



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

OCTOBER 17th, 2016

7:00 P.M.

• **6:00 pm – Finance & Administration Committee Meeting**

A. PLEDGE OF ALLEGIANCE

B. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

a. October 3rd, 2016 Council Meeting minutes

3. COMMUNICATIONS

- a. Correspondence from MaineDOT regarding statutory changes affecting allowable placement and timing of signage including campaign signs
- b. Correspondence from Green & Healthy Maine Homes
- c. Correspondence from Maine Revenue Services with proposed 2017 State Valuation for Hampden in the amount of \$630,500,000
- d. Treasurer's Report from Hampden Children's Day Committee

4. REPORTS

- a. Planning & Development Committee Minutes – None
- b. Finance & Administration Minutes – September 19th, 2016
- c. Infrastructure Committee Minutes – None
- d. Services Committee Minutes – August 8 and September 12, 2016

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

AGENDA

C. PUBLIC COMMENTS

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS - None

- a. Announcement of receipt of grant funding from Northern Maine Rural Collaborative – Partnership in Community Health Grant for new trail signage at Dorothea Dix Park and Turtle Head Marina Park
- b. Announcement of receipt of grant funding from Eastern Maine Development Corporation for Broadband Feasibility Pilot Project

2. PUBLIC HEARINGS

3. NOMINATIONS – APPOINTMENTS – ELECTIONS –

- a. Update on the status of absentee ballot processing

4. UNFINISHED BUSINESS

- a. Update on the status of initiative to pursue site survey, engineering and DEP permitting for potential additional parking and athletic fields at the Lura Hoit Pool site – Angus Jennings, Town Manager

5. NEW BUSINESS

- a. Council review and approval of proposed FY17 Service Charges – recommended by Kelly Karter, Tax Assessor
- b. Consideration of proposed Council Order 2016-03 establishing Confined Space Entry Policy – recommended by DPW Director Currier
- c. Consideration of the proposed Business Park TIF professional fee reimbursement agreement – referral from Planning & Development Committee
- d. Consideration of the proposed Business Park TIF professional scope of services – referral from Planning & Development Committee

AGENDA

- e. Consideration of proposed allocation of up to \$15,000 in Emera TIF funds to support an economic market study – referral from Finance Committee
- f. Consideration of proposed amendments to Driveway/Entrance Culvert Policy – referral from Infrastructure Committee
- g. Request for referral to public hearing a proposed amendment to the Outdoor Facilities Ordinance to prohibit “vaping” – referral from Services Committee
- h. Request for authorization to use up to \$5,000 in funding from the Emera TIF for the purpose of providing matching funds for the broadband grant.
- i. Application for a renewal liquor license for Best Western White House Inn
- j. Application for a renewal liquor license for Pizza Gourmet

e. COMMITTEE REPORTS

f. MANAGER'S REPORT

g. COUNCILORS' COMMENTS

h. ADJOURNMENT

B-2-a



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

OCTOBER 3RD, 2016

7:00 P.M.

• 6:00 pm – Finance & Administration Committee Meeting

Attending:

*Mayor Ryder
Councilor Sirois
Councilor McPike
Councilor Wilde
Councilor Marble
Councilor Cormier
Councilor McAvoy*

*Town Manager Angus Jennings
Town Attorney Ed Bearor
Recording Clerk, Gigi Dubey
Members of the Public*

Mayor Ryder called the meeting to order at 7:00 p.m.

- A. PLEDGE OF ALLEGIANCE – *Mayor Ryder led the Pledge of Allegiance*
- B. CONSENT AGENDA – *Councilor McAvoy asked to pull item 3C from the Consent agenda. Upon consensus by fellow councilors of the removal of that item, Councilor Marble made a motion to accept the remainder of the Consent Agenda. Councilor Sirois seconded the motion. Unanimous vote in favor. At this point, Councilor McAvoy read an email sent to him from Keith Bourgojn. He thanked him for the email and responded to points within it, citing his use of public service announcements via automated calls. He corrected his own reference to the additional fields as being for Bronco soccer only, and cited a reference to the 2015 recreation plan in which the need for additional field space was discussed. At the conclusion of the reading, and by consent, Councilor McAvoy read from an email from Scott Ishmael with questions on the costs and the project. Councilor McAvoy stated that there are no public documents, no financials, and there is not even a clear approval yet from DEP.*

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. September 19th, 2016 Council Meeting minutes

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

3. COMMUNICATIONS

- a. Notification of Outdoor Wood-Fired Boiler renewal applications
- b. Notification to Town Council and Tax Assessor of the Proposed 2017 State Valuation
- c. Correspondence to Council from Keith Bourgoin regarding proposed recreation fields and pool site parking improvements
- d. Correspondence to Council from Charlie & Nancy Hamilton regarding proposed recreation fields and pool site parking improvements
- e. Hampden Town Council Rules

4. REPORTS

- a. Planning & Development Committee Minutes – September 7th, 2016
- b. Finance & Administration Minutes – September 8th, 2016
- c. Infrastructure Committee Minutes – None
- d. Services Committee Minutes – None

C. PUBLIC COMMENTS – *Jeremy Jones of the Partridge Rd. approached the podium and thanked the council for their hard work and dedication. He discussed the increases in taxes stating that many may not be able to continue living in Hampden if they keep going up. At this time Hampden is currently 28.5 million in debt. His opinion is that the town needs to control spending when it is other people's money and make sure it is based on needs and not wants. There were no other requests for comment other than from Manager Jennings who wanted to clarify that of the 28.5 million, 22.2 million is the RSU's debt, and 90% of that will be paid by the state. Although that portion of debt belongs to the school, our auditor requires the town to report it as total debt.*

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS - None

2. PUBLIC HEARINGS

- a. For consideration of the proposed Zoning Ordinance Amendment to Section 4.8.14 Off-Premise Signs – referred by Council on September 19th, 2016 – *Mayor Ryder opened the public hearing and asked for a motion. Councilor Sirois made a motion to accept the proposed Zoning Ordinance amendment as referred by Council on Sept. 19th. Councilor*

Wilde seconded the motion. Jeff Rawcliff was recognized by Mayor Ryder who approached the podium and questioned if this involved the marina, and asked the location of the sign in question. Manager Jennings stated that the Council's policy objective is simply to allow for off premise signs as the ordinance doesn't allow it. There is an interest in being able to get improved signage for the marina and to highlight two existing businesses by the use of off premise signs. He stated that other objectives are the location of the sign and how to pay for it. Mr. Rawcliff asked if the location would require a public hearing to which Manager Jennings stated it did not, that was a permit process but he was aware of his concern and would keep him informed. At this time the public hearing closed and the motion was brought to vote. Unanimous vote in favor.

- b. For consideration of the proposed Zoning Ordinance Amendment to Section 5.3.1 Building Permits – referred by Council on September 19th, 2016 – *Mayor Ryder opened the public hearing and stated that this will eliminate the need for a permit for a building under 200 square feet and also increase the time a permit is valid from 6 months to one year. Councilor Sirois made a motion to approve the amendment to the Zoning Ordinance under 5.3.1 Building Permits as referred by Council on Sept. 19th. Councilor Wilde seconded the motion. There was no public comment and the hearing closed. Unanimous vote in favor.*

3. NOMINATIONS – APPOINTMENTS – ELECTIONS –

- a. Nomination of Councilor McPike to the MRC Board of Directors – referral from Finance & Administration Committee – *Councilor Sirois stated that in committee two possible nominees were discussed, Councilors Wilde and McPike. It was decided to nominate Councilor McPike. Councilor McPike stated that his name would be entered as a possible candidate among all 158 towns. Councilor Marble informed the public that staff and the attorney worked on whether or not this would be a conflict of interest for a Councilor to sit on this board and it is not. Councilor Wilde stated he fully supports the nomination of Councilor McPike. There was unanimous consent to ratify the decision of the committee to nominate Councilor McPike.*

4. UNFINISHED BUSINESS

5. NEW BUSINESS – *Mayor Ryder requested acting on Items A, C and E in one item for the sake of time. He stated this was discussed in Finance Committee*

and by a vote of 4-3, was determined that there was no conflict of interest. Councilor McAvoy cited C-1, Section 3.5 of the Ethics Ordinance as the reasoning for placement on the agenda and that based upon his reading of the Ethics Ordinance, there is a conflict of interest with Councilor Sirois and that there is no evidence of any disclosure form signed by him. Councilor McAvoy further stated that at a recent Services Committee meeting with representatives from Bronco travel soccer, Nicole Sirois, President of the soccer committee confirmed her relationship to Councilor Sirois. Councilor McAvoy stated he wanted to raise the question and have this matter voted on in the Council. He has no objection to voting the three items as one item. Lisa Carter was recognized and approached the podium to inquire what the disclosure form was. Manager Jennings explained that this was a part of the charter and that as a housekeeping measure, the clerk was obtaining these signed forms. In July Councilors were provided a list of the town vendors as a part of it. She then offered scenario as to when this might be utilized, and Manager Jennings agreed with the rationale she presented stating that he was of the opinion that even perceived conflict should be disclosed. At this time Courtney O'Donnell was recognized and approached the podium. She asked Councilor McAvoy if she was correct in understanding that his concern was not that there was a financial gain to Councilor Sirois, but it was a special interest to which Councilor McAvoy agreed. She stated that her understanding of the disclosure form was that it dealt with money. She then asked Councilor Sirois if he would benefit financially from the proposed fields, to which he answered no and that if he had a special interest, it was so that there would be fields for all kids, including his sons, to play on. Ms. O'Donnell questioned the use of the fields by other teams which was affirmed. Jeremy Jones was recognized and approached the podium stating that he does not necessarily see a financial interest, the question is more about the benefit of the fields. He stated that it feels as though this project is being rushed through without going through all the steps needed and that this is why it appears as a conflict. Keith Bourgoin was then recognized and approached the podium. He stated that it appears that Bronco travel soccer's name is being attached to this potential project which is inaccurate. As the treasurer of the non-profit he can attest that there are no contracts with the Town to build fields for them, there is no monetary gain to the soccer club and they understand that in the future if the fields were built, there would be user fees paid to the Town of Hampden. The only agreement is the use of the current fields as they have been. Scott Carter was recognized and approached the podium asking if a perceived conflict exists with a Councilor, are they allowed to vote. Attorney Bearor stated that the normal course would be that the Councilor would abstain from the vote. Discussion followed between Councilors regarding the differing views of what constitutes a conflict and also the status of the H.O. Bouchard fields. Mark Gary was recognized and approached the podium stating that he believes perception is us vs them and that in his opinion the affiliate programs handle recreation programs that the Recreation Department cannot handle and supports additional fields. This concluded the discussion and Mayor Ryder called for a motion on the conflict of interest.

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- a. Request for Councilor disclosure statements for any potential or perceived conflict or special interest under Section 3.5.F.3 Code of Ethics Ordinance- requested by Councilor McAvoy – *Councilor McAvoy made a motion that the Town Council deem that Councilor Sirois has a conflict of interest. Councilor Cormier seconded the motion. Councilor McAvoy and Councilor Cormier voted in favor of the motion. Councilor Marble, Councilor Wilde, Councilor McPike and Mayor Ryder voted in opposition. Councilor Sirois abstained. Motion carries. (Items A, C and E voted as a block)*
- b. Consideration of request for authorization for cutting, stumping, grinding, permitting and site preparation on the Lura Hoit Pool site for the purpose of additional recreational fields and parking – referral from Services Committee and Finance & Administration Committee - *Lisa Carter was recognized and approached the podium stating that town needs to find out what DEP will approve and then move on from there suggesting that the current fields can be repaired in the off season. Mayor Ryder limited debate and suggested a change to the agenda item B, making a motion to move forward with the DEP permit, the survey and stormwater plan; just those three things not to exceed \$80,000 and go from there. Resident Bob McCrowski approached the podium and inquired if the project will go out to bid. Mayor Ryder stated that they would seek the lowest price for the project. Jeremy Jones approached the podium clarifying that the parking issue at the pool site was discussed last year and \$30,000 was a suggested starting point. Mayor Ryder confirmed that was the reason \$30,000 was put in reserve. Mr. Jones stated the town should start with the parking issue and develop a plan for the rest. Discussion followed with Mayor Ryder explaining the process of researching v various potential locations, and clarifying that cutting trees for parking and/or fields was not clear cutting. He re-iterated that he felt the will of the public was to find out what is ahead and thus the reason for his suggested motion. James Lee approached the podium and stated that the project will create a tax burden for the town and feels there should be other options. Discussion followed regarding the tentative quotes obtained and the scope of those quotes. Mayor Ryder stated that if the public knows of other property or has other ideas to bring them forward. Lisa Carter approached the podium and questioned why the motion was up to \$80,000.00 if that is beyond the \$30,000 needed for DEP permitting. Mayor Ryder and Manager Jennings explained the need for survey, stormwater design and engineering and other DEP requirements that may cost beyond the \$30,000. Mayor Ryder explained that the other \$50,000 was already budgeted for which is the reason his motion was up to the \$80,000. Councilor Marble asked amending the agenda item was procedurally correct, to which*

MINUTES

Manager Jennings stated it was permissible as it was not outside of the entire scope of the item. Attorney Bearor concurred. Councilor McPike addressed the public by stating that this concept has been discussed in both Services and Finance committees, and these meetings are public and posted. The funds being discussed were already approved. Councilor Sirois made a motion to authorize the cutting, stumping, grinding, permitting and site preparation on the Lura Hoit Pool site for the purpose of additional recreational fields and parking as referred by Finance committee. Councilor McAvoy questioned the motion on the floor. Mayor Ryder stated that his motion never received a second. Councilor McPike seconded the motion made by Councilor Sirois. Councilor McAvoy, Councilor Cormier and Councilor Wilde voted in opposition. Councilor Marble, Councilor McPike, Councilor Sirois and Mayor Ryder voted in favor. Motion carries.

- c. Request for Councilor disclosure statements for any potential or perceived conflict or special interest under Section 3.5.F.3 Code of Ethics Ordinance- requested by Councilor McAvoy - *Councilor McAvoy made a motion that the Town Council deem that Councilor Sirois has a conflict of interest. Councilor Cormier seconded the motion. Councilor McAvoy and Councilor Cormier voted in favor of the motion. Councilor Marble, Councilor Wilde, Councilor McPike and Mayor Ryder voted in opposition. Councilor Sirois abstained. Motion carries. (Items A, C and E voted as a block)*
- d. Request for authorization to use Recreation Area reserve funds, (account 3-767-00), for the purpose of site work for additional recreational fields (up to \$50,000) and wetlands delineation and DEP permitting for additional parking (up to \$30,000), both at the Lura Hoit Pool site – referral from Finance & Administration Committee – *Mayor Ryder stated that this was not discussed in Finance & Administration so could not be considered during Council.*
- e. Request for Councilor disclosure statements for any potential or perceived conflict or special interest under Section 3.5.F.3 Code of Ethics Ordinance- requested by Councilor McAvoy - *Councilor McAvoy made a motion that the Town Council deem that Councilor Sirois has a conflict of interest. Councilor Cormier seconded the motion. Councilor McAvoy and Councilor Cormier voted in favor of the motion. Councilor Marble, Councilor Wilde, Councilor McPike and Mayor Ryder voted in opposition. Councilor Sirois abstained. Motion carries. (Items A, C and E voted as a block)*
- f. Request for Council waiver of the bid procedure guidelines for authorized activities at the Lura Hoit Pool site – referral from Finance

MINUTES

& Administration Committee. - *Mayor Ryder stated that this was not discussed in Finance & Administration so could not be considered during Council.*

- g. Council review and approval of proposed FY17 Service Charges – Recommended by Kelly Karter, Tax Assessor - *Mayor Ryder stated that this was not discussed in Finance & Administration so could not be considered during Council.*
- h. Consideration of proposed Council Order 2016-03 establishing Confined Space Entry Policy – recommended by DPW Director Currier - *Mayor Ryder stated that this was not discussed in Finance & Administration so could not be considered during Council.*
- i. Consideration of the proposed Business Park TIF professional fee reimbursement agreement – referral from Planning & Development Committee - *Mayor Ryder stated that this was not discussed in Finance & Administration so could not be considered during Council.*

e. COMMITTEE REPORT

Services: *Councilor McAvoy reported that they have not met since last Council meeting, but the next meeting will be October 11th and everyone is welcome.*

Infrastructure: *Councilor Marble reported that they have not met since last Council meeting but the next meeting will be October 12th.*

Planning & Development: *Councilor McPike reported that at the last meeting they discussed the MRC status update and the market study scope. P & D is in favor of proceeding with the first level of the study. They also discussed Emera and Business Park TIF scopes.*

Finance & Administration: *Councilor Sirois reported that at the last meeting they discussed Roberts Rules of Order regarding motions to reconsider items, borrowing terms for the November 8th referendums, potential conflict of interest items and the possible construction of sports fields and parking.*

f. MANAGER'S REPORT – *Nothing specific to report at this time.*

g. COUNCILORS' COMMENTS

Councilor Wilde stated he has been contacted by tax payers with concerns that the "Swap Shop" is going to be closed in January. He reported to the public that to his knowledge this has not been discussed in Council. He commented on the healthy debate that took place tonight and though it may not be the desired result, it is democracy.

Councilor Marble – reiterated the comment by Councilor Wilde that nothing has been discussed about the transfer station but they will try to get it on the agenda for

MINUTES

Infrastructure with public information and input to do it correctly. He congratulated Reeds Brook Middle School for winning the blue ribbon recognition. He reminded everyone that October is Domestic Violence Awareness month and to always consider those who may not be safe. He then commented on the leadership of the Manager and the Mayor who have invested a lot of time and effort into Hampden and serve the public well.

Councilor McPike – No comment

Councilor Cormier – No comment

Councilor McAvoy – Reminded the citizens to shop local and buy American

Councilor Sirois – No comment

Mayor Ryder – Acknowledged the tough conversation that has taken place tonight and wanted to let the public know that he is not about spending money. He is about trying to improve Hampden beyond today, for his grandkids and yours and everyone else.

- h. ADJOURNMENT – *With no further business, Councilor made a motion, seconded by Councilor Marble to adjourn at 8:45.*

Respectfully Submitted,



Paula A. Scott,
Town Clerk
Gigi Dubey,
Recording Clerk



Paul R. LePage
GOVERNOR

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

B-3-a

Town of Hampden
RECEIVED

David Bernhardt
COMMISSIONER

OCT 03 2016

Office of the
Town Manager

September 2, 2016

Dear Candidate:

It is campaign season again and the Maine Department of Transportation would like to take this opportunity to offer some information regarding the placement of political signs. MaineDOT understands and appreciates the potential impact of strategically placed political signs as well as the substantial investment that candidates make in purchasing these signs.

In the past, Maine sign law allowed political signs to be placed within the public right of way up to 6 weeks prior to an election. During the most recent legislative session, changes were made to the statute to allow non-commercial signage, which includes campaign signs, for only up to 6 weeks during any one calendar year. The new law further states that signs bearing the same or substantially the same message may be placed no closer than 30 feet from one another-- See 23 M.R.S.A. § 1913-A, as amended by P.L. 2015, c. 403. These changes were put into place to conform with a recent Supreme Court ruling and to deal with the public concerns regarding the overall density of signs along the roadway. The most recent law change also requires sign owners to place their name and contact information, as well as the 6 week time frame for which the sign owner intends to have the sign up.

Maine's roadways offer an enormous opportunity to place a great many signs, but there are some areas within the state's roadway system that are off limits to non-commercial signage, including campaign signs. These areas are comprised of the Maine Interstate system, including the Maine Turnpike Authority system, and all the various interchanges and ramps along the interstate system. The Interstate system and its interchanges have been designated as "control of access" areas. The term "control of access" indicates that this section of highway is being controlled from development. Typically no new entrances such as driveways or side roads or the like will be allowed within these sections. All types of signs are restricted in these sections with the exception being the State of Maine may install a sign within a control of access area for the purposes of the highway system. All other types of signs are prohibited within the control of access areas.

There are various reasons for the prohibition of signs within the control of access sections but the main reason is safety. The interstate system and its connecting interchanges are not the only "control of access" areas within Maine's many road ways. There are several control of access sections along Maine routed highways as well. Many of these non-interstate control of access sections are located within some of Maine's busiest roads, such as Rte. 202 in Winthrop and Rte. 3 in South China. Control of access areas may have a very high volume of car and truck traffic as well as a high speed limit that could create a potential hazard for pedestrians attempting to install signs along the roadways.

Here are some questions that campaign personnel may ask regarding the placement of political signs:

How do I recognize a "control of access" section?

- *MaineDOT is continuing the process of installing signs at each of the control of access areas to indicate where the sections begin and end. The signs will provide information such as "C.O.A. Area-No Signs" with arrows indicating which direction the control of access boundaries extend.*

- *Unsigned areas may be recognized by the limited access points into the highway and often a wildlife deterrent fence set 30 to 50 feet off the edge of pavement.*

What will happen to my sign if it has been placed in within a control of access section?

