

HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY

NOVEMBER 19, 2012

7:00 P.M.

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

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. January 23, 2012 – Special Meeting
- b. May 21, 2012
- c. June 4, 2012
- d. June 18, 2012
- e. July 16, 2012
- f. August 6, 2012

3. COMMUNICATIONS

4. REPORTS

- a. Finance & Administration Committee Minutes – 10/29/2012
- b. Communications Committee Minutes – 11/13/2012
- c. Pool Board Minutes – 10/9/2012
- d. Library Board Minutes – 9/12/2012
- e. MSAD 22 NRPA Permit

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Victualers License received from Elisaveta Turla d/b/a Restaurant Angelos of Hampden at 102 Main Road South
- b. Application for Victualers License received from Substreet, Inc. d/b/a Subway Store #16760 at 7 Western Avenue
- c. Application for Victualers License received from William Buxton and Cheryl Bouchard d/b/a Coffee Break Café at 75 Main Road North

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

**2. NOMINATIONS – APPOINTMENTS – ELECTIONS**

- a. Official Return of Votes for November 6, 2012 Municipal Election
- b. J. Kelley Wiltbank – Application for Appointment as Full Member of Planning Board (currently an Associate Member)

**3. UNFINISHED BUSINESS****4. NEW BUSINESS**

- a. Foreclosure – 1037 Kennebec Road
- b. Historic Preservation Grant – Garden Club
- c. “I Love Hampden Because....” Video Contest – Communications Committee
- d. Library Furnace Grant Bids – Finance & Administration Committee Recommendation
- e. MRC Board of Directors Ballot
- f. Sewer Commitment – 7/1/2012 to 9/30/2012

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

SPECIAL TOWN COUNCIL MEETING MINUTES  
Monday, January 23, 2012

*Attending:*

<i>Mayor Janet Hughes</i>	<i>Councilor Shelby Wright</i>
<i>Councilor Andre Cushing</i>	<i>Town Attorney Tom Russell</i>
<i>Councilor Jeremy Williams</i>	<i>Town Clerk, Denise Hodsdon</i>
<i>Councilor Jean Lawlis</i>	<i>Susan Lessard, Town Manager</i>
<i>Councilor Kristen Hornbrook</i>	
<i>Councilor Tom Brann</i>	

*The meeting was opened at 6:00 p.m.*

- 1. Consideration of Offer of the Old Hampden Academy from RSU 22 – Mayor Hughes explained that the Town had received an offer from the RSU 22 School Board to sell the Old Hampden Academy Property to the Town of Hampden. The Mayor explained the history of the negotiations and the specifics of the property which includes 21.1 acres of property with 487 ' of road frontage on Route 1A. There is approximately 100,000 square feet of building space, excluding the modulars which will be removed. The Bronco statue would remain in place. The Mayor considers it in the best interest of the Town of Hampden for the Town to lead re-development of this site. It is also important to consider the other two district towns when talking compensation to the District for the site. A large part of any 'payment' could be land for the School District to use the 65 acres of Town-owned land behind Reed's Brook as wetland mitigation for the new high school project. The Mayor read the vote from the School Board.*

*Councilor Cushing stated that there had been tremendous diligence to find the best use of the old buildings and commended the RSU22 Board for their thoroughness. It is clear that they are ready to focus on education and turn over the asset to the Town which allows it to direct the future of the center of Hampden. The appraisal of \$1 million equates to a cost of \$386,000 to the Town based on the appraisal minus the 62% that Hampden already 'owns'. If the 65 acres of wetland mitigation land had a value of \$300,000, it would leave a balance to the town of \$86,000 to acquire the property.*

*Councilor Lawlis feels that there is risk and uncertainty going forward but this seems to be the best path forward to accomplish the goal of redevelopment.*

*Mayor Hughes indicated that Host Community Benefit Funds would be used for the project.*

*Councilor Williams indicated that the property had \$0 value but it would be a shame if the Skehan Center was not saved. It would be in the best interest for the Town to act as a conduit to a developer. He still has reservations that this project could be a drain on the Town.*

*Councilor Hornbrook is uncomfortable with the proposal and the discussion. Even if Host Community Benefit funds are used – they still come from the people of Hampden. She is concerned about conflict of interest for Councilor Cushing in this process and feels it is unsettling that the Town has to spend \$86,000 and 65 acres of land, particularly when the Town Manager did research of other situations where School Districts turned properties over to Towns at no cost. She feels that the Town has done its job but that it should go out to referendum. She also wondered what the 65 acres to be traded is worth.*

*Councilor Cushing stated that the land in question was gifted to the Town over 15 years ago and no appraisal was ever done to his knowledge and the only access to it is off from Constitution Avenue. It is mostly wetland but has value in the Hampden Academy project because it is mitigation. Doing nothing is not an option since the Town will be faced with costs related to the old academy no matter what.*

*Councilor Lawlis indicated that plans prior to this had been to use the 65 acres for trail development with the school – and that could continue even if the land was transferred.*

*Councilor Cushing asked for discussion of his possible conflict of interest raised by Councilor Hornbrook.*

*Councilor Hornbrook stated that Councilor Cushing owns property that abuts the 65 acre parcel and questioned whether it would have any special interest to him or his family and if the transaction could possibly increase the value of his property if it was developed with trails.*

*Town Attorney Tom Russell responded that the financial interest was defined as a direct or indirect monetary or pecuniary interest and that a special interest was defined as having a peculiar benefit which would as a matter of passage of or denial of the transfer. He does not see this transaction as creating either of these two conflicts.*

*Motion by Councilor Brann, seconded by Councilor Lawlis that the Council finds no conflict of interest for Councilor Cushing in this matter.*

*Councilor Hornbrook asked for additional facts.*

*Councilor Cushing said in order to reassure her – he would recuse himself from this action.*

*The motion regarding conflict was withdrawn.*

*Councilor Brann is interested in having the old Fire Station returned to the Town.*

*Mayor Hughes wishes to respond to the District in support of their offer and move forward with continuing negotiations and development of a purchase and sale agreement.*

*Attorney Russell suggested accepting the offer but authorizing someone to negotiate to finalize the purchase and sale agreement that then has to be approved by both the Town and the District.*

*Motion by Councilor Lawlis, seconded by Councilor Brann to accept the offer and authorize the Planning & Development Committee to work with the Town Manager to negotiate and finalize the Purchase and Sale agreement with the school district, to be brought to the School Board and the Town Council for final approval.*

*Councilor Williams indicated that he wished to abstain from the vote because he was just recently elected and is not up to speed on this issue*

*Councilor Hornbrook pointed out the Council Rules regarding abstentions. Motion by Councilor Brann, seconded by Mayor Hughes to allow Councilor Williams to abstain from the vote. Vote 4 in favor, 1 opposed (Hornbrook). Motion carried.*

*Vote on the original motion regarding the school property - 4 in favor (Wright, Lawlis, Brann, Hughes) 1 opposed (Hornbrook) 1 abstention (Williams). Councilor Cushing was recused from the vote. Motion carried.*

2. *Town Manager Search Discussion\* - Motion by Councilor Brann, seconded by Councilor Lawlis to enter executive session pursuant to 1 MRSA §405 (6)(A) (personnel matters) and 1 MRSA §405 (6)(F) (confidential records) for the purpose of discussing the Town Manager search. Unanimous vote in favor. The Town Manager and Town Clerk left the meeting at this time.*

*Motion by Councilor Brann, seconded by Councilor Wright to re-enter regular session. Unanimous vote in favor. No action was taken.*

*Respectfully submitted,*



*Denise Hodsdon  
Town Clerk*

*\* 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)*



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

A-2-b

MONDAY

MAY 21, 2012

7:00 P.M.

*Attending:*

*Mayor Janet Hughes  
Councilor Andre Cushing  
Councilor Tom Brann  
Councilor Shelby Wright  
Councilor Jean Lawlis*

*Town Manager Sue Lessard  
Town Attorney Tom Russell  
Librarian Debbie Lozito  
Public Works Director Chip Swan  
Recreation Director Kurt Mathies*

*Pool Director Darcy Peakall  
Citizens  
Media*

*Councilor Kristen Hornbrook (left at 8 p.m. due to illness)*

*The meeting was opened at 7:02 p.m. by Mayor Hughes.*

*Motion by Councilor Wright to excuse Councilor Williams from attending. Motion died for lack of a second.*

*Motion by Councilor Brann, seconded by Councilor Lawlis to set aside the rules to add an item to the agenda. Vote 5-1 (Hornbrook)*

*Motion by Councilor Brann, seconded by Councilor Lawlis to add item C-4-b – Preparation of Cost Estimate for Build Out of Business Park. Vote 5-1 (Hornbrook)*

**A. CONSENT AGENDA**

*Councilor Hornbrook asked that item A-3-a be set aside from the consent agenda.*

*Motion by Councilor Cushing, seconded by Councilor Lawlis to approve the balance of the consent agenda. Vote 5-1 (Hornbrook).*

**1. SIGNATURES**

**2. SECRETARY'S REPORTS**

**3. COMMUNICATIONS**

- a. Rotary Club of Presque Isle/Mayor Hughes – Bangor Daily News Comments – *Councilor Hornbrook asked if the next to the last sentence (acknowledgement of the letter) had been done. Mayor Hughes indicated that it had. Motion by Councilor Cushing, seconded by Councilor Lawlis to accept item A-3-a. Vote 5-1 (Hornbrook)*
- b. Maine Municipal Association – Nominations to MMA's Legislative Policy Committee

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

- c. Sarah McVeigh – New Application for Pool Board of Trustees – Referral to Services Committee
- d. David Barrett – Application for Reappointment to Dyer Library Board of Trustees – Referral to Services Committee

#### 4. REPORTS

- a. Pool Trustees Minutes – 4/10/2012
- b. Finance & Administration Committee Minutes – 4/23/2012
- c. Finance & Administration Committee Minutes – 5/7/2012
- d.

*Due to difficulty speaking, Mayor Hughes asked Deputy Mayor Cushing to run the meeting and Deputy Mayor Cushing ran the balance of the meeting.*

**B. PUBLIC COMMENTS – Shelley Blosser, 344 Main Road South – had stopped coming to Council meetings because the big issue before was the Comprehensive Plan, but now this council wants to limit the right to bear arms and that is a Constitutional right and Councilors have taken an oath to abide by the Constitution and should abide by their oath.**

#### C. POLICY AGENDA

##### 1. PUBLIC HEARINGS

*There were none.*

##### 2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Approval of Warden & Election Clerk Schedule – 6/12/2012 Election  
*Motion by Mayor Hughes, seconded by Councilor Brann to approve. Vote 5-1 (Hornbrook).*

##### 3. UNFINISHED BUSINESS

- a. Zoning Ordinance Text Amendment to Create a Waterfront 1 District – Referral for Public Hearing – *Councilor Brann introduced this zoning text amendment for public hearing at the next Council meeting.*
- b. Adoption of Revised Town Council Rules - *Motion by Councilor Brann, seconded by Councilor Lawlis to adopt the revised Town Council Rules with a friendly amendment from Mayor Hughes to add “when serving as an ex-officio member” to Section 18h.*

*Councilor Hornbrook pointed out that Section #20 refers to Roberts Rules of Order and she objected to the use of the term ‘so moved’ which is not a recognized motion under Roberts Rules of Order and the Council needs to strike the use of that term.*

*Vote on the motion was 5-1 (Hornbrook)*

- c. *Adoption of Non-Municipal Organization Funding Request Policy – The Town Manager explained the basis for the draft funding policy. Councilor Hornbrook objected to consideration of donating taxpayer dollars to charities and will not support this policy. Councilor Lawlis indicated that she finds herself on the opposite side of this issue and sees that this funding can benefit the elderly in the community. Motion by Councilor Brann, seconded by Mayor Hughes to adopt the policy as presented. Councilor Hornbrook stated that she feels this policy is overreaching because it donates taxpayer dollars to charities. Councilor Brann stated that several people have asked for such a policy. Councilor Lawlis stated that she considers these items to be services – not charity. Vote 5-1 (Hornbrook).*
- d. *Update re Old Hampden Academy Reuse – Councilor Brann notified the Council that the Purchase and Sale agreement for the old Academy was nearly complete and that it was estimated that the Town would take possession of the property around the first of August. Phase 1 of the Environmental Assessment has been completed and so far only shown concerns about asbestos and underground tanks. This item was for information only to keep everyone up to date on the progress on this issue.*

#### 4. NEW BUSINESS

- a. 2012/2013 Budget:

- 1. *Budget Introduction PowerPoint Presentation – The Town Manager presented a Power Point Presentation concerning the budget and information related to the fiscal position of the Town. The Power Point and Budget Message will be posted on the Town Website and attached to the minutes as part of the permanent record.*
- 2. *Library – Librarian Debbie Lozito presented the budget. The only changes were related to employee costs resulting from the proposed 2.5% wage increase. The Town Manager reminded the Council of the numerous grants that have been obtained by the library for programs, the circulation desk project, and air conditioning installation. No change to proposed \$239,330 budget.*
- 3. *Recreation - \$136, 570 includes salaries and benefits of the Director and Assistant Director only. All other expenses are paid through the Recreation Enterprise account.*
- 4. *Pool – This year's pool budget proposes to operate similar to the Recreation Department. Taxes will cover personnel costs and fees will be used to pay all other expenses of the operation. This results in a decrease in the pool budget to \$224,917, and a corresponding decrease to pool fees revenue which will be used for non-employee costs of the pool. Councilor Brann suggested that the taxation budget for the pool should cover the two full time persons and building costs and all other expenses moved to a Pool Enterprise account.*
- 5. *Debt Service - \$380,268 and this does not include the first year payment to SAD 22 of \$33,000 for the Old Academy.*

