

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

TUESDAY

JANUARY 17, 2012

7:00 P.M.

• 5:30 pm – FINANCE COMMITTEE MEETING

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Emails requested by Councilor Hornbrook to be included on 1/3/2012 agenda that were not included
- b. Yvonne Lambert – Application for Reappointment to Library Board – Referral to Services Committee
- c. MaryAnn Bjorn – Application for Reappointment to Library Board – Referral to Services Committee
- d. Karen Reilly – Application for Reappointment to Historic Preservation – Referral to Planning & Development Committee

4. REPORTS

- a. Edythe Dyer Library Board of Trustees Minutes – 11/9/2011

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Proposed Zoning Ordinance Text Amendment to Section 3.6 Interchange District

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. Council Committee Assignments and Council Chair Responsibilities
- b. New Council Information/Orientation

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

- c. Discussion of Councilor Brann’s Comments at December 5, 2011 Meeting re Legal Review (postponed from 1/3/2012 meeting)
- d. Citizens Comprehensive Plan Committee Update
- e. Old Hampden Academy Re-use Update*
- f. Town Manager Search Update**

4. NEW BUSINESS

- a. Authorization for Reserve Fund Use – WebGIS – \$1,200 from GIS Reserve
- b. Authorization for Reserve Fund Use – Cooling Equipment for Network - \$5,950 from Municipal Building Reserve
- c. Authorization for Temporary Construction Easement – Route 1A Project
- d. Application for Renewal of Victualers License received from Wang & Lo, Inc. d/b/a Fresh Ginger at 64 Main Road North
- e. Application for Renewal of Liquor License received from Wang & Lo, Inc. d/b/a Fresh Ginger at 64 Main Road North
- f. Service Fee Bills – 2012

- D. COMMITTEE REPORTS
- E. MANAGER’S REPORT
- F. COUNCILORS’ COMMENTS
- G. ADJOURNMENT

* Due to the nature of this item, portions of the discussion may be conducted in Executive Session pursuant to 1 MRSA §405 (6)(C) (Real Estate)

** Due to the nature of this item, portions of the meeting may be conducted in Executive Session pursuant to 1 MRSA §405 (6)(A) (personnel matters) and 1 MRSA §405 (6)(F) (confidential records)



Susan Lessard <manager@hampdenmaine.gov>

A-3-a

(1)

requesting information once again

4 messages

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

**Wed, Dec 14,
2011 at 7:52 PM**

To: "Thomas A. Russell" <tar@frrlegal.com>

Cc: Susan Lessard <manager@hampdenmaine.gov>, William Shakespeare

<shakespearetowncouncil@hampdenmaine.gov>, Jean Lawlis

<lawlistowncouncil@hampdenmaine.gov>, Tom Brann

<branntowncouncil@hampdenmaine.gov>, Janet Hughes

<hughestowncouncil@hampdenmaine.gov>, Andre Cushing

<cushingtowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>,

Shelby Wright <wrighttowncouncil@hampdenmaine.gov>

Council and Manager Lessard,

Due to the fact that my initial request was 'muddied' by the string of e-mails today, I am re-stating my request of my earlier e-mail to Council and Manager Lessard so that there is NO confusion as to what I am requesting.

I would like this request fulfilled before the end of the week.

Thank you,

1. Please forward a copy of the note or letter which Councilor Brann is reading his statement from during Councilor Comments to be made public and copied to all Councilors.
2. Please also forward any and all information/e-mails which Councilor Brann bases his accusations of 'libel and slander' by residents against the town officials, town Councilors, or town employees as I have seen nothing to date which supports his accusations. If there is information out there I do believe that ALL councilors should be made aware of it as soon as possible.
3. Please also forward any/all correspondence between all Councilors and also Manager Lessard in the past two weeks. It has come to my attention that the request will not be made by Council Chair but that our town Manager has now taken it upon herself to make this request of the Town Attorney. I have been told that Brann has been instructed to send the request directly to Manager Lessard.

Kristen Hornbrook

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

**Thu, Dec 15,
2011 at 12:42 PM**

To: "Thomas A. Russell" <tar@frrlegal.com>
Cc: Susan Lessard <manager@hampdenmaine.gov>, William Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Andre Cushing <cushingtowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@hampdenmaine.gov>

Council and Manager,

If I must do an official FOAA request to get the e-mails I have requested, let this be it.

Thank you,

Kristen

[Quoted text hidden]

Janet Hughes <hughestowncouncil@hampdenmaine.gov>

**Thu, Dec 15, 2011
at 1:38 PM**

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: "Thomas A. Russell" <tar@frrlegal.com>, Susan Lessard <manager@hampdenmaine.gov>, William Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <cushingtowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@hampdenmaine.gov>

Kristen,

I have nothing for you. Lets review at the Council meeting.

Janet

[Quoted text hidden]

Janet Hughes <hughestowncouncil@hampdenmaine.gov>

**Thu, Dec 15, 2011
at 1:47 PM**

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: "Thomas A. Russell" <tar@frrlegal.com>, Susan Lessard <manager@hampdenmaine.gov>, William Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Andre Cushing <cushingtowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@hampdenmaine.gov>

COUNCILOR HORNBROOK!!!!!! THERE IS NO EMAILS THAT I AM AWARE OF!!!
PLEASE STOP THIS HARASSMENT AND MEET WITH US TO DISCUSS AT THE
COUNCIL MEETING.

Otherwise at least on my end and anything in my possession, there is nothing for you to
FOAA.

I am going back to my class and will not be checking emails.

Janet

[Quoted text hidden]



Susan Lessard <manager@ha

A-3-a

(2)

Email regarding Town attorney request18 messages

Susan Lessard <manager@hampdenmaine.gov>**Mon, Dec 12, 2011 at 9:48 AM**

To: Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Tom Brann <branntowncouncil@hampdenmaine.gov>
Cc: Robert Pushard <editor@svweekly.com>

Good Morning-

Mr. Pushard from the Citizen's Journal has asked for a copy of the email that Mayor Hughes requested from Councilor Brann at the last meeting in regard to his request from the Town Attorney for information related to slander, defamation, and how that related to councilors and employees. Mr. Pushard asked for this after the last meeting and I told him I would forward it when it was sent. If it has been sent - could one of you forward me a copy so that I could send it to Mr. Pushard?

Thank you -

Sue Lessard

Janet Hughes <hughestowncouncil@hampdenmaine.gov>**Mon, Dec 12, 2011 at 10:26 AM**

To: Susan Lessard <manager@hampdenmaine.gov>

Tom has not sent anything yet. So I will ask him about it tonight, and when recieved let you know.

He's been very busy so it may not be until the end of the week.

Janet

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>**Wed, Dec 14, 2011 at 8:34 AM**

To: Kristen L Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Kristen -

This is the email that I sent to Councilor Brann and Mayor Hughes following a request from the Citizen Journal and Mayor Hughes response.

Susan

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>**Wed, Dec 14, 2011 at 8:50 AM**

To: Susan Lessard <manager@hampdenmaine.gov>

Sue,

Thank you.

I am not sure why I have to request that you and Councilors forward on e-mails to me that are being sent back and forth, but since it appears that I do have to request it, I am officially and formally requesting to be copied on ALL e-mails which concern the town or the town council.

Please forward on ALL e-mails within the last two weeks regarding this topic, both to and from ANY Councilors or yourself or other town staff.

Thank you.

Kristen

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

**Wed, Dec 14, 2011 at
9:00 AM**

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

Kristen -

The email to the Mayor and Councilor Hughes asking if there was an email sent is the only email I have sent in regard to this issue - and that was as a result of a request by Mr. Pushard of the Citizen Journal for a copy of it because it was stated at the Council meeting that Councilor Brann would be sending one to the Mayor. The only one I have received is the one from Mayor Hughes that was in response and you received that as part of the one I already sent. To the best of my knowledge no other staff member has emailed anyone in regard to this matter either.

Susan

[Quoted text hidden]

**Kristen Hornbrook
<hornbrooktowncouncil@hampdenmaine.gov>**

**Wed, Dec 14, 2011 at
9:07 AM**

To: Susan Lessard <manager@hampdenmaine.gov>

Manager Lessard,

I do not have ANY e-mails with Councilor Hughes comments.
Please forward.

Thank you,
Kristen

[Quoted text hidden]

Janet Hughes <hughestowncouncil@hampdenmaine.gov>

**Wed, Dec 14, 2011
at 9:45 AM**

To: Susan Lessard <manager@hampdenmaine.gov>, hornbrooktowncouncil@hampdenmaine.gov, Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

Sorry Sue & Kristen,

Tom (and I) have been busy trying to juggle work, the School issues, and working with the Town Manager candidates. I am doing all I can do this week. If I can get a chance, I will contact him and ask for the specific request, however, I do not believe that any information has been prepared to date, rather was an inquiry to the Attorney. Tom Russell told us at the meeting that he could not address this item for a least a month. Without that information I see no need to place it on the next agenda. In the spirit of Christmas and community, I ask you all to place this item on the agenda for the first meeting in January.

Certainly if Councilor Hornbrook demands it to be on the agenda, please do respect her wishes.

Janet Hughes
Council Chair

[Quoted text hidden]

**Kristen Hornbrook
<hornbrooktowncouncil@hampdenmaine.gov>**

**Wed, Dec 14, 2011 at
9:59 AM**

To: Susan Lessard <manager@hampdenmaine.gov>

Sue,

Please forward on the response you received from Councilor Hughes.

Thank you.
Kristen

[Quoted text hidden]

Susan Lessard <manager@hampdenmaine.gov>

**Wed, Dec 14, 2011 at 10:06
AM**

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Councilor Hornbrook
This is the

This is the thread that includes the email from Councilor Hughes to me telling me that she had not received an email from Councilor Brann. I thought it went with the thread when I did the forwarding the first time.

Susan

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

**Wed, Dec 14,
2011 at 10:06 AM**

To: Janet Hughes <hughestowncouncil@hampdenmaine.gov>

Cc: Susan Lessard <manager@hampdenmaine.gov>, Andre Cushing
<andrec@roadrunner.com>, Bill Shakespeare

<shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean
Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>,
"Thomas A. Russell" <tar@frlegal.com>, Tom Brann
<branntowncouncil@hampdenmaine.gov>

Please see my comments/requests at the end of the e-mail I sent to all
Councilors concerning this item this morning if you in question as to what my requests may
be.