- *MaineDOT personnel have been advised to remove all types of signs from within the control of access areas. Maintenance crews have also been instructed to safely store the signs until the owner of the sign (business, campaign) can be contacted and arrangements can be made for pick up.*

Does MaineDOT enforce these sign placement restrictions state wide?

- *MaineDOT is committed to providing the equitable enforcement of these areas state wide. All signs that are installed within control of access areas will be removed as soon as possible by department personnel.*

What do I need to know about placing my sign along the roadway?

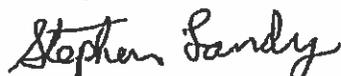
- *The first thing to consider in placement is the safety of the traveling public. Please do not install your signs in an area that will limit sight line of anyone trying to pull out of a side road or driveway. All signs that block a driver's sight distance will be removed for the public's safety. Removed signs will be held at the closest MaineDOT maintenance lot to be picked up by the candidate.*

In summary, when placing political signs, the important areas to remember are the interstate system with the connecting interchanges and ramps, including the Maine Turnpike Authority system, and the control of access areas, these areas are all off limits to all signs, regardless of content or viewpoint. Also, your individual signs can be no closer than 30 feet from one another, and can be put up for only 6 weeks during one calendar year. These signs must contain the owner's contact information and the 6 week time frame for which the sign owner intends for the sign to be up. MaineDOT will continue to provide information as necessary to help individuals with questions.

For more information regarding the appropriate placement of political signs, please contact the Department's Legislative Liaison, Meghan Russo at Meghan.russo@maine.gov or 624-3558.

MaineDOT appreciates your cooperation in this effort.

Sincerely,



Steve Landry
Maine State Traffic Engineer
MaineDOT

B-3-b

Green & Healthy HOMES Maine

Town of Hampden
RECEIVED

OCT 05 2016

Office of the
Town Manager

October 3, 2016

Dear City/Town Clerk:

As a community that offers Maine PACE loans to your residents, we are happy to share with you the enclosed complimentary copies of the fall/winter issue of the *Green & Healthy Maine Homes* magazine to make available for residents who visit City/Town Hall.

Green & Healthy Maine Homes is full of informative articles on energy upgrades that can be used by residents to lower their heating costs.

Thank you for sharing this resource with your town residents. And please let us know if you would like additional copies. The magazine releases twice a year.

Thank you,



Heather Chandler

Publisher, *Green & Healthy Maine Homes*
The SunriseGuide, LLC
80 Elm Street
Portland, ME 04101
207-221-3450

FYI -
I put copies
in the lobby!
dh



STATE OF MAINE
MAINE REVENUE SERVICES
PROPERTY TAX DIVISION
PO Box 9106
AUGUSTA, MAINE
04332-9106

ADMINISTRATIVE & FINANCIAL SERVICES

RICHARD W. ROSEN
COMMISSIONER

MAINE REVENUE SERVICES

JEROME D. GERARD
EXECUTIVE DIRECTOR

September 2016

RECEIVED

SEP 26 2016

Municipal Assessors and Chairman of Board of Selectmen:

RE: Proposed 2017 State Valuation

TOWN OF HAMPDEN ASSESSING DEPT.

Pursuant to 36 M.R.S.A. §208, notice of the proposed 2017 State Valuation of municipalities located in your county is given as shown on the enclosed list. These valuations represent the full equalized value of all taxable property in each municipality as of April 1, 2015 while incorporating sales data primarily from 2014 and 2015.

The valuations listed may be subject to review by the State Board of Property Tax Review pursuant to 36 M.R.S.A., §272. The valuations finally certified to the Secretary of State pursuant to 36 M.R.S.A., §305 shall be used for all computations required by law to be based upon the State Valuation with respect to municipalities.

State Board duties and powers along with the municipal appeal procedures are outlined below.

STATE BOARD OF PROPERTY TAX REVIEW

In accordance with 36 M.R.S.A. §272, the State Board of Property Tax Review shall hear appeals by any municipality aggrieved by the Bureau of Revenue Services' determination of equalized valuation or minimum assessing standards and render its decision based upon the recorded evidence.

Any municipality deeming itself aggrieved shall file a written notice of appeal with the State Board of Property Tax Review within 45 days of its receipt of notification of the Bureau of Revenue Services' decision. The appeal to the Board shall be in writing signed by a majority of the municipal officers and shall be accompanied by an affidavit stating the grounds for appeal. The affidavit must include the municipal officers' sworn statement of the specific grounds for their appeal and bear the officials signatures which must be notarized.

With respect to the affidavit, the Board's Rule 4B Municipal Appeals (2) reads as follows: "The appealing municipality must file with its notice of appeal an affidavit of the municipal officers stating the grounds for the appeal. The affidavit must be meaningful and specific. A mere statement that the state valuation is too high is not sufficient. If a municipality intends to compare its state valuation to neighboring towns or cities, the municipality should list those municipalities in the affidavit. In appeals from assessment quality and ratio decisions of the Bureau of Revenue Services, the municipality must set forth in specific terms the basis for the challenge to the determination." A copy of the appeal and affidavit shall be served on the Bureau of Revenue Services. The Bureau shall have the burden of proving that its determination is correct with respect to that municipality.

The Board shall hear the appeal within a reasonable time of the filing of the appeal by the municipality and shall render its decision no later than January 15th following the date on which the appeal is taken.

The Board shall order notice of hearing and give at least 5 days notice prior to hearing thereof to the municipality and to the Bureau of Revenue Services.

The Board, after hearing, shall have the power to:

1. Raise, lower or sustain the state valuation as determined by the Bureau of Revenue Services with respect to the municipality which has filed the appeal; the decision of the Board shall be final; the valuation thus determined shall be certified to the Bureau of Revenue Services which shall, if necessary incorporate the decision of the valuation certified pursuant to Section 305, subsection 1.
2. Raise, lower or sustain the Bureau of Revenue Services' determination of the municipality's achieved assessing standards and then, if such achieved standards were inadequate under the provisions of this chapter and upon receiving from both the Bureau and the municipality recommended solutions to the inaccurate assessing practices, order the municipality to take the corrective steps the Board deems necessary.

Any party aggrieved by the decision of the Board may appeal pursuant to Rule 80B of the Maine Rules of Civil Procedure. The valuation thus determined shall be certified to the State Tax Assessor who shall, if necessary, incorporate the decision in the valuation certified pursuant to Section 305, Subsection 1.

In the event a municipality's appeal to the Superior or Supreme Judicial Court results in a lowering of the municipality's state valuation, the Treasurer of State shall reimburse with funds appropriated from the General Fund, an amount equal to money lost by the municipality, due to the use by the State of an incorrect state valuation in any statutory formula used to distribute state funds to municipalities.

The Board shall have the power to administer oaths, take testimony, hold hearings, summon such witnesses and subpoena such records, files and documents as it deems necessary for the proper hearing and disposal of the appeal.

The Board shall have the power to promulgate rules and regulations governing procedure before it. The mailing address of the Board is: State Board of Property Tax Review, 49 State House Station Augusta, ME 04333.

Any questions concerning the events and determination of the Proposed 2017 State Valuation should be directed to the Property Tax Division at 624-5600 ext. #1.

Very truly yours,



Mike Rogers
Supervisor, Municipal Services
Property Tax Division

MR:lt
Enclosure

PENOBSCOT COUNTY

**MAINE REVENUE SERVICES
PROPERTY TAX DIVISION**

PROPOSED 2017 STATE VALUATION

MUNICIPALITY		STATE VALUATION
ALTON		\$41,900,000
BANGOR		\$2,554,550,000
BRADFORD		\$64,800,000
BRADLEY		\$111,700,000
BREWER		\$718,900,000
BURLINGTON		\$37,300,000
CARMEL		\$175,500,000
CARROLL PLANTATION		\$23,950,000
CHARLESTON		\$67,300,000
CHESTER		\$80,000,000
CLIFTON		\$73,950,000
CORINNA		\$111,400,000
CORINTH		\$145,150,000
DEXTER		\$217,600,000
DIXMONT		\$87,250,000
DREW PLANTATION		\$4,900,000
EAST MILLINOCKET		\$66,800,000
EDDINGTON		\$170,550,000
EDINBURG		\$8,800,000
ENFIELD		\$152,300,000
ETNA		\$70,550,000
EXETER		\$62,800,000
GARLAND		\$50,500,000
GLENBURN		\$283,900,000
GREENBUSH		\$57,900,000
HAMPDEN		\$630,500,000
HERMON		\$491,900,000
HOLDEN		\$286,350,000
HOWLAND		\$57,800,000
HUDSON		\$97,650,000
KENDUSKEAG		\$76,950,000
LAGRANGE		\$30,200,000
LAKEVILLE		\$68,600,000
LEE		\$57,400,000

RECEIVED

SEP 26 2016

TOWN OF HAMPDEN ASSESSING DEPT

PENOBSCOT COUNTY

**MAINE REVENUE SERVICES
PROPERTY TAX DIVISION**

PROPOSED 2017 STATE VALUATION

MUNICIPALITY	STATE VALUATION
LEVANT	\$159,400,000
LINCOLN	\$294,800,000
LOWELL	\$46,800,000
MATTAWAMKEAG	\$41,650,000
MAXFIELD	\$8,050,000
MEDWAY	\$60,800,000
MILFORD	\$178,350,000
MILLINOCKET	\$165,850,000
MOUNT CHASE	\$36,300,000
NEWBURGH	\$104,450,000
NEWPORT	\$277,050,000
OLD TOWN	\$473,700,000
ORONO	\$425,500,000
ORRINGTON	\$356,350,000
PASSADUMKEAG	\$20,100,000
PATTEN	\$39,150,000
PLYMOUTH	\$77,800,000
SEBOEIS PLANTATION	\$11,250,000
SPRINGFIELD	\$17,800,000
STACYVILLE	\$18,600,000
STETSON	\$90,300,000
VEAZIE	\$231,200,000
WEBSTER PLANTATION	\$7,250,000
WINN	\$21,150,000
WOODVILLE	\$22,050,000
PENOBSCOT NATION	\$9,050,000
UNORGANIZED TERRITORY	\$332,750,000
TOTAL	\$10,765,100,000

Hampden Children's Day Treasurer's Report

September 20, 2016

Katahdin Trust checking account balance is \$19,383.81.

Recent activity:

\$420 in deposits in the memory of Ed Murphy

\$160.39 deposit for water sales @ Hughes Bros

We were reimbursed \$781.77 from The Town of Hampden for the full cost of insurance. We currently do not have any bills due.

Hampden Children's Day Financial Report

	Previous Year Actual	Current Year Actual	NOTES
INCOME			
Fundraising Income			
Bowl-A-Thon	\$1,057.00	\$782.00	
Darling's Ice Cream Truck	\$219.80		
Raffle Tickets	\$6,727.00	\$8,713.00	
Chili Cookoff			
Total Fundraising Income	\$8,003.80	\$9,495.00	
Sales			
Vendor Fees	\$150.00	\$250.00	
Food Sales	\$3,180.15	\$2,354.80	
Business Ads	\$4,650.00	\$4,100.00	
Cake Walk	\$89.00	\$63.00	
Total Program & Event Income	\$8,069.15	\$6,767.80	
Misc Income			
Donations	\$4,575.00	\$900.00	
Sponsorship	\$1,000.00	\$1,000.00	KTC
Donations in memory of Ed Murphy		\$420.00	
Misc Income	\$130.00	\$160.39	Water sales @ Hughes Bros
Total Misc Income	\$5,705.00	\$2,480.39	
TOTAL INCOME	\$21,777.95	\$18,743.19	
EXPENSES (DISBURSEMENTS)			
Fundraising Expenses			
Bowl-A-Thon		\$96.00	
Advertising Brochures	\$1,392.60	\$1,320.00	
Raffle tickets			
Misc Fundraiser Expense	\$0.00		
Total Fundraising Expenses	\$1,392.60	\$1,416.00	
Operating Expenses			
Bank Charges		\$22.20	Checks
Insurance		\$0.00	\$781.77 Pd by Town of Hampden
Office Supplies		\$98.39	
Postage			
Printing Costs		\$231.82	Mailers
Post Office Fee	\$110.00	\$106.00	
Annual Registration	\$35.00	\$35.00	
Total Operating Expenses	\$145.00	\$493.41	
Other Expenditures			
Rentals	\$1,762.58	\$1,699.11	
Food	\$2,040.84	\$1,863.34	
Decorations		\$31.35	
Promotional	\$291.25	\$271.72	Shirts
Other	\$469.83	\$409.98	Mist tent

Hampden Children's Day Financial Report

	Previous Year Actual	Current Year Actual	NOTES
Misc.	\$901.70	\$140.00	Generator
Total	\$5,466.20	\$4,415.50	
Entertainment			
Anah Shrine	\$500.00	\$1,100.00	
Fireworks	\$5,300.00	\$5,300.00	
Juggling Show	\$300.00		
Magic Show	\$300.00		
Parade	\$132.30		
Band	\$0.00	\$300.00	\$400 total / \$100 paid by Devon
Misc Entertainment	\$1,277.00	\$109.93	Glow ropes
Tactical Nerf		\$475.00	\$175 1st 2 hours \$75 each additional hour
Total Programs & Events	\$7,809.30	\$7,284.93	
Committed Funds			
Total Committed Funds			
TOTAL EXPENSES	\$14,813.10	\$13,609.84	
TOTAL INCOME VERSUS EXPENSES	\$6,964.85	\$5,133.35	

INFRASTRUCTURE COMMITTEE MEETING

Monday, August 22, 2016

MINUTES

Attending:

Councilor Dennis Marble, Chair

Mayor David Ryder

Councilor Terry McAvoy

Councilor Mark Cormier

Councilor Stephen Wilde

Councilor Ivan McPike

Acting Town Manager Joe Rogers

DPW Director Sean Currier

Greg Nash (former Public Works)

Rosemary Bezanson (staff)

Chairman Marble called the meeting to order at 6 PM.

1. **MINUTES** – 7/25/2016 Meeting - Motion by Councilor McAvoy seconded by Councilor McPike to approve the July 25, 2016 minutes. 6-0 vote in favor.

2. **OLD BUSINESS**

- a. **Sewer financial report**

DPW Director Currier updated the Committee on the sewer spending and revenue account. It was a unanimous consensus that the account seems on target.

- b. **Sewer rate setting for MRC/Fiberight**

Director Sean Currier summarized the sewer rate and charges for the Fiberight facility. The rate would be \$9.94 per 100 CF. This would include the normal rate of \$ 9.74 per 100 CF plus \$13,917.00 for maintenance of system.

Councilor Wilde has questions on how the rate was calculated and would the rate include the pay back to the general fund.

What is the additional cost from Bangor?

It was discussed that this should be reviewed annually.

Greg Nash stated that this is the first industrial use for Hampden and there were no rates set for this kind of use. This is a whole new classification under sewer users.

It was recommended to the next Finance Committee meeting set for September 8th.

A motion was made by Councilor McPike to refer this item to Finance Committee, seconded by Mayor Ryder. Voted was 5 in favor – 1 against (Councilor Wilde stated he could not support the vote due to unanswered questions and because he would not be present at next Finance Committee meeting.)

3. NEW BUSINESS

Chairman Marble moved item C to be taken up first, since Greg Nash was attending the meeting for this item.

c. Discussion of driveway/culvert policy as related to responsibility for maintenance/repair of driveway underdrains.

Greg Nash stated that in the late 80's and into the 90's a lot of subdivisions were being developed within the town. Most had large ditches, which created problems for the home owners in these subdivisions. Greg was directed by the Council at that time to put in underground drainage and fill in the ditches, which was budgeted over a period of years, and work was completed. Specific roadways or neighborhoods were budgeted in each budget year for several years. Westbrook Terrace was one of those subdivisions.

The current policy does not address the underground drainage.

Director Currier pointed out that Title 52 section 3251 and 3152 defines culverts and drainage.

The cost of 20 George Street, which DPW did repair this summer following the Committee's request, was \$800.00 with 80% being labor.

Mayor Ryder asked how long it would take public works employees to do the driveways in question. Director Currier mentioned it would depend on conditions, but estimated three to four hours with multiple crew and equipment.

There have been 4 requests from neighbors of 20 George Street to date.

Underground drainage is referred to as a close system, whereas culverts are an open system.

Director Currier asked the Infrastructure Committee what the priorities are, the driveways versus the roadways traveled by the public which have culverts that have failed and safety becomes an issue.

Councilor McPike stated that roads are a number one priority.

The Committee was in agreement that the bumps in driveways where underdrain ditches exist need to be fixed. The Committee felt that the culvert policy could remain unchanged.

Director Currier pointed out that based on his conversation with an MMA attorney it was her opinion that bumps in driveways over culverts and underdrains are the responsibility of the resident.

a. Request for reserve funding – Municipal Building Reserve – repair of drainage.

Councilor Wilde made a motion to refer the request of \$840.72 to Finance Committee this was seconded by Councilor McAvoy. Vote was 6-0 in favor of referring this to the Finance Committee.

b. Request for reserve funding – Cemetery Reserve – Grub damage.

Councilor Wilde made a motion to refer the request of \$ 5655.00 to fix the grub problem in the cemeteries to the Finance Committee seconded by Councilor McPike. The vote was 6–0 in favor.

Addendum to the agenda.

3. NEW BUSINESS

d. Request for Cemetery Reserve Funding – to repair fence at Locust Grove Cemetery damaged in a wind storm.

Director Currier submitted a request for \$750.00 to repair a chain link fence damaged at Locust Grove Cemetery.

Councilor McPike made a motion to refer the request to the Finance Committee seconded by Councilor Wilde. The vote was 6-0 in favor.

Motion to adjourn 7:35 PM

*Respectfully submitted –
Rosemary Bezanson, DPW*

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday September 19th, 2016

MINUTES

Hampden Town Office

Attending:

<i>Councilor Greg Sirois, Chair</i>	<i>Town Manager Angus Jennings</i>
<i>Mayor David Ryder</i>	<i>Assessor Kelly Karter</i>
<i>Councilor Ivan McPike</i>	<i>Resident Cynthia Gardella</i>
<i>Councilor Mark Cormier</i>	<i>Resident Janet Hughes</i>
<i>Councilor Terry McAvoy</i>	<i>Resident Nichole Sirois</i>
<i>Councilor Dennis Marble</i>	<i>Resident Paul Phelps</i>
<i>Councilor Stephen Wilde (arr. 6:05)</i>	<i>Other residents (names unknown)</i>

Chairman Sirois called the meeting to order at 6 p.m.

1. **Meeting Minutes – September 8th, 2016** – *Motion by Councilor Marble seconded by Councilor McPike to approve the minutes as written. Approved 6-0.*
2. **Review & Sign Warrants** – *Warrants were reviewed and signed by Committee members.*
3. **Old Business**
 - a. **Consideration of amendments to Town Council Rules** – *Manager Jennings summarized the revisions made based on the Committee's direction at the September 8 meeting. Motion by Councilor McPike, seconded by Councilor McAvoy to approve the Council Rules as amended. [Councilor Wilde arrived at the meeting.] Motion passed 6-1 with Councilor Wilde opposed.*
4. **New Business**
 - a. **Consideration of the nomination of Cynthia Gardella to the Dyer Library Board of Trustees** – *Chairman Sirois invited Ms. Gardella to introduce herself and discuss her interest in serving on the Library Board. She is a Professor of Psychology at the University of Maine and said she has lived in Hampden for 15 years. She expressed her longstanding interest in the Library, her family's use of the Library, and*

her interest in children's programming and expanded programming for teens. Motion by Councilor McPike seconded by Councilor Marble to recommend Council appointment of Cynthia Gardella to the Library Board of Trustees. Motion passed 7-0.

- b. Consideration of ratifying the Environmental Trust Committee's appointment of Ken White as the Neutral Member of the Environmental Trust Committee – Motion by Councilor McPike seconded by Mayor Ryder to recommend Council ratification of Ken White's appointment to the Environmental Trust Committee. Motion passed 7-0.**
- c. Tax assessment and valuation report for the Skehan Center – requested by Councilor McAvoy – Manager Jennings invited Assessor Kelly Karter to present to the Committee the assessed valuations of the Historic Hampden Academy, which comprises four real estate parcels. Assessor Karter presented last year's and current year's valuations, and the underlying methodology, noting that current year's valuations increased to reflect improvements that have been made to the property. She noted that there are documented environmental remediation that will be needed to bring portions of the property into productive use, and that the fact these sections are not in use results in a reduction of assessed values. Councilor McAvoy asked whether another building would be treated the same way, and Assessor Karter responded that while the actual conditions of each property may differ, the methodology and approach is the same. Manager Jennings asked that she provide a brief summary of the value approach and the income approach to assessments of commercial property, and she did so. Councilor McAvoy asked why the building next door is valued for \$2.2 Million. Assessor Karter said that the building was sold for \$900,000, then major improvements were made after this sale including lab space, electrical, and renovations down to the studs. From an assessing standpoint it is a very different building than the Historic Hampden Academy.**
- d. MRC Board of Directors Election – Candidate nomination form – Councilor McPike noted that he has served on the MRC Board in the past. Councilor Sirois said he thinks Hampden should have representation on this Board. Manager Jennings noted that, a year ago, the town attorney had advised that the Manager's presence on the MRC Board would have represented a conflict of interest, but that this was in significant part – if not wholly – due to the then-pending permitting, and the Manager's role in that process on the Town's behalf. He suggested that an updated opinion from the town attorney be requested regarding the potential for a member of the Council to**

serve this role. The Committee agreed, and this item will be continued to the next agenda.

