are to be served by and have access to a paved right-of-way leading to a public way. Such right-of-way shall be dimensionally adequate to accommodate two-way traffic and utility services.



COMMERCIAL SERVICE

TO

WATERFRONT 1 DISTRICT

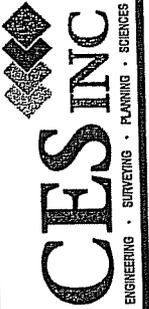
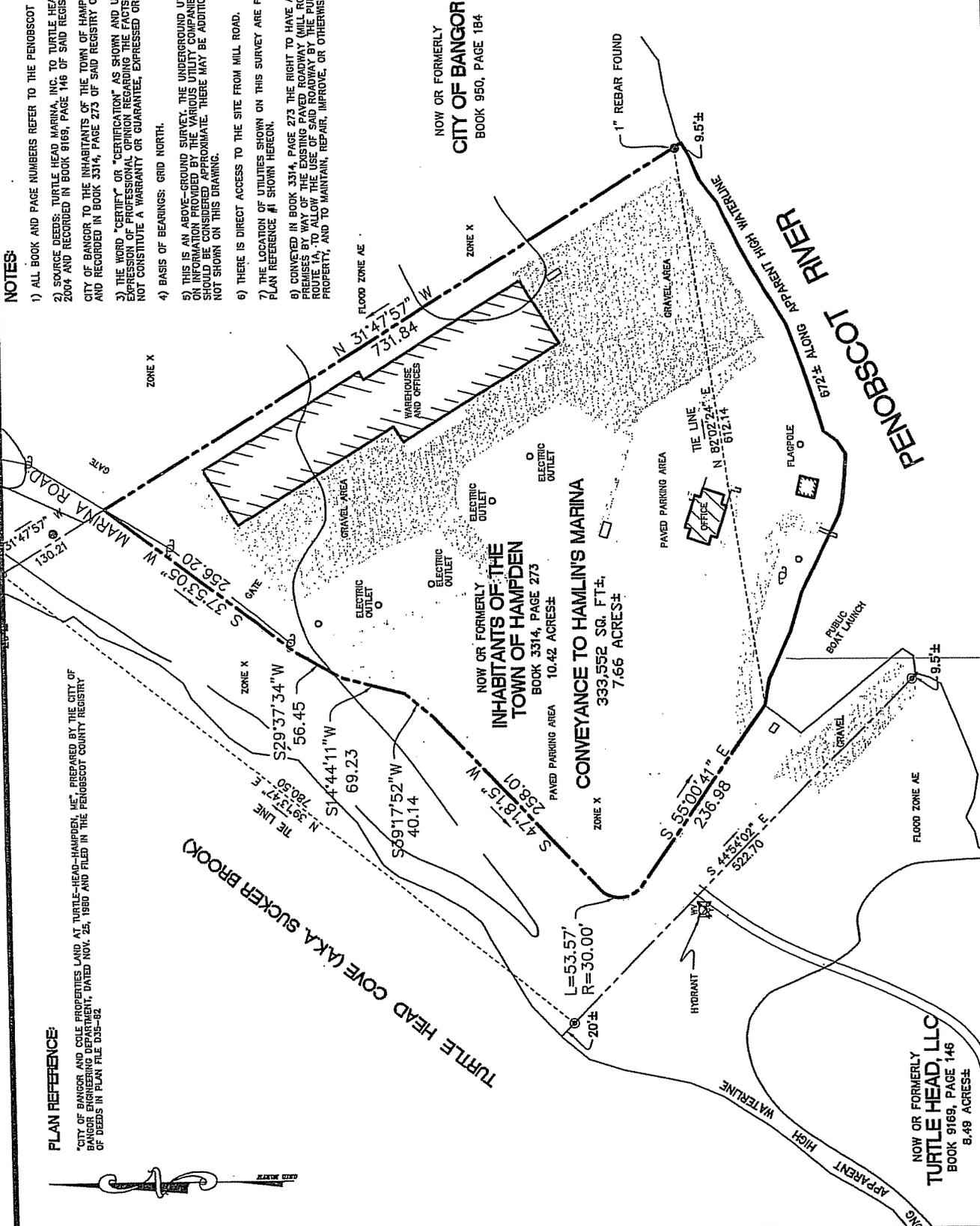


PLAN REFERENCE:

"CITY OF BANGOR AND COLE PROPERTIES LAND AT TURTLE-HEAD-HAMPDEN, ME", PREPARED BY THE CITY OF BANGOR ENGINEERING DEPARTMENT, DATED NOV. 25, 1980 AND FILED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN PLAN FILE D35-82