I believe it was Councilor Cushing who requested to have it on the next agenda so that we
may table it for further discussion at a later date.

Also, councilor Brann asked (twice) to have it put on the agenda.

Councilor Hughes, at NO time have I demanded that this be put on any agenda. Please get
your facts straight before making such outlandish comments.

If you wish to address the person making the demands look no further than Councilor
Brann.

Thank you,
Kristen

[Quoted text hidden]

**Kristen Hornbrook
<hornbrooktowncouncil@hampdenmaine.gov>**

**Wed, Dec 14, 2011 at
10:07 AM**

To: Susan Lessard <manager@hampdenmaine.gov>

Thank you Sue,

I did not receive Councilor Hughes' comments prior to this forward.

Kristen

[Quoted text hidden]

Janet Hughes <hughestowncouncil@hampdenmaine.gov>

**Wed, Dec 14, 2011
at 10:14 AM**

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>, Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

I appreciate your consideration. It appears that all agree to place it on the first meeting in January.

Thank you so much.

Janet

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Wed, Dec 14, 2011 at 10:17 AM

To: Janet Hughes <hughestowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>, Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

With all due respect Councilor Hughes,

Who is this 'all' you are refering to?

I see only three people on this e-mail thread...and only two are town Councilors.

Kristen

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Wed, Dec 14, 2011 at 3:22 PM

To: Janet Hughes <hughestowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>, Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

I await your response Councilor Hughes,

Was there a poll or vote taken that I am not aware of in which 'all' have agreed to take this

item off the agenda for Dec. and put it on the Jan. agenda?

Kristen Hornbrook

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

**Wed, Dec 14,
2011 at 7:46 PM**

To: Janet Hughes <hughestowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>, Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

Please excuse me but why are Councilor Hughes and Councilor Brann 'busy working with school issues and Town Manager candidates' outside the Council meetings? Wasn't the meeting on Monday the only one for this week?

Aren't the other two scheduled for next week?

I want an immediate explanation of what you mean by the two of you being so busy 'working' on these two issues.

Thank you,
Kristen Hornbrook

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

**Thu, Dec 15, 2011
at 10:40 AM**

To: Janet Hughes <hughestowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>, Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

Sue,

Please have this entire discussion included with the consent agenda for Monday night's Council meeting.

Thank you,
Kristen

[Quoted text hidden]

Janet Hughes <hughestowncouncil@hampdenmaine.gov>

**Thu, Dec 15, 2011
at 12:11 PM**

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>, Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

I will address your concerns at the Council Meeting.

On Wed, Dec 14, 2011 at 7:46 PM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

**Thu, Dec 15, 2011
at 12:14 PM**

To: Janet Hughes <hughestowncouncil@hampdenmaine.gov>
Cc: Susan Lessard <manager@hampdenmaine.gov>, Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

Once again Councilor Hughes, you are misrepresenting my words. These are not 'concerns.' They are questions and I would like immediate answers please per my request.

Thank you,
Kristen

[Quoted text hidden]



Check One: Initial Application Reappointment Application

A-3-b

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: LAMBERT YVONNE M
LAST FIRST MI
ADDRESS: 226 MAIR RD N HAMPDEN 04444
STREET TOWN ZIP
MAILING ADDRESS (if different): _____
TELEPHONE: 207-945-9873 _____
HOME WORK
EMAIL: LAMBERT8068@ROADRUNNER.COM

OCCUPATION: RETIRED

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: LIBRARY

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? PREVIOUS YEARS ON BOARD, WORKING IN LIBRARY IN PAST.

Are there any issues you feel this board or committee should address, or should continue to address? JUST ONGOING LIBRARY NEEDS FOR THE COMMUNITY.

CONSERVATION COMMITTEE
BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
ECONOMIC DEVELOPMENT COMMITTEE
FRIENDS OF DOROTHEA DIX PARK

3 YEAR

DYER LIBRARY
RECREATION COMMITTEE
BOARD OF APPEALS
HISTORIC PRESERVATION COMMITTEE
TREE BOARD

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY

Date Application Received: JAN 04 2012

COUNCIL COMMITTEE ACTION: _____ DATE: _____

COUNCIL ACTION: _____ DATE: _____

NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Reappointment Application

A-3-c

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: BJORN MARYANN
LAST FIRST MI

ADDRESS: 77 SUNSET AVE HAMPDEN 04444
STREET TOWN ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: 207 947-8869 _____
HOME WORK

EMAIL: MB77SUN@ROADRUNNER.COM

OCCUPATION: Retired

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: LIBRARY

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee?
BEEN ON THE BOARD
LOVER OF BOOKS
HOW I WORK IN A LIBRARY

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

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

| | | |
|-----------------------------------|--|---|
| FOR TOWN USE ONLY | | Date Application Received: DEC 28 2011 |
| COUNCIL COMMITTEE ACTION: _____ | DATE: _____ | |
| COUNCIL ACTION: _____ | DATE: _____ | |
| <input type="checkbox"/> NEW APPT | <input type="checkbox"/> REAPPOINTMENT | DATE APPOINTMENT EXPIRES: _____ |



Check One: Initial Application Reappointment Application

A-3-d

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: REILLY LAST KAREN FIRST R. MI

ADDRESS: 24 STREET CARVER RD. TOWN HAMPDEN ZIP 04444

MAILING ADDRESS (if different): _____

TELEPHONE: 207-862-4369 HOME WORK

EMAIL: karenrei@gmail.com

OCCUPATION: RETIRED LIBRARY DIRECTOR (EMCC)

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: HISTORIC PRESERVATION COMMITTEE

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? ONE TERM OF SERVICE ON THE HISTORIC PRESERVATION COMMITTEE HAS GIVEN ME SUFFICIENT KNOWLEDGE OF PERTINENT ISSUES AND CONCERNS RELATED TO PRESERVING THE HISTORIC CHARACTER OF HAMPDEN. I ALSO POSSESS ADVANCED RESEARCH SKILLS FROM YEARS OF TEACHING RESEARCH TECHNIQUES TO COLLEGE STUDENTS.

Are there any issues you feel this board or committee should address, or should continue to address? IN ADDITION TO PRESERVING THE HISTORIC DISTRICT AND ITS BUILDINGS, THE COMMITTEE SHOULD CONTINUE TO IDENTIFY BUILDINGS AND DISTRICTS, WITHIN HAMPDEN, WHICH NEED THE PROTECTION OF HISTORIC DESIGNATION. IN ADDITION, THE COMMITTEE SHOULD BE PROACTIVE IN HELPING TO EDUCATE CITIZENS ABOUT HISTORIC AREAS IN TOWN. 3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

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

5 YEAR
PLANNING BOARD

Karen R. Reilly
12-26-11

FOR TOWN USE ONLY

Date Application Received: **DEC 29 2011**

COUNCIL COMMITTEE ACTION: _____ DATE: _____

COUNCIL ACTION: _____ DATE: _____

____ NEW APPT ____ REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____

EDYTHE L. DYER COMMUNITY LIBRARY
BOARD OF TRUSTEES' MEETING
NOVEMBER 9, 2011
MINUTES

I. Call to order: The meeting of the Board of Trustees of the Edythe L. Dyer Community Library was held at the Edythe L. Dyer Community Library, Hampden, Maine on November 9, 2011. The meeting convened at 7:36 am, Mark Russell presiding, Debbie Lozito recording secretary.

Members present: Debbie Lozito (ex officio), Dave Barrett, Mark Russell, Ruth Stearns, Mary Ann Bjorn, John Skehan, Richard Jenkins, Tony Mourkas, Bill Arata (MSSB), Dan Rozario (MSSB)

Members absent: Cheri Condon, Yvonne Lambert, Don Desmarais

II. Approval of minutes: Tony pointed out that a word was missing from the first paragraph under Circulation. A motion was made by Dave and Mary Ann seconded to approve the minutes as amended. Motion carried unanimously.

III. Library reports:

Fees and fines

Morgan Stanley Smith Barney

Circulation

Director

IV. Unfinished business

Policy work tabled as Cheri was not in attendance

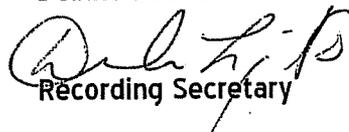
V. New Business

Discussion of the Annual appeal letter was moved up on the agenda to accommodate Bill Arata's arrival at 8 a.m. At the last meeting Trustees' voted to send an appeal rather than hold a reception this year. Since that meeting the library has received four donations marked 'annual gift' totaling \$300.00, even before the letter was sent. Debbie located a box of self-addressed gift envelopes that can be sent with the letter, trustees approved. An article about the Endowment will be submitted to the Hampden Highlights Newsletter to give those not on the mailing list an opportunity to give.

b. Bill Arata gave his biannual report on the library's endowment fund. In the coming weeks he will slightly increase the percentage of gold bullion and decrease the percentage of gold stocks in the Endowment Fund. He reminded everyone that the worldwide financial picture is more volatile now than it has been for many years so caution and diversification are in order. Bill and Dan stayed to answer all questions.

Adjournment: The meeting was adjourned at 9:00 a. m.
The next meeting is scheduled for January 11, 2012.

Debbie Lozito


Recording Secretary

Date of approval

C-1-a



TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendment to Interchange District
DATE: December 15, 2011

Please be advised that the Planning Board at their December 14, 2011 meeting held a public hearing on the subject draft Zoning Ordinance text amendment to the Interchange District. There was no public comment. The Board discussed the amendment and voted unanimously to return the item to the Town Council with an "ought-to-pass" recommendation.

At the November 14, 2011 Town Council meeting this item was referred to the Planning Board for a public hearing and recommendation. As you are likely aware the Interchange District is located only on Coldbrook Road from the Hermon Town Line to the parcel of land that included the soccer dome on both sides of the street. The Planning and Development Committee sent forward this language for a draft Interchange District amendment to address moving an existing landscaping company to the district. The proposal is to permit service business with outdoor display and storage in the district. The draft language would broaden the contemplated uses in the district to any retail or service business and require that those businesses with over 5,000 sq. ft. of outdoor display or storage get conditional use review.