- e. Consideration of request for authorization to designate Manager Jennings as the voting delegate for the Town of Hampden at the Maine Municipal Association Annual Business meeting – Motion by Councilor McPike, seconded by Councilor Marble, to recommend that the Council designate Manager Jennings as the voting delegate for the Town of Hampden at the Maine Municipal Association Annual Business meeting. Motion passed 7-0.**
- f. Consideration of request to use Matching Grant Reserve funds in the amount of \$571.66 as the Town's share of an MMA Safety Grant award of \$1,142.41 for the purchase of a ballistic shield – Councilor McPike said that, once a ballistic shield is obtained, it should be put in a truck so it's ready when and where needed. Motion by Councilor Marble, seconded by Councilor McAvoy, to recommend Council authorization of \$571.66 from the Matching Grant Reserve as the Town's share of an MMA Safety Grant award of \$1,142.41 for the purchase of a ballistic shield. Motion passed 7-0.**
- g. Consideration of request for authorization for cutting, stumping, grinding, permitting and site preparation on the Lura Hoit Pool site for the purpose of additional recreational fields and parking – referral from Services Committee – Prior to Committee discussion of this item Councilor McAvoy introduced a Point of Order. He stated that, due to Councilor Sirois' wife serving on the Bronco Travel Soccer Club (BTSC) Board, he feels there is a need for the Committee to determine if a conflict of interest exists.**

Due to the nature of the Point of Order, Councilor Sirois turned over chairmanship of this portion of the meeting to Mayor Ryder. Councilor Sirois said that, for the good of the town, he would be willing to abstain from votes.

Mayor Ryder said that the proposal does not relate solely to the BTSC. Councilor McAvoy said that the need for fields is due to the loss of use of the Bouchard Fields, and that new fields would benefit BTSC. Mayor Ryder said that the athletic fields may not be limited to soccer fields, and may include fields that would be used by, for instance, Little League.

Councilor Marble said that he sees merit in Councilor McAvoy's point, and that this should be resolved one way or another given the importance of this matter. Resident Janet Hughes asked Councilor Sirois whether he would abstain only from tonight's votes or also from

future votes, but Mayor Ryder responded that under the Council Rules it is not Councilor Sirois' decision but rather whether the Council (or Committee) approves his ability to abstain. He put to a vote of the six members other than Councilor Sirois the question of whether Councilor Sirois should abstain. The vote was split, 3-3, with Councilors McAvoy, Wilde and Marble voting that he should abstain and Councilors Ryder, Cormier and McPike voting that he should not abstain. Mayor Ryder declared that the vote was a tie, and did not pass for lack of a majority.

Councilor Marble noted that, because he was not in attendance at last week's Services Committee meeting at which this matter was referred, he is supportive of the project generally but would like to better understand what exactly is being proposed.

Mayor Ryder said that he'd like to prepare the site for future work, including cutting trees, stumping and grinding, and using the grindings around the site perimeter. He said that DEP approval would be needed to add impervious surface to the site and for stormwater management. Reserve funds were budgeted for the DEP permitting process.

Councilor McAvoy said that the figure of \$3,500 per acre at ten acres had been discussed at the Services Committee, and he asked how we got to the proposal for \$50,000. Mayor Ryder said that \$50,000 is what's budgeted and would get us started in moving forward.

Councilor Marble sought to clarify that a "yes" vote would authorize referral to the Council. He asked whether anything had been done or would be done to notify the public. Mayor Ryder said there would be notice to neighbors and a display board at the town offices and pool.

Motion by Councilor McPike seconded by Councilor Marble to refer this question to Council with a favorable recommendation.

During discussion, Councilor McAvoy asked Manager Jennings whether this was a capital project. Manager Jennings said that it is his opinion that the project as a whole is a capital project, noting that the IRS considers a capital project an investment in permanent or long-term improvements that add value to property. Councilor McAvoy referred to Sec. 705 of the Town Charter which set out the requirements for a Capital Program, including a list of all capital projects with cost estimates, recommended time schedules, and estimated annual operating and maintenance costs. He said that it appears to him this will be a once a year funding item, and asked if there is a mechanism other than the Capital Program to undertake such a project.

Mayor Ryder said that he doesn't know that the initial work would represent an improvement to the property. He does not see a capital improvement taking place. Councilor McAvoy asked at what point does it become a capital project. Mayor Ryder said that it doesn't add value until the Council approves construction of athletic fields, parking etc.

Resident Janet Hughes asked a question about project costs. Mayor Ryder said that the agenda item delineates eligible expenses. Councilor McAvoy said that the initial steps should be considered part of a capital project, and that the Town Charter is very prescriptive. Mayor Ryder said that it hasn't been called a capital project.

Manager Jennings discussed the relationship between the Capital Program and reserve funding. He said that, until this recent FY17 budget cycle, he is not aware that the Council has ever formally adopted a Capital Program in the form prescribed by Charter, but that many capital projects have been undertaken over the years. He said that he had organized the budgeting process such that the Capital Program would provide a basis for proposed reserve funding, and that the numbers in the reserve budget were reflective of the Capital Program. He brought this forward because he thought the approach made sense, but that he's not aware that there's a requirement that it be handled this way. He said that, while the Capital Program is surely not perfect, it is a major improvement from previous budget cycles in which no Capital Program of any kind was approved. He said that the Capital Program includes all information that was available at the time regarding project costs, timelines etc., but that the Town does not have the finance staff capacity to work up detailed costs, including operations and maintenance costs, for every item in the Capital Program. He cautioned against the "perfect becoming the enemy of the good."

Councilor Marble noted that the Council has been talking about the need for more athletic fields in some form or another for over a year.

Councilor McPike's motion was put to a vote and passed 5-2, with Councilors Cormier and Wilde opposed.

Councilor McAvoy made a motion for reconsideration, to take place at the October 17 Finance Committee meeting. Mayor Ryder noted that the Council Rules allow for a motion to reconsider from a member who voted in the majority (which Councilor McAvoy did). At 6:55 PM, he called for a 5-minute recess to review procedural requirements.

The Committee reconvened at 7:00 PM, and Mayor Ryder said that the Council Rules allow for reconsideration but do not allow the member

making the motion to dictate on what date reconsideration will take place. The Council Rules provide for reconsideration "at the same, or the next stated meeting, but not afterwards." He said that this item would be reconsidered at the October 3 meeting of the Finance Committee.

- h. Consideration of request to use Recreation Area reserve funds (account number 3-767-00), for the purpose of site work for additional recreational fields (up to \$50,000) and wetlands delineation and DEP permitting for additional parking (up to \$50,000), both at the Lura Hoit Pool site – This item was not taken up because there was not enough time prior to the Council meeting scheduled to begin at 7 PM.**
- i. Request for Council waiver of the bid procedure guidelines for authorized activities at the Lura Hoit Pool site – This item was not taken up because there was not enough time prior to the Council meeting scheduled to begin at 7 PM.**

5. Public Comment – Resident Paul Phelps said he was glad to see the Council focused on the need for more athletic fields. Councilor McAvoy said he would like more public exposure and transparency, and would like the Town Manager to get the word out.

6. Committee Member Comments – None.

7. Adjournment

The meeting was adjourned at 7:02 p.m.

Respectfully submitted –
Angus Jennings, Town Manager

B-4-d-1

SERVICES COMMITTEE MEETING

Monday, August 8, 2016

MINUTES

Attending:

Councilor Terry McAvoy, Chair

Mayor David Ryder

Councilor Ivan McPike

Councilor Mark Cormier

Councilor Dennis Marble

Councilor Stephen Wilde (arr. 6:12)

Town Manager Angus Jennings

Recreation Director Shelley Abbott

Library Director Debbie Lozito

Chairman McAvoy called the meeting to order at 6 p.m.

1. MINUTES

- a. **July 11, 2016** – *Motion by Councilor Marble seconded by Councilor McPike to approve the July 11 meeting minutes. Approved 5-0.*

2. OLD BUSINESS

3. NEW BUSINESS

- a. **Review of comparative data regarding other communities' spending on library books and collections – Debbie Lozito, Library Director –**
Manager Jennings invited Director Lozito to present her findings regarding other communities' annual spending on books and collections, and how Hampden compares. Director Lozito said that about \$11,000 of each year's spending comes from income from the perpetual endowment. The endowment is supplemented through an annual appeal for private donations. Chairman McAvoy asked why isn't the full amount of endowment income spent each year? Director Lozito asked if the point is to reduce Town contributions to that line item or to support additional purchases? She said the endowment was set up to supplement, not replace, the Town budget for books and collections. Chairman McAvoy said that the Town could cut its budget for books. Director Lozito said she thought that would be shocking because the Town has always supported the library. Councilor McPike noted that there was no library in Hampden when he was growing up, and now kids have access to google. Director Lozito said that google can return a million answers, but the library can give the correct answer.

Councilor McPike asked where are libraries headed over the next 5 to 10 years. Director Lozito said that many people rely on the libraries books and

other resources, and that the library is a public meeting place used by tutors, community groups, job seekers using the internet. She said it is a place someone can go with no expectation that they'll purchase anything. Councilor Marble said that he'd benefited from libraries his whole life and that supporting the library is part of the values of the town. He asked what is the value of the endowment and Director Lozito said about \$380,000. Chairman McAvoy said he would like to get an accounting of the endowment for the past ten years – the amount of the endowment, earnings, and spending. He'd like the library to make an attempt to offset its operating costs with the endowment.

- b. Update on agreement with Bronco Travel Soccer Club for use of Lura Hoit fields in fall 2016, and discussion of future policy regarding facilities maintenance cost sharing with Recreation Affiliated Programs –** *Manager Jennings provided background regarding the Affiliated Program Guidelines and the ongoing consideration of appropriate sharing of costs and revenues. Director Abbott spoke about the agreement with Bronco Travel Soccer Club (BTSC) for use of the Lura Hoit Pool fields this fall. Chairman McAvoy asked if this was the first season BTSC used the fields, and Director Abbott said that it was the second season. Last year the Town initiated a Memorandum of Understanding but that the terms were not agreed. This year we've been working to get a clear agreement in place, and had asked BTSC for a \$1,000 contribution to direct expenses regarding fields maintenance. Chairman McAvoy asked whether BTSC's objection was due to the monetary contribution, and Director Abbott said yes. She said that there is a cost to maintain outdoor facilities but that, other than mowing, the Town hasn't put money into fields maintenance until this past spring for grubs prevention. Chairman McAvoy said that the Fees Ordinance should be changed at Sec. 6.4.4.*

Councilor Marble asked how many players participate in BTSC, and Director Abbott estimated 150-175 players club-wide. She said there is typically one boys and one girls team per age range. She said space at the RSU-22 fields is limited, so the Pool fields have also been needed. She said she approaches agreements with a goal of limiting Town liability.

Councilor McPike said we should do whatever we can to support recreational sports. He really supports the Town Rec Department, but said that the Travel Leagues should pay their fair share, noting that intensive use of the fields will destroy them. Director Abbott noted that the Travel leagues charge a fee but the fee does not get to the Town. The Town establishes fees for its programs based on the costs to run particular programs. Councilor Wilde said that in Bangor the Rec Department gets sponsorships and permanent (sponsored) signage, and uses a telemarketer.

Manager Jennings told the Committee that there is a need to establish a policy framework to inform staff work to establish specific agreements with Affiliated Programs. Mayor Ryder said that he thinks programs should be run through the Rec Department.

Manager Jennings asked Director Abbott to summarize the week-long soccer camp in June. Director Abbott said that this program used to be run in-house but that it is now run in cooperation with BTSC. She said that the first year it was run this way the proceeds were split between Town and BTSC. The third year of the program, June 2016, was after the loss of the Bouchard Fields. The Town handles marketing, registrations, personnel and payroll. BTSC plans the curriculum.

Director Abbott said the Rec Department runs programs for kids age 4 to 6th grade, and that BTSC runs programs for kids in 2nd to 8th grade. BTSC is providing travel opportunities (which Town programs do not), and is more competitive. Chairman McAvoy asked whether BTSC members are Hampden kids and Director Abbott said that their participation includes kids from other RSU-22 towns and from Hermon. She said they're part of the larger Soccer Maine umbrella. Chairman McAvoy asked if there are cuts made or whether any child can participate. Director Abbott said that, at the Junior High School and High School level, cuts are made as necessary, but that Affiliated Program Guidelines require programs to be as inclusive as possible and cuts can only be made if there are tryouts.

Councilor Marble said that we want to offer every child in town access to sports. He would like to look at shared costs above a certain age. Chairman McAvoy said that our obligation is to provide recreational sports for ages that don't have other access. Councilor Marble asked whether the Recreation Committee could play a role in developing policy. Chairman McAvoy said he does not think the Affiliated Programs understand who's paying the costs, and he thinks Town facilities should be rented out based on actual costs. Councilor Marble said that identifying actual costs would be a good starting point. Director Abbott said we need to invest in the fields on an ongoing basis to protect the Town's prior investment in making the fields. Chairman McAvoy said that reserving fields for use by Affiliated Programs is a service that is not provided to other residents except with a fee.

- c. Update on wetlands survey of Town Building / Pool site – Mayor Ryder discussed the wetlands survey prepared by Moyse Environmental, noting that additional parking cannot be added to the site without DEP permitting. Chairman McAvoy asked whether the current field facilities were adequate for the Town Rec programs. Director Abbott said that the facilities are operating at capacity to accommodate games and practice time, and that there is no opportunity for expansion. Chairman McAvoy asked why the season is only 7 weeks, not 12, and Director Abbott said that for ages K-6, cold and darkness**

limit the season. Manager Jennings noted that we now have wetlands delineations, and that the next step is to determine what this means from a regulatory standpoint.

- 4. PUBLIC COMMENTS** – *Director Abbott noted that the Hampden Children’s Day Committee would conduct a walk-through of Children’s Day tomorrow at 6 PM, and that insurance has been secured for the event. Manager Jennings noted that volunteers are still needed on the day of Children’s Day between noon and 4 PM.*

- 5. COMMITTEE MEMBER COMMENTS** – *None.*

There being no further business, the meeting was adjourned at 7:40 PM.

*Respectfully submitted –
Angus Jennings, Town Manager*

SERVICES COMMITTEE MEETING**Monday, September 12, 2016****MINUTES****Attending:**

*Councilor Terry McAvoy, Chair
Mayor David Ryder
Councilor Ivan McPike
Councilor Mark Cormier
Councilor Greg Sirois
Councilor Stephen Wilde*

*Town Manager Angus Jennings
Recreation Director Shelley Abbott
Asst. Rec Director Jill McLaughlin
Library Director Debbie Lozito
GIS-IT Specialist Kyle Severance
Citizen reps of Rec Affiliated Programs*

Chairman McAvoy called the meeting to order at 6 p.m.

1. MINUTES

- a. August 8, 2016** – *The previous meeting's minutes were not yet available so this item was passed over with no action taken.*

2. OLD BUSINESS

- a. Broadband research update, including regarding EMDC pilot program and pending Hampden grant application for participation in ConnectME Broadband Pilot Study** – *Manager Jennings said that his office had submitted a grant application earlier today based on work largely undertaken by Kyle Severance. Specialist Severance addressed the Committee, noting that if the grant was received that EMDC and Axiom Technologies would do the technical work associated with the feasibility study. He said the grant would be awarded to one municipality in Penobscot County.*
- b. Discussion of future policy regarding facilities maintenance cost sharing with Recreation Affiliated Programs** – *Chairman McAvoy invited Director Abbott to address the Committee. Director Abbott said that, prior to the current FY17 budget, the Town had not budgeted for fields maintenance. Last spring there was grub damage and it was recommended and budgeted at \$10,000 in this year's budget, but this is limited funding. Chairman McAvoy asked whether Affiliated Programs affect how programs are run. Director Abbott said her Department is working with all Affiliated Programs regarding how to improve facilities to ensure that they'll continue to be there in the future. Councilor McPike asked whether all of our Rec programs have access to fields, and Director*

Abbott said yes. She said there are 215 participants in soccer this fall, and that additional field space and staff time would be needed in order to accommodate further growth. In the fall, there is a 5 PM start time which provides a narrow window for fields use. With growth in programs, more space would be needed. She said that this fall's programming went from 3 games at a time to 2 games at a time in order to reduce parking overflow that happened last fall at the Pool fields. She said there has been overflow parking this fall, on the lawn, but that if the weather had been wetter this would cause damage.

Councilor McPike asked, of the 215 participants, what is the age range and what size fields are needed for different age groups. Director Abbott said that there are 85 participants in the PreK/K level and the remaining participants are distributed in the older age range. Councilor Sirois asked if we capped participation numbers, and Director Abbott said that the PreK/K program had initially been capped but that it was shifted to a wait list above 80, and the additional 5 registrants above 80 were able to be accommodated.

Heath Miller, president of Bronco Youth Football, introduced himself and spoke about the age divisions his programs serve. He said that they use the field owned by Danny Lafayette behind the former Hampden Academy, and the Hampden Academy turf field for games. He said they have 50 participants and that the Town covers their insurance costs as an Affiliated Program. He said it is working well and is not a lot of work for the town.

Chairman McAvoy asked whether the field behind the Skehan Center was appropriate for soccer. Director Abbott said that the Rec Programs don't have use of that field and that Mr. Lafayette had asked that the Town research the potential installation of irrigation if it was to use the field. She said that the Town didn't have the capability to take on a research project at that time with other responsibilities taking priority. She said that, as a tenant of the facility, she felt that the Town should have access to that field for its flag football program. Mr. Miller said that Mr. Lafayette had asked about irrigation due to the heat and drought conditions in August.

Chairman McAvoy asked whether all of the Affiliated Program agreements had been signed, and Director Abbott said that last year was the first year they had all been signed and that they are up for renewal in the coming weeks. She said she is looking for guidance that is either a framework for all Affiliated Program agreements or specific to each program. Chairman McAvoy asked whether the documents reference cost sharing and Director Abbott said that the current Affiliated Program Guidelines do not say anything about financial terms. She said that the Bronco Travel Soccer Club (BTSC) had agreed to contribute \$1,000 for direct expenses

for fields maintenance such as grub treatment, and was handling field striping for its portion of use from early September to early October. Chairman McAvoy asked how much staff time goes toward Affiliated Programs and Director Abbott said that it depends on the time of year, and that at certain times of year it is very time intensive.

Resident Nichole Sirois, president of the BTSC Board, introduced herself to the Committee and said that BTSC has been in existence as a non-profit since 1998 and that about 200 players a year participate in their programs, primarily from Hampden and Hermon and ranging in age from 8 to 8th grade. She said BTSC is very competitive in what it provides, and the BTSC dues are set at the lowest point necessary to cover costs. They run 1-2 practices per week, and attend travel tournaments elsewhere in Maine such as Sanford and Cumberland. Three years ago the organization was losing money. Soccer camp provides revenues needed for BTSC to provide quality equipment like new soccer goals. Their costs include dues to Soccer Maine, which provides them insurance. She said they work with the Rec Department, RSU-22, and Good Shepherd Food Bank. They use the Lura Hoit Pool fields in August and in the fall.

Chairman McAvoy asked whether they use fields made available from individual land owners, the Town and the schools and Mrs. Sirois said yes. He asked whether the Pool fields are sufficient and she said yes, but they are only used during the fall and that BTSC has now identified additional field space for the future.

Mr. Miller spoke about his role with Bronco Travel Basketball, saying the group's financial transactions are run through the Town and that the Town provides insurance. He also said that Little League programs have about 150 participants a year ages 7-12. Little League uses Town fields and the Town maintains the fields but Little League maintains the built facilities.

Councilor Sirois asked about the cost to line the fields. Chairman McAvoy asked Mrs. Sirois whether she had any relation to a member of the Committee and she said yes she is Councilor Sirois' wife.

Mayor Ryder asked how revenues and expenses are shared with BTSC. Director Abbott said that revenues and expenses for the summer soccer camp are shared. The Town handles payroll and personnel for the camp staff, and BTSC secures the equipment. After expenses, revenues are divided based on an agreement.