- b. *Preparation of Cost Estimate for Business Park (Added at beginning of meeting) – The cost for this project will not exceed \$2500 and will come from the Business Park Revenue Account. No motion is required from the Council since the amount is under the \$10,000 bid/approval limit and it is not being taken from Reserve funds. The Planning and Development Committee supports this project in order for the Town to have good information on what the infrastructure costs are for completing the construction of the Business Park.*

D. COMMITTEE REPORTS –

*Infrastructure – Councilor Wright indicated that Infrastructure had not met and would not be meeting until the 4<sup>th</sup> Monday in June.*

*Services – Councilor Lawlis reported that the Services Committee did not meet due to lack of a quorum and that the next meeting will be the 2<sup>nd</sup> Monday in June.*

*Planning & Development - Councilor Brann reported that the Planning & Development meeting had been pre-empted by the Budget Meeting which was cancelled due to lack of a quorum. Phase II Environmental Assessment is in process for the old Academy and the marina project is ready to be submitted for final approval to the State for the land swap.*

*Finance – Mayor Hughes reported that Finance had met prior to the Council meeting and discussed items for the upcoming Community Survey, as well as the cost estimate for the build out of the business park. The Committee also began discussion on the Town Council section of the Town Charter.*

- E. MANAGER'S REPORT – *Manager Lessard reported that as we head toward the end of the fiscal year, the Town's finances are in very good condition; she thanked the Department Heads for their good work on the upcoming budget.*

F. COUNCILORS' COMMENT –

*Councilor Lawlis – Went to the Hampden Garden Club Plant and Pie Sale and it was a great success. Harmony Hall is looking great with the renovation work being done.*

*Councilor Brann – Plans on scheduling time on the Planning & Development Agenda to talk about a Farmer's Market.*

*Councilor Wright – Reported that a Farmer's Market is held on Fridays in the Schacht's parking lot from 2-6 p.m.*

*Councilor Hughes – Thanked Councilor Cushing for taking over the meeting and thanked staff for the budget presentations.*

*Councilor Cushing – Noted that the Destination Imagination teams had made thank you posters for the Town for their contribution to the Globals this year. He indicated that he appreciated those who attended the meeting.*

G. ADJOURNMENT

*The meeting was adjourned at 9:04 p.m.*

*Respectfully submitted,*



*Denise Hodsdon  
Town Clerk*



A-2-C

HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

MONDAY JUNE 4, 2012 7:00 P.M.

*Attending:*

- |                                    |  |
|------------------------------------|--|
| <i>Mayor Janet Hughes</i>          | <i>Robert Osborne, Town Planner</i>              |
| <i>Councilor Andre Cushing</i>     | <i>Debbie Lozito – Town Librarian</i>            |
| <i>Councilor Kristen Hornbrook</i> | <i>Dean Bennett – Econ. Development Director</i> |
| <i>Councilor Jean Lawlis</i>       | <i>Superintendent Rick Lyons</i>                 |
| <i>Councilor Tom Brann</i>         | <i>Asst. Supt. Emil Genest</i>                   |
| <i>Town Manager Sue Lessard</i>    | <i>Rick Patten – Credere Associates</i>          |
| <i>Citizens</i>                    | <i>KahBang Representatives</i>                   |

*The meeting was called to order at 7:04 p.m. by Mayor Hughes.*

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

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

4. REPORTS

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

*Items A-3-f,g,h,i were pulled for discussion at the request of Councilor Hornbrook.*

*Motion by Councilor Cushing, seconded by Councilor Brann to accept the remainder of the consent agenda. Unanimous vote in favor.*

*Councilor Hornbrook stated that she had requested that these items be pulled because her name was on them. She indicated that she had invited a resident, Ed Bruno, to attend the meeting as a result of an email exchange that they had regarding council meeting conduct. She read the emails into the record and they are attached as part of these minutes.*

*Councilor Cushing expressed concern over the amount of staff time being spent on these issues and indicated that the council should be handling these things. Councilor Brann expressed frustration with the emails/actions cited and questioned how far the Council has to go to try and insure that members are up to speed on issues.*

*Somewhat contentious discussion on these items resulted in Councilor Hornbrook stating that 'if Council shenanigans continue', she will leave.*

*Since there was still some confusion about the Business Park Revenue Account and the appointment of the Town Treasurer, Mayor Hughes requested that items A-3-f and A-3-h be placed on the next regular Council agenda (Discussion related to the Business park revenue account and questions related to the appointment of the Town Treasurer).*

*Motion by Councilor Lawlis, seconded by Councilor Cushing to accept Items A-3-f,g,h,i. Unanimous vote in favor.*

## B. PUBLIC COMMENTS –

*Ed Bruno – Evergreen Drive – Considers what is going on in Council meetings as an embarrassment and a waste of resources. He indicated that one person on the Council seemed to enjoy it as evidenced by her shenanigans this evening. He indicated that she should work with the team and not against it.*

*Lisa Carter – Western Avenue – Thanked Councilor Hornbrook for being one of the very few who asks questions. She indicated that she was shocked and embarrassed by the attacks on Councilor Hornbrook. She also stated that many residents were shocked to find out that the Town Manager holds multiple positions. She stated that she had spoken with a former Secretary of State who said that it was not common because it did not allow for internal controls. She indicated that it was shameful the way that Councilor Hornbrook was being treated and that the Bangor Daily news has a direct line to the Town Manager and others. She is frustrated and believes that the Council should listen to the people instead of attacking them.*

## C. POLICY AGENDA

### 1. PUBLIC HEARINGS

- a. Zoning Ordinance Text Amendment to create a Waterfront 1 District – Section 3.16 – Town Planner Robert Osborne introduced the



Denise Hodsdon <clerk@hampdenmaine.gov>

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**Fwd: I resent your actions**

1 message

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Kristen Hornbrook <hornbrooktowncouncil@hampdenmaine.gov>

Wed, Jun 6, 2012 at 4:55 PM

To: Denise Hodsdon <clerk@hampdenmaine.gov>

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

From: **ED BRUNO** <edbruno@infionline.net>

Date: Mon, Jun 4, 2012 at 12:54 PM

Subject: I resent your actions

To: hornbrooktowncouncil@hampdenmaine.gov

Councilor Hornbrook, as a Town resident and tax payer, I strongly resent and disapprove of you asking questions of our Town officials that need not be asked, that waste their time and our Town resources. In both reading postings on the Town's web site and watching and hearing you on televised Town council meetings, you are an embarrassment to the Town and a waste of having a competent councilor in your seat, at meetings.

Sincerely,

Dr Edwin Jay Bruno  
29 Evergreen Drive  
Hampden, ME 04444

*amendment and indicated that the Planning Board had provided an 'ought to pass' recommendation. The public hearing was opened by Mayor Hughes. Proponents- none. Opponents – none. Neither for nor against – none. The public hearing was closed. Motion by Councilor Brann, seconded by Councilor Lawlis to adopt the Waterfront 1 District ordinance. Unanimous vote in favor.*

- b. *Zoning Ordinance Map Amendment to create a Waterfront 1 District – Map 19, Lots 31 and 31-A and Map 28, Lot 17-A – Town Planner Bob Osborne introduced the map amendment and indicated that it had received an 'ought to pass' recommendation from the Planning Board. This District would be comprised of the parcel on which Hamlin Marine is located, the Bangor Hydro Electric parcel, and the peninsula lot.*

*The public hearing was opened by Mayor Hughes. Proponents – none. Opponents – None. Neither for nor against – None. The public hearing was closed.*

*Motion by Councilor Brann, seconded by Councilor Cushing to approve the Zoning map amendment as presented. Unanimous vote in favor.*

- c. *General Assistance Ordinance – Adoption of revised Appendices A-C – The Town Manager introduced this item and explained that due to legislative changes, only Appendix A would be amended. The public hearing was opened by Mayor Hughes. Proponents – none. Opponents – none. Neither for nor against – none. The public hearing was closed. Motion by Councilor Lawlis, seconded by Councilor Brann to adopt Appendix A as revised. Unanimous vote in favor*

## 2. NOMINATIONS – APPOINTMENTS – ELECTIONS - None

## 3. UNFINISHED BUSINESS

- a. *Old Hampden Academy Property – Credere Associates Report on Environmental Assessment Phase I Results –Rick Patten, environmental engineer with Credere Associates presented the results from the first phase of the environmental assessment. Several items, including septic systems, underground tanks, floor drain connections, and asbestos, pcb's and lead paint were recommended for additional testing in a phase two assessment. Mayor Hughes reminded people that the purpose of the assessment was to perform the environmental due diligence necessary before making a final decision on the old high school property.*
- b. *Old Hampden Academy Property – Credere Associates Proposal for Phase II Environmental Assessment – After some discussion over the cost and scope of the proposed Phase II assessment, this item was referred back to the Planning & Development Committee for additional work.*

- c. Old Hampden Academy Property – Draft Purchase & Sale Agreement - *Town Attorney Tom Russell outlined the terms of the proposed purchase and sale agreement for the old Hampden Academy property. It was noted that the conveyance of land included an easement reserved for possible sanitary sewer work as well as a fee of \$86,000 to be paid to the School District over three years. After reviewing the agreement, Councilors suggested adding lockers and a revision of the kitchen equipment to Exhibit B of the agreement.*

*Motion by Councilor Brann, seconded by Councilor Cushing to authorize the Town Manager to enter the purchase and sale agreement with MSAD #22. Vote 4-1 (Hornbrook).*

- d. Old Hampden Academy Property – Ordinance to Borrow – Introduction for Public Hearing - *Town Attorney Tom Russell explained that the Town Charter required an ordinance to authorize any borrowing, and the cash terms of the payment to SAD #22 of \$86,000 over three years was considered borrowing. Councilor Brann introduced this item for Public Hearing on the June 18<sup>th</sup> Town Council meeting.*

#### 4. NEW BUSINESS

- a. KahBang Request for use of Section of Hampden Business Park Land for Festival Campsite – *Tim Lo presented the request to the Town Council to utilize part of the business park property for a camping area for the 2012 Kahbang festival. Residents in attendance expressed concern over traffic resulting from that area, possible local emergency response problems, incompatibility with the 'business' nature of the park, and property damage. The veterinary clinic in the Business Park expressed concern over traffic and excessive noise that could create problems for sick animals at the clinic. The Planning & Development Committee did not make a recommendation to the Council whether to approve or disapprove this matter. Motion by Councilor Brann to grant the request, seconded by Councilor Lawlis. 2 in favor (Lawlis, Brann), 3 opposed (Hornbrook, Cushing, Hughes). Motion failed*
- b. Request to use Library Reserve Funds – Scott's Lawn Service - \$205.00 – *Not addressed, quorum lost at 10:07 p.m. upon the departure of Councilor Hornbrook.*
- c. 2013 Budget Review & Introduction for Public Hearing – *This item was taken up prior to C-4-b due to impending loss of quorum. Motion by Councilor Cushing, seconded by Councilor Lawlis to introduce the 2012 Budget for public hearing on 6/18/2012. Unanimous vote in favor.*

#### D. COMMITTEE REPORTS

#### E. MANAGER'S REPORT

Council Meeting – 6/4/2012

F. COUNCILORS' COMMENTS

G. ADJOURNMENT - *Committee Reports, Manager's Report and Councilor Comments were not done due to loss of quorum at 10:07 p.m.*

*Respectfully submitted,*

A handwritten signature in cursive script that reads "Denise Hodsdon". The signature is written in black ink and is positioned above the typed name.

*Denise Hodsdon*  
Town Clerk



A-2-d

HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

MONDAY JUNE 18, 2012 7:00 P.M.

*Attending:*

- |  |  |
|--|--|
| <i>Mayor Janet Hughes</i>                          | <i>Town Manager Sue Lessard</i>            |
| <i>Councilor Andre Cushing</i>                     | <i>Public Works Director Galen Swan</i>    |
| <i>Councilor Jeremy Williams</i>                   | <i>Public Safety Director Joe Rogers</i>   |
| <i>Councilor Jean Lawlis</i>                       | <i>Librarian Debbie Lozito</i>             |
| <i>Councilor Tom Brann</i>                         | <i>GIS/IT Specialist Gretchen Heldmann</i> |
| <i>Councilor Shelby Wright</i>                     | <i>Citizens</i>                            |
| <i>Councilor Kristen Hornbrook (until 9:07 pm)</i> |  |

*The meeting was opened at 7:08 p.m. by Mayor Hughes.*

A. CONSENT AGENDA

1. SIGNATURES
2. SECRETARY'S REPORTS
3. COMMUNICATIONS
  - a. Email – Cindy Philbrick – Questions About Emails
  - b. Email – Cindy Philbrick/Jean Lawlis – Donations from Tax Paying Citizens of Hampden
  - c. Email – Bernie Philbrick – Personal Emails Published in Meeting Agendas
  - d. Email – Manager Lessard – Social Service Agency Appropriations
4. REPORTS
  - a. Finance & Administration Committee Minutes – 6/4/2012
  - b. Communications Committee Minutes – 6/12/2012

*Items A-3-a and A-3-c were asked to be set aside on the consent agenda by Councilor Hornbrook and Item A- 3-d was asked to be set aside by Councilor Lawlis.*

*Motion by Councilor Cushing, seconded by Councilor Wright to accept the balance of the consent agenda. Unanimous vote in favor.*

*Item A-3-a, A-3-c – Councilor Hornbrook questioned why these emails were included on the agenda since they were not related to any item on this agenda. The Town Manager explained that they were on the agenda because they related to subjects that had been before the Council.*

*Item A-3-d – Councilor Lawlis asked the Town Manager to present her findings on the history of the Town of Hampden contributing to Outside Agencies. The Manager reported that she had researched the past forty years of Town records and found that in all but a few years, the Town had supported funding for these types of groups.*