1/3/2012 - Introduced for Public Hearing

TOWN OF HAMPDEN
Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

3.6. Interchange District

3.6.1. Purpose - This district is intended to provide areas for motels, restaurants, service stations and similar uses that provide accommodations for tourists and other travelers using Interstate 95. Residential structures in existence prior to January 1, 1979 may be repaired or modified and accessory structures may be added, provided minimum setback requirements are met.

3.6.2. Permitted Uses (Subject to Site Plan Review) – Any retail or service business, hotel, motel, take-out restaurant, small restaurant, sit-down restaurant, automobile and truck service station and repair facility, gift shop, truck terminal, business or professional office, indoor recreation, home occupation (subject to *Article 4.10*), accessory uses or structures, essential services, and wireless telecommunications facilities (subject to *Article 4.22*). (*Amended: 03-08-99, 05-21-01, 10-01-01, 12-6-04*) (*03-21-05*).

3.6.3. Conditional Uses (Subject to Site Plan Review) - Fast-food restaurant, outdoor dining restaurant, tavern, bar, dance hall, outdoor recreation, stockpiles (subject to *Article 4.9*) not accessory to excavation, gravel pit and quarry activities and buildings necessary for essential services. (*Amended: 05-21-01, 12-6-04, 12-17-07*) Any establishment which provides in excess of 5,000 square feet of outdoor display or storage of goods or equipment.

3.6.4. Lot Dimensions

| | | |
|-------------------------|---|------------|
| Minimum Area | - | 1 acre |
| Minimum Road Frontage | - | 200 feet |
| Minimum Setbacks: | | |
| Street Yard | - | 30 feet |
| Side Yard | - | 20 feet |
| Rear Yard | - | 20 feet |
| Maximum Ground Coverage | - | 25 percent |
| Maximum Building Height | - | 50 feet |

(*Amended: 01-19-06*)

3.6.5. Special District Regulations

1. Fast-food restaurant use shall be located on a lot having a minimum lot size of 1.5 acres, minimum frontage of 200 feet and no part of the vehicle queue shall be located within 100 feet of a residential structure. (*Amended: 12-6-04*)
2. Sale or consumption of alcoholic beverages is prohibited for outdoor dining restaurant uses in conjunction with take-out restaurants and fast-food restaurants. (*Amended: 12-6-04*)
3. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor

dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. Title 28-A: LIQUORS §1051. Licenses generally which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. (Amended: 12-6-04)

4. No bar or dance hall shall be located within 500 feet of a residence. (Amended: 12-6-04)
5. Buildings in excess of 35 feet in height shall provide additional setbacks on all yards as herein stipulated: Subtract 35 feet from the proposed building height and add that difference to each yard setback requirement. (Amended: 01-19-06)

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

Then add that amount to each yard or setback.

| Setback Type | | Base Setbacks: | Total Setback |
|--------------|---|----------------|---------------|
| Street Yard | - | 30 feet | 43 feet |
| Side Yard | - | 20 feet | 33 feet |
| Rear Yard | - | 20 feet | 33 feet |

(Amended: 01-19-06)

C-3-a

**HAMPDEN TOWN COUNCIL
COMMITTEE ASSIGNMENTS
2012**

FINANCE:

Mayor Janet Hughes, Chair
Andre Cushing
Jean Lawlis

PLANNING & DEVELOPMENT:

Tom Brann, Chair
Janet Hughes
Jean Lawlis

SERVICES:

Jean Lawlis, Chair
Shelby Wright
Tom Brann
*Mayor Janet Hughes

INFRASTRUCTURE:

Shelby Wright, Chair
Kristen Hornbrook
Jeremy Williams
*Mayor Janet Hughes

COMMUNICATIONS:

Kristen Hornbrook, Chair
Andre Cushing
Jeremy Williams

*Ex Officio Member

COMMITTEE SCHEDULE

| | |
|------------------------|--|
| Finance | Before every Regular Council Meeting at 5:45 pm |
| Planning & Development | 1 st Wednesday at 6:00 pm 3 rd Wednesday at 6:00 pm |
| Services | 2 nd Monday at 6:00 pm |
| Infrastructure | 4 th Monday at 6:00 pm |
| Communications | 2 nd Tuesday at 6:00 pm |



Susan Lessard <manager@h:

C-3-c

Information on Silencing the Public

3 messages

Cindy Philbrick <philbrickcindy@aol.com>
Wed, Jan 4, 2012 at 3:33 PM

To: manager@hampdenmaine.gov

Dear Sue Lessard:

Could you give me an estimate on the number of hours that is allocated for Tom Russell to research ways to silence the public? How much per hour are we paying this attorney to proceed with this task that originated by Town Council Brann and Mayor Hughes?

I watched with intensity this particular town council meeting when Tom Brann requested action from Tom Russell. As a matter of fact - I rewound the disk and watched it many times.

Tom Brann accused the public of making slanderous and libelous statements. Who is Tom Brann talking about? What exactly are these slanderous and libelous statements that Tom Brann is talking about?

Next - I would like Tom Russell to research the slanderous and libelous statements that have come from town councilors and staff about Hampden citizens. There are citizens in Hampden that have stepped forward and are willing to testify to specific slanderous statements that have come out of the town office.

What kind of protection do the citizens of Hampden have when our own elected officials and town office personnel are involved in demonizing citizens?

When can I expect answers to all of the above questions?

Truly,

Cindy Philbrick

Susan Lessard <manager@hampdenmaine.gov>
Thu, Jan 5, 2012 at 7:13 AM

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

Good Morning -

I received this email from Mrs. Philbrick yesterday. I am in Augusta this morning but will be in the office this afternoon. I would like to put this email/questions on the next Council agenda for discussion. To my knowledge the Town Attorney has done no research on this subject since he has not been assigned to do so by myself or the Council.

Thank you -
Susan

[Quoted text hidden]

Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

**Thu, Jan 5, 2012
at 7:58 AM**

To: Susan Lessard <manager@hampdenmaine.gov>

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

Good morning,

It was my understanding that at the last Council meeting the discussion of this topic was postponed (by Councilor Cushing) for the next Council meeting.

Therefore there is no need to have it placed on the agenda as it is already there.

Am I wrong?

Councilor Kristen Hornbrook

[Quoted text hidden]



Denise Hodsdon <clerk@hampdenmaine.gov>

Re: request

Susan Lessard <manager@hampdenmaine.gov>
To: Denise <clerk@hampdenmaine.gov>

Wed, Dec 14, 2011 at 2:30 PM

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

From: **Thomas A. Russell** <tar@frrlegal.com>

Date: Wed, Dec 14, 2011 at 10:42 AM

Subject: RE: request

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>, Susan Lessard <manager@hampdenmaine.gov>, William Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Andre Cushing <cushingtowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@hampdenmaine.gov>

All: In light of Councilor Hornbrook's statement No. 3 towards the end of her email, I feel a need to "set the record straight". Prior to Councilor Brann's comments at the council meeting on December 5th, I had no knowledge of the possibility that I would be asked to research and provide an opinion on this subject matter. I had no prior discussions of this subject matter with anybody, including councilors and the Town Manager. I have not received a request from Mayor Hughes or Sue Lessard to undertake this matter, and I have not conducted any work on this matter. The only contact I had with Sue on this matter was earlier this week, when I called her to inquire if she had received an email from Mayor Hughes requesting that I undertake work on this matter. She confirmed that she had not received such an email, and we agreed that I would not undertake the matter until either the Mayor or the Council authorized me to do so. I also reminded her, as I stated at the Council meeting, that given my current work load and my holiday plans, it would not be possible for me to undertake the research and provide an opinion until after the first of the year. It is my understanding that this matter will be on the agenda for the Council meeting of December 19th. Tom

From: Kristen Hornbrook [mailto:hornbrooktowncouncil@hampdenmaine.gov]

Sent: Wednesday, December 14, 2011 8:22 AM

To: Susan Lessard; William Shakespeare; Jean Lawlis; Tom Brann; Janet Hughes; Tom Russell; Andre Cushing; Shelby Wright; Shelby Wright

Subject: request

Good morning,

This e-mail is concerning the remarks made by Councilors Brann and Hughes at the last Town Council meeting on December the 5th. Comments by Councilor Brann during Councilor Comments included his request to have the Council "**authorize the town attorney to do some investigations for us...to explore what options exist for the Town Council to take action against individuals who continuously feel it is necessary to slander and libel members of the Council and/or our staff.**"

"There have also been several instances where they have been accused of crimes, without any substantiation, and they have had significant impact upon personal reputation or the reputation of their families and this needs to stop."

"I think it is time for the town council to start to take action. To look into what the town council's options are to either act as a unit or act on behalf of the town, act on behalf of the staff, or to participate in any kinds of actions that the aggrieved individuals want to take on their behalf. When these 'libelist' comments have been made against them simply because they have pursued town gov't and/or working for the town in Hampden. It's not fair. It's not correct and it is against the law."

"I'd like the council to ask the town attorney on a very high priory to start to investigate this to find out what our opportunities are in order to take action and then we can discuss those actions at the next council meeting. Or whether the best we can do is provide financial support and assistance to the people who are in a position where they have to pursue on their own. I do not know what are options are at this point but I do know we need to do something."

Councilor Hughes then asks, **"Will the Council support the exploration by the town attorney?"**

Of course, because we were in Councilor Comments are not allowed to vote or make any decisions at that time and we were instructed by the town attorney to put this item on the next agenda for discussion, presumably, out in the open.

Councilor Hughes then talks about doing the request through e-mail. Presumably, not out in the open. Apparently it is 'customary' that the **"Mayor is allowed request such items from the town attorney."** Councilor Hughes thinks there is no need to put this on an open agenda at an open meeting for fear of 'upsetting' residents.

It is my understanding that there is already a mechanism in place for people to deal with such accusations, that mechanism is the public safety department.

1. Please forward a copy of the note or letter which Councilor Brann is reading his statement from during Councilor Comments to be made public and copied to all Councilors.
2. Please also forward any and all information which Councilor Brann bases his accusations of 'libel and slander' by residents against the town officials, town Councilors, or town employees as I have seen nothing to date which supports his accusations. If there is information out there I do believe that ALL councilors should be made aware of it as soon as possible.
3. Please also forward any/all information shared during conversations regarding this topic with Manager Lessard as it has come to my attention that the request will not be made by Council Chair but that our town Manager has now taken it upon herself to make this request of the Town Attorney.