Mrs. Sirois said that BTSC had agreed this year to pay \$1,000 toward grub treatments but that they didn't think this was fair. She said BTSC is looking into other options. Chairman McAvoy said that the Town is also going in that direction. Manager Jennings said that he and Director Abbott

are looking for better policy direction from the Committee regarding cost sharing. He noted that, when BTSC had initially balked at the proposed \$1,000 cost, he had brought this matter to the previous Services Committee meeting and the Committee had supported the proposed terms. He noted that, in his follow-up to BTSC, he had asked if they could offer more than the \$500 they proposed even if it was less than the \$1,000 the Town had proposed, and that BTSC had agreed to the \$1,000. He thinks these negotiations would be more efficient for everyone if the Council established a framework or clear expectations.

Mrs. Sirois asked whether BTSC paying half the cost of grub treatment was fair for the amount of time they use the fields. She said the grub treatment allows the fields to be usable year-round. Another member of the BTSC Board, Bill Castrucci, said that the fields are used at other times of the year and he thinks the Town should be proportionally responsible for those costs. He said all of our kids and grandkids use these fields. He said BTSC uses their revenues for soccer goals and equipment needs.

Chairman McAvoy said he agrees that we all want recreation and sports for children in town, and that the Town provides facilities for all kids regardless of skill level. He said that Affiliated Programs look for certain levels of proficiency for participation. Mr. Castrucci said that BTSC doesn't make cuts. He said the Town doesn't provide programs for the age range between young kids and High School level and that BTSC programs fill this need. This is a benefit to the Town and helps to feed the High School system and improve the strength of local teams. He said it's unfortunate this is contentious.

Mr. Miller said that if all of the kids in BTSC were on the Town Rec roster what would be the cost to the Town to provide these services. Chairman McAvoy said that he'd like the Recreation Director to keep track of her Department's administrative time and to pro rate maintenance costs so they can be allocated to Affiliated Programs.

Councilor McPike said that he thinks we ought to provide opportunity for kids. He said that costs should be allocated proportionally based on when the fields are used.

Mayor Ryder said that the Council has got to decide where we want to go with recreational programming. If we're going to promote these programs we need to allocate the resources. Manager Jennings said that, in his opinion, the quasi-enterprise method of funding recreational programs, whereby roughly 70% of the Department's revenues come from fees and other sources (rather than taxation), creates substantial additional responsibilities and pressures on our Rec Department relative to other towns that fund their programs through taxation. Councilor Sirois said he

thinks that trying to generate revenues from kids is wrong, but Chairman McAvoy said that he thinks it's wrong to pass costs along to taxpayers. Mayor Ryder said that many Hampden residents see it differently, and do support public recreational programming. Chairman McAvoy said he'd like to see the staff time in the Rec Department go toward Town Rec programs.

Councilor Wilde said that, as a community, we provide services, but we don't apportion all of those costs based on actual use. Chairman McAvoy said he's not aware of circumstances where the Rec Department doesn't have adequate facilities. Mayor Ryder asked if Chairman McAvoy would like to do away with the Affiliated Programs but Chairman McAvoy said he didn't say that – he thinks the facilities the Town has today are adequate to support the programs we run today.

Manager Jennings said he would like to see cooperative engagement by the Affiliated Programs, and recognition of the challenges presented to the Rec Department because of the quasi-enterprise funding and the need it creates to generate non-taxation revenues including from Affiliated Programs.

Councilor McPike said he would like the Affiliated Programs to agree to put a set percentage of their dues toward fields maintenance. Councilor Sirois said that all of the Affiliated Programs should be at the table. Councilor Wilde suggested a one-time annual fee be paid by Affiliated Programs toward Town expenses. Mrs. Sirois said that BTSC has kept its fees flat for 20 years as a matter of policy.

Manager Jennings asked Director Abbott whether tonight's discussion had provided any clarity for establishing cost and revenue sharing agreements with Affiliated Programs. Director Abbott said that the Town wants to provide programs for our kids, and great facilities, but how we get there continues to be a challenge. Chairman McAvoy said that whatever policy is proposed should be simple and transparent.

- c. Update on research re Town Building / Pool site and potential for additional field space** – *Mayor Ryder said that funds had been set aside in this year's budget for recreational fields. Many sites had been looked at. The Committee has been looking closely at the Pool site, and get the wetlands surveyed this summer. He said there is potential to expand parking, and he had received a plan prepared by a local resident showing expanded potential for fields. He said that the plan showed parking would be increased by 200 spaces, and that he has had discussions with prospective vendors who could cut trees. He said stormwater permits would be required. The plan shows one full-size field and 3 youth fields.*

He said he is looking for direction from the Committee. He said he'd like to get a DEP permit in place for next spring.

Chairman McAvoy asked about the land north of the Post Office and Mayor Ryder said that showed expanded parking. Chairman McAvoy asked about the cost to construct playable fields and Mayor Ryder said those costs aren't known. His idea is to get the site cleared, drainage installed, then topsoil placed. He said this is not all going to happen in a year. Councilor McPike said we may want other types of fields, and Mayor Ryder agreed that we may want to look into Little League fields. He said he is looking for thoughts and ideas regarding where we want to go.

Councilor Sirois said that this is a great step toward a facility we ought to have. Clearing and grading is a good first step, with build-out of fields as supported by budget.

Mayor Ryder said that the designer would draw up plans for free, and that private funds could be raised, but that the plan would need to be publicized in order to raise funds. He said that, because it's been so dry, roots could be pulled without loss of topsoil.

Chairman McAvoy said he'd like to know the total costs. Mayor Ryder said that he'd like to do it the cheapest way possible, and that he thought \$50,000 would get quite a ways. Chairman McAvoy asked whether this would require \$50,000 a year, \$80,000 a year, or more? Mayor Ryder said it depends on whether the goal next year is to build parking or to build a field. Chairman McAvoy said he we like to avoid perpetual allocation of funds. Mayor Ryder said we're trying to plan for 20 years in the future.

Resident Randy Maietta said he has three kids and has been very involved with recreation. He thanked the Council for taking this up, and said he wants his kids and grandkids to have this opportunity.

Mrs. Sirois said that communities that have the facilities to host tournaments see additional economic activity during tournaments, and that there are no facilities in our region for such tournaments.

Councilor McPike and Mayor Ryder said we should move quickly on cutting the trees, but Chairman McAvoy said that once the ball starts rolling there will be urgency to spend money year after year. Manager Jennings said that if any field work was to go forward there would need to be advance delineation of limits of work. Mayor Ryder said he estimates that ten acres could be cleared and grubbed, and he had received an estimate of \$3,500 per acre to do so. Chairman McAvoy asked how long the land would sit there once grubbed. Councilor McPike said that we should show that we're getting something done. Chairman McAvoy said

that he thinks we should have public input regarding whether we should do this or not. Mayor Ryder said that the approved budget allocates \$50,000 toward additional fields. Chairman McAvoy said that because it's budgeted doesn't mean it needs to be spent. Mayor Ryder said that let's get it on the Council agenda to hear from people. He made a motion to refer this to Council, seconded by Councilor McPike. The motion passed 5-1 with Chairman McAvoy opposed.

3. NEW BUSINESS – None.

4. PUBLIC COMMENTS – *Director Abbott said she appreciates seeing members of the public here for this meeting, and she thanked the Council for making recreation a priority. Manager Jennings provided a brief update regarding the issue of flags in the town center, saying that he was leaning toward establishing a defined geographic area for installation and maintenance of flags for limited durations over the course of the year. He said that responsibilities would need to be set based on DPW capacity to undertake the work.*

5. COMMITTEE MEMBER COMMENTS – None.

There being no further business, the meeting was adjourned at 8:01 PM.

*Respectfully submitted –
Angus Jennings, Town Manager*



Angus Jennings <townmanager@hampdenmaine.gov>

EMDC Expansion of Broadband RFP

1 message

Vicki Rusbult <VRusbult@emdc.org>

Tue, Oct 11, 2016 at 4:10 PM

To: Angus Jennings <townmanager@hampdenmaine.gov>

Cc: Michael Aube <MAube@emdc.org>, Susan Corbett <susan.corbett@axiom-tech.net>, "Mark Ouellette (mark@connectwithaxiom.com)" <mark@connectwithaxiom.com>

Good afternoon –

I am pleased to inform you that the Town of Hampden's application for the broadband pilot project has been reviewed and accepted as one of four community participants. We will be contacting you in the next 2-3 weeks to connect you with the project leaders and launch the technology planning.

Welcome to this important project to expand connectivity and literacy in our region. Should you have any questions, please feel free to email me.

Vicki

Vicki L. Rusbult, EdD, MPA

Director of Re-Engineering the Region & Planning

Eastern Maine Development Corporation

40 Harlow Street

Bangor, ME 04401

(207)974-3238(phone)

(207)942-3548 (fax)

www.emdc.org



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**Northern Maine Rural Collaborative- Partnership in Community Health Grant
Capacity Building Grant 2015-2016 Letter of Intent**

For the work to occur between Bangor Public Health and Community Services and
the Town of Hampden

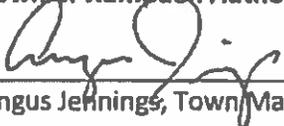
Bangor Public Health and Community Services will provide \$1000.00 to the Town of Hampden from
funding received through the EMHS Partnerships to Improve Community Health project.

The Town of Hampden will

- 1) Mail or email an invoice to **The City of Bangor**, in the amount of \$1,000.00 to:
Jamie Comstock
Health Promotion Manager
Bangor Public Health and Community Services
103 Texas Avenue, Bangor, Maine 04401
or jamie.comstock@bangormaine.gov
- 2) purchase wayfinding and trail signs for trails located in Dorothea Dix Park (draft examples of
these signs are below); and
- 3) mail or email receipts of the sign purchase to Jamie Comstock within 7 days of the purchase.

By signing the Letter of Intent the Town of Hampden agrees to the above terms.

Town of Hampden Authorized Personnel Signature:



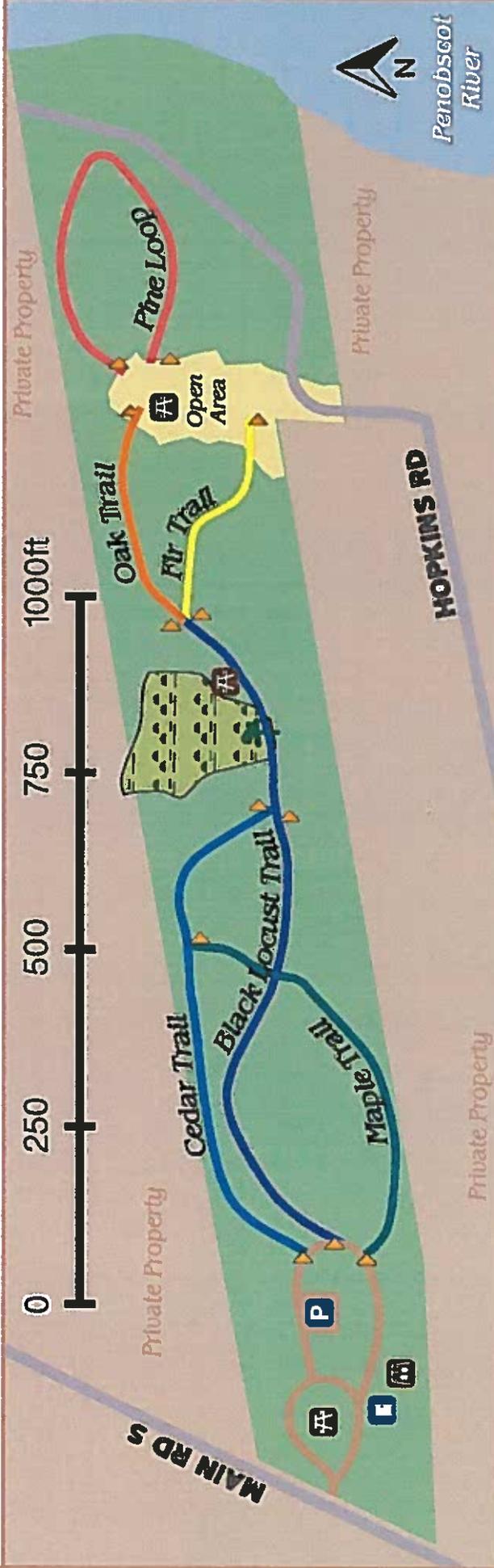
Angus Jennings, Town Manager

9/20/16

Date

Address: 106 Western Avenue, Hampden, Maine 04444
Telephone Number: (207) 862-3034
Email Address: townmanager@hampdenmaine.gov

Dorothea Dix Trails



Signage supported by grant funding from:



EMHS
Access to Quality Healthcare

- Picnic Area
- Parking
- Portable Toilet (Seasonal)
- Species Board
- Playground Area
- Trail Sign

- Black Locust Trail
- Cedar Trail
- Maple Trail
- Fir Trail
- Oak Trail
- Pine Loop

**PRIVATE
PROPERTY**
*Beyond This
Point*



**TRAIL
PARKING**

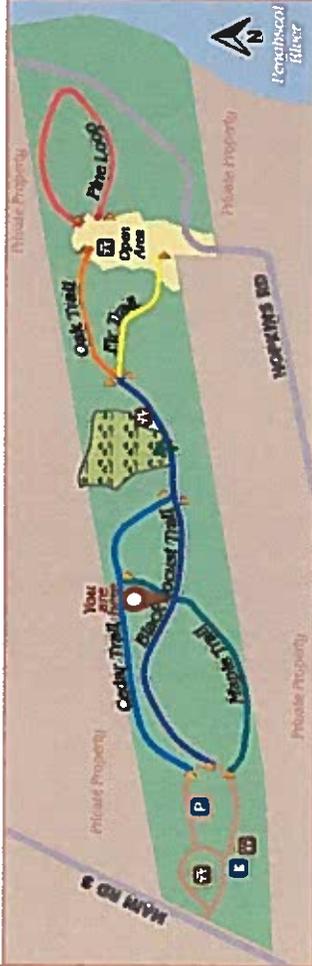


**PLEASE
PICK UP
AFTER
YOUR
PET**



Dorothea Dix Trails

You Are Here



- Picnic Area
 - Parking
 - Portable Toilet (Seasonal)
 - Specimen Board
 - Programmed Area
 - Trail Sign
- Black Locust Trail
 - Cedar Trail
 - Poplar Trail
 - Fir Trail
 - Oak Trail
 - Pine Loop

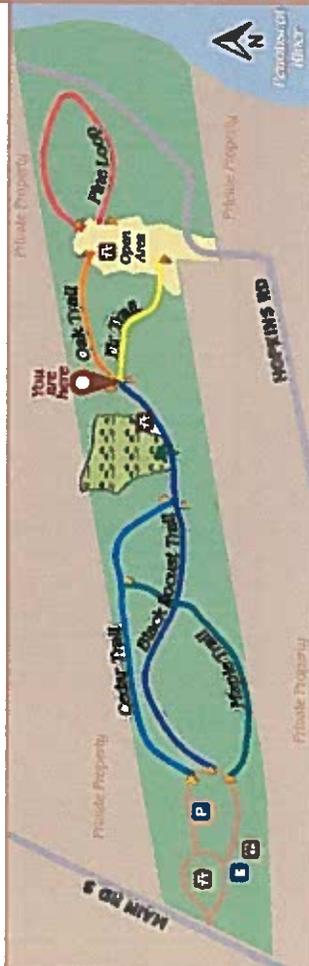


Signage supported by grant funding from:

EMHS
Access to Quality Healthcare

Dorothea Dix Trails

You Are Here



- Picnic Area
 - Parking
 - Portable Toilet (Seasonal)
 - Specimen Board
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 - Trail Sign
- Black Locust Trail
 - Cedar Trail
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 - Fir Trail
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EMHS
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Signage supported by grant funding from:

EMHS
Access to Quality Healthcare

Dorothea Dix Trails

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 - Poplar Trail
 - Fir Trail
 - Oak Trail
 - Pine Loop



Signage supported by grant funding from:

EMHS
Access to Quality Healthcare

**BLACK LOCUST
TRAIL**



TOWN OF HAMDEN
TOWN ENGINEER: JAMES J. HANCOCK, P.E.
TOWN CLERK: JENNIFER M. HANCOCK, P.E.



EMHS
ACCREDITED QUALITY HEALTH CARE

**MAPLE
TRAIL**



TOWN OF HAMDEN
TOWN ENGINEER: JAMES J. HANCOCK, P.E.
TOWN CLERK: JENNIFER M. HANCOCK, P.E.



EMHS
ACCREDITED QUALITY HEALTH CARE

**FIR
TRAIL**



TOWN OF HAMDEN
TOWN ENGINEER: JAMES J. HANCOCK, P.E.
TOWN CLERK: JENNIFER M. HANCOCK, P.E.



EMHS
ACCREDITED QUALITY HEALTH CARE

**CEDAR
TRAIL**



TOWN OF HAMDEN
TOWN ENGINEER: JAMES J. HANCOCK, P.E.
TOWN CLERK: JENNIFER M. HANCOCK, P.E.



EMHS
ACCREDITED QUALITY HEALTH CARE

PINE LOOP



TOWN OF HAMDEN
TOWN ENGINEER: JAMES J. HANCOCK, P.E.
TOWN CLERK: JENNIFER M. HANCOCK, P.E.



EMHS
ACCREDITED QUALITY HEALTH CARE

**OAK
TRAIL**



TOWN OF HAMDEN
TOWN ENGINEER: JAMES J. HANCOCK, P.E.
TOWN CLERK: JENNIFER M. HANCOCK, P.E.



EMHS
ACCREDITED QUALITY HEALTH CARE

Turtle Head Park



Public Boat Landing

Penobscot River



Private Property

Sucker Brook

Sucker Brook

0 250 500 750 1000ft



Private Property



Picnic Area



Parking



Restrooms



Signage supported by grant funding from:



EMHS

Access to Quality Healthcare SM

D-5-a

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Town Council
Administration & Finance Committee

FROM: Angus Jennings, Town Manager

DATE: September 27, 2016

RE: Recommended approval of FY17 Service Charges

The attached service charge calculations are brought forward for Council review and approval. The Service Charge is calculated based on the formula set forward in Sec. 4 of the Service Charge Ordinance, a copy of which is attached.

Last year, a question arose regarding whether the Assessor's determination of charges takes into account the organization's prior year's gross annual revenues. The answer is no, not at this stage of the process. An organization's gross annual revenues are not considered in calculating the Service Charge; rather, an organization may petition the Council to reduce its Service Charge to ensure that it does not exceed 2% of the organization's gross annual revenues. (See Sec. 6 of the Ordinance).

In the event that one or more organizations seek a reduction in their Service Charge, the organization would be required to submit an audited financial statement of its prior year's operations, and the 2% limitation on Service Charge would be based on that amount.

Upon Council approval, Service Charges will be levied in the amounts indicated (attached).

cc: Kelly Karter, Assessor

**Town of Hampden
RECEIVED**

SEP 26 2016

**Office of the
Town Manager**

To: Angus Jennings, Town Manager
From: Kelly Karter, Assessor *Kelly*
RE: Service Fee Calculations
Date: September 26, 2016

Following is a listing of the calculated service fees that apply to residential property according to our Service Fee Ordinance.

I have added wording to the billing regarding the financial information for each entity as of June 30, 2016, per Tom Russell's suggestion.

Acadia Hospital dba Aspenledge is back in the listing this year as they are occupying and using the facility, making it exempt from taxation

The list is as follows:

Penquis Mental Health	\$ 1,992.51
Community Housing of Maine	\$ 2,145.78
OHI George St.	\$ 2,139.36
OHI Patterson Rd.	\$ 1,662.39
Medical Care Development	\$ 5,386.85
The Housing Foundation	\$22,507.11
Acadia Hospital Corp/Aspenledge	\$ 4,008.60
Total Service Fees	\$39,842.57

These fees have been calculated according to the ordinance. Some will change once the financials are submitted.

MEMO

To: Angus Jennings, Town Manager

From: Kelly Karter *Kelly*

Date: September 26, 2016

Subject: Penquis Mental Health Service Charge

In accordance with the Service Charge Ordinance approved by the Hampden Town Council on May 18, 1992, I submit the following calculations for the 2016/2017 fiscal year.

Property Owner: Penquis Mental Health

Property Location: 1012 Carmel Road North
Hampden, Maine 04444

Legal Description: Map 1 Lot 31-A
Book 11872 Page 215

2013 Municipal Budget \$ 7,617,880 (Original Budget Less Gen. Asst. of \$10,000)

Divided By Total Valuation \$646,097,160 (=0.01179)

Times the Just Value \$ 169,000

Service Charge Due \$ 1,992.51

MEMO

To: Angus Jennings, Town Manager

From: Kelly Karter



Date: September 26, 2016

Subject: Community Housing of Maine

In accordance with the Service Charge Ordinance approved by the Hampden Town Council on May 18, 1992, I submit the following calculations for the 2016/2017 fiscal year.