*Motion by Councilor Cushing, seconded by Councilor Brann to accept items A-3, a,c,d. Vote 6-1 (Hornbrook).*

B. PUBLIC COMMENTS - None

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Ordinance to Authorize the Borrowing of Funds to Finance the Purchase of Hampden Academy Property from MSAD #22 – *The purpose of the ordinance is to document the 3 year repayment of the \$86,000 purchase price to SAD #22, with \$20,000 due at closing and \$33,000 due in each of two subsequent years. The public hearing was opened by Mayor Hughes. Proponents – none. Opponents – none. Neither for nor against – none. The public hearing was closed. Motion by Councilor Brann, seconded by Councilor Cushing to adopt the Ordinance to Authorize the Borrowing of Funds to Finance the Purchase of Hampden Academy Property from MSAD \$22. Vote 5-2. (Williams, Hornbrook)*
- b. FY 2013 Budget Adoption – *The public hearing was opened by Mayor Hughes. Proponents – none. Opponents – none. Neither for nor against – none. The public hearing was closed. The Town Manager indicated that a policy decision needed to be made regarding outside agency funding since the amount on the list exceeded the \$20,000 cap in the Council policy. The Council would need a super-majority in order to exceed that amount.*

*Councilor Hornbrook raised the issue of surpluses left in accounts at year end in prior years and felt that since balances were being left at year end in prior years that this year's budget could be reduced.*

*Councilor Wright asked what the Council needed to 'find' in savings to maintain the mil rate. The response was approximately \$29,400 in reductions.*

*Since one budget adjustment was related to a reduction in Property and Casualty insurance, which is an item on this agenda, motion by Councilor Cushing, seconded by Councilor Williams to take item C-4-c out of order. Unanimous vote in favor. After discussion of the two quotes by Keyes Insurance and the Maine Municipal Association, motion by Councilor Brann, seconded by Councilor Cushing to award the Property and Casualty insurance bid to Maine Municipal Association at a net cost of \$42,241. Vote 6-1 (Hornbrook).*

*Motion by Councilor Wright, seconded by Councilor Brann not to exceed \$20,000 in the budget for Outside Agencies for 2012-2013. Vote 6-1 (Hornbrook)*

*It was noted that Community Health & Counseling had not attended the Outside Agency budget session and therefore their \$1500 request should be removed.*

*The Town Attorney reminded the Council that they had the authority to make supplemental appropriations and that they could decide to remove all or part of the outside agency funding for now and add back in if there are sufficient savings from other areas during the upcoming year.*

*Motion by Councilor Brann to remove Penquis CAP from the list for funding. Motion died for lack of a second.*

*Motion by Councilor Brann, seconded by Mayor Hughes to remove the Red Cross from the list for funding. For – Brann, Hughes, Hornbrook – Against – Lawlis, Williams, Cushing, Wright. Motion defeated.*

*Motion by Councilor Brann to reduce Eastern Area Agency on Aging funding from \$3500 to \$3000. Motion died due to lack of a second.*

*Motion by Councilor Cushing, seconded by Councilor Wright to fund Hammond Senior Center (\$6055), Eastern Area Agency on Aging (\$3500), Hampden Historical Society(\$1000), Hampden Garden Club (\$600) and the Red Cross (\$1580) for a total of \$12,735. For – Lawlis, Brann, Cushing, Wright, Hughes. Against – Williams, Hornbrook. Motion carried.*

*Motion by Mayor Hughes, seconded by Councilor Brann to consider funding the remaining outside agency accounts at 50% if circumstances show savings in other areas that may be used. For – Lawlis, Brann, Cushing, Hughes. Wright. Against – Hornbrook, Williams. Motion carried.*

*Motion by Councilor Brann, seconded by Mayor Hughes to increase revenues to \$3,689,000. For – Brann, Hughes, Lawlis, Wright. Against Hornbrook, Williams. Motion carried.*

*Motion by Councilor Brann, seconded by Mayor Hughes to absorb the remaining \$14,636 needed to keep the mil rate by reducing the overlay. After extensive discussion, Councilor Wright called the question. 6 in favor, 1 opposed (Hornbrook). Motion carried.*

*Motion by Mayor Hughes, seconded by Councilor Brann to reduce the proposed Administration budget by \$5000 to reflect the change in Property and Casualty Insurance costs. 6 in favor, 1 opposed (Hornbrook). Motion carried.*

*Motion by Councilor Wright, seconded by Councilor Brann to approve the proposed budget as amended this evening.*

*Councilor Williams stated he will vote against the budget because he is concerned about the 'black hole' of old Hampden Academy potential costs. He is pleased with the way things have gone but still has concerns that make him not comfortable voting for this budget.*

*Councilor Hornbrook stated that she agreed with some of what Councilor Williams had said but that she does not support the budget and believes that cuts need to be made in it. She felt that this is a disservice to residents and that she had not had an opportunity to outline all the cuts that she felt could be made.*

*Councilor Hornbrook left the meeting at 9:07 p.m.*

*The vote on the motion was 5 in favor and 1 opposed (Williams). Councilor Hornbrook left prior to the vote on the budget.*

## 2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. David Barrett – Reappointment to Library Board of Trustees – Services Committee Recommendation – *Motion by Councilor Lawlis, seconded by Councilor Brann to reappoint David Barrett to the Library Board of Trustees. Vote 6 – 0.*

## 3. UNFINISHED BUSINESS

- a. Request to use Library Reserve Funds – Scott's Lawn Service - \$205.00 – Motion by Councilor Williams, seconded by Councilor Brann to approve the expenditure from reserve. Vote 6-0.
- b. Old Hampden Academy Property – Crede Associates Proposal for Phase II Environmental Assessment – Planning & Development Committee Recommendation - *Councilor Brann explained that Planning and Development had reworked the proposal from the original \$35,000 down to a total of \$24,950 with \$9,800 to the consultants and \$15,150 for subcontractors. Motion by Councilor Brann, seconded by Councilor Lawlis to authorize the Phase II environmental assessment for a total of \$24,950 with \$9800 to the consultants and up to \$15,150 for subcontractors with funds to come from Host Community Benefit monies. Unanimous vote in favor.*
- c. 2010 Comprehensive Plan – Referral of State Certified Comprehensive Plan to Planning Board for Review & Recommendation – *Councilor Brann read the following statement and made the included motion: The Citizen's Comprehensive Plan Committee has completed its charge to review and amend the 2011 comprehensive plan. The State Planning Office has ruled the proposed amendments to the 2011 comprehensive plan are compliant with state law. The Town Charter calls for the Planning Board to provide the*



**TOWN OF HAMPDEN  
FY 2013 BUDGET  
ADOPTED BY TOWN COUNCIL  
JUNE 18, 2012**

ACCOUNT NUMBER	ACCOUNT NAME	PROPOSED BUDGET 2013
01-01	ADMINISTRATION	\$584,630.00
01-02	GIS/IT	\$118,084.00
01-03	COMMUNICATIONS	\$30,371.00
01-05	TOWN COUNCIL	\$35,290.00
01-10	MUNICIPAL BUILDING	\$94,343.00
01-15	TAX COLLECTOR	\$6,000.00
01-20	ELECTIONS	\$6,997.00
01-25	PLANNING/ASSESSING	\$252,855.00
01-30	ECONOMIC DEVELOPMENT	\$115,833.00
05-03	NON-DEPT. UTILITIES	\$469,150.00
05-01	POLICE	\$1,028,233.00
05-05	FIRE DEPARTMENT	\$972,981.00
05-10	PUBLIC SAFETY	\$187,011.00
10-01	PUBLIC WORKS	\$1,377,403.00
10-05	MUNICIPAL GARAGE	\$30,340.00
15-10	SOLID WASTE	\$393,636.00
20-01	RECREATION	\$136,570.00
20-10	DYER LIBRARY	\$238,415.00
20-20	LURA HOIT POOL	\$224,917.00
20-25	MARINA	\$0.00
25-10	THE BUS	\$73,000.00
30-10	BUILDINGS & GROUNDS	\$94,872.00
*38-00	OUTSIDE AGENCY REQUESTS	\$12,735.00
40-10	GENERAL ASSISTANCE	\$15,000.00
50-10	DEBT SERVICE	\$380,268.00
55-00	RESERVES	\$225,000.00
67-10	TIF	\$32,000.00
<b>GROSS</b>	<b>MUNICIPAL BUDGET TOTAL</b>	<b>\$7,135,934.00</b>
<b>LESS</b>	<b>MUNICIPAL REVENUES -</b>	<b>\$3,689,000.00</b>
<b>= NET</b>	<b>MUNICIPAL BUDGET TOTAL</b>	<b>\$3,446,934.00</b>
	<b>SAD #22 TAXATION AMOUNT</b>	<b>\$5,299,962.00</b>
	<b>COUNTY TAXATION AMOUNT</b>	<b>\$695,306.00</b>

**ESTIMATED TOTAL TAXATION REQUIREMENT      \$9,442,202.00**

As adopted, the 2013 Budget should result in a tax rate of \$15.90 per thousand, the same as 2009 - 2012.

Copies of the proposed FY 2013 Budget are available for public inspection at the Hampden Town Office.

*Council its recommendations on changes to the comprehensive plan. I would request the Council forward it to the Town Planning Board for recommendations with particular focus on the comprehensive land use policy amendments proposed by the Citizen's Comprehensive Plan Committee, and the Planning Board responsibility to rule on proposals before them, as to the proposal's consistency with the comprehensive plan. Seconded by Councilor Williams. Unanimous vote in favor.*

#### 4. NEW BUSINESS

- a. Approval of Multi-viewer Purchase – Communications Committee Recommendation – *Motion by Councilor Williams, seconded by Councilor Brann to approve the purchase of a multi-viewer from NESCOM for \$750 with funding to come from Municipal Building Reserve. Unanimous vote in favor.*
- b. Approval of Portable Sound System Purchase – Communications Committee Recommendation – *Motion by Councilor Williams, seconded by Councilor Cushing to refer back to Communications Committee for concurrence on the purchase of a portable sound system with wireless microphones for a cost not to exceed \$1800 (Communications Committee Recommendation was originally \$1500) to come from Municipal Building Reserve. Unanimous vote in favor.*
- c. Insurance Bid Quotes-, *Motion by Councilor Cushing, seconded by Councilor Williams to take item C-4-c out of order (discussed as part of Item C-1-b) Unanimous vote in favor. After discussion of the two quotes by Keyes Insurance and the Maine Municipal Association, motion by Councilor Brann, seconded by Councilor Cushing to award the Property and Casualty insurance bid to Maine Municipal Association at a net cost of \$42,241. Vote 6-1 (Hornbrook).*
- d. Council Attendance – *Mayor Hughes stated that special council meetings should also count in the absence criteria in the Charter. Councilor Brann believes the charter is too lenient in that it allows a councilor to miss more than 25% of meetings and still maintain the seat. Councilor Williams had concerns over including special meetings in the absence policy because sometimes they are called on short notice. It was the consensus of the Council to continue this discussion at the next Finance Committee meeting.*
- e. Salt Bid – *(added to the agenda) Motion by Councilor Brann, seconded by Councilor Wright to accept the salt bid of Harcross Chemical for \$57.21 per ton. Unanimous vote in favor*

*Motion by Councilor Cushing, seconded by Councilor Lawlis to cancel the 7/2/2012 meeting and to hold just one Council meeting in July on July 16<sup>th</sup>. Unanimous vote in favor*

#### D. COMMITTEE REPORTS –

*Infrastructure – the next meeting will be held on June 25<sup>th</sup>.*

*Planning & Development – The next meeting will be June 20<sup>th</sup> to discuss the recreation plan, marina project, model excise tax ordinance and EMCC interest in the old Hampden Academy property.*

*Services – The committee met last week and the bulk of the meeting was the outdoor facilities ordinance and there were lots of concerns about the definition of land covered. We now have a new draft with a map and one more chance to review it at a special meeting on 6/20 at 5:30 p.m.*

*Motion by Councilor Cushing, seconded by Councilor Lawlis to extend the meeting beyond 10 p.m. Vote 5-1 (Williams)*

*Communications – Councilor Williams gave an update on the most recent meeting and read the minutes of it into the record (see attached).*

*Finance Committee – all items discussed by the finance committee were acted upon during tonight's meeting.*

E. **MANAGER'S REPORT** – *The Manager's Report is attached hereto and made part of the minutes.*

F. **COUNCILORS' COMMENTS** –

*Councilor Wright – thought that the Council had done good work tonight and liked being part of it and hopes that it can continue.*

*Councilor Cushing – Thanked the citizens for their support on primary election day.*

*Councilor Brann – Noted that there is a major pothole by the light on Western Avenue that should be addressed by MDOT.*

*Mayor Hughes – Congratulated Hampden Academy graduates and had a question by a resident related to military exemptions for property taxes that she asked the Town Manager to follow up on.*

G. **ADJOURNMENT** – *The meeting was adjourned at 10:15 p.m.*

*Respectfully submitted,*



*Denise Hodsdon  
Town Clerk*

COMMUNICATIONS COMMITTEE MEETING MINUTES  
Tuesday, June 12, 2012

Attendance:

Councilor Kristen Hornbrook  
Councilor Jeremy Williams  
Town Manager Susan Lessard  
Resident Jeremy Jones

Matt Thomas, FF/Paramedic

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

1. MINUTES OF 4/10/2012 MEETING – Motion by Councilor Williams, seconded by Councilor Hornbrook to approve the minutes. Vote 2-0.
2. OLD BUSINESS
  - A. UPDATE – CABLE TV CONTRACT PROGRESS – The Town Manager updated the committee on the current status of the contract negotiations with Time Warner. The Town is represented in the negotiations through its membership in the Penobscot Cable Consortium. The goal of the negotiations is not to lose any items that are part of the current contract. The contract will include a capital equipment grant to the Town similar to the one given at the time of initial adoption.
  - B. UPDATE – VIDEO STREAMING PROJECT – Matt Thomas informed the Town that he was working with the Town Manager to come up with a computer that could be dedicated for possible use in this project. The Manager indicated that she would work with the GIS/IT Specialist to come up with one that could be used when it is retired from regular office use. Mr. Thomas also discussed item 3-E, the u-tube channel idea. He indicated that it would be simple and easy to find – but would require more work to upload the video from the cable tv system. Since the purpose of the video streaming is to make what is available via cable also available via the internet in as cost effective way as possible, the original plan to feed the channel through a connection, possibly at the library, continues to be the preferred option.
  - C. PORTABLE SOUND SYSTEM – MATT THOMAS – Matt explained that the Public Safety Department was in the process of getting a 60 inch LED television for use in the community room for training activities. This purchase would be funded from leftover monies received from a class held by Hampden for Fire Training. In consulting with the Town Manager, they were made aware that the Town wanted to acquire a portable sound system for it use – much of which would be in the Community Room. Matt did the research and located a system with six microphones that should

be suitable. The total cost of acquiring the system is estimated to be \$1500. The original budget for a sound system for this year was \$3500, so it is well within that amount. Motion by Councilor Williams, seconded by Councilor Hornbrook to recommend the purchase of the sound system identified by Mr. Thomas at a cost not to exceed \$1500. Vote 2-0. The recommendation was referred to the Finance Committee to designate the funding source.