If the town Council, Manager, and town staff are looking to foster trust and open honest government as they have said many

times in the recent past, this is NOT the way to do it.

I appreciate this information to be released this week.

Thank you.

Kristen Hornbrook



Denise Hodsdon <clerk@hampdenmaine.gov>

Re: request

1 message

Susan Lessard <manager@hampdenmaine.gov>

Wed, Dec 14, 2011 at 8:49 AM

To: Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Cc: Andre Cushing <andrec@roadrunner.com>, Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@gmail.com>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>

Councilor Hornbrook,

This item, as determined at the last meeting - will be on the agenda for the meeting on the 19th. It was my understanding that Councilor Brann, from discussion at the last Council meeting, was going to email the Mayor in regard to this topic. I have not received any email in regard to this from either of them. If I do, I will certainly share it with all councilors.

Susan

On Wed, Dec 14, 2011 at 8:22 AM, Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov> wrote:

Good morning,

This e-mail is concerning the remarks made by Councilors Brann and Hughes at the last Town Council meeting on December the 5th. Comments by Councilor Brann during Councilor Comments included his request to have the Council **"authorize the town attorney to do some investigations for us...to explore what options exist for the Town Council to take action against individuals who continuously feel it is necessary to slander and libel members of the Council and/or our staff."**

"There have also been several instances where they have been accused of crimes, without any substantiation, and they have had significant impact upon personal reputation or the reputation of their families and this needs to stop."

"I think it is time for the town council to start to take action. To look into what the town council's options are to either act as a unit or act on behalf of the town, act on behalf of the staff, or to participate in any kinds of actions that the aggrieved individuals want to take on their behalf. When these 'libelist' comments have been made against them simply because they have pursued town gov't and/or working for the town in Hampden. It's not fair. It's not correct and it is against the law."

"I'd like the council to ask the town attorney on a very high priory to start to investigate this to find out what our opportunities are in order to take action and then we can discuss those actions at the next council meeting. Or whether the best we can do is provide financial support and assistance to the people who are in a position where they have to pursue on their own. I do not know what are options are at this point but I do know we need to do something."

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accusations. If there is information out there I do believe that ALL councilors should be made aware of it as soon as possible.

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If the town Council, Manager, and town staff are looking to foster trust and open honest government as they have said many times in the recent past, this is NOT the way to do it.

I appreciate this information to be released this week.

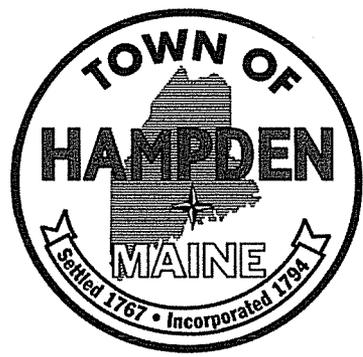
Thank you.

Kristen Hornbrook

C-4-a

MEMO

G
I
S



I
T

To: Susan Lessard & Town Council
From: Gretchen Heldmann
Date: 12/20/2011
Re: WebGIS & Reserve Request – approved in FY12 budget

Message:

The FY12 budget process contained a request for \$1,200 to start a Web GIS. This was approved as part of the entire FY12 budget. This is the formal request to spend that money out of the GIS Reserve account as originally proposed.

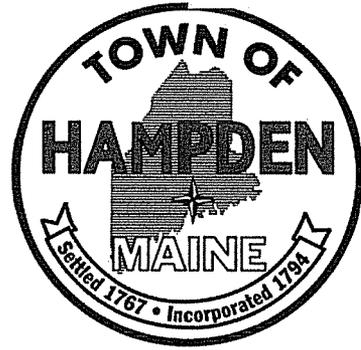
Thank you,

A handwritten signature in black ink, appearing to read "Gretchen Heldmann".

C-4-b

MEMO

G
I
S



I
T

To: Susan Lessard & Town Council
From: Gretchen Heldmann
Date: 12/20/2011
Re: Cooling equipment for network closet – approved in FY12 budget

Message:

The FY12 budget process contained a request for \$5,566.65 to install equipment to cool the network equipment closet. This was approved as part of the entire FY12 budget. I have obtained an updated quote from Mechanical Services of \$5,950.00 for this work, which is a difference of \$383.35. This is the formal request to approve the difference please, and to spend that money out of the Municipal Building Reserve account as originally proposed.

Thank you,

A handwritten signature in cursive script, appearing to read "Gretchen Heldmann".

C-4-c

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
Owner's Offer-Assent**

**Property Owner(s):
Town of Hampden**

| | |
|-----------------|-----------------------|
| PIN: | <u>014796.00</u> |
| Project No: | <u>STP-1479(600)X</u> |
| Town: | <u>Hampden</u> |
| Parcel/Item No: | <u>11</u> |

BACKGROUND:

1. It has been determined that public exigency requires the construction or reconstruction by altering, widening, changing the grade of and/or changing the drainage of a portion of State Highway "**Route 1A**" in the Town of **Hampden**, County of **Penobscot** and State of Maine through a Maine Department of Transportation (the "MaineDOT") project identified by the PIN and Project Number referenced above (the "Project").

2. In connection with the Project, the necessary real property rights (the "Property Rights") to be acquired have been assigned value, surveyed, and identified on a plan known as Right of Way Map, State Highway "**Route 1A**", Project No. **STP-1479(600)X**, on file in the Augusta headquarters of MaineDOT, File No. **10-472 SEP 2011**.

3. The Property Rights in and to a certain parcel of land identified on the Right of Way Map as Parcel No. **11**, owned by the above identified Property Owner(s) (the "Property Owner(s)") in said **Hampden**, are required for construction of the Project.

4. MaineDOT intends to acquire the Property Rights by filing a Notice of Layout and Taking (the "Taking") in the **Penobscot** County Registry of Deed on or about **02/28/2012**. At MaineDOT's discretion, and with the Property Owner(s)' consent, the Property Rights may be transferred through the execution of a deed or other transactional instrument.

5. MaineDOT has determined just compensation for acquisition of the Property Rights to be **\$300.00** (the "Payment"), and this amount will be paid to the Property Owner(s) upon filing of the Taking.

6. The Property Owner(s) does/do hereby acknowledge that **Thomas Hayden**, Right of Way Agent representing the MaineDOT, met with or wrote to the Property Owner(s) and explained the Property Rights to be acquired, the just compensation Payment, and all construction impacts, changes of location, grade, drainage and slopes as they apply to the Property Owner(s)' land.

AGREEMENT

1. The Property owner(s) accept the Payment as just compensation for all Property Rights taken in connection with the Project.

2. The Property Owner(s) release Maine DOT from any further claims of just compensation arising from the Property Rights taken in connection with the Project; however, if any changes in design or construction occur after the date of this settlement and negatively impact the Property Owner's land in an unanticipated manner, the Property Owner(s) shall have the right to request that this settlement be rescinded.

In witness of the above, the parties have executed this Agreement on the date herein indicated.

Dated: _____

Property Owner(s):

PIN: 014796.00
Parcel #: 11
R/W Form No. N-26
Form AQ-15
Revised 03/07/2011

Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re:

| | |
|---------------------|----------------|
| PIN : | 014796.00 |
| PROJECT : | STP-1479(600)X |
| TOWN : | Hampden |
| PARCEL NO. : | 11 |

Dear Property Owner:

Today, as the Department's representative, I have explained to you the proposed construction and the effect it will have on your property. I have attempted to answer any questions you had. I have also explained the methods used in preparing our appraisal and the basis for our determination of just compensation for the land and rights to be acquired. I have made you an offer in the amount of \$300.00 which represents the just compensation as determined by a qualified appraiser and approved by one of the Department's review appraisers.

The land and/or rights to be acquired from you for this project are as follows:

| Valuation Type | Count | Area | Unit |
|-----------------------|--------------|-------------|-------------|
| Temp. Const. Rights | 1 | 1,085.00 | Sq. Feet |

The following is a statement by the Department of Transportation regarding the parcel or parcels of land above referenced:

- A. The highest and best use of the property at the date of taking.
Cemetery
- B. The fair market value of the real property taken as of the date of taking.
\$300.00
- C. Offering price.
\$300.00

I have explained your recourse if the State's offer is not acceptable. The booklet "A Land Owner's Guide to the Property Acquisition Process" confirms the procedures available to you. If

a copy of this booklet has not previously been given to you, please request one. I have also explained that the property owner or designated representative is responsible for informing any potential purchaser of the impending acquisition of land and/or rights as required by Title 23, M.R.S.A. Section 153-3(4).

A great deal of time has been spent in the effort to design an attractive, safe highway; also to design it in the manner that will cause the least damage to adjoining property; and finally to determine by properly made and carefully reviewed appraisals the just compensation due to the owners. I hope that we have accomplished our objective.

Please be advised that if you have a mortgage, the mortgage company holds a recorded interest in your property. Under Maine law, your mortgage company may receive a copy of the condemnation documents and may be named on your just compensation check. If your mortgage company is named on your compensation check, your lender must endorse the check before you can cash it. Your mortgage document quite likely contains a provision that addresses eminent domain takings. If your lender is named on your check, you should review this language in your mortgage carefully and deal with your lender directly. The holders of tax liens or other recorded encumbrances on your property may also appear on your check. Again, their endorsement will be required and you will need to deal with them directly.

PROPERTY MARKERS: Action taken by the 115th Maine Legislature has revised Maine's landmark location law (14 M.R.S.A., Sec. 7554-A). Please be sure to inform me if your property markers do not appear on our plans. The Department does not set property pins, but will re-establish the point of former location of a disrupted pin on request from the owner.

Under certain conditions MaineDOT can reimburse eligible property owners for reasonable cost associated with resetting a property pin on the new right of way line by a Licensed Professional Land Surveyor. If necessary, I will explain the eligibility criteria and application process.

Sincerely,

Thomas Hayden
MaineDOT



C-4-d

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON: _____ Date of Council Action: 1/17/2012
Public Hearing: Yes _____ No X

- Application for Liquor License
- Application for Victualer's License
- Application for Off-premises Catering
- Application for Outdoor Wood-burning Furnace License

NAME: Wang & Lo, Inc.
d/b/a Fresh Ginger Business Name Wan Pong Lo Individual

ADDRESS: 64 Main Rd. North PHONE: 862-6208

MAP/LOT: Map 36, Lot 19 DATE: 1/3/2012

DEPARTMENT REPORT:

Appears to comply with the Town of
Hampden Victualer's Ordinance.