Property Owner: Community Housing of Maine

Property Location: 177 Canaan Road
Hampden, Maine 04444

Legal Description: Map 5 Lot 27-A
Book 10137 Page 137

2016/2017 Municipal Budget \$ 7,617,880 (Original Budget Less Gen. Asst. of \$6,000)

Divided By Total Valuation \$646,097,160 (=0.01179)

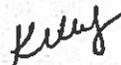
Times the Just Value \$ 182,000

Service Charge Due \$ 2,145.78

MEMO

To: Angus Jennings, Town Manager

From: Kelly Karter



Date: September 26, 2016

Subject: OHI

In accordance with the Service Charge Ordinance approved by the Hampden Town Council on May 18, 1992, I submit the following calculations for the 2016/2017 fiscal year.

Property Owner: OHI

Property Location: 35 George St
Hampden, Maine 04444

Legal Description: Map 23 Lot 70-C
Book 9404 Page 115

2013 Municipal Budget \$ 7,617,880 (Original Budget Less Gen. Asst. of \$6,000)

Divided By Total Valuation \$646,097.160 (=0.01179)

Times the Just Value \$ 184,000

Service Charge Due \$ 2,169.36

MEMO

To: Angus Jennings

From: Kelly Karter *Kelly*

Date: September 26, 2016

Subject: OHI

In accordance with the Service Charge Ordinance approved by the Hampden Town Council on May 18, 1992, I submit the following calculations for the 2016/2017 fiscal year.

Property Owner: OHI

Property Location: 143 Patterson Road
Hampden, Maine 04444

Legal Description: Map 5 Lot 39
Book 9144 Page 102

2016/17 Municipal Budget \$ 7,617,880 (Original Budget Less Gen. Asst. of \$6,000)

Divided By Total Valuation \$646,097,160 (=0.01179)

Times the Just Value \$ 141,000

Service Charge Due \$ 1,662.39

MEMO

To: Angus Jennings, Town Manager

From: Kelly Karter *Kelly*

Date: September 26, 2016

Subject: Medical Care Development; DBA Hampden Meadows

In accordance with the Service Charge Ordinance approved by the Hampden Town Council on May 18, 1992, I submit the following calculations for the 2016/2017 fiscal year.

Property Owner: Medical Care Development; DBA Hampden Meadows

Property Location: 1282 Kennebec Road
Hampden, Maine 04444

Legal Description: Map 1 Lot 23-A
Book 5818 Page 81

2013 Municipal Budget	\$ 7,617,880 (Original Budget Less Gen. Asst. of \$6,000)
Divided By Total Valuation	\$646,097,160 (=0.01179)
Times the Just Value	\$ 456,900
Service Charge Due	\$ 5,386.85

MEMO

To: Angus Jennings, Town Manager

From: Kelly Karter *Kelly*

Date: September 26, 2016

Subject: The Housing Foundation

In accordance with the Service Charge Ordinance approved by the Hampden Town Council on May 18, 1992, I submit the following calculations for the 2016/2017 fiscal year.

Property Owner: The Housing Foundation

Property Location: 113 Western Avenue
Hampden, Maine 04444

Legal Description: Map 31 Lot 8
Book 4249 Page 321

2016/2017 Municipal Budget \$ 7,617,880 (Original Budget Less Gen Asst of \$6,000)

Divided By Total Valuation \$646,097,160 (=0.01179)

Times the Just Value \$ 1,909,000

Service Charge Due \$22,507.11

MEMO

To: Angus Jennings, Town Manager

From: Kelly Karter *Kelly*

Date: September 26, 2016

Subject: Acadia Hospital Corp.; DBA Aspenledge

In accordance with the Service Charge Ordinance approved by the Hampden Town council on May 18, 1992, I submit the following calculations for the 2016/2017 fiscal year.

Property Owner: Acadia Hospital Corp.; DBA Aspenledge

Property Location: 25 Mayo Road
Hampden, Maine 04444

Legal Description: Map 6 Lot 29-A
Book 5027 Page 71

2012 Municipal Budget \$ 7,617,880 (Original Budget Less Gen. Asst. of \$6,000)

Divided By Total Valuation \$646,097,160 (=0.01179)

Times the Just Value \$ 340,600

Service Charge Due \$ 4,008.60

TOWN OF HAMPDEN
SERVICE CHARGE ORDINANCE

Sec. 1. Authority. This Ordinance is enacted pursuant to 30-A M.R.S.A. § 3001 and 36 M.R.S.A. § 652(1)(L).

Sec. 2. Purpose. The purpose of this Ordinance is to establish an annual service charge to recover the cost of providing municipal services, other than education and general assistance, to owners and/or occupants of certain institutional and organizational real property which is otherwise exempt from state or municipal taxation.

Sec. 3. Creation of Service Charge. An annual service charge is hereby established, effective with the municipal fiscal year commencing on July 1, 1992. The service charge shall be levied by the municipal officers against all residential property owned by an organization or institution if the property is otherwise totally exempt from property taxation and is used to provide rental income. The service charge shall not apply to student housing or parsonages.

Sec. 4. Calculation of Service Charge. The service charge shall be calculated according to the actual cost of providing municipal services to the property in question and the persons who use that property. Municipal services shall include, without limitation, the following: fire protection, police protection, road maintenance and construction, traffic control, snow and ice removal, sewer service, sanitation services, and any other services. For the purpose of this Ordinance, municipal services shall not include education and general assistance. The service charge for each property shall be determined in accordance with the following formula:

$$\frac{B}{V} \times JV = SC$$

where:

B = Budget for the current fiscal year for municipal services, except education and general assistance

V = Total taxable valuation of municipality for the current fiscal year

JV = Just Value of property in question

SC = Service Charge of property in question.

The Assessor shall provide the municipal officers with the following information at the time of the annual tax commitment: (1) list of property to which a service charge is applicable under this ordinance, (2) total taxable valuation of the municipality for the current fiscal year, and (3) the just value of the properties in question. The Town Manager shall provide the municipal officers with the amount of the budget for municipal services for the current fiscal year, along with a proposed service charge for each property based on the foregoing formula.

Sec. 5. Levy of Service Charge. The municipal officers shall levy the annual service charge on the tax exempt property subject to a service charge under this Ordinance, and shall establish a due date for payment of the same. The Treasurer shall send a statement to every affected property owner setting forth the amount of the service charge levied on the subject property.

Sec. 6. Limitation on Service Charges. The total service charges levied by the municipal officers under this Ordinance against any institution or organization shall not exceed 2% of the gross annual revenues of that institution or organization. Provided, however, that in order to qualify for the foregoing limitation, the institution or organization shall file with the municipal officers an audit of the revenues of the institution or organization for its last fiscal year which ended immediately prior to the municipal fiscal year for which the service charge was levied. The municipal officers shall abate the service charge amount that is in excess of 2% of the gross annual revenues.

Sec. 7. Collection. Unpaid service charges shall be collected in any manner available to the municipality, including, without limitation, the procedure provided in 38 M.R.S.A. § 1208, as may be amended from time to time.

Sec. 8. Use of Revenues. Revenues accrued from service charges shall be used, as much as possible, to fund the cost of providing the municipal services which were considered in calculating the service charges.

Sec. 9. Appeals. Any institution or organization may challenge the decision of the municipal officers to levy a particular service charge or the amount of a particular service charge by filing an appeal with the Board of Assessment Review. Such appeals shall be filed in writing with the Town Clerk within 60 days of the date on which notice is provided to the institution or organization by the Treasurer under Sec. 5 above indicating the amount of the service charge levied by the municipal officers. The Board of Assessment Review shall conduct a public hearing on the appeal and shall issue a written decision thereon within 60 days of the date that the appeal was filed with the Town Clerk. Failure to issue a decision on an appeal within 60 days of the date the application was filed shall be deemed to

be a denial thereof. The appeal shall be processed in accordance with all applicable laws or ordinances, and such rules of procedure as may be established by or for the Board of Assessment Review. Any decision by the Board may be appealed to Superior Court by an aggrieved party pursuant to Rule 80B of the Maine Rules of Civil Procedure.

Sec. 10. Severability. Should any provisions of this Ordinance be declared invalid by the Courts, such decision shall not invalidate any other provision of this Ordinance.

Adopted By Hampton Town Council: 5/18/92

D-5-6

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Finance Committee and Town Council

FROM: Angus Jennings, Town Manager

DATE: September 29, 2016

RE: Proposed Confined Space Entry Policy

DPW Director Currier, working with Public Safety Director Rogers, has recommended the attached Confined Space Entry Policy.

This policy would simply codify current practice. At this time, no Town staff have the proper equipment or training to conduct confined space entries. Director Currier advises that the training requirements are substantial.

If the Town's capacity to perform such entries changes in the future this proposed policy could be revisited at that time.

David I. Ryder (Mayor, Dist. 4)
Stephen L. Wilde (1)
Dennis R. Marble (2)

TOWN OF HAMPDEN
IN THE TOWN COUNCIL

Terry McAvoy (3)
Gregory J. Sirois (A/L)
Mark S. Cormier (A/L)
Ivan P. McPike (A/L)

Order 2016-03
Adoption: October 03, 2016

ORDER ESTABLISHING CONFINED SPACE ENTRY POLICY

BACKGROUND: The Town of Hampden has multiple types of confined spaces that need servicing from time to time. Any repairs, maintenance or inspection (by entry) to a confined space shall be completed by outside contractors, not Town employees.

A "confined space" is defined as a space large enough and so configured that an employee can bodily enter and perform assigned work; and has limited or restricted means for entry or exit; and is not designed for continuous employee occupancy.

ORDERED, that the Town Council hereby approves the following policy to govern confined space entry:

No confined spaces (permitted or non-permitted) shall be entered by a Town of Hampden employee for any reason other than for emergency rescues by properly trained public safety personnel with the proper rescue equipment. Confined spaces needing attention will be entered by hired contractors with the proper training and equipment (gas meter, ventilators, fall protection, retrieval devices, etc.) to do the confined space entry.

This Order may be modified or rescinded in the future by Council vote based on changes to Town of Hampden equipment and/or training.

Town Clerk:

ORDERED by a majority of the Town Council:

Paula Scott

D-5-C

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Finance Committee and Town Council

FROM: Angus Jennings, Town Manager

DATE: September 29, 2016

RE: Business Park TIF

Please find attached the proposed Scope of Services and Professional Fee Reimbursement Agreement for the Business Park TIF. The Scope of Services was reviewed and referred by the P&D Committee at their September 21 meeting. The Professional Fee Reimbursement Agreement will be reviewed by the Finance Committee this Monday and, upon their referral, taken up by the Council the same evening.

As you know, pursuant to the Development Agreement between the Town and Sargent Corp., the costs for consultant and legal fees for the TIF will be borne by Sargent; however, the Town would be Rudman Winchell's client for this project, and would handle invoices through an escrow account funded by Sargent.

The Scope of Services reflects input from me, the Assessor, the Town Planner, and Rudman Winchell. I shared this latest draft with Chip Laite and Brent Hartley at Sargent Corp earlier this week, and spoke with Brent this afternoon. Chip is on vacation this week so will not have the opportunity to review this draft until Monday. If Sargent would like to see revisions, we hope to get these finalized and agreed during the day on Monday so the Council can approve these documents that night. This milestone will be important to maintain the overall project timeline.

Town of Hampden Maine Professional Fee Reimbursement Agreement

This AGREEMENT is made this ____ day of _____, 2016 by and between the **Town of Hampden Maine**, a municipal corporation and body politic located in Penobscot County, Maine (hereinafter "Municipality"), and **Sargent Corporation**, a business corporation organized and existing under the laws of the State of Maine, with offices at 378 Bennoch Road Stillwater (Old Town) Maine and 489 Odlin Road, Bangor Maine, hereinafter referred to as the "Developer."

RECITALS

WHEREAS, the Municipality and the Developer have agreed to apply for designation of a tax increment financing district (the "District") within the Municipality, the adoption of a development program for the District and the execution of a credit enhancement agreement, all pursuant to Title 30-A Maine Revised Statutes, Chapter 206, for the benefit of the Developer's planned development project (the "Project");

WHEREAS, the Municipality plans to prepare and submit an application to the State of Maine Department of Economic and Community Development for approval of the District designation and a development program for the District, and anticipates engaging an outside consultant and legal counsel for that purpose; and

WHEREAS, the Municipality will incur certain costs in connection with its preparation and municipal approval of the District, the District development program and related documents and agreements and submission to DECD; and

WHEREAS, the Municipality has requested that the Developer reimburse the Municipality for the aforementioned costs, as such costs will be solely and directly attributable to the Municipality's review of the application, are not provided for in the Municipality's budgets, and should be borne by the Developer and not by the Municipality or its residents.

NOW, therefore, the Developer hereby agrees to reimburse the Municipality for reasonable expenses incurred by the Municipality in connection with the Municipality's preparation and approval of the District, the District development program and related documents and submission to DECD, up to but not exceeding Eighteen Thousand and Five Hundred Dollars (\$18,500.00) (the "Fee Cap").

1.0 REIMBURSABLE COSTS

"Reimbursable Costs" shall mean of all reasonable and documented outside professional costs, legal fees, accounting, application fees, mailing charges, travel, or other costs reasonably incurred by the Municipality in preparing and approving the District's designation and the District development program, including preparation of related documents and agreements, including credit enhancement agreements, if any. The Developer agrees to pay such Reimbursable Costs, in a cumulative amount not to exceed Five Hundred Dollars (\$500.00),

whether or not the District is ultimately approved by both the Municipality and State of Maine Department of Economic and Community Development.

2.0 MUTUAL ACCEPTANCE OF COSTS

It is understood that the Municipality has engaged Rudman Winchell to provide consulting and legal services in connection with the Municipality's review of the application ("Municipality Legal Counsel"). It is understood and agreed by the parties that the Municipality's engagement of consultant Noreen Norton and legal counsel Erik Stumpfel for these purposes and consistent with the Fee Cap is reasonable and necessary for the purposes contemplated herein.

3.0 TIMING OF REIMBURSEMENT PAYMENTS

The Developer agrees to promptly reimburse the Municipality for all Reimbursable Costs as follows. The Municipality shall submit monthly invoices to the Developer for Reimbursable Costs incurred by the Municipality during the preceding month. The Municipality's invoices to the Developer shall be based on invoices that have been received by the Municipality from Municipality Legal Counsel, or others, even though not yet paid by the Municipality. The Developer shall pay each invoice issued to the Developer by the Municipality in full, within twenty (20) days following the Developer's receipt of the invoice concerned. If Developer disagrees with any portion of an invoice, it shall notify the Municipality in writing the amount in dispute and the reason for its disagreement within twenty (20) days after receipt of the invoice, and shall pay the portion not in dispute. Developer may at any time (including up to one (1) year after the termination or expiration of this Agreement) audit or request reasonable additional supporting documentation for any invoice and the Municipality agrees to make its employees, consultants and agents available to answer Developer's questions about invoices.

4.0 REPRESENTATIONS AND WARRANTIES

4.1 Developer Representations and Warranties. Developer makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) *Existence and Good Standing.* Developer is validly existing as a business corporation in the State of Maine and is authorized to do business within the State of Maine.

(b) *Approval and Authorization.* Developer has full power and authority to enter into this Agreement and to fully perform all of its duties and obligations hereunder. Developer is duly authorized to execute and deliver this Agreement and perform all of its duties and obligations contained herein, and, to the extent permitted by applicable law, this Agreement constitutes a valid and legally binding obligation of Developer, enforceable in accordance with its terms.

4.2 Municipality Representations and Warranties. The Municipality makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) *Existence and Good Standing.* The Municipality validly exists as a political subdivision in good standing under the laws of the State of Maine.

(b) *Approval and Authorization.* The Municipality has full power and authority to enter into this Agreement and to fully perform all of its duties and obligations hereunder. The Municipality has duly authorized the execution and delivery of this Agreement and the Municipality's performance of all of its duties and obligations contained herein, and, to the extent permitted by applicable law, this Agreement constitutes a valid and legally binding obligation of the Municipality, enforceable in accordance with its terms.

(c) *Lack of Relation to Municipality's Determinations.* The Developer's payments under this Agreement, which are being made at the Municipality's request, shall not influence or have any bearing whatsoever upon the Municipality's determination with respect to any application.

5.0 ENTIRE AGREEMENT

The entire Agreement between the parties with respect to the subject matter hereunder is contained in the Agreement. There are no other understandings, representations or agreements nor incorporated herein.

6.0 MODIFICATION

No waiver, alteration or modification of any of the provisions of this Agreement shall be enforced unless in writing and signed by both parties to this Agreement.

7.0 GOVERNING LAW

This Agreement shall be governed by, and construed in accordance with, the laws of the State of Maine, without regard to the conflict of laws provisions in such state.

8.0 NOTICES

All notices, requests, demands and other communication hereunder shall be in writing and shall be deemed to have been duly given (i) when delivered by messenger or by reputable national overnight courier service, (ii) three (3) business days after mailing when mailed by certified or registered mail (return receipt requested), with postage prepaid and addressed to the parties at their respective addresses shown below or at such other address as any party may specify by written notice to the other party, or (iii) when delivered by facsimile transmission (with automatically generated confirmation of receipt) to the parties at the facsimile numbers listed below:

a. If to the Developer:

Sargent Corporation
378 Bennoch Road
Stillwater (Old Town) Maine 04489

Tel. (207) 827-4435
Fax (207) 827-6150

b. If to the Municipality:

Town Manager
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Tel. (207) 862-3034
Fax (207) 862-5067

Either party may change the name(s) and or address(es) to which notice is to be addressed by giving the other party notice in the manner herein set forth.

9. MISCELLANEOUS

9.1 Exercise of Rights and Waiver. The failure of any Party to exercise any right under this Agreement shall not, unless otherwise provided or agreed to in writing, be deemed a waiver thereof; nor shall a waiver by any Party of any provisions hereof be deemed a waiver of any future compliance therewith, and such provisions shall remain in full force and effect.

9.2 Severability. In the event that any clause, provisions or remedy in this Agreement shall, for any reason, be deemed invalid or unenforceable, the remaining clauses and provisions shall not be affected, impaired or invalidated and shall remain in full force and effect.

9.3 Headings and Construction. The section headings in this Agreement are inserted for convenience of reference only and shall in no way effect, modify, define, or be used in construing the text of the Agreement. Where the context requires, all singular words in the Agreement shall be construed to include their plural and all words of neuter gender shall be construed to include the masculine and feminine forms of such words. Notwithstanding the fact that this Agreement has been prepared by one of the Parties, all of the Parties confirm that they and their respective counsel have reviewed, negotiated and adopted this Agreement as the joint agreement and understanding of the Parties. This Agreement is to be construed as a whole and any presumption that ambiguities are to be resolved against the primary drafting party shall not apply.

9.4 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed as of the date first written above.

SARGENT CORPORATION
DEVELOPER

By: _____
Name:
Title:
Duly Authorized

TOWN OF HAMPDEN
MUNICIPALITY

By: _____
Name: Angus Jennings
Title: Town Manager
Duly Authorized

DRAFT

SCOPE OF SERVICES

HAMPDEN BUSINESS PARK TAX INCREMENT FINANCING (TIF) DISTRICT

Project Summary:

Designation and approval of a municipal Tax Increment Financing (TIF) District and District development program for the Hampden Business and Commerce Park, under Title 30-A, Chapter 206, Maine Revised Statutes.

Working closely with the Town of Hampden’s Town Planner, Town Assessor and other Town staff, Rudman Winchell will provide all consulting and legal services necessary to create and obtain local approval and final DECD approval of the TIF District and District development program, including any related TIF credit enhancement agreement.

Background:

In 2001 and 2002, the Town of Hampden created the Hampden Business and Commerce Park on land owned by the Town. In April 2014, the Town entered into a development agreement with Sargent Corporation and affiliated Sargent entities for completion of roads and other infrastructure in the park that remained undeveloped at that time. In return for Sargent’s work, Sargent received an option to acquire certain lots in the park for \$1.00 each, upon completion of infrastructure improvements serving the lots concerned. The development agreement also provides for designation of a TIF district for the park, and a TIF credit enhancement agreement between the Town and Sargent, providing Sargent with partial reimbursement of property taxes paid on account of new taxable development on certain lots within the park.

Disclosure:

Rudman Winchell attorney Erik M. Stumpfel Esq. served as counsel to Sargent Corporation in negotiating the 2014 development agreement with the Town. Due to attorney Stumpfel’s prior involvement on behalf of Sargent, provision of legal services to the Town in connection with the project is contingent on a written conflict waiver from Sargent Corporation, currently being secured.

Acceptance of this proposal by the Hampden Town Council will be deemed to constitute a conflict waiver on the part of the Town.