### 3. NEW BUSINESS

- A. IDEAS FOR COMMUNITY SURVEY – The Committee suggested three topics for inclusion in the survey questions:
  - 1. What is the most effective form of communication?
  - 2. What information would you like to see more of from the Town?
  - 3. Rate the effectiveness of Town Communication
- B. NEWSLETTER IDEAS – JULY EDITION – The Committee reviewed the list provided as part of the packet and added Hampden Academy Update and Election Outcome from the June primary/school budget as topics.
- C. STUDENT INTERN WORK – The Town Manager informed the Committee that intern Justin Foster is working on two projects – one with Mr. Folsom regarding the Hampden Academy tour and the other with Richard Newcomb involving a history show. Councilor Williams asked that a list be provided of areas to photograph as part of a flyover in mid-July so that footage could be obtained that could be used in other shows of Town-owned facilities/parks.

The Manager provided information to the Committee regarding a multi-viewer that is available from NESCOM. Hampden has been discussing obtaining one for some time so that we could eliminate five televisions in the video room and replace them with one flat screen. It would greatly improve the overheating situation in the room due to the presence of all the televisions. The cost of the unit is \$750 plus approximately \$300 for a flat screen to accompany it. The new cost of the multiviewer to NESCOM was \$9000. Motion by Councilor Williams, seconded by Councilor Hornbrook to recommend to the full council the purchase of the multiviewer/flatscreen. Vote 2-0. The item was referred to Finance for a funding recommendation. It was noted that this item could be purchased with some of the funds remaining that were budgeted for the portable sound system.

- D. DISTRICT/NEIGHBORHOOD MEETINGS – This idea was raised at the last meeting as a way of encouraging residents to talk with their

elected representatives in a less formal atmosphere than regular council meetings. The idea of doing it by District was based on the premise that each district may have concerns that are different. Use of the Kiwanis Hall or the Snowmobile Club was suggested. In order to move forward with this idea, the remainder of the Council needs to be brought up to speed and then decide if they wish to host/participate in such meetings. The Town Manager will prepare a draft on the subject and forward it to Committee members for input. It will be put on the Communications Committee agenda for July 10<sup>th</sup>, and if approved by the Committee, referred to the Council at the July 16<sup>th</sup> meeting.

E. UTUBE CHANNEL IDEA – Discussed as noted above under Item 2-B.

(Councilor Hornbooks' notes after Manager Lessard left :)

4. Public Comment: Jeremy Jones stated that he really thought the Hampden YouTube channel was a very good idea. He stated that there could even be two. One for Council and Committee meetings and the other for goings on in the town like special events or things the town wants to highlight. Committee members agreed. He also wanted to know if Committee thought it would be helpful to download the newest meetings first and then begin slowly backlogging the older ones so that eventually a complete video record could be found on line. Committee members agreed this was a good idea.

5. Committee Member Comments: none.

Motion to adjourn by Councilor Williams at 7:10.

Motion 2nd by Councilor Hornbrook.

Respectfully submitted,

Susan Lessard  
Town Manager

MANAGER'S REPORT  
June 18, 2012

Newsletter – The deadline for submitting information for the next edition of the newsletter is June 25<sup>th</sup> at 6 p.m.

Fiscal Year End – The Town's fiscal year ends on June 30<sup>th</sup>. Unpaid taxes as of that date will be listed in the Town's annual report.

School Budget Meeting –  
The RSU District Budget meeting was held on Thursday, June 7<sup>th</sup> at 7p.m. at the Skehan Center at Hampden Academy. 36 people attended from the three district communities.

Alewives –  
Although the Town preserved its rights to regulate the Alewife Fishery this year, we do not have a fisheries agent. We have had a request from a resident who wishes to obtain permission to harvest 25 alewives for personal use. Our 'plan' does not address the issuance of permits for 'recreational' harvest. Is this idea something that the Council would be willing to consider? If so – to what Committee would you like it referred?

Farmer's Market –  
We received an email from a resident who was very happy with the Farmer's Market that is being held in the parking lot where Shact's is located.



A-2-e

HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

MONDAY JULY 16, 2012 7:00 P.M.

*Attending:*

- Councilor Andre Cushing*
- Mayor Janet Hughes (7:08 p.m.)*
- Councilor Kristen Hornbrook*
- Councilor Tom Brann*
- Councilor Jean Lawlis*
- Councilor Jeremy Williams*
- Town Manager Susan Lessard*
- Citizens*
- Bangor Daily News reporter Andrew Neff*

*Deputy Mayor Andre Cushing called the meeting to order at 7:05 p.m.*

*Motion by Councilor Lawlis, seconded by Councilor Hornbrook to accept the consent agenda. Unanimous vote in favor.*

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. August 15, 2011

3. COMMUNICATIONS

- a. Reeds Brook Destination ImagiNation Team – Thank You
- b. Weatherbee Destination ImagiNation Team – Thank You
- c. Email – Michael O'Brien/Council – Operational Tone of Council
- d. Email – Lisa Carter – Voting Machines

4. REPORTS

- a. Finance & Administration Committee Minutes – 6/18/2012
- b. Infrastructure Committee Minutes – 6/25/2012
- c. Services Committee Minutes – 6/11/2012
- d. Services Committee Minutes – 6/20/2012 Special Meeting
- e. Services Committee Minutes – 7/9/2012
- f. Pool Board Trustees Minutes – 5/8/2012
- g. Information related to loaning Brownville an Employee/Loader
- h. Pine Tree Landfill – Summary of Recirculation Events – May 2012

B. PUBLIC COMMENTS - *None*

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Renewal of Victualers License – Bangor Restaurant, LLC d/b/a Dunkin’ Donuts at 76 Main Road North – *Deputy Mayor Cushing opened the public hearing. Proponents – none. Opponents – none. Neither for nor against – none. The public hearing was closed. Motion by Councilor Hornbrook, seconded by Councilor Williams to approve the renewal of the victualer’s license for Bangor Restaurant LLC d/b/a Dunkin Donuts. Unanimous vote in favor.*
- b. Application for Renewal of Victualers License – Mac’s Convenience Stores, LLC d/b/a Circle K #7057 at 63 Main Road North – *Deputy Mayor Andre Cushing opened the public hearing. Proponents – none. Opponents – none. Neither for nor against – none. The public hearing was closed. Motion by Councilor Hornbrook, seconded by Councilor Lawlis to approve the renewal of the victualer’s license for Mac’s Convenience Stores, LLC d/b/a Circle K #7057. Unanimous vote in favor.*

*Mayor Hughes chaired the remainder of the meeting.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. David Caliendo – Appointment to Appeals Board – Finance & Administration Committee Recommendation - *Motion by Councilor Williams, seconded by Councilor Brann to appoint David Caliendo to the Appeals Board. Unanimous vote in favor.*
- b. Chester Bigelow – Appointment to Appeals Board – Finance & Administration Committee Recommendation – *Motion by Councilor Lawlis, seconded by Councilor Brann to approve appointment of Chester Bigelow to the Appeals Board. Unanimous vote in favor.*

3. UNFINISHED BUSINESS

- a. Town Manager/Town Treasurer Appointment – Resident Lisa Carter – *At the request of Mrs. Carter, this item will be on a future agenda.*
- b. Town Manager Board of Environmental Protection Meetings – Use of Vacation – Councilor Hornbrook – *Councilor Hornbrook indicated that residents had questions about the use of the Manager’s time for this purpose. The Manager had provided the Council with copies of minutes of prior Council meetings where her BEP service was discussed.*

*Mayor Hughes indicated that this service meets the professional development allowance in the contract.*

*Councilor Cushing referred back to Finance & Administration for a recommendation.*

*Councilor Brann indicted that he did not think the Council should go back and re-do every decision made by prior Councils and that it was a waste of time to do so.*

*Councilor Cushing suggested that this kind of information should be provided in the Councilor Handbook so all Councilors are clear on it.*

- c. *Outdoor Facilities Ordinance – Revised Draft – Services Committee Recommendation and Introduction for Public Hearing - Councilor Lawlis introduced the proposed ordinance, as amended to include firearms language provided by Attorney Russell.*
- d. *Western Avenue Sidewalk – Matching Grant Funds – Manager Lessard reported that the Town had applied for two different grants for sidewalk on Western Avenue to Mayo Road. One of the grants was from the intersection of Route 202 to Mayo Road on the inside and the second was to complete the sidewalk that is already started on Western Avenue as far as Sidney Blvd., with a crosswalk across Western Avenue and then a sidewalk on the interior to meet the sidewalk on Mayo Road. MDOT approved the application for the smaller sidewalk and crosswalk. Almost a year ago the Council approved a match for engineering monies. Tonight the Finance Committee recommended that the Town take up to \$31,600 as the match for the Western Avenue sidewalk completion to Mayo Road from Host Community Benefits and the approval of that would accept a grant of \$131,000 from the State as their 80% share of the project.*

*Mayor Hughes asked for public comment and there were none. Motion by Councilor Cushing, seconded by Councilor Brann to accept the report and recommendation of the Finance Committee to spend up to \$31,600 from Host Community Benefits for the Town's share of the sidewalk grant project – unanimous vote in favor.*

#### 4. NEW BUSINESS

- a. *Ballot – Maine Municipal Association Vice President & Executive Committee – Motion by Councilor Lawlis, seconded by Councilor Brann to approve the slate of candidates as recommended by the MMA nominating committee. Vote 5-1 (Hornbrook).*

*Motion by Councilor Lawlis, seconded by Councilor Brann to designate the Town Manager to sign the MMA ballot on behalf of the Council. Unanimous vote in favor.*

- b. Ballot – Maine Municipal Association Legislative Policy Committee – *Motion by Councilor Cushing, seconded by Councilor Brann to nominate Michael Crooker of Glenburn. Vote 5-1 (Hornbrook)*
- c. Acceptance of URIP Funds – *Motion by Councilor Brann, seconded by Councilor Lawlis to accept the \$78,787 in URIP funds and to authorize the town manager to sign on behalf of the Council. Unanimous vote in favor.*
- d. Ordinance Exempting Eligible Active Duty Military Personnel from Vehicle Excise Tax – Planning & Development Committee Recommendation and Introduction for Public Hearing – *Councilor Brann introduced this ordinance for public hearing.*
- e. Library – Use of Reserve Funds – Building Repairs – *Motion by Councilor Lawlis, seconded by Councilor Brann to authorize the expenditure of \$1250 from Library Reserve for building repairs related to siding and the fire exit. Unanimous vote in favor.*

D. COMMITTEE REPORTS

*Services – Councilor Lawlis reported that the committee met last Monday and discussed Papermill Park and what can be done to make it more usable. The Boy Scouts are willing to do some work there and the Recreation Director is seeking a solution to the poison ivy problem*

*Communications – Councilor Hornbrook stated that the meeting was cancelled due to lack of a quorum and that the 8/14 meeting also needs to be rescheduled due to a conflict. The next Communications Committee meeting will be 7/31 at 6 p.m.*

*Finance & Administration – Mayor Hughes reported that the Committee had reviewed the June financial statements, discussed police and fire contracts, and other items discussed have already been acted on at tonight's meeting.*

- E. MANAGER'S REPORT – *The Manager's Report is attached hereto and made part of the minutes of the meeting*

F. COUNCILORS' COMMENTS –

*Councilor Hornbrook expressed appreciation for those who came to the meeting and for those who were watching on Channel 7. She also thanked those who have been in contact by phone and email.*

*Councilor Cushing indicated that he would not be able to attend the 8/6 meeting. He also noted that the Route 1A construction was proceeding and that there was some concern about the proposed 7-day closure of both lanes for a major culvert installation.*

*Councilor Lawlis – If anyone is looking for a volunteer opportunity, Eastern Area Agency on Aging is looking for candidates.*

*Councilor Williams – Reminded all that they should be extra cautious with the Children's Day Parade and events coming up to make sure that the children stay away from moving vehicles.*

*Mayor Hughes – Will check into the proposed 7-day shutdown of Route 1A because that could create problems for businesses and residents in that area.*

MANAGER'S REPORT  
July 16, 2012

Fact Book 2012 – Maine Biz recently released their Fact Book for the year. Hampden was listed as the 13<sup>th</sup> fastest growing community in the state according to the percentage of population change between 2000 and 2010. During that time period Hampden's population increased 14.7% to 7,257. In addition, Hampden moved up the ladder in terms of Maine's most affluent communities as well. In ranking by 2010 Census median household income, Hampden is third in the state of Maine with a median household income of \$86,964.