DATE: 1/5/12

BY: [Signature]
Title: CODE ENFORCEMENT OFFICER

BY: [Signature]
Title: FIRE/BUILDING INSPECTOR

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 12/15/11 PHONE NUMBER: 207-862-6208

NAME(S): Wan Dong Lo

ADDRESS: 135 oak Grove Drive Brewer ME 04449

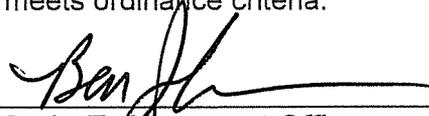
NAME OF BUSINESS: Wang & Lo Inc dba Fresh Ginger

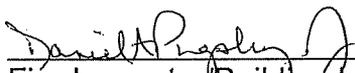
LOCATION OF BUSINESS: 64 Main Road North Hampden ME 04444

SIGNATURE: 

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.


Code Enforcement Officer


Fire Inspector/Building Inspector

*All sewer user fees and personal property taxes are paid in full to date.


Tax Collector


Town Treasurer

Please return completed form to: **Town Clerk**
Town of Hampden
106 Western Avenue
Hampden, ME 04444

LICENSE FEE: \$50.00 Date Received/Fee Paid: JAN 03 2012 / \$50.00

C-4-e



TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 1/17/2012
Public Hearing: Yes No X

- Application for Liquor License
- Application for Victualer's License
- Application for Off-premises Catering
- Application for Outdoor Wood-burning Furnace License

NAME: Wang & Lo, Inc.
d/b/a Fresh Ginger
Business Name Individual

ADDRESS: 64 Main Rd. North PHONE: 862-6208

MAP/LOT: Map 36, Lot 19 DATE: 1/3/2012

DEPARTMENT REPORT:

No concerns

DATE: 01/04/12

BY: [Signature]
Title: Public Safety Director

BY: _____
Title: _____

December 19, 2011

To: Whom it may concern

From: Wan Pong Lo
Wang & Lo Inc.
d/b/a Fresh Ginger Restaurant
64 Main Road North
Hampden ME 04444

I am writing to request that the Town Council to waive the public hearing for Fresh Ginger's liquor license.

Sincerely

A handwritten signature in black ink, appearing to be 'Wan Pong Lo', written over a horizontal line.

Wan pong Lo

**Department of Public Safety
Division**



Liquor Licensing & Inspection

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

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

PRESENT LICENSE EXPIRES 02-29-2012

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.) <u>Wang & Lo INC</u> DOB: _____ | 2. Business Name (D/B/A) <u>Fresh Ginger</u> |
| DOB: _____ | |
| DOB: _____ | Location (Street Address) <u>64 Main Road North</u> |
| Address <u>64 Main Road North</u> | City/Town <u>Hampden</u> State <u>ME</u> Zip Code <u>04444</u> |
| <u>Hampden</u> <u>ME</u> <u>04444</u> | Mailing Address <u>SAME as above</u> |
| City/Town _____ State _____ Zip Code _____ | City/Town _____ State _____ Zip Code _____ |
| Telephone Number <u>207-862-6208</u> Fax Number <u>(207)862-6185</u> | Business Telephone Number _____ Fax Number _____ |
| Federal I.D. # <u>20-4185150</u> | Seller Certificate # <u>1088507</u> |

3. If premises are a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 460,354.00 LIQUOR \$ 5600.00
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: WAN Pong Lo
8. If business is NEW or under new ownership, indicate starting date: N/A
- Requested inspection date: _____ Business hours: 11AM - 9PM Sun-Thur 11AM-10PM Fri-SAT
9. Business records are located at: 64 Main Road North Hampden ME 04444
10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine?

YES NO

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

| Name in Full (Print Clearly) | DOB | Place of Birth |
|------------------------------|----------|----------------|
| WAN Pong LO | 05/10/73 | CHINA |
| | | |
| | | |

Residence address on all of the above for previous 5 years (Limit answer to city & state)

135 oak Grove Drive Brewer ME 04412

12 Wild Rose Drive Brewer ME 04412

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

Name: _____ Date of Conviction: N/A

Offense: N/A Location: _____

Disposition: _____

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

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

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: Kin Jun & Cholada Wong 100 Ballfield Road Hampden ME 04444

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Dine-in, Take-out Chinese Restaurant, A free standing Building

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

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

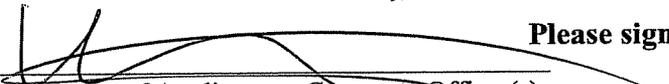
20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

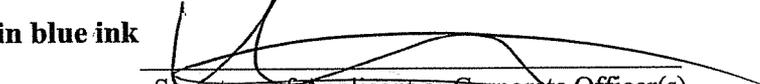
The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

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 January 03, 2012


 Signature of Applicant or Corporate Officer(s)
 WAN Pong LO

Please sign in blue ink


 Signature of Applicant or Corporate Officer(s)
 Wan Pong LO

STATE OF MAINE

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

On: January, 2012
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: Hamptden, 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 herby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS
NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

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

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

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

1. Exact Corporate Name: Wang & LO INC
 Business D/B/A Name: Fresh Ginger
 2. Date of Incorporation: 02/01/06
 3. State in which you are incorporated: Maine
 4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:
N/A
 5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

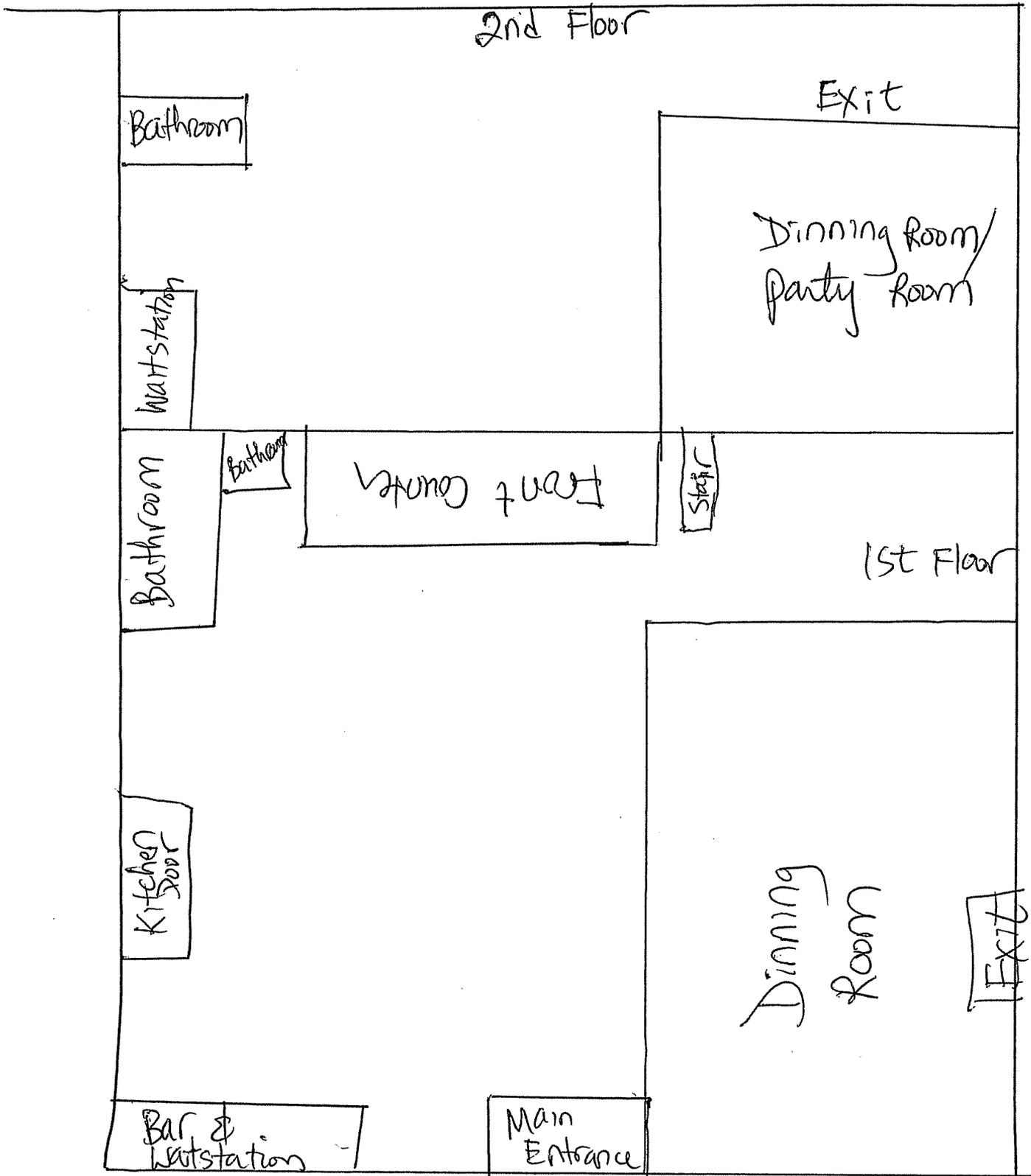
| Name | Address Previous 5 Years | Birth Date | % of Stock | Title |
|--------------|--|------------|------------|-------|
| WAN Pong LO | 135 Oak Grove Dr Brewer ME 04412 | 05/10/73 | 50% | OWNER |
| Tan Xin Wang | 12 Wild Rose Drive Brewer ME 29 Whitney Court Brewer ME 04412 20 Wild Rose Drive Brewer ME 04412 | 11/05/73 | 50% | OWNER |

6. What is the amount of authorized stock? 10,000 Outstanding Stock? _____
 7. Is any principal officer of the corporation a law enforcement official? () YES (X) NO
 8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES (X) NO.
 9. If yes, please complete the following: Name: N/A

Date of Conviction: N/A Offense: N/A
 Location: _____ Disposition: _____
 Dated at: Hampden ME On: January 03, 2012
City/Town Date

[Signature] Date: 01/03/12
 Signature of Duly Authorized Officer
WAN Pong LO
 Print Name of Duly Authorized Officer