Specific Services:

A number of steps are necessary to designate a TIF district and obtain final approval from DECD. The Town of Hampden, through its Town Planner and other Town staff, can undertake and perform a number of these steps. We propose that the necessary steps and tasks be allocated between Rudman Winchell and the Town as follows:

(1) *Determine the area to be included in the TIF district.* Under the development agreement, the TIF District must include the business park. The District may also include other areas where the Town wants to encourage development or create TIF-funded improvements. These additional areas need not be contiguous with the Business and Commerce Park. A district map, showing the selected areas, must be prepared.

Allocation: The Town shall designate what additional areas, if any, are to be included in the TIF district, and shall provide all necessary mapping.

(2) *Prepare and write a development program.* The development program provides a description of the District and the goals and objectives of the TIF District designation. The development program also includes a list of TIF-eligible projects to be funded by the Town with the Town's share of TIF district revenues.

Allocation: The proposed development program will be prepared by Rudman Winchell economic development consultant Noreen Norton, in consultation with the Town Planner and the Town Council's Planning & Development committee.

(3) *Determine the "capture" percentage* (= the percentage of new taxable value to be included in the TIF district). For most TIFs, this figure is 100%. However Hampden, with some recent exceptions, has often limited the capture percentage to the percentage of taxes reimbursed to the project developer under a negotiated credit enhancement agreement. The capture percentage, and whether to set the percentage at a level that will generate Town TIF revenues in addition to amounts reimbursed to the developer under a CEA, are policy questions for the Town.

Allocation: Town of Hampden.

(4) *Prepare TIF revenue projections and "tax shift" calculations.* TIF revenue projections and tax shift calculations are required elements of a final TIF application to DECD. The tax shift projections measure the impact of the TIF district designation on State funding formulas and county taxes on an annual basis, for the full term of the district.

Allocation: Rudman Winchell, Noreen Norton. This shall include a presentation to the Town Council or its Planning & Development Committee (which may be a component of a larger presentation).

(5) *Prepare TIF public hearing notice and advertisement.* Maine's TIF statute requires the Town to conduct at least one advertised public hearing prior to final action by the Town Council on the TIF.

Allocation: Rudman Winchell, Noreen Norton (with review by legal counsel).

(6) *Prepare information materials for public hearing.*

Allocation: Rudman Winchell, Noreen Norton. Noreen's materials may be supplemented by Town-prepared materials.

(7) *Attend and present information at the TIF public hearing.*

Allocation: Rudman Winchell, Noreen Norton / Erik Stumpfel.

(8) *Prepare form of Town Council's approval vote.*

Allocation: Rudman Winchell, Erik Stumpfel.

(9) *Prepare minutes of TIF public hearing and Town Council vote.*

Allocation: Town of Hampden.

(10) *Prepare TIF credit enhancement agreement.* A TIF credit enhancement agreement typically refunds a portion of property taxes generated by new development in the TIF district to the project developer. In this instance, the material terms of the CEA have already been negotiated as part of the 2014 development agreement. Accordingly, the task for this project is limited to preparing a CEA document in accordance with the previously negotiated terms.

Allocation: Rudman Winchell, Noreen Norton / Erik Stumpfel.

(11) *Prepare DECD application exhibits.* Required exhibits to the final DECD application include TIF District and area maps; a certification of the District's "original assessed value" by the Town's assessor; the TIF revenue projections and tax shift calculations; evidence of compliance with the TIF public hearing requirement, including minutes of the public hearing; and an attested copy of the final approval vote by the Town Council. Copies of any approved credit enhancement agreements for the District must also be provided with the application.

Allocation: The Town will be responsible for preparing the TIF District and area maps; the assessor's OAV certificate; minutes of the TIF public hearing; and an attested copy of the Town Council's final approval vote. Rudman Winchell (Noreen Norton) will be responsible for preparing all other exhibits.

(12) *Prepare and assemble final application to DECD.*

Allocation: Rudman Winchell, with data input as needed from the Town.

(13) *Pre-meeting with DECD to vet (Smitty: "test drive") the application; additional meetings with DECD as necessary.*

Allocation: Rudman Winchell, Noreen Norton / Erik Stumpfel, including advance notification of the meeting to the Town Manager.

(14) *Legal review and advice, as needed.*

Allocation: Rudman Winchell, Erik Stumpf

Compensation:

All consulting and legal services for the project will be provided at Rudman Winchell's standard municipal rate of \$175 per hour, with a total project "not-to-exceed" cap of eighteen thousand dollars (\$18,000.00).



Town of Hampden
Land & Building Services

Memorandum

To: Angus Jennings, Town Manager
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: October 13, 2016
RE: Market Study Follow-up

As a follow up to previous discussions on the market study, particularly as discussed with the staff of Bangor and Brewer on 9/20 and at the 9/21 P&D Committee meeting, I spoke with Tanya Emery, Director of Community & Economic Development for Bangor to see if Bangor is still interested in participating with Hampden on a market study. She told me that she has too many higher priority projects going on at the moment and cannot allocate the resources (time or money) to pursue a market study at this time.

The P&D Committee gave clear direction to staff at the 9/21 meeting to move forward as quickly as possible with this study, as it will provide much needed information and will allow us to build relationships with the community that will enhance our ability to attract new businesses to town. Since Brewer had indicated they are not interested in working with us on Phase 1 of a market study given that they recently completed a similar study, and Bangor has now indicated they are not prepared to move forward at this time in a coordinated effort with Hampden, my recommendation is to bring a request for allocation of \$15,000 from TIF funds for the purpose of conducting a market study to the Town Council at your earliest convenience. Once allocated we can work with vendors to establish a final scope and contract and get the work underway, preferably before the holiday season is upon us.

I will be exploring the possibility of working with the University of Maine Orono to see what research they might be able to bring to the table in support of or supplemental to the market study work described in Phase 1 of the draft scope of work we have been considering. In order to facilitate getting this important work underway, I do not think it would be wise to wait to move forward with funding allocation by the Council.

Town of Hampden

Driveway/Entrance Culvert and Underdrain Policy

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Background:

Title 23SS 705 MRSA defines culvert responsibility with respect to driveway/entrance culverts. With consideration of this law and the various situations and complaints that have occurred around the state, this document has been prepared to more clearly define the specific responsibilities of Maine’s taxpayers as a whole through MaineDOT, The Town of Hampden and the individual highway abutters.

A culvert is “a covered channel that carries water under a road, railway or through an embankment”. In the case of a driveway or entrance culvert, it is the culvert’s ability to effectively move water from one side of a driveway or entrance to the other side that is critical to protecting the Town’s infrastructure (the public corridor to which the driveway or entrance connects). To the end, it is in the Town’s interest to ensure that this conveyance of water is maintained. For additional information regarding required culvert sizing and material, refer to the Town of Hampden, Town Ways Ordinance. For additional information regarding State or State Aid roads, refer to the Maine Department of Transportation Driveway/Entrance Culvert Policy.

An underdrain, for the purpose of this policy, is defined as “a concealed or buried pipe with perforations through which water can enter when the water table reaches the level of the drain and water can be conveyed when the underdrain (pipe) is sloped.”

Policy:

Activities performed by the Town’s Public Works crew (or an approved contractor hired by the Town) with regard to driveway/entrance culverts and underdrains within the right-of-way of a Town Road shall include the following:

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- 1) When a culvert or underdrain has become plugged by natural causes, such as the gradual accumulation of debris or ice, or has failed to the point where water can no longer be effectively conveyed, the Town of Hampden is responsible for restoring adequate flow through the culvert or underdrain.
- 2) When the Town of Hampden undertakes a capital or ditching project that requires the replacement or relocation of driveway/entrance culverts or underdrains, the Town of Hampden is responsible for such culvert/underdrain replacement/relocation and driveway/entrance restoration.
- 3) When a natural event causes regional or localized flooding and washouts, causing a culvert to fail and/or a driveway/entrance to washout, the Town of Hampden will reinstall or replace the culvert (at the Town of Hampden’s option) and reestablish access to the abutting property.

4) Where an underdrain has been installed by the Town in lieu of an open ditch and/or driveway entrance culvert, driveway bumps (usually due to seasonal freeze/thaw cycles) in excess of 3" (as determined by the Public Works Director) will be removed, repaired or regraded by the Town or an approved contractor hired by the Town after being notified. The driveway repair will be placed on a prioritized list and accomplished as soon as practicable.

Activities that are the responsibility of the owner/abutter, in accordance with Title 23 SS 705 MRSA, shall include the following:

- 1) Culvert replacement not covered above.
- 2) Driveway repairs of any type (excepting damage caused by natural events as described above in item 3). This includes such issues as: bumps or depressions that may develop over a culvert (usually due to seasonal freeze/thaw cycles), erosion of the driveway/entrance side slopes, and potholes that may develop as the result of a deteriorating pipe prior to replacement.
- 3) Restoring flow when the culvert is obstructed, either directly or indirectly, by the actions of the abutter or their agents (such as intentionally depositing leaves, debris or plowing snow into a ditch line).

When an abutter fails to uphold their responsibilities and damage to the highway corridor has occurred or is imminent, the Town of Hampden may seek to recover its costs from the abutting owner.

Town Clerk:

APPROVED by majority of the Town Council:



memo

Town of Hampden-Recreation Department

To: Hampden Town Council-Services Committee
From: Shelley Abbott; Recreation Director
CC: Angus Jennings; Town Manager
Date: 10/5/2016
Re: Outdoor Facilities Ordinance Proposed Changes-Vaping Complaint

On, Wednesday, September 28, 2016, I received an email from a concerned parent on policy for vaping at the Lura Hoit Pool Field complex (Western Avenue Recreation Area). Apparently, during Saturday Soccer games, an adult has been vaping alongside the play field during these games. The parent expressed his concerns for this activity and asked that we do something about it.

I researched the Outdoor Facility Ordinance and visited with Hampden Public Safety and Hampden Academy Athletic Director, Mike Bisson, that day to find more about vaping and to see how this may be handled at other athletic events attended by the public.

In review of the Outdoor Facilities Ordinance, by definition, the site of complaint is included within the outdoor facility ordinance. In reviewing the substance of complaint with Hampden Public Safety, Vaping is water vapor that is inhaled when nicotine is heated up electronically by an e-cig (electronic cigarette). It contains no tobacco products. Additional language would be needed to be inclusive of this additional substance.

In reviewing the City of Bangor Public Health's website and talking to staff, currently e-cigarettes are unregulated by the US Food and Drug Administration, and there are no safety checks or requirements for what can go into an e-cigarette. Bangor Public Health staff advises however that work has begun (in May of 2016) toward the creation of regulations for e-cigarettes by the FDA. The State of Maine requires sales of these devices to adult 18 years and older only.

Also notably, in October of 2015, the State of Maine added language to state laws regarding use of e-cigarettes in public places. The 2015 law includes e-cigarettes in the definition of smoking



memo

for the purpose of restrictions in public places. Restaurants and bars in Maine have been smoke-free since 2004, and outdoor dining areas, beaches, playgrounds and other gathering areas in state parks have been smoke-free since 2009.

In the interest of public health, and to continue to promote healthy experiences in our public outdoor facilities in the Town of Hampden, it would be my recommendation to add one of the following to the language to the Outdoor Facility Ordinance in order to address the use of e-cigarette/vaping:

OPTION 1 (language from state law)

Article IV. Definitions

4.1 Definitions-

Tobacco Products: cigars, cigarettes, chewing tobacco, snuff, or any other product containing tobacco as regulated under state law

(Add) Electronic Smoking Device: "Electronic smoking device" means a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so called vape pen.

Article V. Prohibitions

(Add) 5.12 Smoking

No person shall Smoke within any outdoor facility, park, or sports field. "Smoking" includes carrying or having in one's possession a lighted or heated cigarette, cigar, or pipe, or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. "Smoking" includes the use of an electronic smoking device.

* Option 1 recommended
by Services Committee 10/11/16

OPTION 2 (language from RSU 22 Policy)

Article IV. Definitions

4.1 Definitions-



memo

Tobacco Products: cigars, cigarettes, chewing tobacco, snuff, or any other product containing tobacco as regulated under state law.

(New) Tobacco products include but are not limited to cigars, cigarettes, chewing tobacco, electronic cigarettes (e-cigarettes) and vapor devices.

Article V. Prohibitions

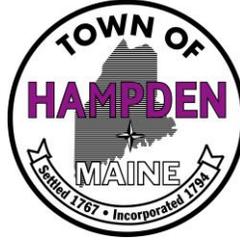
(Add) 5.12 Smoking

No person shall Smoke within any outdoor facility, park, or sports field. "Smoking" includes carrying or having in one's possession a lighted or heated cigarette, cigar, or pipe, or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. "Smoking" includes the use of an electronic smoking device.

Additionally, I would recommend that we purchase and install signage for the Town of Hampden Outdoor Facilities inclusive of the new rules. Currently signage is in place at the Ballfield Road Softball field and VFW Ballfields. There is no signage at the Western Avenue Recreation Area, or any of the dedicated park sites to my knowledge.

The signage currently reads: No Tobacco or Alcohol permitted on (complex name).

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Finance Committee and Town Council

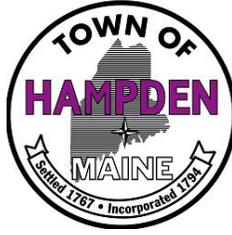
FROM: Angus Jennings, Town Manager

DATE: October 13, 2016

RE: Recommended allocation of TIF funds toward Broadband Study

Our grant application to conduct a Broadband Feasibility Pilot Project was awarded this week. A copy of our grant proposal is attached. The grant contains financial resources to be used for this project. Approximately \$40,000 will be available for developing four community plans, one of which will be for Hampden.

As a condition of grant receipt, each community must commit up to \$5,000 as a match to the awarded funds from ConnectME. Because a Broadband Feasibility Study was specifically identified as an eligible use in the Emera TIF, I am recommending allocation of up to \$5,000 from the Emera TIF account to be used as matching funds.



106 Western Ave
Hampden, Maine 04444

Phone: (207) 862-3034
Fax: (207) 862-5067

Contact: Kyle Severance
Email: gisit@hampdenmaine.gov
Website: www.hampdenmaine.gov

REQUEST FOR PROPOSAL:

Community Participation in a Broadband Pilot Study For

Eastern Maine Development Corporation

Authorized Signature

X 

Angus Jennings
Town Manager

September 12, 2016

Overview

The Town of Hampden is located along the West side of the Penobscot River, directly south of the City of Bangor. At 2010 census, the population of Hampden was 7,257. The Town is primarily a bedroom community of Bangor, although it maintains an active economic development agenda. Hampden maintains a 'small town feel' while providing the services often expected of larger municipalities. The location of the RSU-22 school system, including Hampden Academy, Hampden is known for having an excellent education system. On the municipal side, the Town funds the following departments: Town Office, Public Safety (Police and Fire), Public Works, Land and Building Services (Code Enforcement, Assessing, Planning, GIS, IT), Recreation, Pool, and Library.

Despite a median household income 27 percent higher than the state average (2010 census data), the Town has fallen behind the Community's demands for the availability and speed of broadband internet. The Town Council has prioritized the effort to improve broadband access to the Town's residents and businesses. In the last decade, most of the Hampden's development has occurred outside its urban area. 63 percent of the Town's population is located outside the urban area as is 92 percent of the Town's geographical area (Census 2010). Internet options outside this urban area are limited for the vast majority of these residents. A drive through these 'rural' areas reveals many residents relying on satellite internet service. Please see appendix A for map of Hampden development over the last decade.

The primary ISPs known to service the Town are TimeWarner Cable and TDS Telecom. Efforts have been made by the GIS/IT Specialist to meet with the account managers of these companies and look at options to improve the speed and reliability of the services in the municipally-owned facilities. This endeavor revealed numerous, complicated barriers revolving around broadband options in general for the Town. Although each community seeks similar goals, they face different challenges and must find different solutions to accomplish them. After these meetings, and networking with other businesses and communities at the 2016 Maine Municipal Association Tech Conference, the GIS/IT Specialist realized that Hampden is not alone in these challenges and that the first step needed is a feasibility/planning study. Bringing his findings back to the Town Manager and Town Council resulted in a unanimous vote in June 2016 to pursue this grant opportunity.

As a relatively highly populated Town adjacent to the third largest city in Maine, the Town of Hampden has a desire to collaborate with EMDC, Axiom Technology, and ISPs to seek options that can meet the current and future demands of broadband services for the community.

Summary and Description of Broadband Capacity

When the GIS/IT Specialist's employment with the Town of Hampden began on October 2013 he met with the current account manager of TDS Telecom in regard to the current town accounts and future options. At the time, and as to date, the only services the town receives from TDS are a few single copper lines supplying

fax/DSL/elevator phone service. In the summer of 2013 the Town switched phone services for all municipal facilities from TDS to OTT Communications Hosted Group. The VOIP phone system is inherently reliant on internet services; therefore, the Specialist maintained weekly contact with their only ISP, Time Warner Cable (TWC).

Despite growing need for reliable service and speeds, contact with the TWC account manager has been a challenge. Through numerous account manager changes, weekly outages, and even a three day outage at the Town Office/Public Safety, time-consuming escalations and multiple calls through transfers to various departments were required to resolve issues and maintain a functioning internet for the Town.

In the last year, the GIS/Specialist has had three separate meetings with two Verizon managers of the governments division. The Town now has a Verizon government account under the same contract as the State of Maine. The two account managers have been attentive to the Town's needs and are always open to look at options to improve productivity while being conscious of budget constraints.

No other ISPs besides other cellular carriers are known to the Town.

ConnectME site appears inaccurate for available services in the rural areas

The Town's public works garage is located on Canaan Road, approximately four miles from the Municipal Building and is supplied by TDS 10mbps DSL internet. This service is used for staff business on computer workstations, VOIP phones, and WIFI for Honeywell wireless thermostats. The speed of the service tests around 1mbps downstream (on a good day) which causes severe issues with all the services. The public works director has not been able to have a clear VOIP phone call in several months and had to partly relocate to the Town Office due to the poor service. Calls have been made to TDS to speed up the service but TDS stated in a phone call that they don't even offer the current speed at that location and only have offers for slower speeds.

The cellular internet service is also lacking on all carriers for the relatively flat geographic area in rural Hampden. Cellular GPS units in the fleet vehicles are unable to be tracked in real time. This lack of service greatly limits the features we are able to use through the Forward Thinking Systems/T-Mobile service.

On at least two occasions over the last year residents have visited the Town Office with a letter they had received from TDS stating that the internet service in their area has degraded and if they were no longer bound to an early termination fee of their contract. Many residents rely on internet for their livelihood, so they look to the town to know what their options are. Having no role in where and what private ISPs do with their service area, these residents left the Town Office with no other options than what they came in with.

When looking at available broadband services on the ConnectME mapping tool (please see appendix B), the accuracy of these data are questionable. However, if accurate, there must be ISPs out there that we do not know of.

Municipal building fiber run and 3-ring binder unbalance

The municipal building houses both the town office and public safety departments. Within these departments are Administration, Land and Building Services, Public Works, Police, and Firefighting/Paramedics. The TWC 35x5M connection services over 30 workstations, public Wi-Fi, 30 VOIP phones and various connected devices. Due to the reliability issues with the TWC internet, a Verizon cradlepoint router was installed as a redundant connection.

At the 2016 OTT Communications Lunch and Learn the GIS/IT professional investigated options for alternative internet sources. After much correspondence with the OTT account manager, the pricing of running fiber to the building was received. Even though fiber exists directly across the street, servicing the Bangor Savings Bank, it would cost the Town over \$1000 a month for the slowest connection of fiber available. This pricing was outside the means of a tight municipal budget. The average TWC bill for the building is currently \$350 a month.

When looking at fiber pricing and means of acquiring the service for the Town Office and Public Safety, the part that makes the least sense is how the 3-ring binder project fits into the scope. In the summer of 2015, the Edythe Dyer Library, located roughly half a mile off Main Rd North, was upgraded to a fiber connection that achieves over 100mbps (upstream and downstream) at no cost whatsoever. This is a great service to the Town, but if the service could be available at the municipal building it could be used to benefit the Town in many various ways. For example, the municipal building struggles to stream live video of Town Council meetings over the internet. If a fiber connection was available, the Town could keep up with the shift toward public outreach via live video. In addition to public outreach, public safety could be improved by the new technologies being implemented by the departments such as HD camera captures, interview room recordings, HD CCTV surveillance of the building, and better use of the multipurpose community room. The highly anticipated FirstNET project will undoubtedly require an upgraded source of internet.

It seems odd that the federally funded capital improvement '3 ring binder' would only focus on schools and libraries, completely leaving out all other public services.

Recently determined Town center location for purposes of planning potential zoning changes

The Town's department of Land and Building Services met with the Town Council's Planning and Development Committee on 9/7/16 to discuss the agreement of the location of the town center. The results of the discussion carry the implications of potential zoning changes for the entire Town Center geographic area. Based on the needs

found from redefining the Town's land use requirements for the future, a central town location would be a prime location to solidify and vitalize broadband for the downtown businesses, residents, and visitors.