30 day notices – 2012 Taxes – 30 day notices for unpaid 2011-2012 property taxes will be mailed out on Thursday of this week. I am pleased to report that 97.7% of 2011/2012 property taxes had been paid by the fiscal year end on June 30, 2012.

Newsletter – July 2012 – The newsletter will be in mailboxes by Wednesday of this week, but the online version is already posted and can be accessed from the front page of the website.

Council Meeting – 7/16/2012

G. ADJOURNMENT – *The meeting was adjourned at 8:40 p.m.*

*Respectfully submitted,*

A handwritten signature in cursive script that reads "Denise Hodsdon". The signature is written in black ink and is positioned above the printed name and title.

*Denise Hodsdon*  
Town Clerk



A-2-f

HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING

AGENDA

MONDAY AUGUST 6, 2012 7:00 P.M.

Attending:

Mayor Janet Hughes  
Councilor Tom Brann  
Councilor Jean Lawlis  
Councilor Shelby Wright  
Councilor Kristen Hornbrook  
Councilor Jeremy Williams

Town Manager Susan Lessard  
Public Works Director Galen Swan  
Citizens

The meeting was called to order at 7:02 p.m. by Mayor Hughes.

Motion by Councilor Lawlis, seconded by Councilor Hornbrook to excuse Councilor Cushing from attendance at the meeting. Vote 5 -1 (Brann)

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

a. October 3, 2011

3. COMMUNICATIONS

- a. Town of Brownville – Thank You
- b. Code Enforcement Officer/Council – Notification of Appeals Board  
Public Hearing – 8/29/2012

4. REPORTS

- a. Finance & Administration Committee Minutes – 7/16/2012
- b. Infrastructure Committee Minutes – 7/23/2012

Mayor Hughes pulled item A 3 - a

Motion by Councilor Brann, seconded by Councilor Wright to accept the balance of the consent agenda. Vote 5-1 (Hornbrook).

Item A – 3- b. The Mayor read the thank you letter from the Town of Brownville for the help that Hampden provided after the major disaster in their community. Motion by Councilor Lawlis, seconded by Councilor Williams to accept item A-3-b. Unanimous vote in favor.

B. PUBLIC COMMENTS –

*Clare Cole , 50 Sidney Boulevard, wanted to tell the Council that while she was working at the Lura Hoit Pool she had seen a number of families with children playing at the new toddler playground. She thinks it is a great thing for Hampden and thanked the Council for approving it.*

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. *Proposed Outdoor Facilities Ordinance – Repeals existing Dorothea Dix Park Ordinance and Papermill Road Recreation Area Ordinance – Councilor Lawlis presented and read the revised language in regard to firearms, section 5.2 and dogs, section 5.9. Mayor Hughes opened the public hearing. Proponents – none. Opponents – none. Neither for nor against – none. The public hearing was closed. Motion by Councilor Wright, seconded by Councilor Lawlis to approve the Outdoor facilities ordinance. Unanimous vote in favor.*
- b. *Proposed Ordinance Exempting Eligible Active Duty Military Personnel from Vehicle Excise Tax – The town manager gave background on this matter, its origin from a recent legislative session, and the fact that it was difficult to assess fiscal impact because the Town has no way of knowing how many people who retain their address here are deployed elsewhere. Mayor Hughes opened the public hearing. Proponents – None. Opponents – William Shakespeare – Western Avenue. Mr. Shakespeare stated that he served four years of active duty in Vietnam and over 20 years in the active reserves as an officer. He is concerned because this ordinance covers all vehicles - not just a primary one and that the person who requested this ordinance is a lieutenant commander with a high salary and benefit package. He also stated that while he supports the military, joining it is a choice. He is concerned about senior citizens struggling to pay their taxes and that the fiscal ramifications of this could be substantial. Neither for nor against – none. The public hearing was closed. Councilor Williams believes it is appropriate to limit the exemption to those who really need it.*

*Motion by Councilor Hornbrook, seconded by Councilor Williams to adopt the ordinance.*

*Discussion –*

*At the request of Councilor Hornbrook the Town Manager explained the purpose of the legislation, which was to offer an exemption similar to one already in existence at the state level for those who live elsewhere but are stationed here and choose to register their vehicles here, and what excise tax is used for, which is to cover the cost of Public Works operations, road paving in Hampden.*

*Questions were raised as to whether the Town had the right under the legislation to limit the number of vehicles it could apply to or to impose income restrictions for participation.*

*Motion by Councilor Brann, seconded by Councilor Lawlis to table indefinitely until such time as we can get information from the Town Attorney in regard to the legislation and options the Council has to limit the exemption. Vote 5-1 (Hornbrook).*

## 2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. David Caliendo – Reappointment to Board of Assessment Review – Finance & Administration Committee Recommendation – *Motion by Councilor Williams, seconded by Councilor Wright to re-appoint David Caliendo to the Board of Assessment Review. Unanimous vote in favor.*

## 3. UNFINISHED BUSINESS

- a. Donation and Naming of Map 5, Lot 48C – Nason Halpern Woods – *Councilor Brann explained that this is a 40 acre parcel off Patterson Road on which there currently exists a conservation easement. Motion by Councilor Brann, seconded by Councilor Lawlis to accept the donation from Elizabeth Halpern of (Map 5 Lot 48c) and to name it Nason Halpern Woods, contingent on legal review. Vote 5-1 (Hornbrook).*
- b. Police and Fire Contracts – *The Town Manager reported that the Finance & Administration Committee had reviewed the proposed contracts and recommended their adoption. Motion by Councilor Wright, seconded by Councilor Brann to approve the contracts with Police and Fire for three years and to authorize the Town Manager to sign on behalf of the Town Council. Unanimous vote in favor.*

## 4. NEW BUSINESS

- a. Sewer Commitment – 4/1/2012 to 6/30/2012 – *Motion by Councilor Hornbrook, seconded by Councilor Williams to approve the Sewer Commitment for the 2<sup>nd</sup> quarter as presented. Unanimous vote in favor.*
- b. Applications for Renewal of Outdoor Wood-burning Furnace Licenses
  1. Richard Golding, 156 Mayo Road – *Motion by Councilor Wright, seconded by Councilor Brann to approve. Vote 5-1 (Lawlis).*
  2. Rodney Stanhope, 540 Western Avenue – *Motion by Councilor Wright, second by Councilor Brann to approve. Unanimous vote in favor.*
  3. Scott Stanhope, 99 Emerson Mill Road – *Motion by Councilor Wright, seconded by Councilor Lawlis to approve. Unanimous vote in favor.*

- c. Application for Renewal of Victualers License – Highlands Corner Market at 557 Kennebec Road – *Motion by Councilor Williams, seconded by Councilor Wright to approve. Unanimous vote in favor.*
- d. Application for Renewal of Victualers License – Hampden Country Club at 25 Thomas Road – *Motion by Councilor Williams, seconded by Councilor Hornbrook to approve. Unanimous vote in favor.*
- e. Loader/Backhoe Bids – Infrastructure Committee and Finance & Administration Committee recommendations – *Motion by Councilor Williams, seconded by Councilor Wright to accept the bid from Nortrax for the backhoe/loader for a net cost of \$63,000 with the funds to come from Public Works Equipment reserve. Unanimous vote in favor.*
- f. Discussion of Powers and Duties of Council and Council Chair – Councilor Hornbrook – *Motion by Councilor Hornbrook, seconded by Councilor Lawlis to put the Town Council portions of the Town Charter on the Town Council agenda for open discussion.*

*Councilor Lawlis indicated that there had not been sufficient time in Finance & Administration Committee meetings to tackle these subjects and that a special meeting should be held for that purpose.*

*Councilor Williams concurred with Councilors Lawlis and Hornbrook.*

*Considerable discussion ensued on the manner in which these topics should be handled.*

*Councilor Wright called the question – vote 4 in favor, 2 opposed (Hornbrook, Williams). Motion carried.*

*Vote on the original motion 1 in favor (Hornbrook), 5 opposed. Motion failed.*

*Motion by Councilor Wright, seconded by Councilor Williams to form an ad-hoc subcommittee to discuss merits of plans to best publicize discussion of the Town Charter and then executing the selected plan. Vote 3 in favor, 3 opposed (Hornbrook, Hughes, Brann). Motion failed.*

*Motion by Mayor Hughes, seconded by Councilor Lawlis to set a date at the next Finance Committee meeting to discuss this subject.*

*Motion withdrawn.*

*Motion by Mayor Hughes, seconded by Councilor Lawlis to hold a special meeting on September 18<sup>th</sup> as a workshop to review the Town Council section of the Town Charter as it relates to Council Rules and decide how to move forward. Vote 4 in favor, 2 opposed (Hornbrook, Williams). Motion carried.*

D. COMMITTEE REPORTS

*Infrastructure – Councilor Wright reported that the Committee would be discussing lease purchase options for public works equipment at the 8/27 meeting at 6 p.m.*

*Communications – The meeting of July 31<sup>st</sup> was cancelled due to lack of a quorum.*

*The same agenda will be used at the meeting on 8/21 at 6 p.m.*

*Planning & Development – The application for the marina project has been submitted to the State/Feds for approval. Phase II for the environmental assessment of the old Hampden Academy is underway. The draft recreation plan is being reviewed. An antique map has been donated to the town and the committee is investigating ways to fund the framing of it.*

*Services – Councilor Lawlis reminded people that there is a meeting next Monday and that she would not be present and that the Town Manager would be on vacation.*

*Finance – Mayor Hughes reported on the Finance Committee meeting held prior to the Council meeting. Items included police and fire contracts as well as the reappointment of David Caliendo to the Board of Assessment Review.*

E. MANAGER'S REPORT – *The Manager's Report is attached hereto and made a part of the minutes.*

F. COUNCILORS' COMMENTS

*Councilor Wright – Commended the Police Department for its handling of the tragic domestic violence deaths in Hampden last week and offered condolences to remaining family members. She also thanked the Recreation Department for the installation of the toddler playground.*

*Councilor Hornbrook – Thanked residents for showing up, reminded people that nomination papers for Town Council and School Board are now available and echoed Councilor Wright's comments on the tragedy.*

*Councilor Brann – Also concurred with the comments of Councilors Wright and Hornbrook and thanked Public Safety for their response to the tractor trailer rollover on 202/Coldbrook Road.*

*Councilor Williams – Thanked everyone for coming, congratulated the Council for the adoption of the Outdoor Facilities ordinance, reiterated the importance of transparency, and thanked the families who donated to the family of a local girl and said for people to contact Sheila Williams for information on how they can donate.*

*Mayor Hughes – Repeated the comments regarding Public Safety and the difficult issues of the prior week, reminded people that Children's day is 8/18 with a parade at 11 a.m., that Councilor Cushing would be working in the 'dunk tank' and that the Children's Day Committee could still use help. Interested persons should contact Don Darling.*

G. ADJOURNMENT - *The meeting was adjourned at 9:24 p.m.*

*Respectfully submitted,*



*Denise Hodsdon*

*Town Clerk*

MANAGER'S REPORT  
Monday, August 6, 2012

Tax Commitment – The Tax Commitment will be ready for the Council to approve at the next Council meeting. Tax bills should then go out by the end of the month.

Sewer Bills – Sewer Bills went out on July 31<sup>st</sup>. Due date for those bills is August 30<sup>th</sup>.

Vacation – I will be on vacation from August 10<sup>th</sup> to August 24<sup>th</sup>. I will be attending the Council and Finance & Administration Committee meetings on August 20<sup>th</sup>, but I will not be here to staff the Services Committee meeting on August 13<sup>th</sup>. I would appreciate it if a Committee member could take minutes of that meeting. I will distribute the agenda and packet before going on vacation.

Playground – The 2-5 age group equipment has been installed at the playground adjacent to the Lura Hoit Pool. It is already being well utilized and we have had several people remark on the fact that it was a much-needed asset for the community.

Open to the Public Sale at Hampden Academy – This coming Wednesday SAD 22 will be selling items remaining at the old Hampden academy to the general public.

Rapid Renewal – 62 people re-registered their vehicles online through the Rapid Renewal program during the month of July.

Tax Club Response – The July edition of the Hampden Highlights Newsletter had an article about the Tax Club program available to people for a monthly payment program for property taxes. According to Tax Collector, there has been considerable positive response and the numbers of program participants will more than double over last year.

Library Grant – I am happy to report that the Library has received a \$10,000 grant to replace its furnace.

Route 1A Closure – A section of Route 1A will be closed for a period of up to 7 days beginning on Monday, August 13<sup>th</sup>. Traffic will be re-routed onto Old County Road. The closure is due to the replacement of a major culvert as part of the Route 1A rebuild project that is currently in progress.

Planning Board – The Planning Board Comprehensive Plan Committee met on Wednesday, August 1<sup>st</sup> to review the 2010 Draft Comprehensive Plan. They will be reviewing the results of their work at their regular meeting on August 15<sup>th</sup>. It is anticipated that they will have a recommendation for the Council sometime in September.

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES  
Monday, October 29, 2012

Attending:

Mayor Janet Hughes                      Town Manager Susan Lessard  
Councilor Jean Lawlis  
Councilor Tom Brann  
Councilor Andre Cushing  
Councilor Shelby Wright

The meeting was called to order at 5:40 p.m. by Mayor Hughes.

1. Minutes of 10/15/2012 meeting – The minutes of the 10/15/12 meeting were reviewed and approved with no changes.
2. Review & Sign Warrants – Committee members reviewed and signed payment warrants.
3. Old Business
  - a. Town Charter Article II – Committee members discussed whether they believed Councilors should also be able to hold other elected office such as legislators or County Commissioners. There was not a consensus among those in attendance as to whether this should be allowed or not.