NOTES:

- 1) ALL BOOK AND PAGE NUMBERS REFER TO THE PENOBSCOT COUNTY REGISTRY OF DEEDS.
- 2) SOURCE DEEDS: TURTLE HEAD MARINA, INC. TO TURTLE HEAD, LLC, DATED JANUARY 21, 2004 AND RECORDED IN BOOK 9169, PAGE 146 OF SAID REGISTRY OF DEEDS.
- CITY OF BANGOR TO THE INHABITANTS OF THE TOWN OF HAMPDEN DATED JUNE 23, 1982 AND RECORDED IN BOOK 3314, PAGE 273 OF SAID REGISTRY OF DEEDS.
- 3) THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- 4) BASIS OF BEARINGS: GRID NORTH.
- 5) THIS IS AN ABOVE-GROUND SURVEY. THE UNDERGROUND UTILITIES, IF SHOWN, ARE BASED ON INFORMATION PROVIDED BY THE VARIOUS UTILITY COMPANIES. THESE LOCATIONS SHOULD BE CONSIDERED APPROXIMATE. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES NOT SHOWN ON THIS DRAWING.
- 6) THERE IS DIRECT ACCESS TO THE SITE FROM MILL ROAD.
- 7) THE LOCATION OF UTILITIES SHOWN ON THIS SURVEY ARE FROM VISIBLE EVIDENCE AND PLAN REFERENCE #1 SHOWN HEREON.
- 8) CONVEYED IN BOOK 3314, PAGE 273 THE RIGHT TO HAVE ACCESS TO THE SUBJECT PREMISES BY WAY OF THE EXISTING PAVED ROADWAY (MILL ROAD) TO THE SUBJECTS FROM ROUTE 1A, TO ALLOW THE USE OF SAID ROADWAY BY THE SUBJECTS FOR ACCESS TO THE PROPERTY, AND TO MAINTAIN, REPAIR, IMPROVE, OR OTHERWISE USE THE ROADWAY.



DWG: 1 OF 1
 BY: JAT
 DATE: 10-13-2011
 REV: 5479
 REV DATE: 1"=150'

TOWN OF HAMPDEN TO HAMLIN'S MARINA
 TOWN OF HAMPDEN
 PROPERTY CONVEYANCE EXHIBIT

NOW OR FORMERLY
TURTLE HEAD, LLC
 BOOK 9169, PAGE 146
 8.48 ACRES

GENERAL ASSISTANCE ORDINANCE APPENDICES A-C 2012-2013

The Municipality of Hampden adopts the MMA Model Ordinance GA Appendices (A-C) for the period of July 1, 2012 – June 30, 2013. These appendices are filed with the Department of Health & Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the 4th day of June, 2012 by the municipal officers:

Print name

Signature

Appendix A

Effective: 07/01/12-06/30/13

Amend the Town/City of Hampden General Assistance Ordinance to incorporate the following maximum levels of assistance to be effective on and after July 1, 2012, as follows:

GA Overall Maximums**Metropolitan Areas****Persons in Household**

COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	550	641	818	1040	1174
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	561	563	676	845	1036
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	471	590	720	912	1010
Portland HMFA: Cape Elizabeth, Casco, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	731	868	1124	1416	1517
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	912	918	1100	1603	1746
Cumberland County HMFA: Baldwin, Bridgton, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	607	715	922	1101	1410
Brunswick	608	727	939	1190	1427

Appendix A

Effective: 07/01/12-06/30/13

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	723	724	869	1095	1504
York County HMFA: Acton, Alfred, Arundel, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Shapleigh, Waterboro, Wells Biddeford, Saco, Sanford	661	688	873	1045	1141
	668	744	938	1190	1407

*Note: Add \$68 for each additional person.

Non-Metropolitan Areas**Persons in Household**

COUNTY	1	2	3	4	5*
Aroostook County	428	527	631	824	912
Franklin County	530	572	696	832	1079
Hancock County	579	668	822	1094	1125
Kennebec County	459	550	684	933	996
Knox County	524	693	791	1071	1236
Lincoln County	633	680	821	991	1118
Oxford County	642	588	678	902	1130
Piscataquis County	550	627	775	984	1053
Somerset County	440	547	632	914	970
Waldo County	617	662	798	979	1041
Washington County	530	572	683	846	923

* Please Note: Add \$68 for each additional person.

Appendix B

Effective: 07/01/12 to 06/30/13

Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through June 30, 2013, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	42	180
2	77	330
3	110	473
4	140	601
5	166	714
6	189	857
7	220	947
8	252	1,082

Note: For each additional person add \$135 per month.