Goals

Infrastructure expansion options

The topic of whether broadband should be treated as a utility, and whether that utility would be publically, privately, or "dark" was brought up at the 2016 MMA Tech Conference. There are infinite options comparing to the individuality of each Maine Community. The Town of Hampden is a 'bedroom community of Bangor' and their demands support growing out broadband infrastructure. The short-sighted money-making focus of private ISPs has inhibited the potential of the greater Bangor-area development. There are many options for improvement upon the existing conditions that could be uncovered by grant funding. Uninhibited professional expertise is needed to support this collaboration, as internet services are severely lagging behind all other utilities available to residents.

Digital Literacy for Residents

Surveys are needed for the opinion of residents on to whether their internet services are adequate. The Town has not developed such surveys and is currently reliant on the expertise of the grantors to develop appropriate surveys. Differentiated surveys would be preferable in order to target residents, businesses, and nonprofit organizations. The Town Manager met with the RSU-22 Superintendent recently to discuss potential collaboration on a survey, since the schools have heavily integrated laptops into their curriculum and have a "finger on the pulse" of areas where connectivity is problematic. The Superintendent was receptive to the request and RSU-22 would be a participant if this grant is awarded.

Economic development opportunities

"If you build it they will come" is a sound analogy for economic development and smart growth. Private industry and businesses constantly evaluate the current status of available utilities when looking to locate operations. Broadband has become a need like water, sewer, and power. When high speed broadband is available, it enables residents to work from home and corporations to virtualize operations. Savings in facility and travel expenses are favorable with this new movement of technology-reliant modeling. Since private ISPs rarely consider the potential of laying infrastructure before development occurs, this leaves the under-staffed and under-budgeted municipalities to bear the burden of finding 'outside the box' solutions.

Schedule

The Town of Hampden will commit to the pilot project begin date of September 15, 2016. The Town Council was briefed on the grant opportunity by the GIS/IT Specialist at a Town Council Services Committee meeting on 6/6/16 and the Council supported staff work to investigate the grant opportunity (please see appendix item C)

Identification of Community Match

Hampden has enacted several TIF agreements, and these funds would be eligible as our local match based on the terms of the TIF agreements. Upon receipt of the grant a specific allocation would be brought forward for Town Council approval (which could be as early as their September 19 meeting, pending receipt of the grant award). It is anticipated that the full \$5000 match can be supported by the Town of Hampden.

Precertification Checklist

I. Create a Community Broadband Team

Provide a list of members, including name and title:

Point of Contact: Kyle Severance, GIS/IT Specialist, Town of Hampden, email: gisit@hampdenmaine.gov

Starting employment with the Town of Hampden in Oct 2013, the GIS/IT Specialist has assisted the Town in the maintaining and improvement of all manner of technological infrastructure. While attending the University of Maine in Orono (graduated 2009), he worked as a student network technician for the University of Maine System (UMS) and Maine School and Library Network (MSLN). A large portion of the work involved facilitating the implementation of the 3-ring binder project on the front line. In the course of 4 years, he directly setup, troubleshoot, and upgraded internet systems from 56K FRAD modems, DSL, T1, dual T1, T3 ATM circuits, and fiber. Now the director of IT and GIS for the Town of Hampden, the GIS/IT Specialist has improved implementation of current technologies and adopted new technologies to leverage the benefits of productivity and efficiency to the town staff and community.

The MMA Technology Conferences of 2015 and 2016 were a great source of knowledge and professional networking. Methods of adapting new technologies to improve Town operations were a primary focus. A day of lectures from the leaders of ConnectME and various Maine communities served as a driver towards informing the Town of Hampden of the broadband opportunities. After being briefed on the GIS/IT Specialist's findings, a unanimous vote by the Town Council's Services Committee supported the further investigation of the grant opportunity. Following the updates to the Town Council, the Town Manager appointed the GIS/IT Specialist as the project lead. On August 25th, 2016, the GIS/IT Specialist attended the EMDC bidder's conference.

On behalf of the Town of Hampden, the GIS/IT Specialist is also an active member of the contract negotiations subcommittee of the Penobscot Valley Cable Television Consortium, which is working to update a Cable Franchise Agreement with TimeWarner.

Other members:

- Angus Jennings, Town Manager
- Karen Cullen, AICP, Town Planner, Town of Hampden
- Matt Thomas, Firefighter/Paramedic, Resident, Town of Hampden
- Debbie Lozito, Director, Edythe Dyer Library
- RSU 22 member – To be appointed by RSU 22 Superintendent Rick Lyons
- Hampden Business Association member – Kevin Bellerose, owner of Computer Doctor of Hampden, and resident
- Ken D'Errico – Town-run cable channel 7 videographer, and resident

II. Hold at least one Community Broadband Meeting

The Town will need guidance from EMDC/Axiom on conducting the initial survey (content and sample targets). The following methods are able to be used by the Town for the purposes of outreach, information gathering, and communications:

- Social media (Facebook)
- Cable access channel 7
- Use of GIS to mail residents in certain area or certain real estate categories
- Ability to hold large meetings (council chambers and community room)
- Regular newsletters
- Survey Monkey / Google surveys
- Outreach through RSU-22

III. Identify Key Documents/Existing Efforts

Does the community use broadband to deliver municipal services? Describe the services, and how broadband is used to deliver these services.

- Town Office
 - Live video streaming of Town Council meetings
 - Public access webGIS site with maps and documents available
 - CCTV system for entire building (12 cameras)
 - Public WIFI
 - VOIP phone system (all municipal buildings)
- Public Safety – communication with County
 - HD camera surveillance from police cruisers gets uploaded when back in the station
 - Ambulances stream vital monitoring information to hospital in Bangor over the internet
 - First Response program for fire/paramedics stream over internet
- Other Municipal facilities:
 - Pool – Same service as Municipal building
 - Public Works – lacks service
 - Library – 3 ring binder service (fiber)
 - Recreation – TWC service, challenging building for wireless
 - Three town parks – no service

Is there local or regional economic development plans in which broadband could play a role? If so, provide a list of these documents.

No official known town documents or plans pertain to broadband (closest to it is the cable franchise agreement) or focus on narrowing the digital divide.

Does the town(s) have a cable franchise agreement?

Yes, this can be found on www.hampdenmaine.gov under ordinances and policies.

Are there any on-going community projects focusing on the digital divide or information technology (public access through schools or libraries, training, improving access to broadband, etc.)?

The Edythe Dyer Library has occasional trainings for patrons that aim at narrowing the digital divide. The RSU-22 school system also has a variety of adult education courses involving computers and technology.

Is there a TIF or other economic development grant for all or part of the area to be served?

There are three active TIF agreements in Hampden: Emera, HEC-Hampden, and University Club, LLC dba Dennis Paper. Both the Emera and University Club TIF agreements generate funds toward economic development through Credit Enhancement Agreements (CEAs). These CEAs specifically identify "Broadband Feasibility Study," town-wide, as an eligible use of TIF funds.

Does the town(s) have a municipal electric company? If not, what electric utilities serve the area?

No, Emera Maine (formerly Bangor Hydro) serves the Hampden area.

IV. Identify Potential Community Anchor Institutions

- Hampden Academy
- Edythe Dyer Library
- Municipal Building (Town Office/Public Safety)
- Lura Hoit Pool

ii. Businesses – Please see appendix D for full list of Businesses

- Maine Savings
- Hannaford
- Rite Aid
- Katadhin Trust
- Dennis Paper
- Central Maine Diesel
- Clean Harbors
- Good Shepherd Food Bank
- Emera Maine
- Hampden Country Club (rural)

iii. Potential Areas in Need

- Roe Village (low income senior living)
- Avalon Village (retirement community)
- Galway Rd (mobile home park)
- Triangle Properties (low income apartments)

V. Create a Vision Statement

In general, the Town Council’s vision is to enhance broadband accessibility for Hampden residents and businesses, with a focus on reducing the digital divide. However, a formal community vision statement is to be created by the community broadband team.

G
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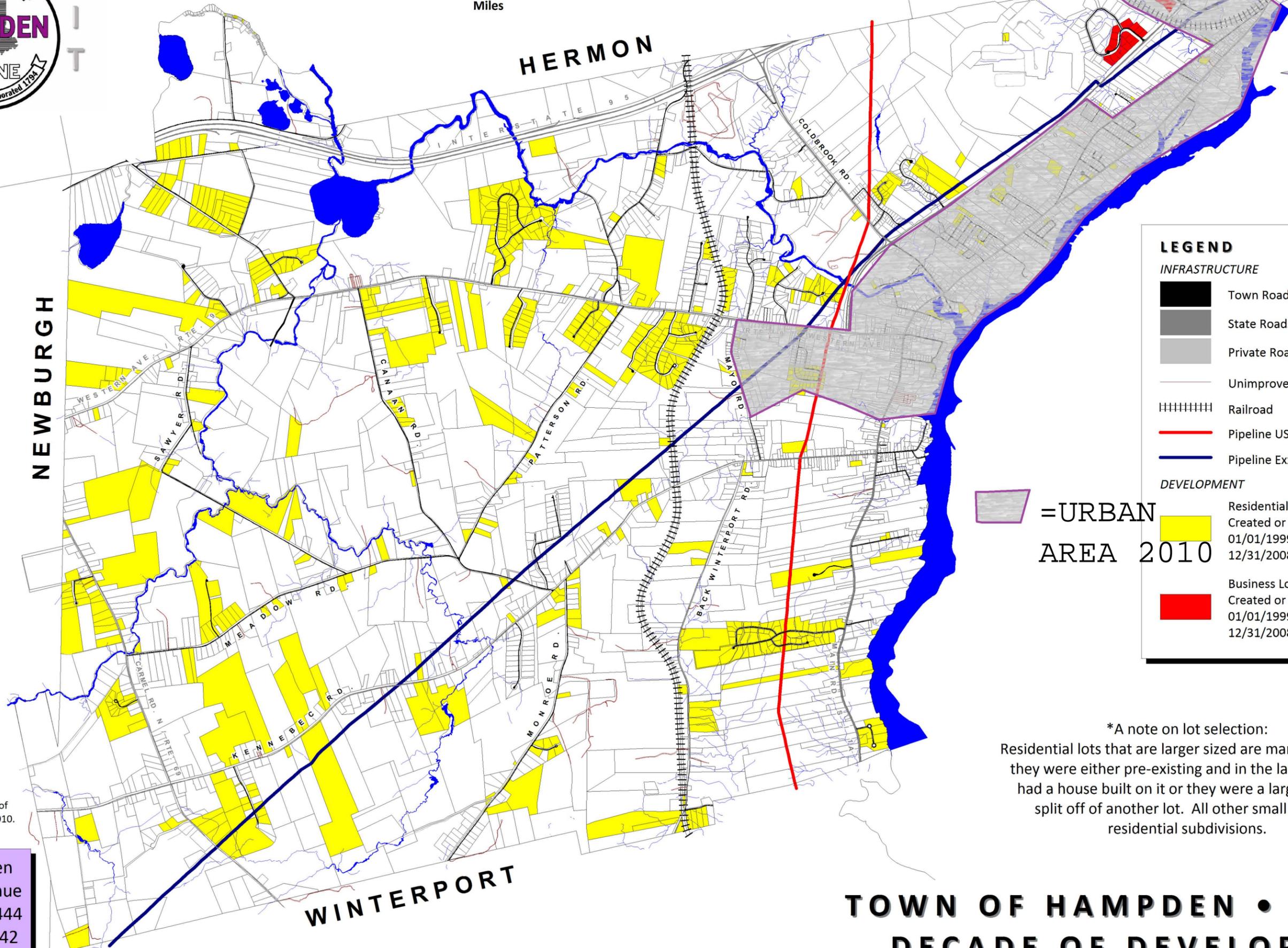
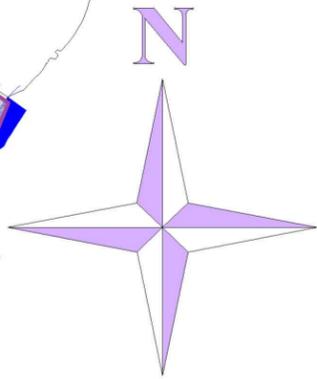
APPENDIX A



BANGOR

HERMON

NEWBURGH



LEGEND

INFRASTRUCTURE

- Town Roads
- State Roads
- Private Roads
- Unimproved Roads
- Railroad
- Pipeline US Government
- Pipeline ExxonMobil

DEVELOPMENT

- =URBAN AREA 2010
- Residential Lot Created or Built on 01/01/1999 to 12/31/2008
- Business Lot Created or Built on 01/01/1999 to 12/31/2008

Notes:
 Map Prepared By:
 Gretchen Heldmann
 Date of Preparation:
 04 March 2009
 Projection: UTM, Zone 19
 Datum: NAD83
 Source of Data & Disclaimer:
 For sources of data and
 disclaimer information,
 please see Maps section in text of
 Hampden Comprehensive Plan 2010.

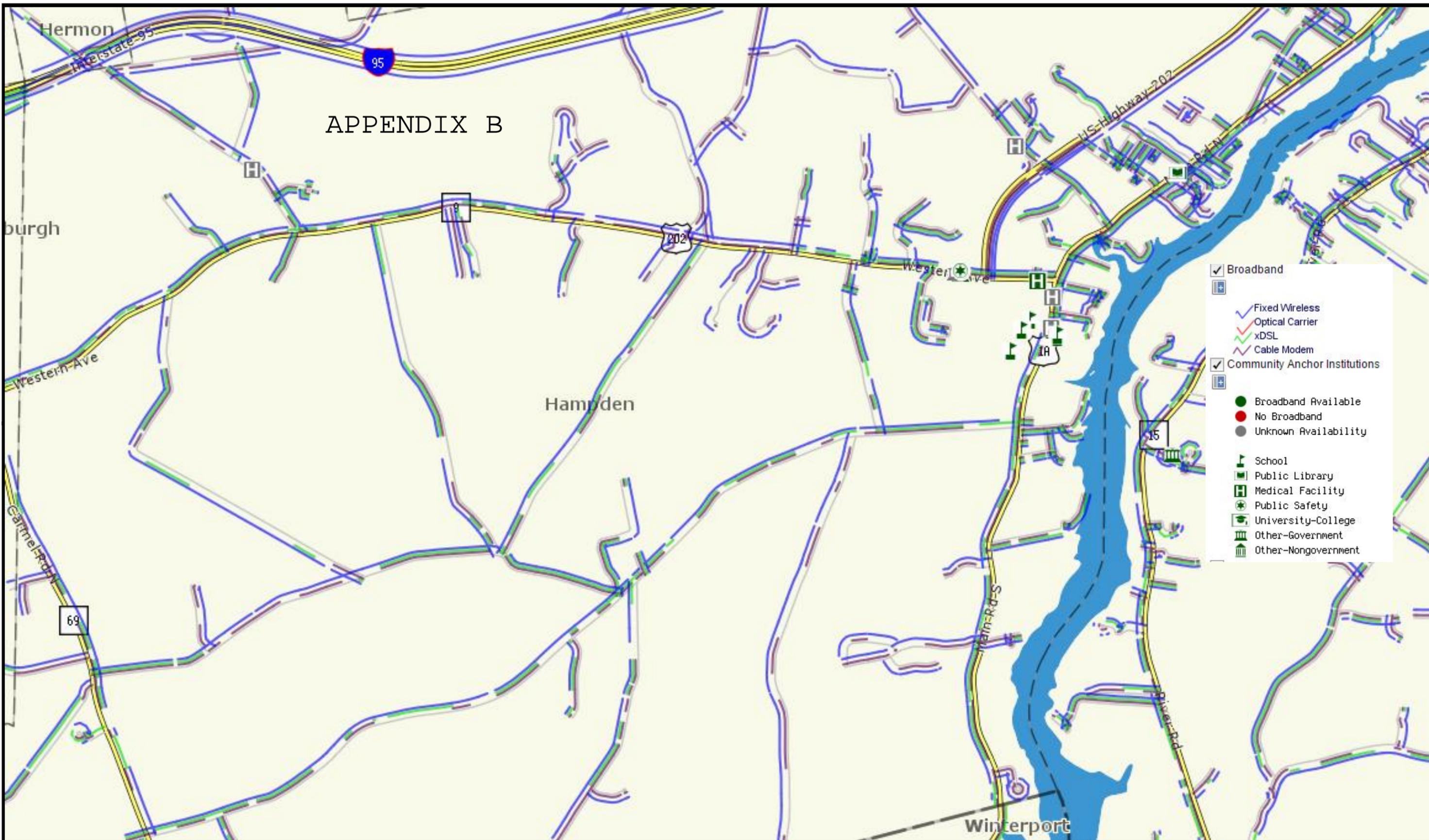
Town of Hampden
 106 Western Avenue
 Hampden, ME 04444
 (207)862.4500 x142

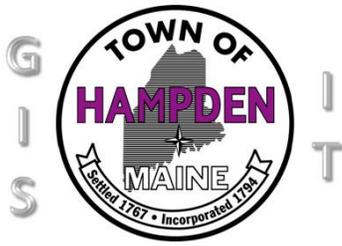
*A note on lot selection:
 Residential lots that are larger sized are marked because they were either pre-existing and in the last ten years had a house built on it or they were a large acreage split off of another lot. All other small lots are residential subdivisions.

TOWN OF HAMPDEN • MAP 7 • DECADE OF DEVELOPMENT



Broadband Availability





APPENDIX C

MEMO

To: Town Council
From: Kyle Severance
Date: 06/01/2016
Re: Municipal Broadband
Message:

On May 5th I attended the Maine Municipal Technology Conference in Augusta. This year, I focused on attending all the sessions regarding municipal broadband. I would like to present some of the information at the Services Committee Meeting on 6/6/2016.

Please find included in this packet information from the ConnectME Authority regarding Municipal Broadband in Maine. I found this information helpful in understanding the challenges in getting high speed internet to the community as well some strategies that have assisted municipalities' in accomplishing their goals.

Here are the basic planning elements:

1. Community vision, goals, and priorities
2. Assessment of existing infrastructure
3. GAP analysis
4. Explore paths forward
5. Select best solutions
6. Build community support
7. Develop funding mechanisms
8. Implement solutions

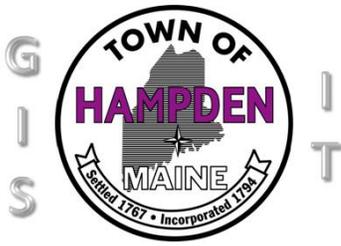
If the Town would like to investigate ways to get internet service providers to provide high speed broadband to Town of Hampden businesses and residents that currently lack internet options, I recommend that a grant application be completed to ConnectME for funding of a Municipal Broadband Feasibility/Planning Study. These would be the steps before applying for a grant:

1. Create a Community Broadband Team

- Provide list of members, including name and title:
 - Must include at least one representative from municipal government for each community seeking certification.
 - If it is known that a non-profit or economic development entity will ultimately be seeking a grant using this precertification, should include one member of that non-profit.
 - Members could include residents and representatives with experience in health care, business, and education.
- Must designate single point person for communications with ConnectME for certification process, provide email address to ConnectME.

2. Hold at least one Community Broadband Meeting

- Send emails to broadband providers currently serving your community and invite them to the community meeting.
- Share results of ConnectME Mapping for this community.
- Questions for attendees:
 - Which providers are currently serving your community?



MEMO

- Which providers attended your meeting?
- How do the mapping results compare with members' actual experiences?
- Does existing broadband access meet your needs?
- If it is inadequate in what ways does it fall short?
- If you have broadband, how do you use it now?
- Provide documentation showing meeting dates, notes, agenda and number of attendees, emails to providers and responses to the questions above.

3. Identify Key Documents/Existing Efforts

- Does the municipality use broadband to deliver municipal services? Describe the services, and how broadband is used to deliver these services. (e.g., town office has a broadband connection it uses to submit information to state government, police department uses broadband to communicate with state or federal databases or assessors' office make access to property records and maps available to the general public)
- Is there local or regional economic development plans in which broadband could play a role? If so, provide a list of these documents.
- Does the town have a cable franchise agreement?
- Are there any on-going community projects focusing on the digital divide or information technology (public access through schools or libraries, training, improving access to broadband, etc.)?
- Is there tax increment financing or other economic development grant for all or part of the area to be served?
- Does the town have a municipal electric company? If not, what electric utilities serve the area?

4. Identify potential Community Anchor Institutions

- Provide a list of potential community anchor institutions.
- Community anchor institutions are entities such as schools, libraries, hospitals and other medical providers, public safety entities, institutions of higher education. Anchor institutions can also be community support organizations that facilitate greater use of broadband by vulnerable populations, including low-income, the unemployed, and the aged.
- Provide a list of commercial institutions that could benefit from lower cost, higher bandwidth, and/or improved reliability of broadband.