The Committee also discussed changes to section 211. The provision on section d (voting) related to compelling the attendance of a Councilor should be removed because there is no means of enforcing such a provision. A change to Section e (Agenda) was made to change the 'in the town office' posting requirement to 'publicly posted' all methods of meeting posting now used including the bulletin board at Hannaford, the Post Office and the Town's website, and Section a (Meetings) was amended to replace language related to executive sessions with references to Title 1 Section 405.

- b. Victualer's License & Outdoor Wood Boiler Ordinances – Proposed language changes – Committee members reviewed the minor language changes proposed that would require a first time application for either license to have a public hearing before the Town Council and subsequent licenses to be issued by the Code Officer if there were no

outstanding issues. No Committee member had objections to the proposed language changes. Councilor Brann strongly objected to a portion of the Victualer's Ordinance that was unrelated to any language change, Section 7 (B) Local Suspension or Revocation of License. He feels that this unfairly targets businesses in Hampden who have to have this license and that other businesses are not held responsible for the conduct of their patrons. Since there was no recommendation made by the Committee, this discussion will continue at the next Finance & Administration Committee meeting.

4. New Business - None
5. Public Comment - None
6. Committee Member comments – None

The meeting was adjourned at 6:57 p.m.

Respectfully submitted,

Susan Lessard  
Town Manager

## Communications Committee Meeting minutes

A-4-b

November 13, 2012

Attendance: Committee members Councilor Cushing, Councilor Hornbrook, and Councilor Lawlis.

Updates on agenda items provided by Manager Lessard.

Meeting called to order at 6:22 by Chairman Hornbrook

Motion to approve minutes from 10-90-12 meeting by Councilor Cushing, 2<sup>nd</sup> by Councilor Lawlis. 3-0 unanimous approval

Old Business:

Council Chamber Sound System: Update by Manager Lessard.

It appears that the Council Chamber sound system problem has been fixed. All were in unanimous agreement that item can be removed from further agendas. No motion made.

Channel 7 Programming: Update by Manager Lessard.

Committee was provided an e-mail and synopsis of new programming in the works for Channel 7 by Mr. Jim Folsom. Information was included with packet.

Exciting programming entitled "Hampden on the Penobscot" – A Citizen's Guide to our History was discussed. Committee members are looking forward to this project being completed. No motion made.

Councilor Cushing also mentioned that he has been in touch with Nescom to see if we can have more interns available as backup.

Newsletter: Update by Manager Lessard.

Committee discussed ideas with regard to upcoming Jan. newsletter and felt that a brief update of newly elected Town Councilors with photos may be included as well so that residents may get to know their At-Large Councilors a little better. No motion made.

New Business:

Video Contest Idea: Update by Manager Lessard.

Theme had been discussed as "I love Hampden Because...." at previous committee meeting. Committee discussed timeline as well as possible prizes for winner/winners. It was discussed and unanimous agreement that contest could extend for 3 months beginning on Dec. 1 with small monthly prize for each of the 3 months, then one grand prize out of the 3 monthly winners. Councilor Lawlis had some suggestions and will be getting back to the Council with those options. Committee members unanimously support this idea and believe that the winners could be linked to the website as part of 'commercial' for people or businesses looking to relocate in Hampden. Also discussed was having the enterants linked to the website for citizens to vote upon.

Motion by Councilor Lawlis, 2<sup>nd</sup> by Councilor Cushing, to bring the contest idea before the Council on Monday night for approval and announcement for Dec 1<sup>st</sup> kick-off at Council meeting if supported by majority of Council members. 3-0 unanimous

No public comments.

Committee member comments:

Councilor Cushing was hoping the update to the website could be made with regard to Councilor photos and bios. Perhaps even a group photo.

Councilor Hornbrook noted the next Communications Committee mtg. is December 11<sup>th</sup> @ 6 PM

Meeting adjourned at 6:45

Respectfully submitted by Councilor Kristen Hornbrook

Lura Hoit Pool ~ Board Meeting Minutes ~ 10-9-12

Cedena McAvoy brought the meeting to order at 7:02 pm.

Those present: Cedena McAvoy, Mary Ellen Conner, Greg Hawkins, Pat Foley, Karen Brooks, Jim Feverston, Sarah McVeigh, Vickie Levesque, Mike Jellison, Josh Sargent, Darcey Peakall and Julie Macleod. Not present: John Weinmann

The secretary's minutes were accepted as presented.

The Director's Report:

~ The number of participants in September was down 505 people and daily receipts were down \$4,435 compared to last year. The numbers were down this year due to being shut down for three weeks for the new air handler instillation instead of the typical one week maintenance closure.

~ The pool rental income in September was down \$645 compared to last year. This was due to the lengthy shut-down.

~ The monthly fuel usage went down 82 gallons compared to last year.

The treasurer's report was accepted as presented. Mary Ellen withdrew \$7,184.94 from the Capital Campaign Account and paid the Town of Hampden for the second installment on the air handler system.

Darcey reported that there are only \$2,000 in pledges promised over the next two years. She has sent a letter to those who owe their next payment and the board suggested a follow-up phone call. If they still do not want to contribute, then their name will be removed.

Mike would like to invite a representative from Means Investments to a future meeting to discuss investment options.

The board members went through the assigned business lists and updated who has been contacted. Some businesses have been reassigned and an updated list will be sent to the board members (see attachment). Sarah has a list of grants that she going to investigate to see if the pool would qualify. Darcey will email all new members the letter that was sent to businesses and information on what to say when approaching the businesses.

Darcey announced that the next Recreation Bulletin will be the last one that they will be sending directly to the homes. Everything will be accessible online now. The board brainstormed some options to generate revenue and will discuss at the next board meeting along with future goals.

~ SAD #22 LINK newspaper

~ Creating a Facebook page

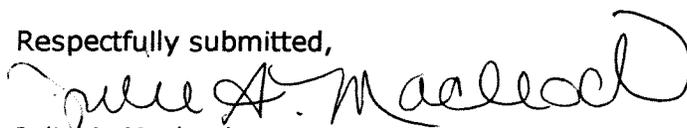
~ SAD #22 Health and Fitness Agreement with employees (Wellness Program)

~ Corporate Sponsors (if they can guarantee a certain number of people then give a % discount)

Vickie and Julia Kunz have been working on weeding the gardens. A thank you note will be sent to Julia on behalf of the pool board.

Meeting adjourned at 8:06pm.

Respectfully submitted,



Julie A. Macleod

A-4-d

EDYTHE L. DYER COMMUNITY LIBRARY  
BOARD OF TRUSTEES' ANNUAL MEETING  
SEPTEMBER 12, 2012  
MINUTES

**A. Call to order:** The meeting of the Board of Trustees of the Edythe L. Dyer Community Library was held at the Edythe L. Dyer Community Library, Hampden, Maine on September 12, 2012. The meeting convened at 7:38 a.m., Mark Russell presiding, Debbie Lozito recording secretary.

**Members present:** Debbie Lozito (ex officio), Richard Jenkins, John Skehan, Dave Barrett, Yvonne Lambert, Mark Russell, Ruth Stearns, Don Desmarais, Mary Ann Bjorn

**Members absent:** Tony Mourkas, Cheri Condon

**B. Approval of minutes:** Dave made the motion and Dave seconded approval of the minutes of the May 9, 2012 meeting. Motion carried.

**C. Library reports:**

Fees and fines

Circulation

Director

**D. New Business**

1. Internet Acceptable Use Policy—review Dave moved acceptance of the amended IAU policy, Mary Ann seconded. The motion was unanimously approved.

2. Annual Endowment Fund Letter will be the same format as last year.

3. Bill Arata will attend the November 14 trustees' meeting.

**Adjournment:** The meeting was adjourned at 7:56 a. m.

The next meeting is scheduled for November 14, 2012.

Debbie Lozito

Recording Secretary

\_\_\_\_\_  
Date of approval

A-4-e



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

DEPARTMENT ORDER

IN THE MATTER OF

MSAD 22	) NATURAL RESOURCES PROTECTION
Hampden, Penobscot County	) FRESHWATER WETLAND ALTERATION
COMPENSATION PARCEL	) WATER QUALITY CERTIFICATION
L-18118-TG-E-M (approval)	) MINOR REVISION
	) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of MSAD 22 with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: In Department Order #L-18118-22-A-N, dated August 31, 1992, the Department approved a new middle school with 62,180 square feet of floor space and a 33,780 square foot footprint. The project created 153,000 square feet of impervious area including the building, walkways, parking and access roads. In Department Order #L-18118-22-C-A/L-18118-TG-D-N, dated September 15, 2011, the Department approved the construction of a new 180,000-square foot high school. The applicant proposed to alter 127,934 square feet of wetlands in order to construct the new school. The principal functions and values of the wetlands included wildlife habitat and toxicant removal from existing developments. The applicant originally proposed to preserve a 45-acre parcel adjacent to the Ammo Industrial Park on Route 202. The project is located on the west side of Main Road in the Town of Hampden.

B. Summary: The applicant proposes to change the location of the preservation parcel to compensate for the wetland impacts associated with building the new high school. The applicant is proposing to preserve 61 acres adjacent to Reeds Brook in order to compensate for the alteration of 2.94 acres of forested wetland. This parcel exceeds the 8:1 mitigation ratio required by the Department and the 15:1 mitigation ratio required by the Army Corps of Engineers. If the applicant needs to alter wetland while creating a small trail network, they may utilize some of the preserved land in excess of the 15:1 ratio in the future. The applicant completed a functions and values assessment for the proposed preservation parcel and found that the primary functions of the wetland on the site are similar to the wetlands impacted by the new school. These functions are

wildlife and water resources related and include wildlife habitat and groundwater recharge and discharge. The proximity of the proposed site also makes it valuable for science education and social benefits.

2. FINDING:

The proposed project will not significantly affect any issues identified during previous Department reviews of the project site. The applicant submitted the same conservation easement language that was approved for the previously permitted preservation parcel. The applicant must submit a copy of the recorded conservation easement within 90 days of the date of this Order to the Department for review.

Based on its review of the application, the Department finds the requested minor revision to be in accordance with all relevant Departmental standards. All other findings of fact, conclusions and conditions remain as approved in Department Order #L-18118-22-A-N, and subsequent orders.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act:

- A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.
- B. The proposed activity will not cause unreasonable erosion of soil or sediment.
- C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.
- D. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life provided the applicant meets the requirements outlined in Finding 2.
- E. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.
- F. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters.
- G. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.
- H. The proposed activity is not on or adjacent to a sand dune.

- I. The proposed activity is not on an outstanding river segment as noted in 38 M.R.S.A. Section 480-P.

THEREFORE, the Department APPROVES the application of MSAD 22 to revise their compensation parcel, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards and regulations:

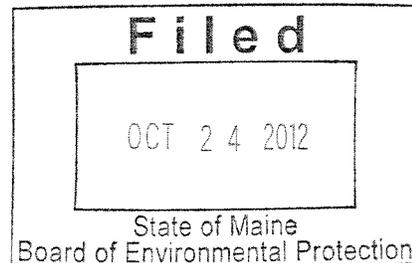
1. The Standard Conditions of Approval, a copy attached.
2. The applicant shall take all necessary measures to ensure that their activities or those of their agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.
3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
4. The applicant shall submit a copy of the recorded conservation easement to the Department for review within 90 days of the date of this Order.
5. All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order #L-18118-22-A-N, and subsequent orders, and are incorporated herein.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DONE AND DATED IN AUGUSTA, MAINE, THIS 24<sup>th</sup> DAY OF October, 2012.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Michael Keelus for  
Patricia W. Aho, Commissioner



PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

JD/L18118EM/ATS#74982



## Natural Resource Protection Act (NRPA) Standard Conditions

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- F. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- G. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- H. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.



# DEP INFORMATION SHEET

## Appealing a Department Licensing Decision

Dated: March 2012

Contact: (207) 287-2811

### SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's ("DEP") Commissioner: (1) in an administrative process before the Board of Environmental Protection ("Board"); or (2) in a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S.A. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S.A. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S.A. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

This INFORMATION SHEET, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

### I. ADMINISTRATIVE APPEALS TO THE BOARD

#### **LEGAL REFERENCES**

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S.A. §§ 341-D(4) & 346, the *Maine Administrative Procedure Act*, 5 M.R.S.A. § 11001, and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 CMR 2 (April 1, 2003).

#### **HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD**

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

#### **HOW TO SUBMIT AN APPEAL TO THE BOARD**

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by the Board's receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner a copy of the appeal documents and if the person appealing is not the applicant in the license proceeding at issue the applicant must also be sent a copy of the appeal documents. All of the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

### WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

Appeal materials must contain the following information at the time submitted:

1. *Aggrieved Status.* The appeal must explain how the person filing the appeal has standing to maintain an appeal. This requires an explanation of how the person filing the appeal may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing on the appeal is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered by the Board in an appeal only when the evidence is relevant and material and that the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2.

### OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

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

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

The Board will formally acknowledge receipt of an appeal, including the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, and any materials submitted in response to the appeal will be sent to Board members with a recommendation from DEP staff. Persons filing appeals and interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, a license holder, and interested persons of its decision.

## II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2; 5 M.R.S.A. § 11001; & M.R. Civ. P 80C. A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. Failure to file a timely appeal will result in the Board's or the Commissioner's decision becoming final.

An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S.A. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

### ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452 or for judicial appeals contact the court clerk's office in which your appeal will be filed.