PREMISE DIAGRAM



C-4-f

MEMO

To: Susan Lessard

From: Kelly Karter

Date: January 10, 2012

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 2011/2012 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

2012 Municipal Budget \$7,079,706 (Original Budget Less Gen. Asst. of \$10,000)

Divided By Total Valuation \$587,444,180 (=0.012052)

| | | | |
|--------------------------|---------------|-----|-----------------|
| Times the Just Value | \$ 1,908,800 | 000 | 0.000000 * |
| Service Charge Due | \$ 23,004.86 | | 7,079,706 ÷ |
| Payment Received 9/27/11 | \$ (6,518.00) | | 587,444,180 = |
| | | | 0.012052 * |
| Net Balance Due | \$ 16,486.86 | | 0.012052 × |
| | | | 1,908,800 = |
| | | | 23,004.857600 * |
| | | 000 | 0.000000 * |
| | | | 23,004.860000 + |
| | | | 6,518.000000 - |
| | | 002 | 16,486.860000 * |

Hampden
 Name: HOUSING FOUNDATION, THE
 (ROE VILLAGE - HAMPDEN)

Valuation Report

01/10/2012

Page 1

Account: 2413 Card: 1 of 1

Map/Lot:

31-0-008

Location:

113 WESTERN AVE

Neighborhood 21 Residential B

Zoning/Use Residential B
 Topography /Level
 Utilities /All Public
 Street Paved

Reference 1
 Reference 2
 Tran/Land/Bldg 1 1 67
 X Coordinate 0 Y Coordinate 0
 Exemption(s) 66 0 0 Land Schedule 4

| Land Description | | | | | | |
|------------------|----------------------|------------|---------|------|------------|---------|
| Units | Method - Description | Price/Unit | Total | Fctr | Influence | Value |
| 2.50 | Acres-Improved Site | 54,945.00 | 137,363 | 100% | | 137,363 |
| 1.50 | Acres-Rear Land 1 | 3,300.00 | 4,950 | 100% | | 4,950 |
| Total Acres 4 | | | | | Land Total | 142,313 |

| Commercial Description | | | |
|------------------------|-------------------|-----------|--|
| Occupancy Type | Apartments | | Data used for calculations supplied by Marshall & Swift which hereby reserves all rights herein. Copyright 2012, Marshall & Swift. |
| Class & Quality | Frame.....Exc. | | |
| # Dwelling Units | 30 | | |
| Exterior | Vinyl | | |
| Stories & Height | 1 STORY @ 8' | | |
| Heating/Cooling | Hot Water/Radiant | | |
| Built | 1991 | | |
| Remodeled | 0 | | |
| Base Cost/Sqft | | 58.77 | |
| Heat-Cool/Sqft | + | 6.92 | |
| Total | | 65.69 | |
| Size Factor | X | 0.957 | |
| Adjusted Cost/Sqft | | 62.87 | |
| Total Square Feet | X | 17,980 | |
| Replacement Cost | | 1,130,403 | |
| Condition | Very Good | | |
| % Good Physical | X | .91 | |
| Functional | X | 1.00 | |
| Subtotal | | 1,028,667 | |
| Economic Factor | X 1.650 | | Total Value 1,697,301 |

| Outbuildings/Additions/Improvements | | | | Percent Good | | | Value | | |
|-------------------------------------|------|-------------------|-------|--------------|------|-----|-------|------|--------------------------|
| Description | Year | Units | Grade | RCN | Cond | Phy | Func | Econ | Rcnld |
| Slab | 1991 | 4495 | C 100 | 11372 | V.G. | 91% | 100% | 165% | 17,076 |
| Slab | 1991 | 4495 | C 100 | 11372 | V.G. | 91% | 100% | 165% | 17,076 |
| Slab | 1991 | 4495 | C 100 | 11372 | V.G. | 91% | 100% | 165% | 17,076 |
| Slab | 1991 | 4495 | C 100 | 11372 | V.G. | 91% | 100% | 165% | 17,076 |
| Slab | 1997 | 240 | C 100 | 607 | Avg. | 92% | 100% | 165% | 921 |
| 17,980 SF | | 98.25 = \$/SF (4) | | | | | | | Outbuilding Total 69,225 |

Calc. Land 142,300 **Calc. Bldg** 1,766,500 **Total** 1,908,800

MEMO

To: Susan Lessard

From: Kelly Karter

Date: January 10, 2012

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 2011/2012 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

2012 Municipal Budget \$7,079,706 (Original Budget Less Gen. Asst. of \$10,000)

Divided By Total Valuation \$587,444,180 (= .012052)

Times the Just Value \$ 182,700

Service Charge Due \$ 2,201.90

0.000000 *

7,079,706 ÷
587,444,180 =
0.012052 *

0.012052 ×
182,700 =
2,201.900400 *

000

0.000000 *

Account: 3338 Card: 1 of 1

Neighborhood 49 Central Rural

Zoning/Use Rural
Topography /Rolling
Utilities Drilled Well/Septic System
Street Paved

Sale Data
Sale Date 10/12/2005
Sale Price 185,000
Sale Type Land & Bldg
Financing Unknown
Verified Public Record
Validity Arms Length Sale

Reference 1
Reference 2
Tran/Land/Bldg 1 2 2
X Coordinate 0 Y Coordinate 0
Exemption(s) 66 0 0 Land Schedule 1

| Land Description | | | | | | |
|------------------|------------------------|------------|------------|------|------------|--------|
| Units | Method - Description | Price/Unit | Total | Fctr | Influence | Value |
| 2.00 | Acres-ImprovSite(Frac) | 39,525.00 | 39,525 | 90% | Topography | 35,573 |
| 0.80 | Acres-Rear Land 1 | 3,720.00 | 2,976 | 90% | Topography | 2,678 |
| Total Acres 2.8 | | | Land Total | | | 38,251 |

| Dwelling Description | | | | Replacement Cost New | | |
|----------------------|--------------------|--------------|------------------|----------------------|--|---------|
| Ranch | One Story | 2,016 Sqft | Grade B 120 | Base | | 119,237 |
| Exterior | Vinyl or Alum. | Masonry Trim | None | Trim | | 0 |
| Dwelling Units | 2 OTHER Units-0 | Roof Cover | Asphalt Shingles | Roof | | 0 |
| | | | | | | 0 |
| Foundation | Concrete Slab | Basement | None | Basement | | -23,891 |
| Fin. Basement Area | None | Basement Gar | None | Fin Bsmt | | 0 |
| Heating | 100% Radiant Floor | Cooling | 0% None | Heat | | 679 |
| Rooms | 8 | | | | | |
| Bedrooms | 4 | Add Fixtures | 0 | | | |
| Baths | 2 | Half Baths | 0 | Plumbing | | 4,209 |
| Attic | None | | | Attic | | 0 |
| FirePlaces | 0 | | | Fireplace | | 0 |
| Insulation | Full | | | Insulation | | 0 |
| Unfin. Living Area | NONE | | | Unfinished | | 0 |

| Dwelling Condition | | | | | | | Layout | | | Total |
|-------------------------------------|-----------|-----------------------|---------|-------------------|---------|---------|-------------------|--------------|---------|-------|
| Built | Renovated | Kitchens | Baths | Condition | Layout | | | Total | | |
| 2000 | 0 | Typical | Typical | Good | Typical | | | 100,234 | | |
| Functional Obsolescence | | Economic Obsolescence | | Phys. % | Func. % | Econ. % | | Value(Rcnld) | | |
| None | | None | | 94% | 100% | 150% | | 141,330 | | |
| Outbuildings/Additions/Improvements | | | | | | | Percent Good | | | Value |
| Description | Year | Units | Grade | RCN | Cond | Phy | Func | Econ | Rcnld | |
| Frame Shed | 2004 | 240 | C 100 | 2139 | Avg. | 95% | 100% | 150% | 3,048 | |
| 2,016 SFLA | | 70.10 = \$/SFLA (4) | | | | | Outbuilding Total | | 3,048 | |
| Calc. Land | | | 38,300 | Calc. Bldg | | 144,400 | Total | | 182,700 | |

MEMO

To: Susan Lessard

From: Kelly Karter

Date: January 10, 2012

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 2011/2012 fiscal year.

Property Owner: OHI

Property Location: 143 Patterson Road
Hampden, Maine 04444

Legal Description: Map 5 Lot 39
Book 9144 Page 102

2012 Municipal Budget \$7,079,706 (Original Budget Less Gen. Asst. of \$10,000)

Divided By Total Valuation \$587,444,180 (=0.012052)

Times the Just Value \$ 140,900

Service Charge Due \$ 1,698.13

7,079,706 ÷
587,444,180 =
0.012052 *

0.012052 ×
140,900 =
1,698.126800 *

Hampden
Name: OHI

Valuation Report

01/10/2012

Page 1

Map/Lot:

05-0-039

Account: 569 Card: 1 of 1

Location:

143 PATTERSON RD

Neighborhood 49 Central Rural

Sale Data

Zoning/Use Rural
Topography /Rolling
Utilities Drilled Well/Septic System
Street Paved

Sale Date 12/29/2003
Sale Price 128,000
Sale Type Land & Blding
Financing Unknown
Verified Public Record
Validity Arms Length Sale

Reference 1

Reference 2

Tran/Land/Bldg 1 2 29

X Coordinate 0 Y Coordinate 0

Exemption(s) 66 0 0 Land Schedule 1

Land Description

| Units | Method - Description | Price/Unit | Total | Fctr | Influence | Value |
|------------------|------------------------|------------|--------|------|-----------|-------------------|
| 2.00 | Acres-ImprovSite(Frac) | 39,525.00 | 39,525 | 100% | | 39,525 |
| 1.57 | Acres-Rear Land 1 | 3,720.00 | 5,840 | 100% | | 5,840 |
| Total Acres 3.57 | | | | | | Land Total 45,365 |