Appendix C

Effective: 07/01/12-06/30/13

GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (*See Instruction Memo for further guidance.*)

Non-Metropolitan FMR Areas

<u>Aroostook County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		59	257	76	326
1		72	309	93	401
2		81	347	110	473
3		108	465	145	624
4		108	465	156	671
<u>Franklin County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		86	367	97	419
1		87	376	104	444
2		103	442	125	536
3		121	520	149	637
4		155	667	194	837
<u>Hancock County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		95	406	107	461
1		105	453	122	524
2		117	501	140	601
3		172	738	201	863
4		172	738	201	863
<u>Kennebec County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		71	305	83	355
1		84	359	99	424
2		102	436	122	526
3		143	617	170	730
4		143	617	177	763

Appendix C

Effective: 07/01/12-06/30/13

Non-Metropolitan FMR Areas

<u>Knox County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	85	365	96	414	
1	113	487	129	553	
2	123	531	145	622	
3	172	739	198	853	
4	188	809	227	975	
<hr/>					
<u>Lincoln County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	107	462	119	511	
1	111	475	126	541	
2	130	557	150	648	
3	155	667	182	781	
4	155	667	182	782	
<hr/>					
<u>Oxford County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	68	289	79	340	
1	91	391	106	458	
2	99	425	121	519	
3	136	583	163	700	
4	166	713	204	880	
<hr/>					
<u>Piscataquis County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	86	372	100	431	
1	93	397	113	485	
2	111	474	139	597	
3	141	608	176	760	
4	141	608	185	793	
<hr/>					
<u>Somerset County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	67	287	78	338	
1	82	354	98	421	
2	93	399	114	493	
3	139	595	166	712	
4	139	595	172	739	

Non-Metropolitan FMR Areas

<u>Waldo County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		104	447	115	497
1		107	459	122	525
2		125	537	146	628
3		153	656	179	770
4		153	656	186	803

<u>Washington County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		84	362	97	417
1		86	369	102	439
2		97	419	121	518
3		121	518	149	642
4		121	518	158	680

Metropolitan FMR Areas

<u>Bangor HMFA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		86	372	100	428
1		95	410	114	493
2		119	512	146	628
3		153	657	186	802
4		158	680	207	889

<u>Penobscot County HMFA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		89	382	103	442
1		89	382	103	442
2		90	386	118	509
3		113	484	148	636
4		131	560	181	779

<u>Lewiston/Auburn MSA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		75	321	86	371
1		93	401	108	466
2		111	475	131	566
3		141	606	167	720
4		144	618	183	784

Appendix C

Effective: 07/01/12-06/30/13

Metropolitan FMR Areas

<u>Portland HMFA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	128	550	139	599	
1	149	644	165	709	
2	193	830	214	921	
3	244	1049	270	1163	
4	247	1062	286	1230	
<u>York/Kittery/S. Berwick HMFA</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	153	656	164	706	
1	153	656	164	706	
2	172	741	194	832	
3	260	1117	286	1231	
4	270	1160	309	1326	
<u>Cumberland County HMFA</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	100	431	112	481	
1	118	507	133	572	
2	150	648	172	739	
3	178	765	204	879	
4	225	966	264	1134	
<u>Sagadahoc County HMFA</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	126	543	138	592	
1	126	543	138	592	
2	140	600	161	691	
3	167	718	194	833	
4	244	1050	283	1216	
<u>York County HMFA</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	113	487	125	536	
1	113	487	127	547	
2	140	605	162	696	
3	167	716	193	830	
4	169	726	208	893	

**Sample General Assistance Program Ordinance Amendment to Incorporate the FY 2013
“Temporary” Housing Assistance Limit**

Amend Article VI, Section 6.8 (B) of the General Assistance Ordinance adopted by the municipal officers in the Town/City of HAMPDEN, to be effective on and after July 1, 2012, as follows:

- B) **Housing.** The administrator will provide assistance with rent or mortgage payments that are reasonable ~~and/or~~ within the allowed maximum levels and in accordance with the housing assistance limits and exceptions provided in Title 22, section 4308, subsections 1-A and 1-B. See Appendix C of this ordinance for the current year’s housing maximums. It is the applicant’s responsibility to find suitable housing, although the administrator may help the applicant find housing when appropriate. The administrator will inform the applicant of the allowed housing maximums to assist the applicant in his or her search for housing. The allowed maximum for any applicant will be the categorical housing maximum representing the minimum dwelling unit space necessary to adequately shelter the applicant household. Applicants requesting assistance for housing that contains more bedrooms than are necessary for the number of household members will be provided assistance according to the maximum level of the number of rooms actually needed.