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

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C-1-a

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 11/19/2012  
Public Hearing: Yes X No     

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

NAME: Restaurant Angelos of Hampden Elisaveta Turlla  
Business Name Individual

ADDRESS: 102 Main Rd. South PHONE: 862-2224

MAP/LOT: Lot 43, Lot 36 DATE: 10/24/2012

DEPARTMENT REPORT:

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

DATE: 11/14/12

BY: [Signature]  
Title: Code Enforcement Officer

BY: [Signature]  
Title: FIRE/BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 10/24/12 PHONE NUMBER: (207) 862-2224

NAME(S): ELISAVETA TURLLA

ADDRESS: 102 Main Road South of Hampden ME 04444

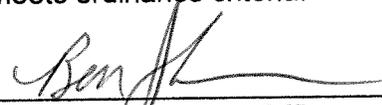
NAME OF BUSINESS: Restaurant Angelos of Hampden

LOCATION OF BUSINESS: 102 Main Road South, Hampden ME 04444

SIGNATURE: Elisaveta Turzlla.

\*\*\*\*\*  
(FOR TOWN USE ONLY)

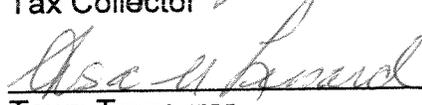
\*This facility has been inspected and meets ordinance criteria.

  
Code Enforcement Officer

  
Fire Inspector/Building Inspector

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

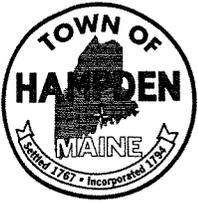
  
Tax Collector

  
Town Treasurer

\*\*\*\*\*

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

LICENSE FEE: \$125.00 Date Received/Fee Paid: OCT 24 2012 1 \$125.00  
(Fee Includes Notice of Public Hearing)



C-1-b

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 11/19/2012  
Public Hearing: Yes X No     

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

NAME: SubStreet, Inc. d/b/a  
Subway Store #16760 Atif Sheikh  
Business Name Individual

ADDRESS: 7 Western Ave. PHONE: 862-4477

MAP/LOT: Map 36, Lot 22 DATE: 10/18/2012

DEPARTMENT REPORT:

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

DATE: 11/14/12

BY: [Signature]  
Title: Code Enforcement Officer

BY: [Signature]  
Title: FIRE/BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

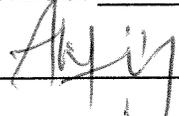
DATE: 10-18-2012. PHONE NUMBER: 207-862-4477.

NAME(S): ATIF SHEIKH (Sub Street, Inc.)

ADDRESS: 7- WESTERN AVE. HAMPDEN ME. 04444.

NAME OF BUSINESS: SUBWAY.

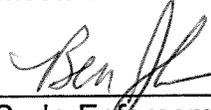
LOCATION OF BUSINESS: 7-WESTERN AVE. HAMPDEN ME 04444.

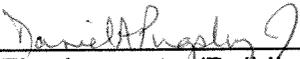
SIGNATURE: 

\*\*\*\*\*

(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: \$125.00 Date Received/Fee Paid: OCT 18 2012 1 \$125.00  
(Fee Includes Notice of Public Hearing)



C-1-C

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 11/19/2012  
Public Hearing: Yes X No     

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

NAME: Coffee Break Cafe, LLC William Buxton  
Business Name Individual

ADDRESS: 75 Main Rd. North PHONE: 745-3202

MAP/LOT: Map 36, Lot 32 DATE: 10/24/2012

DEPARTMENT REPORT:

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

DATE: 11/14/12

BY: [Signature]  
Title: Code Enforcement Officer

BY: [Signature]  
Title: FIRE/BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 10/22/12 PHONE NUMBER: 745-3202  
NAME(S): William Buxton / Cheryl Bouchard  
ADDRESS: 114.9 N. MAIN ST WINTERPORT, ME 04496  
NAME OF BUSINESS: COFFEE BREAK CAFE, LLC  
LOCATION OF BUSINESS: 75 MAIN ROAD North, Hampden  
SIGNATURE: 

\*\*\*\*\*

(FOR TOWN USE ONLY)

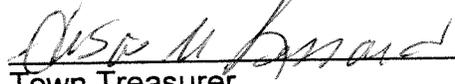
\*This facility has been inspected and meets ordinance criteria.

  
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: \$125.00** Date Received/Fee Paid: OCT 24 2012 \$125.00  
(Fee Includes Notice of Public Hearing)

C-2-a

**OFFICIAL RETURN OF VOTES  
FOR  
MUNICIPAL ELECTION  
HELD ON  
NOVEMBER 6, 2012**

**Councilors At-Large (3-Year Term) – 3  
Directors School Administrative District No. 22 (3-Year Term) – 2  
Trustee Hampden Water District – 1**

---

Given in at the General/Referendum Election held on November 6, 2012.

At a legal meeting of the Inhabitants of Hampden in the County of Penobscot, qualified to vote in the municipal election, held on the first Tuesday of November, the same being the 6<sup>th</sup> day of said month in the year of our Lord, two thousand twelve, the said Inhabitants gave their votes for Councilor At-Large (3-Year Term) – 3; Directors School Administrative District No. 22 (3-Year Term) – 2; and Trustee Hampden Water District – 1.

The same were received, sorted and declared in open meeting by the Warden who presided and in the presence of the Clerk, who formed a list of the person voted for and made a record thereof as follows:

**Total Number of Ballots Cast: 4229**

**For Councilor At-Large – 3  
(To serve for three (3) years)**

William W. Shakespeare	<u>1558</u>
James E. Davitt	<u>881</u>
David I. Ryder	<u>1212</u>
Mark S. Cormier	<u>1061</u>
Shelby D. Wright	<u>1549</u>
Gregory J. Sirois	<u>1089</u>
Carol S. Duprey	<u>1445</u>
Kelly A. Paul	<u>1157</u>
Blank (includes Undeclared Write-ins counted as Blank:	<u>2735</u>

OFFICIAL RETURN OF VOTES  
GENERAL/REFERENDUM ELECTION  
NOVEMBER 6, 2012

**For Directors School Administrative District No. 22 – 2  
(To serve for three (3) years)**

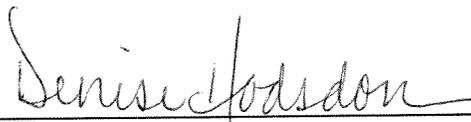
Richard S. Moore	<u>2229</u>
Jessica Scott	<u>2631</u>
Jacob D. Burns	<u>1307</u>
Blank (includes Undeclared Write-ins counted as Blank:	<u>2291</u>

**For Trustee Hampden Water District – 1  
(To serve for five (5) years)**

John P. Quesnel	<u>3359</u>
Blank (includes Undeclared Write-ins counted as Blank:	<u>870</u>

A True Copy.

Attest:

  
\_\_\_\_\_  
Denise R. Hodsdon, Town Clerk  
Town of Hampden

C-2-b



Check One:  Initial  Reapp

TOWN OF HAMPDEN  
APPLICATION FOR TOWN BOARDS AND COMMITTEE

NAME: WILTBANK J. Kelley  
LAST FIRST M  
ADDRESS: 69 COTTAGE STREET HAMPDEN 0444  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 862-6190 973-3229  
HOME WORK

EMAIL: Kelley@wiltbank.com

OCCUPATION: Attorney

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Planning Board - Full Member

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? I have been an associate member for just under two years

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

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- 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: _____
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

C-4-a

Re: Tax Repayment Plan for property at  
1037 Kennebec Road in Hampden, ME  
  
Attn: Mayor Janet Hughes  
  
106 Western Ave  
  
Hampden Me, 04444

October 23<sup>rd</sup>, 2012  
  
Brian/Joseph Sullivan  
  
43 Riverside Ave Suite 224  
  
Medford MA, 02155

Dear Mayor Hughes,

I am writing you in the hopes of reinstating the property tax repayment program that was recently submitted for cancellation and subsequent escalation payment. Ms Lessard and her office where more than understanding when they initiated this plan for us, and we deeply regret allowing the September payment to go late. This late payment was caused by circumstances beyond our control, but none the less, the directions for repaying the debt were clear in the plan set forth for us, and we understand fully the reason for the escalation.

We again ask for the kindness and understanding of Your Honor, The Council, and Ms Lessard, to please allow us to continue with our repayment plan that was initiated for the property back in March. We want to repay these taxes as soon as possible and will do so at the very moment we can, but it would be extremely helpful to have a structured payment plan in place so that we could continue to make installments until we have the money necessary to pay the balance in full. We never wanted to be problem for the Town of Hampden and will NEVER allow this to happen again. If I may, I would like to give some background information to support my case and request.

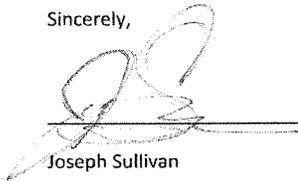
Our situation began when our Father passed away suddenly without a will. We were then forced to mediate our affairs in the long and argues process of the Probate Court. After this painstaking process we fell into our first Tax Foreclosure situation while we were trying to sort out all these new found responsibilities. Ms Lessard and her office were more than gracious in formatting a repayment plan, which we followed to restore the property that we love dearly, back into our families' name. After this time we felt it necessary to ask the assistance of a family friend to help in the financial arrangements of all the matters we had before us. This worked for a few years but we now find ourselves in the same predicament. It had recently come to our attention that this "friend" was far less than virtuous than we thought and had not been attending to our financial matters at all. This great deceit coupled with some major medical issues that befell one of the children in our family have combined to land us in this most recent financial debacie regarding the property in Hampden.

Since discovering these issues, we contacted Ms Lessard and her office; they were again most gracious in allowing the property to be put back into a repayment plan. We were more than grateful and honored by the compassion and professionalism extended to us by Ms Lessard. Since then we have been mostly diligent in keeping up with the arrangement, paying back more than half of the debt including the current year's tax bill (\$4200.00) since April. This is until the September payment was delayed by some extenuating circumstances, and we fell into the current situation of potential retraction of the repayment plan. The payment has since been submitted and the plan is "back on schedule" so to speak. Even so, we did not follow the agreement exactly to its terms, and understandably, are now in risk of an escalation of the balance and the current year's taxes to be due immediately.

If we would need to produce the entire amount due at once, it would force our family into greater financial hardships as it would make other financial responsibilities more difficult to satisfy as well as this one. So it is for this reason we ask the understanding of Your Honor, your Council, and Ms Lessard, to please consider reinstating the repayment plan we began in April. We feel we have made good strides by making the \$600 dollar installments resulting in \$4200.00 in payments during this current repayment plan, reducing the debt substantially. Also, hopefully, we have shown a genuine commitment that we wish to recover this property by way of repaying the debt back to the Town of Hampden. This property means a GREAT DEAL to my Family, and we have a GREAT RESPECT for your Town, and wish to regain good standing with both.

I would like to Thank Your Honor for taking the time to read this letter and I would also like to thank you in advance for any consideration you give this matter. Please feel free to contact me directly with any questions or concern your office may have.

Sincerely,



---

Joseph Sullivan

781-866-9646



---

Brian Sullivan

C-4-b



**TO:** Mayor Hughes and Hampden Town Council  
**FROM:** Robert Osborne, Town Planner *RO*  
**SUBJECT:** Maine Historic Preservation Commission Grant Application for Hampden Garden Club/Harmony Hall  
**DATE:** November 14, 2012

This grant is a Certified Local Government pass through grant. The Garden Club is asking the Town as the GLG to apply for the grant for them because they are not a CLG. All of the \$17,000 cost of painting Harmony Hall will come from either the grant (\$6,000) or the Garden Club (\$11,000). The necessary action for the Council is to authorize the Town Manager to enter into the grant agreement with Maine Historic Preservation Commission.



*Hampden Garden Club*

*Hampden, Maine*

November 13, 2012

To: Members of the Hampden Town Council

From: Hampden Garden Club

Dear Council Members,

The Hampden Garden Club is continuing our efforts to maintain and restore Harmony Hall, 24 Kennebec Rd., the building we have owned since 1966 and which has been on the National Register of Historic Places since 2007. Our accomplishments in the last year have resulted in a stable foundation, beautifully restored windows, and a major project to provide safer access into the building, including a ramp for the handicapped. We now approach the final phase of our restoration, the painting of the building's exterior.

The Maine Historic Preservation Commission assisted us with grant funds for the foundation and three of the nine windows. For the remainder of the work, we expended approximately \$33,000 of our own funds which are now quite depleted. The cost of the painting will be substantial; we have received an estimate of \$17,000. Therefore, we wish to seek another grant from the MHPC in the amount of \$6,000 which we will match, and hopefully raise the rest through a community campaign during the coming months.

We are aware that if we receive this grant, there will be a need for some expenditure of time and effort on the part of town office staff in the disbursement of grant funds. We are, therefore, requesting the support of the Town in this endeavor and with your permission, will submit our application to the MHPC.

We feel it is important to continue to restore this historic building so that it stays beautiful and useful in the eyes of the community.