Dwelling Description

Replacement Cost New

| | | | | | |
|--------------------|-----------------|---------------|------------------|-------------|--------|
| Modern Log Home | One Story | 1,056 Sqft | Grade B 100 | Base | 63,806 |
| Exterior | Wood Siding | Masonry Trim | None | Trim | 0 |
| Dwelling Units | 1 OTHER Units-0 | Roof Cover | Asphalt Shingles | Roof | 0 |
| | | | | | 0 |
| Foundation | Concrete | Basement | Dry Full Bmt | Basement | 0 |
| Fin. Basement Area | None | Basement Gar | None | Fin Bsmt | 0 |
| Heating | 100% Electric | Cooling | 0% None | Heat | -1,482 |
| Rooms | 5 | HEARTH/CHIMNE | 1 | HEARTH/CHIM | 1,501 |
| Bedrooms | 2 | Add Fixtures | 0 | | |
| Baths | 1 | Half Baths | 0 | Plumbing | 0 |
| Attic | None | | | Attic | 0 |
| FirePlaces | 0 | | | Fireplace | 0 |
| Insulation | Full | | | Insulation | 0 |
| Unfin. Living Area | NONE | | | Unfinished | 0 |

Dwelling Condition

| Built | Renovated | Kitchens | Baths | Condition | Layout | Total | | | |
|--|-----------------------|---------------------|---------|-------------------|--------------|--------|-------------------|------|-------------|
| 1985 | 0 | Typical | Typical | Average | Typical | 63,825 | | | |
| Functional Obsolescence | Economic Obsolescence | Phys. % | Func. % | Econ. % | Value(Rcnld) | | | | |
| None | None | 87% | 100% | 150% | 83,292 | | | | |
| Outbuildings/Additions/Improvements | | | | | | | | | |
| Description | Year | Units | Grade | RCN | Cond | Phy | Func | Econ | Value Rcnld |
| Open Frame Porch | 1985 | 56 | B 100 | 818 | Avq. | 87% | 100% | 150% | 1,068 |
| Encl Frame Porch | 1985 | 120 | B 100 | 1720 | Avq. | 87% | 100% | 150% | 2,244 |
| Frame Garage | 1985 | 360 | B 100 | 6844 | Avq. | 87% | 100% | 150% | 8,931 |
| 1,056 SFLA | | 78.88 = \$/SFLA (4) | | | | | Outbuilding Total | | 12,243 |
| Calc. Land | | | 45,400 | Calc. Bldg | | 95,500 | Total | | 140,900 |

MEMO

To: Susan Lessard

From: Kelly Karter

Date: January 10, 2012

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 2011/2012 fiscal year.

Property Owner: OHI

Property Location: 35 George St
Hampden, Maine 04444

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

2012 Municipal Budget \$7,079,706 (Original Budget Less Gen. Asst. of \$10,000)

Divided By Total Valuation \$587,444,180 (= .012052)

Times the Just Value \$ 184,000

Service Charge Due \$ 2,217.57

000

0.000000 *

7,079,706. ÷

587,444,180. =

0.012052 *

0.012052 ×

184,000. =

2,217.568000 *

000

0.000000 *

Hampden
Name: OHI

Valuation Report

01/10/2012
Page 1

Account: 1975 Card: 1 of 1

Map/Lot:
Location:

23-0-070-C
35 GEORGE ST

Neighborhood 10 Westbrook Terr.

Sale Data

Zoning/Use Residential A
Topography /Rolling
Utilities All Public/
Street Paved

Sale Date 6/24/2004
Sale Price 179,000
Sale Type Land & Bldg
Financing Unknown
Verified Public Record
Validity Arms Length Sale

Reference 1
Reference 2
Tran/Land/Bldg 1 1 1
X Coordinate 0 Y Coordinate 0
Exemption(s) 66 0 0 Land Schedule 3

Land Description

| Units | Method - Description | Price/Unit | Total | Fctr | Influence | Value |
|-------------|------------------------|------------|--------|------|------------|--------|
| 0.20 | Acres-ImprovSite(Frac) | 65,410.00 | 29,252 | 100% | | 29,252 |
| Total Acres | .2 | | | | Land Total | 29,252 |

Dwelling Description

Replacement Cost New

| | | | | | |
|--------------------|-------------------|--------------|------------------|------------|--------|
| Garrison | Two Story | 936 Sqft | Grade B 105 | Base | 92,248 |
| Exterior | Vinyl or Alum. | Masonry Trim | None | Trim | 0 |
| Dwelling Units | 1 OTHER Units-0 | Roof Cover | Asphalt Shingles | Roof | 0 |
| | | | | | 0 |
| Foundation | Concrete | Basement | Dry Full Bmt | Basement | 0 |
| Fin. Basement Area | 468 Sqft, Grade C | Basement Gar | None | Fin Bsmt | 4,736 |
| Heating | 100% Hot Water BB | Cooling | 0% None | Heat | 0 |
| Rooms | 8 | | | | |
| Bedrooms | 4 | Add Fixtures | 0 | | |
| Baths | 2 | Half Baths | 1 | Plumbing | 4,604 |
| Attic | None | | | Attic | 0 |
| FirePlaces | 0 | | | Fireplace | 0 |
| Insulation | Full | | | Insulation | 0 |
| Unfin. Living Area | NONE | | | Unfinished | 0 |

Dwelling Condition

| Built | Renovated | Kitchens | Baths | Condition | Layout | Total | | | |
|--|-----------|------------------------------|---------|-------------------|----------------|----------------|---------------------|--------------|---------|
| 1986 | 0 | Typical | Typical | Above Average | Typical | 101,588 | | | |
| Functional Obsolescence | | Economic Obsolescence | | Phys. % | Func. % | Econ. % | Value(Rcnld) | | |
| None | | None | | 89% | 100% | 155% | 140,141 | | |
| Outbuildings/Additions/Improvements | | | | | | Value | | | |
| Description | Year | Units | Grade | RCN | Cond | Phy | Func | Econ | Rcnld |
| Frame Garage | 1986 | 576 | B 100 | 9547 | Avq. | 87% | 100% | 155% | 12,874 |
| Wood Deck | 1988 | 180 | B 100 | 1263 | Avq. | 88% | 100% | 155% | 1,722 |
| 1,872 SFLA | | 74.86 = \$/SFLA (4) | | | | | Outbuilding Total | | 14,596 |
| Calc. Land | | 29,300 | | Calc. Bldg | | 154,700 | | Total | 184,000 |

Hampden
 Name: MEDICAL CARE DEVELOPMENT, INC.
 DBA HAMPDEN MEADOWS

Valuation Report

01/10/2012
 Page 1
 01-0-023-A
 1282 KENNEBEC RD

Account: 275 Card: 1 of 1

Map/Lot:
 Location:

Neighborhood 48 South Rural

Zoning/Use Rural
 Topography /Level
 Utilities Drilled Well/Septic System
 Street Paved

Sale Data
 Sale Date 3/1/1995
 Sale Price 33,000
 Sale Type Land
 Financing Unknown
 Verified Public Record
 Validity Arms Length Sale

Reference 1
 Reference 2
 Tran/Land/Bldg 1 2 29
 X Coordinate 0 Y Coordinate 0
 Exemption(s) 66 0 0 Land Schedule 1

Land Description

| Units | Method - Description | Price/Unit | Total | Fctr | Influence | Value |
|-------------|------------------------|------------|--------|------|------------|--------|
| 2.00 | Acres-ImprovSite(Frac) | 43,350.00 | 43,350 | 100% | | 43,350 |
| 2.00 | Acres-Rear Land 1 | 4,080.00 | 8,160 | 100% | | 8,160 |
| 3.29 | Acres-Rear Land 2 | 1,700.00 | 5,593 | 100% | | 5,593 |
| Total Acres | 7.29 | | | | Land Total | 57,103 |

Dwelling Description

Replacement Cost New

| | | | | | |
|--------------------|-------------------|--------------|------------------|------------|---------|
| Ranch | One Story | 5,666 Sqft | Grade A 100 | Base | 288,390 |
| Exterior | Vinyl or Alum. | Masonry Trim | None | Trim | 0 |
| Dwelling Units | 1 OTHER Units-0 | Roof Cover | Asphalt Shingles | Roof | 0 |
| | | | | | 0 |
| Foundation | Concrete Slab | Basement | None | Basement | -60,052 |
| Fin. Basement Area | None | Basement Gar | None | Fin Bsmt | 0 |
| Heating | 100% Hot Water BB | Cooling | 0% None | Heat | 0 |
| Rooms | 20 | | | | |
| Bedrooms | 8 | Add Fixtures | 1 | | |
| Baths | 4 | Half Baths | 1 | Plumbing | 12,938 |
| Attic | None | | | Attic | 0 |
| FirePlaces | 0 | | | Fireplace | 0 |
| Insulation | Heavy | | | Insulation | 7,330 |
| Unfin. Living Area | NONE | | | Unfinished | 0 |

Dwelling Condition

| Built | Renovated | Kitchens | Baths | Condition | Layout | Total |
|--------------------------------|-----------|------------------------------|--------|----------------|------------------------|---------------------|
| 1995 | 0 | Modern | Modern | Good | Typical | 248,606 |
| Functional Obsolescence | | Economic Obsolescence | | Phys. % | Func. % Econ. % | Value(Rcnld) |
| None | | None | | 93% | 100% 170% | 393,046 |

Outbuildings/Additions/Improvements

| Description | Year | Units | Grade | RCN | Cond | Phy | Func | Econ | Value Rcnld |
|------------------|------|---------------------|-------|------|------|-----|-------------------|------|-------------|
| Frame Shed | 1995 | 120 | C 100 | 1070 | Avq- | 87% | 100% | 170% | 1,583 |
| Open Frame Porch | 1995 | 288 | B 100 | 3334 | Avq. | 91% | 100% | 170% | 5,158 |
| 5,666 SFLA | | 69.37 = \$/SFLA (4) | | | | | Outbuilding Total | | 6,741 |

Calc. Land 57,100 **Calc. Bldg** 399,800 **Total** 456,900

MEMO

To: Susan Lessard

From: Kelly Karter

Date: January 10, 2012

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 2011/2012 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 \$7,079,706 (Original Budget Less Gen. Asst. of \$10,000)

Divided By Total Valuation \$587,444,180 (= .12052)

| | | | | |
|----------------------|----|----------|-----|----------------|
| Times the Just Value | \$ | 340,600 | 000 | |
| Service Charge Due | \$ | 4,104.91 | | 0.000000 * |
| | | | | 7,079,706 ÷ |
| | | | | 587,444,180 = |
| | | | | 0.012052 * |
| | | | | 0.012052 × |
| | | | | 340,600 = |
| | | | | 4,104.911200 * |
| | | | 000 | |
| | | | | 0.000000 * |