5. Create a Vision Statement

- A Vision Statement is created by Community Broadband Team with input from public at the Community Broadband Meeting, with the goal to take a first step toward being able to set a direction for the community's future broadband efforts.
- The statement should describe the role broadband would play in this community's future, using input from the other steps in the precertification process.
 - Identify specific priority areas (e.g., connecting community anchor institutions, ensuring older citizens can age in place, closing the "homework gap", providing affordable high speed connections to a business park).
- Explain how this effort conforms to other planning documents/published visioning efforts on other issues in your community.

Except from 6/6/16 Services committee approved meeting minutes:

“Update from MMA Technology Conference regarding municipal broadband / high speed internet options – Kyle Severance, GIS/IT Specialist – Mr. Severance reported on his attendance at a recent conference regarding municipal broadband. He said ConnectME offers strategic planning grants and that he would recommend that Hampden pursue a grant, but said there is work that would need to be done ahead of time in order to be competitive for a grant. He said there should be a Community Broadband Team. Councilor McAvoy asked what level of service is now available along Route 1A. Mr. Severance said that service levels drop off west of the railroad tracks and that he has been in touch with Time Warner Cable and with TDS Telecom. The internet speed at the DPW Garage is inadequate to support VOIP. Councilor Marble said the Town ought to have a clearer sense of what is available to businesses for the purposes of attracting economic development, and that a Broadband Team would help give residents a voice. He asked whether this could be looked at regionally. Mr. Severance said that Orono and Old Town worked together on a fiber initiative. He said that municipal ownership of broadband infrastructure carries risks, but he said Rockport, Ellsworth, Portland and South Portland have made investments to develop their own networks. Mr. Shakespeare said he can’t envision the town investing in infrastructure for the less developed areas. Manager Jennings asked about the timing of a potential grant application and Mr. Severance reported this would probably be due in February. Manager Jennings suggested that we see about getting a working group appointed to begin work over the course of the fall leading up to a grant application.”

APPENDIX D

Hampden Businesses Listing

Hampden

04:24 PM

Account #

Name

-1	
355	A K HAIR COLOR & DESIGN
123	ANDY'S POOL CO
366	ANGLER'S RESTAURANT
158	AVALON VILLAGE
200	BAKER CHIROPRACTIC
161	BANGOR SAVINGS BANK
60	BANGOR TENNIS & RECREATION
438	BANNERS & SIGNS
145	BAR HARBOR BANK & TRUST
18	BCDM, INC
140	BSP TRANSPORTATION, INC.
227	BURNS, JOSEPH E & KAREN L
102	BUSINESS FACTS
177	BUTLER JAMES
148	CALKINS FARM STAND
171	CAMDEN NATIONAL BANK
44	CAMPBELL, WAYNE E & TAMI R
344	CARMICHAEL TRANSPORT INC
260	CARRIER ENTER.NORTHEAST, LLC 1214
340	CHANDLER, DAVID
24	CHANGING SEASONS FEDERAL CREDIT UNION
316	CHEN, JIN RONG
8	CLEAN HARBORS
208	COFFEE BREAK CAFE, LLC
85	COLDBROOK ENERGY
30	CORAL REEF REALTY TRUST
116	COUILLARD, DARYL
409	CRAWFORD, EUGENE L., JR.
153	CUSO MORTGAGE CORPORATION
440	CYBERMALL, INC.
328	DAVIS LEARNING CENTER
187	DEAD RIVER CO
396	DEAD RIVER L P GAS CO
387	DENNIS PAPER & FOOD SERVICE
27	DMCP GROUP, LLC
225	DYSART'S INC.
337	DYSART'S, INC.
419	EAGLE SECURITY
412	ELLSWORTH, ROXANNE
251	F A PEABODY COMPANY

28 FASSE PATENT ATTORNEYS, PA
351 FOREIGN CAR CENTER
281 FOSTER COLOR LABS, INC.
135 FROST, TRACEY
296 FROST'S GARAGE
390 GOULD, KEITH B
67 H O BOUCHARD INC
320 HAMLIN MARINE
55 HAMMAR SHINE AUTO DETAILING
118 HAMPDEN COUNTRY CLUB
62 HAMPDEN FAMILY DENTISTRY
136 HAMPDEN FLORAL, INC.
358 HAMPDEN HARDWARE
117 HAMPDEN PSYCHOLOGICAL CONSULTATION
194 HAMPDEN VETERINARY CLINIC
181 HANNAFORD'S OF HAMPDEN #8417
48 HAROLD'S LOGGING SUPPLIES
345 HEAT PUMPS UNLIMITED
293 HEC-HAMPDEN, LLC
420 HELEEN, KELLEY
39 HIGGINS ELECTRIC SHOP
435 HIGHLANDS CORNER MARKET
98 HODGDON, WILLIAM
368 HUGHES BROTHERS INC
234 HUNTLEY OIL CO., INC.
312 IRVING OIL LIMITED
405 JOHN W. KENNEDY CO., INC.
286 KATAHDIN TRUST CO.
321 KEYBANK NATIONAL ASSOCIATION
236 KISER & KISER
179 L & M SONS, INC.
184 LANE CONSTRUCTION CORP.
309 LEE RESIDENTIAL CARE LLC
100 LORD, DR. STEVEN
180 MACMILLAN, S. E. CO.,INC.
79 MAC'S CONVENIENCE STORES, LLC
154 MAINE LOGOS
399 MAINE SAVINGS FEDERAL CREDIT UNION
83 MAINE TRAILER INC
9 MARDEN, MICHAEL
301 MARDEN, PAMELA
52 MCCUE, CARL LAW OFFICE
401 MCKINNON, RONALD B & BARBARA A
36 MCLAUGHLIN'S AT THE MARINA

339 MIKE TEMPLE, INC.
90 MORRELL, STEVEN M., ACCOUNTANT
119 NEW ENGLAND WASTE SERVICES OF ME.
360 OSTEOPATHIC CENTER FOR FAMILY MED
323 P.D.Q. DOOR
94 PALMER DESIGN
288 PAT'S PIZZA
378 PENBAY INACOM COMPUTER SOLUTIONS
335 PENOBSCOT TEMPERATURE CONTROLS
250 PENSKE TRUCK RENTAL & LEASING
269 PENTA-TECH
426 PIZZA GOURMET
428 PORTLAND AIR FREIGHT, INC
120 PUFFIN BOATS, LLC
77 R & K VARIETY
429 R H FOSTER ENERGY, LLC
128 RANDLETT, KATE D.C.
210 RAWCLIFFE, JEFFREY A
59 RAWCLIFFE'S CAR WASH
307 RAWCLIFFE'S GARAGE
163 REFLECTIONS
22 RITE AID CORPORATION STORE #4262
11 SCHACHT'S HARDWARE
75 SCISSORS EXCITEMENT
218 STATE FARM MUTUAL AUTO INS CO
113 SUB STREET INC.
402 SWENSON TILE & CARPET
155 TARDIF COMMUNITY THERAPY &
406 TDS TELECOM-HAMPDEN
42 TRAINING TECHNOLOGIES INTERN.
97 TURLLA PROPERTIES, LLC
287 TURNER'S SPORTING GOODS
241 U. S. BLADES
430 VESCOM CORPORATION
303 WANG & LO, INC.
112 WATERFRONT MARINE
433 WEBBER OIL CO
393 WHITEHOUSE MOTEL INC
278 WIGHT'S SPORTING GOODS
381 WINDWARD PETROLEUM, INC.
206 WISEMAN SPAULDING DESIGN
WOODSIDE, SHARRY A

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White House Inn

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Bangor, Maine 04401
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For Reservations Call
1-800-780-7234

September 26, 2016

Town of Hampden
106 Western Avenue
Hampden, Maine 04444

To Whom It May Concern:

Attached is the liquor license renewal application for the Best Western White House Inn. We would like to request a waiver on the hearing process.

Any questions I can be reached at 862-3737.

Sincerely,

Peggy Brown

Peggy Brown
Manager
Best Western White House Inn

**BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
 8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
 10 WATER STREET, HALLOWELL, ME 04347
 TEL: (207) 624-7220 FAX: (207) 287-3434
 EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV**

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: Yes No

PRESENT LICENSE EXPIRES 11.4.16

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|---|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input checked="" type="checkbox"/> HOTEL NO FOOD (Class I-A) | |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>John D. Lafayette, III</u> <u>9.17.55</u>	Business Name (D/B/A) <u>White House Motel</u>
APPLICANT(S) - (Sole Proprietor) DOB: <u>Carla J. Lafayette</u> <u>2-8-56</u>	Physical Location: <u>155 Littlefield Ave</u>
<u>155 Littlefield Ave</u> DOB:	City/Town State Zip Code <u>Bangor, ME</u> <u>04401</u>
Address <u>Bangor, ME</u> <u>04401</u>	Mailing Address <u>same</u>
City/Town State Zip Code <u>207 862. 3737</u> <u>207 862. 3737</u>	City/Town State Zip Code
Telephone Number Fax Number <u>01 0381910</u>	Business Telephone Number Fax Number <u>207 862. 3737</u> <u>207 862. 3737</u>
Federal I.D. # <u>whitehouse.inn.bgr@aol.com</u>	Seller Certificate #: or Sales Tax #: <u>200081</u>
Email Address: Please Print	Website: <u>www.whitehouse.inn.bangor.com</u>

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

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: 77
- State amount of gross income from period of last license: ROOMS \$ 1,446,517 FOOD \$ 468,39 LIQUOR \$ 349,176.61
- Is applicant a corporation, limited liability company or limited partnership? YES NO

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

- Do you permit dancing or entertainment on the licensed premises? YES NO
- If manager is to be employed, give name: Peggy Brown
- Business records are located at: 155 Littlefield Ave, Bangor, ME 04401
- Is/are applicants(s) citizens of the United States? YES NO
- Is/are applicant(s) residents of the State of Maine? YES NO

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

Name in Full (Print Clearly)	DOB	Place of Birth
John D. LaFayette III	9.17.55	Bangor, ME
Carla J. LaFayette	2.8.56	Bangor, ME
Margaret H. Brown	3.22.67	Bangor, ME
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Hampton, ME		

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

Name: White House Motel Date of Conviction: 11.2.96

Offense: possession of alcohol after hours Location: lounge

Disposition: fined (use additional sheet(s) if necessary)

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

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

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

14. Describe in detail the premises to be licensed: (On Premise Diagram Required) 77 room hotel, white, 3 stories w/ full basement

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

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

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

If YES, give details: _____

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

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

Dated at: Hampton, ME on September 26, 20 16
Town/City, State Date

Please sign in blue ink

CJ LaFayette
Signature of Applicant or Corporate Officer(s)

CJ LaFayette
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

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

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

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

All fees must accompany application, make check payable to the Treasurer, State of Maine.

**This application must be completed and signed by the Town or City and mailed to:
 Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing and Enforcement
 8 State House Station, Augusta, ME 04333-0008.
 Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.**

Please sign with blue ink

STATE OF MAINE

Dated at: Hampden, Maine Penobscot
City/Town (County)
On: October 17, 2016
Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. **Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]
[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD).]
[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application please contact us at (207)624-7220.

*Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov*

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

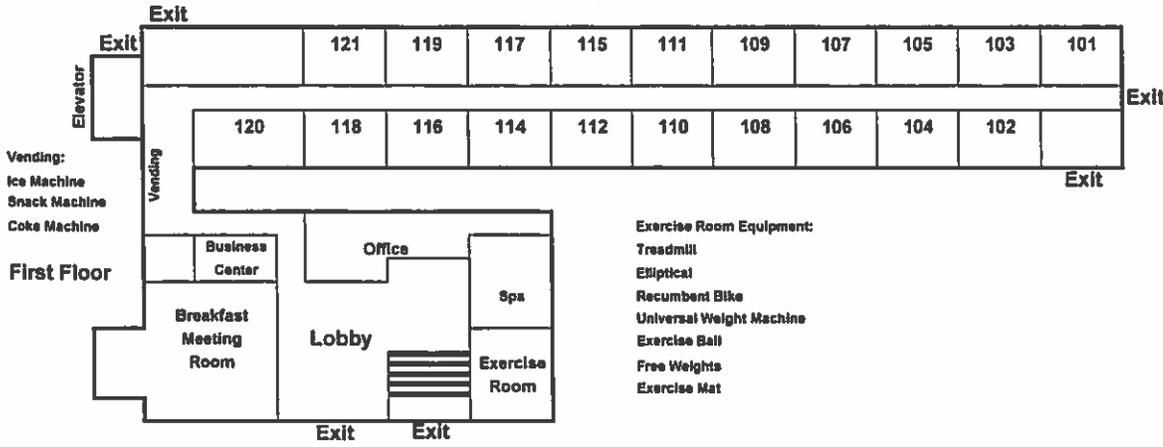
In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.

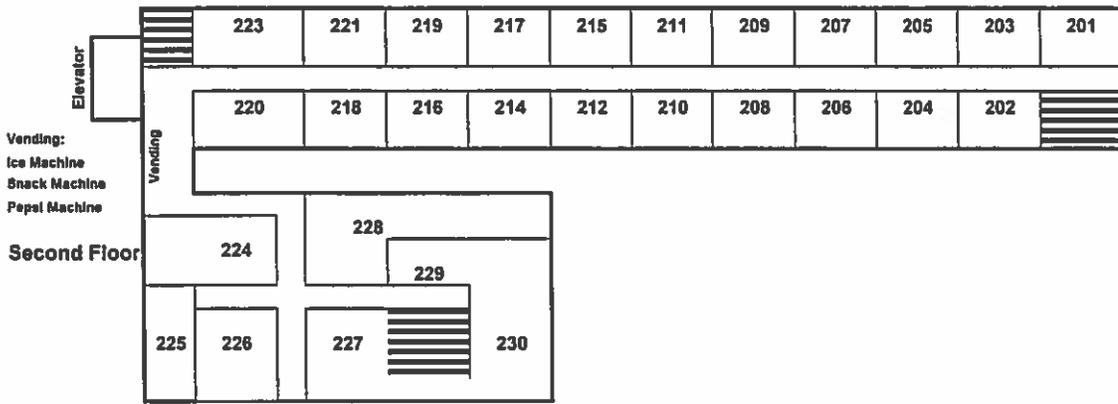
Attached

Best Western White House Inn

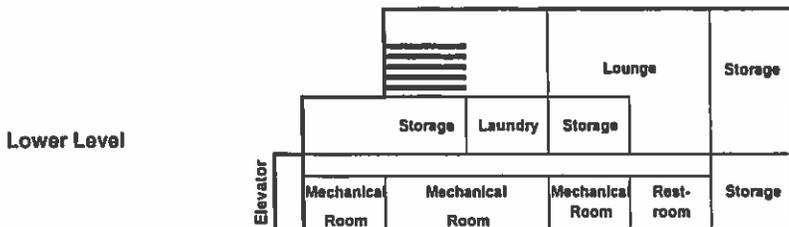
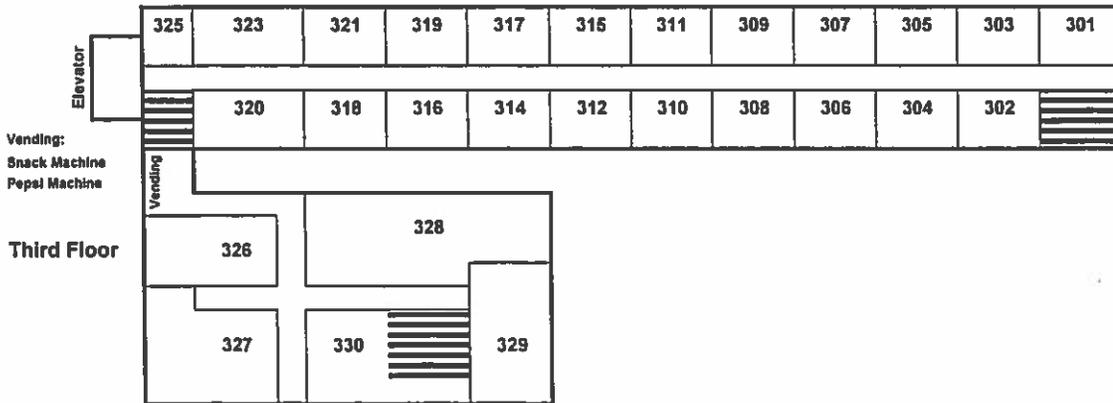
I-95



I-95



I-95





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:	
License #:	_____
SOS Checked:	_____
100% Yes	<input type="checkbox"/> No <input type="checkbox"/>

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: White House Motel
- Doing Business As, if any: _____
- Date of filing with Secretary of State: 5-27-1982 State in which you are formed: ME
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
John D. Lafayette, III	155 Littlefield Ave Bangor, ME 04401	9-17-55	owner	50.1
Carla J. Lafayette	155 Littlefield Ave Bangor, ME 04401	2-8-56	owner	50.1
Chris Austin	54 Harlow St. Bangor, ME 04401		clerk	
Jackie Rowcliffe	P.O. Bx 59 Hampton, ME 04444	7-23-63	director	

(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: _____ (list primary officers in the above boxes)
- Is any principal person involved with the entity a law enforcement official?
Yes No If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: White House Motel

Date of Conviction: 11.2.96

Offense: possession of alcohol after hours

Location of Conviction: lounge

Disposition: Fined

Signature:

CJ LaFayette
Signature of Duly Authorized Person

September 26, 2016
Date

CJ LaFayette
Print Name of Duly Authorized Person

Submit Completed Forms To:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



Pizza Gourmet
Pizza Gourmet

60 Main Road North Ste. A
Hampden, Maine 04444
(207) 862-6900

D-5-j

October 4 2016

I request waiver of the public hearing for this application.


Brian Carlisle

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES 11-29-14

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|---|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
Brian Carlisle DOB: 2-14-51			Pizza Gourmet		
Cynthia Carlisle DOB: 3-8-59			Location (Street Address)		
Address 69 Thurlow Rd			60 Main Rd No Ste A		
City/Town Newburgh State ME Zip Code 04444			City/Town Hampden State ME Zip Code 04444		
Telephone Number 207 234 2342 Fax Number			Mailing Address Same		
Federal I.D. # 01-0451740			City/Town Same State Zip Code		
			Business Telephone Number 207 662 6900 Fax Number		
			Seller Certificate # 0240282		

EMAIL ADDRESS: BCarlisle@PizzaGourmet.BIZ

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 5210⁰⁰ LIQUOR \$ 3190.00
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

If YES, complete Supplementary Questionnaire

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

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

Dated at: Hampden ME on 10-4-16, 20 16
Town/City, State Date

Please sign in blue ink

Brian Carlisle
Signature of Applicant or Corporate Officer(s)
Brian Carlisle
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

- Class I** Spirituous, Vinous and Malt\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

- Class I-A** Spirituous, Vinous and Malt, Optional Food (Hotels Only)\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

- Class II** Spirituous Only\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

- Class III** Vinous Only\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

- Class IV** Malt Liquor Only\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

- Class V** Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)\$ 495.00
CLASS V: Clubs without catering privileges.

- Class X** Spirituous, Vinous and Malt – Class A Lounge\$2,200.00
CLASS X: Class A Lounge

- Class XI** Spirituous, Vinous and Malt – Restaurant Lounge\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

STATE OF MAINE

Dated at: Hampden, Maine Penobscot ss
City/Town (County)
 On: October 17, 2011
Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd)]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of an application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal within 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.
- An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of an appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
 Business Entities Who Are Licensees**

For Office Use Only:	
License #:	_____
Date Filed:	_____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:
Country meadow, Inc

2. Other business name for your entity (DBA), if any:
Pizza Gourmet

3. Date of filing with the Secretary of State: 10/1999

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Brian Carlisle	69 Thurlow Rd Newburgh	2-14-51	50
Cynthia Carlisle	"	3-8-59	50

7. Is any principal person involved with the entity a law enforcement official?

Yes No

8. If Yes to Question 7, please provide the name and law enforcement agency:

**FLORIDA DEPT OF
PUBLIC SAFETY**

**STATE OF FLORIDA
Department of Transportation
FLORIDA HIGHWAY PATROL
REPORT OF ACCIDENT
FOR CRASHES - FOR CRASHES**



**SUPPLEMENTAL APPRAISAL FORM
CRASH-FIRE/REAR DAMAGE**

It is the duty of every driver to drive with care and attention and to avoid collisions. The driver causing a collision is liable for the damage to which a degree of the fault is to be assigned in proportion to the degree of his fault.

When there is a collision on the part of a driver in a vehicle or trailer, the driver shall be liable for the damage to which a degree of the fault is to be assigned in proportion to the degree of his fault. The driver causing a collision is liable for the damage to which a degree of the fault is to be assigned in proportion to the degree of his fault.

**Diagram of vehicle used for
garage**