Hampden
 Name: ACADIA HOSPITAL CORP.
 DBA ASPENLEDGE

Valuation Report

01/10/2012
 Page 1
 06-0-029-A
 25 MAYO RD

Account: 711 Card: 1 of 1

Map/Lot:
 Location:

Neighborhood 21 Residential B

Zoning/Use Residential B
 Topography Rolling/
 Utilities Drilled Well/Septic System
 Street Paved

Sale Data
 Sale Date 3/1/1992
 Sale Price 180,000
 Sale Type Land & Bldg
 Financing Unknown
 Verified Public Record
 Validity Arms Length Sale

Reference 1
 Reference 2
 Tran/Land/Bldg 1 1 29
 X Coordinate 0 Y Coordinate 0
 Exemption(s) 54 0 0 Land Schedule 4

Land Description

| Units | Method - Description | Price/Unit | Total | Fctr | Influence | Value |
|------------------|------------------------|------------|--------|------|------------|--------|
| 1.00 | Acres-ImprovSite(Frac) | 54,945.00 | 54,945 | 100% | | 54,945 |
| 2.00 | Acres-Rear Land 1 | 3,300.00 | 6,600 | 100% | | 6,600 |
| 3.48 | Acres-Rear Land 3 | 825.00 | 2,871 | 100% | | 2,871 |
| Total Acres 6.48 | | | | | Land Total | 64,416 |

Dwelling Description

Replacement Cost New

| | | | | | |
|--------------------|-------------------|--------------|------------------|------------|---------|
| Colonial | Two Story | 1,040 Sqft | Grade A 100 | Base | 115,028 |
| Exterior | Wood Siding | Masonry Trim | None | Trim | 0 |
| Dwelling Units | 1 OTHER Units-0 | Roof Cover | Asphalt Shingles | Roof | 0 |
| | | | | | 0 |
| Foundation | Concrete Slab | Basement | None | Basement | -14,966 |
| Fin. Basement Area | None | Basement Gar | None | Fin Bsmt | 0 |
| Heating | 100% Hot Water BB | Cooling | 0% None | Heat | 0 |
| Rooms | 11 | | | | |
| Bedrooms | 6 | Add Fixtures | 0 | | |
| Baths | 2 | Half Baths | 1 | Plumbing | 5,391 |
| Attic | None | | | Attic | 0 |
| FirePlaces | 0 | | | Fireplace | 0 |
| Insulation | Full | | | Insulation | 0 |
| Unfin. Living Area | NONE | | | Unfinished | 0 |

Dwelling Condition

| Built | Renovated | Kitchens | Baths | Condition | Layout | Total |
|-------------------------|-----------------------|----------|---------|---------------|--------------|---------|
| 1987 | 1992 | Modern | Modern | Above Average | Typical | 105,453 |
| Functional Obsolescence | Economic Obsolescence | Phys. % | Func. % | Econ. % | Value(Rcnld) | |
| None | None | 89% | 100% | 165% | 154,858 | |

Outbuildings/Additions/Improvements

| Description | Year | Units | Grade | RCN | Cond | Phy | Func | Econ | Value Rcnld |
|------------------|---------------------|-------|-------|-------|------|-------------------|------|------|-------------|
| One Story Frame | 1988 | 1080 | A 100 | 39347 | Avq+ | 89% | 100% | 165% | 57,781 |
| Encl Frame Porch | 1988 | 320 | A 100 | 5641 | Avq+ | 89% | 100% | 165% | 8,283 |
| Wood Deck | 1988 | 408 | C 100 | 2346 | Good | 91% | 100% | 165% | 3,523 |
| Frame Garage | 1987 | 960 | C 100 | 11764 | Avq- | 84% | 100% | 165% | 16,305 |
| Frame Shed | 1987 | 80 | D 100 | 584 | Fair | 78% | 100% | 165% | 752 |
| One Story Frame | 1992 | 240 | A 100 | 8745 | Avq+ | 91% | 100% | 165% | 13,131 |
| Unfin Basement | 1987 | 1080 | A 100 | 13193 | Avq+ | 89% | 100% | 165% | 19,374 |
| Frame Shed | 2000 | 128 | B 100 | 1392 | Avq. | 94% | 100% | 165% | 2,158 |
| 3,400 SFLA | 66.40 = \$/SFLA (4) | | | | | Outbuilding Total | | | 121,307 |

Calc. Land 64,400 **Calc. Bldg** 276,200 **Total** 340,600

MEMO

To: Susan Lessard

From: Kelly Karter

Date: January 10, 2012

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 2011/2012 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

2012 Municipal Budget \$7,079,706 (Original Budget Less Gen. Asst. of \$10,000)

Divided By Total Valuation \$587,444,180 (= .012052)

Times the Just Value \$ 173,800

Service Charge Due \$ 2,094.64

| | |
|-----------------|---|
| 7,079,706.00000 | + |
| 10,000.00000 | - |
| 7,079,706.00000 | ÷ |
| 587,444,180. | = |
| 0.012052 | * |
| 0.012052 | × |
| 173,800. | = |
| 2,094.637600 | * |

Hampden
Name: PENQUIS MENTAL HEALTH ASSOC.

Valuation Report

01/10/2012
Page 1

Account: 67 Card: 1 of 1

Map/Lot: 01-0-031-A
Location: 1012 CARMEL RD NO

Neighborhood 63 Business Rural

Sale Data

Zoning/Use Rural Business Rural
Topography /Level
Utilities Drilled Well/Septic System
Street Paved

Sale Date 8/7/2009
Sale Price 160,000
Sale Type Land & Bldg
Financing Unknown
Verified Public Record
Validity Arms Length Sale

Reference 1
Reference 2
Tran/Land/Bldg 1 2 1
X Coordinate 0 Y Coordinate 0
Exemption(s) 47 0 0 Land Schedule 1

Land Description

| Units | Method - Description | Price/Unit | Total | Fctr | Influence | Value |
|---------------|------------------------|------------|--------|------|------------|--------|
| 2.00 | Acres-ImprovSite(Frac) | 43,350.00 | 43,350 | 100% | | 43,350 |
| Total Acres 2 | | | | | Land Total | 43,350 |

Dwelling Description

Replacement Cost New

| | | | | | |
|--------------------|-------------------|--------------|------------------|------------|--------|
| Ranch | One Story | 1,360 Sqft | Grade B 100 | Base | 75,066 |
| Exterior | Wood Siding | Masonry Trim | None | Trim | 0 |
| Dwelling Units | 1 OTHER Units-0 | Roof Cover | Asphalt Shingles | Roof | 0 |
| | | | | | 0 |
| Foundation | Concrete | Basement | Dry Full Bmt | Basement | 0 |
| Fin. Basement Area | 168 Sqft, Grade D | Basement Gar | None | Fin Bsmt | 1,394 |
| Heating | 100% Hot Water BB | Cooling | 0% None | Heat | 0 |
| Rooms | 6 | | | | |
| Bedrooms | 3 | Add Fixtures | 0 | | |
| Baths | 2 | Half Baths | 0 | Plumbing | 2,631 |
| Attic | None | | | Attic | 0 |
| FirePlaces | 1 | | | Fireplace | 3,508 |
| Insulation | Full | | | Insulation | 0 |
| Unfin. Living Area | NONE | | | Unfinished | 0 |

Dwelling Condition

| Built | Renovated | Kitchens | Baths | Condition | Layout | Total | |
|--------------------------------|-----------|------------------------------|---------|----------------|----------------|----------------|---------------------|
| 1973 | 0 | Typical | Typical | Below Average | Typical | 82,599 | |
| Functional Obsolescence | | Economic Obsolescence | | Phys. % | Func. % | Econ. % | Value(Rcnld) |
| None | | None | | 78% | 100% | 170% | 109,526 |

Outbuildings/Additions/Improvements

| Description | Year | Units | Grade | RCN | Cond | Phy | Func | Econ | Value Rcnld |
|------------------|------|---------------------|-------|------|------|-----|-------------------|------|-------------|
| Frame Garage | 1973 | 624 | C 100 | 8318 | Avq- | 78% | 100% | 170% | 11,030 |
| Wood Deck | 1973 | 144 | D 100 | 678 | Fair | 72% | 100% | 170% | 830 |
| Encl Frame Porch | 1973 | 272 | D 100 | 2622 | Fair | 72% | 100% | 170% | 3,210 |
| Jacuzzi # | 1973 | 1 | C 100 | 3680 | Avq- | 78% | 100% | 170% | 4,879 |
| Pole Barn/Shed | 1973 | 200 | D 100 | 754 | Fair | 72% | 100% | 170% | 923 |
| 1,360 SFLA | | 80.53 = \$/SFLA (4) | | | | | | | |
| | | | | | | | Outbuilding Total | | 20,872 |

Calc. Land 43,400 Calc. Bldg 130,400 Total 173,800

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.

Approved by Council 5-18-92
Effective 6-17-92

§ 508. Service charges

1. Imposition. A municipality may impose service charges on the owner of residential property, other than student housing or parsonages, that is totally exempt from taxation under section 652 and that is used to provide rental income. Such service charges must be calculated according to the actual cost of providing municipal services to that real property and to the persons who use that property, and revenues derived from the charges must be used to fund, to the extent possible, the costs of those services. The municipal legislative body shall identify those institutions and organizations upon which service charges are to be levied.

A municipality that imposes service charges on any institution or organization must impose those service charges on every similarly situated institution or organization. For the purposes of this section, "municipal services" means all services provided by a municipality other than education and welfare.

2. Limitation. The total service charges levied by a municipality on any institution or organization under this section may not exceed 2% of the gross annual revenues of the institution or organization. In order to qualify for this limitation, the institution or organization must file with the municipality an audit of the revenues of the institution or organization for the year immediately prior to the year in which the service charge is levied. The municipal officers shall abate the portion of the service charge that exceeds 2% of the gross annual revenues of the institution or organization.

3. Administration. Municipalities shall adopt any ordinances necessary to carry out the provisions of this section. Determinations of service charges may be appealed in accordance with an appeals process provided by municipal ordinance. Unpaid service charges may be collected in the manner provided in Title 38, section 1208.

SUBCHAPTER 2