Sincerely,

Anne Bennett -- Pat Kerfoot  
Co-Presidents, Hampden Garden Club

# MAINE HISTORIC PRESERVATION COMMISSION

Survey & Planning, Development, Public Education, and Acquisition  
Projects

## **Grant Application**

October 2012

**Submission Deadline: December 21, 2012**

# APPLICATION FORM

## HISTORIC PRESERVATION FUND GRANTS

**Applications must be postmarked no later than December 21, 2012**

Project Name: Harmony Hall Preservation Project

Location: 24 Kennebec Rd.  
Hampden, ME 04444

Applicant Organization: Hampden Garden Club

Contact Person: Anne Bennett

Mailing Address: 8 Dewey St.  
Hampden, ME 04444

Telephone Number: 862-3467

E-mail Address: Sabennett@roadrunner.com

**Refer to the Historic Preservation Grants Manual when completing this application.**

Project Type:             Survey & Planning  Development  
                                  Public Education             Acquisition

Certified Local Government:  Yes             No

Grant Amount Requested: \$6,000

Match Amount: \$6,000

Match Source: Funds on hand accumulated from Club fund-raising events and donations by members and the public

Total Project Cost: \$17,000

# APPLICATION FORM

## HISTORIC PRESERVATION FUND GRANTS

- 1) Is this a continuing project that the Commission has previously funded?  Yes  No
- 2) Focus and Products: See attachment page 1; Photos attachment page 2  
Describe the project focus on attached pages (this is the “for whom,” the “what” and the “where” of the project). For more information, refer to the Focus and Products description for the applicable grant type in Section V of the Grants Manual.
- 3) Methodology: See attachment page 1  
Describe the project methodology on attached pages (this is the “why” and “how” of the project). This narrative should be specifically related to the focus and products outlined in number 2. It should discuss the goals of the project in terms of additional information that will be gained, and how the resources will be surveyed or recorded, etc.
- 4) Project Personnel: See resume and project estimate, attachment page 3  
Attach resumes and a description of professional expertise relative to the methodology of the project for all professionals known at the time of the application who would be conducting the project. Professionals must meet the minimum qualifications as set forth in Appendix C.
- 5) Public Benefit: See attachment page 1  
Provide a summary statement for publicity purposes that describes the public benefit this HPF grant would make possible.
- 6) Estimated Project Schedule:  
In the space below, provide an estimated project schedule based on an August 1, 2013, completion date.

May 1, 2013 – July 31, 2013

2) Focus and Products:

The exterior of Harmony Hall, 24 Kennebec Rd, Hampden, is in great need of painting. This historic building on the National Register of Historic Places, is being cared for and restored by the owner, the Hampden Garden Club. A major portion of our restoration has been accomplished in the past year, assisted in part by a previous grant from MHPC. We now approach the final phase of our project, the painting of the building's exterior.

3) Methodology:

There is a critical need for painting in order to protect and preserve the wood; the paint has peeled to bare wood in many places. We all know the effects that exposure to weather will have on bare wood, and painting is a most necessary step in its preservation. Our restoration process thus far has resulted in a more stable foundation, beautifully restored windows and a major project to provide safer access into the building, including a ramp for the handicapped.

MHPC assisted us financially with the first phase of our restoration, (the foundation work and three of the nine windows), but the remainder has been done with our own funds which are now quite depleted. We have on hand sufficient funds for our proposed match amount and are currently also seeking contributions from the local community as well as our Garden Club members. The cost for this project will be substantial, and receipt of an additional HPF grant will greatly help this final phase of our restoration.

5) Public Benefit:

Harmony Hall is an important part of the historical and cultural heritage of the Town of Hampden, and we feel we have an obligation to preserve this historic treasure and enhance its usefulness to the community. In the past few years we have worked to generate public use by holding craft fairs, plant sales, farmers markets and a few private parties. Another local club recently held a show & sale here. Garden Club meetings are open to the public and offer programs on a variety of gardening topics. We also host an annual field trip for over 100 fourth grade students at which they learn about the history of the Hall, gardening and conservation.

We feel it is important to continue to restore this grand building so that it stays beautiful and useful in the eyes of the community.

Paint is in extremely poor condition on the entire building.



Attachment, Page 2

## Josh Peppard Painting

156 Kennebec Road  
Hampden ME 04444  
207-862-3636

Estimate for painting the exterior of Harmony Hall, 24 Kennebec Road, Hampden ME

Materials	2500.00
Equipment rental	1500.00
Labor	13000.00
Total	\$17000.00

### Resume:

Josh and Aaron Peppard are a well-known and respected father-son team from Hampden, Maine, who together have 60 years of painting experience in Eastern Maine. Recently they have repainted a house in Bucksport listed on the National Register of Historic Places. They are fully aware of the stringent guidelines for the restoration of historic buildings and follow them meticulously.

References available on request.

# APPLICATION FORM

## HISTORIC PRESERVATION FUND GRANTS

7) Estimated Project Budget:

Provide an estimated project budget based on the grant amount requested on the cover page of the application. The budget should include each major work element. Work elements may include items such as: personnel, supplies, equipment, travel, printing, administration, support services, indirect cost (if applicable), etc. If the budget includes "contractual services," indicate what the contract is for in parenthesis: e.g. Contractual (professional archaeological consultant).

<u>Labor</u>	<u>\$ 13,000</u>	_____	\$ _____
<u>Materials (Paint, etc.)</u>	<u>\$ 2,500</u>	_____	\$ _____
<u>Equipment Rental (Lift)</u>	<u>\$ 1,500</u>	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

Grant Request: \$6,000 Match Amount: \$6,000 Total Project Cost: \$17,000

8) Non-Federal Matching Share:

List donor, source, kind, and amount of non-federal matching funds (if any) to be applied to this activity. Attach resumes for all persons to be valued for match purposes at more than the federal minimum wage.

- donor: indicate "subgrantee" if donor, and /or list name(s) of other donor(s);
- source: indicate where the funds are coming from (e.g., "private donation"). The Commission will review source to ensure that it is eligible for non-federal match.
- kind: indicate the type of match (i.e., "cash," "in-kind services," "in-kind equipment," "indirect costs," "volunteer services"). Please note that each kind of match requires a separate breakout.

Donor: Hampden Garden Club Donor: \_\_\_\_\_ Donor: \_\_\_\_\_

Source: Fundraising Events and donations Source: \_\_\_\_\_ Source: \_\_\_\_\_

Kind: Cash Kind: \_\_\_\_\_ Kind: \_\_\_\_\_

Amount: \$6,000 Amount: \_\_\_\_\_ Amount: \_\_\_\_\_

Note: Attached to the application form is a copy of the federal "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion" which must be signed, dated, and returned along with the application form. This certifies that the agency/institution applying for the grant has not been penalized by the Federal Government for irregularities under other federal contracts. Also attached is a copy of the federal "Civil Rights Assurance." This must be signed, dated, and returned along with the application form.

# APPLICATION FORM

## HISTORIC PRESERVATION FUND GRANTS

In making this application for Federal assistance under the provisions of the National Historic Preservation Act of 1966, I hereby acknowledge my familiarity with the requirements listed in the Maine Historic Preservation Commission *Grants Manual*. I agree that should I receive the Federal assistance herein requested, I will carry out the project according to Federal and State requirements. I certify that I am authorized to submit this application.

---

Signature

Date

---

Name & Title (Typed or Printed)  
Applicant Organization

In Witness Whereof

---

Notary Public

**Reminder: Signed debarment certification and equal opportunity statement must accompany this application when it is mailed to the Commission**

CERTIFICATION (if principal personnel are not yet selected [i.e., consultants]):

This is to certify that the applicant understands that, if funded, this project will be directed by personnel meeting the minimum professional credentials for the relevant disciplines stipulated in 36 CFR Part 61, Appendix A.

---

Signature

Date

**U.S. Department of the Interior**  
**Certifications Regarding Debarment, Suspension and**  
**Other Responsibility Matters, Drug-Free Workplace**  
**Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used or use this form for certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12.)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement, or loan.

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**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions**

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*CHECK \_\_ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.*

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier covered Transactions**

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*CHECK \_\_ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.*

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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**PART C: Certification Regarding Drug-Free Workplace Requirements**

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*CHECK \_\_ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.*

**Alternate I. (Grantees Other Than Individuals)**

**A.** The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about –
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted –
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

**B.** The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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Check \_\_ if there are workplaces on file that are not identified here.

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**PART D: Certification Regarding Drug-Free Workplace Requirements**

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*CHECK \_\_ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL*

**Alternate II. (Grantees Who Are Individuals)**

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

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**PART E: Certification Regarding Lobbying  
Certification for Contracts, Grants, Loans, and Cooperative Agreements**

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*CHECK \_\_ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.*

*CHECK \_\_ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.*

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

---

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

---

TYPED NAME AND TITLE

---

DATE

**ASSURANCES – CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capabilities (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) which, prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a and 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the

National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuming compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1966 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

**ASSURANCES – NON-CONSTRUCTION PROGRAMS**

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2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
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10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-554, as amended, 7 U.S.C. §§2132 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) Which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1966 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

**COMMITMENT & INTEGRITY  
DRIVE RESULTS**

One Merchants Plaza | Suite 501  
Bangor, Maine 04401  
www.woodardcurran.com

C-4-d

November 2, 2012

11/19 Finance & Council



Galen "Chip" Swan  
Public Works Director  
Town of Hampden  
106 Western Avenue  
Hampden, ME 04444

Re: Bid Recommendation - Edythe L. Dyer Community Library Boiler Replacement

Dear Chip:

All three contractors that participated in the original October 23, 2012, project bid submitted a revised scope and price yesterday. Two of the three proposals met the budget limit of \$10,000. The third (Ray Plumbing Co.) provided two alternates, both above that limit. The tabulated bid result sheet and bids are attached.

We tasked the bidders to provide you with a package that met the original intent to the extent possible within the \$10,000 budget. Penobscot Temperature Controls, Inc. appears to have provided the best package within that restraint. Both Huntley Oil Company, Inc. (Biasi boiler) and Penobscot Temperature Controls, Inc. (New Yorker boiler) proposed energy star boilers. However, the Biasi boiler is oversized (based on historic fuel consumption) and will likely short cycle. There was also no reset control included with the Biasi product. The short cycling and lack of reset control will both reduce seasonal efficiency. So, within the \$10,000 limit, we suggest you work with Penobscot Temperature Control, Inc.

The third bidder, Ray Plumbing Co., provided two alternatives at \$15,215 and \$12,247 along with payback analysis for each. Given that the Energy Kinetics EK-1 boiler has a built-in blend pump that allows the piping system temperature within the building to fully respond to the outdoor temperature (saving additional energy) while still protecting the boiler, their analysis appears reasonable. The basic reset control proposed by Penobscot requires the entire system to maintain a minimum temperature for boiler condensation and shock protection.

As part of their two revised proposals, Ray would eliminate the indirect water heater and provide a small electric water heater. Given your reportedly low domestic hot water use, a well-insulated electric unit would decrease your costs as compared to the current tankless coil situation and allow the boiler to be completely shut down in summer.

If the Town has additional funds beyond the grant that could be directed to this project, either of Ray's proposals should provide acceptable paybacks

Code issues were not comprehensively reviewed as part of our scope. The oil line is noted as being replaced for all bidders. As you can see from the bids, other code items that concerned the bidders varied per bidder. We suggest you work with local code enforcement and your selected bidder to identify code issues and additional costs prior to awarding a contract.

Please call with any questions or concerns.

Sincerely,

WOODARD & CURRAN INC.

  
Devon Carter, PE, LEED AP  
Project Engineer

DLC/jiv  
213357.00 007



**COMMITMENT & INTEGRITY  
DRIVE RESULTS**

One Merchants Plaza | Suite 501  
Bangor, Maine 04401  
www.woodardcurran.com

T 207.564.2333  
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F 207.945.5492

**TOWN OF HAMPDEN, MAINE  
EDYTHE L. DYER COMMUNITY LIBRARY BOILER REPLACEMENT  
PROJECT NO. 213357**

November 1, 2012 - Re-Bid Under Reduced Scope

No.	Description	Unit	Estimated Quantity	Ray Plumbing & Heating Co.		Penobscot Temperature Controls, Inc.		Huntley Oil Company, Inc.	
				Unit Price	Value	Unit Price	Value	Unit Price	Value
1	Boiler Replacement	LS	1	See Below		\$9,789.00	\$9,789.00	\$9,996.02	\$9,996.02
				TOTAL BASE BID	\$0.00	TOTAL BASE BID	\$9,789.00	TOTAL BASE BID	\$9,996.02
	Revised Original Proposal Dated October 15, 2012	LS	1	\$18,244.00	\$18,244.00	\$0.00	\$0.00	\$0.00	\$0.00
	Revised Proposal #1	LS	1	\$15,215.00	\$15,215.00	\$0.00	\$0.00	\$0.00	\$0.00
	Revised Proposal #2	LS	1	\$12,247.00	\$12,247.00	\$0.00	\$0.00	\$0.00	\$0.00
				TOTAL BID	\$9,789.00	TOTAL BID	\$9,789.00	TOTAL BID	\$9,996.02

**Ray Plumbing Co.**  
**P.O.Box 588, 180 Abram Way**  
**Ellsworth, Maine 04605**

**PROPOSAL**

**DATE: October 15, 2012**

**FOR: Edythe L. Dyer Community Library**  
**JOB: Boiler Replacement, Town of Hampden, Maine**

**Replace Boiler**

Energy Kinetics System 2000 EK-1 Frontier Premier Heat and Hot Water Boiler Package: Includes Standard Base, Air Box, Digital Manager, Filter Kit w/ Flex Oil Line, Complete Supply, Return, By-pass Piping, Main Circulator, Air Purger and Vent, Gauge, Relief Valve, Boiler Feeder & Back Flow Preventer, Ball Valve and Purge, 40 Gallon Hot Water Storage Tank, Heat Exchanger, Smart Pump Kit

Boiler as Listed Above	1	
Resettable LWCO & Hi Limit Kit	1	
Re-use Expansion Tank	1	
Smoke Pipe	1	
Air Box Piping w/ Core Drill	1	
Run New Coated Oil Line, Protect @ Door	1	
Add Tiger Loop to Oil System	1	
Pipe Existing Zones Supply & Return For		
Primary/Secondary, Re-use Circulators	1	
10 Zone ERC Control	1	
Injection Zone Valves	2	
Replace Existing Zone Valves	7	
New Thermostats, Honeywell Programmable	7	
Pipe HW Storage Tank w/ Thermal Exp	1	
Watts Mixing Valve for Hot Water	1	
Wire Boiler and Controls	1	
Removal/Disposal of Boiler	1	
<b>Total for Boiler Replacment</b>		<b>\$18,244</b>

**Options:**

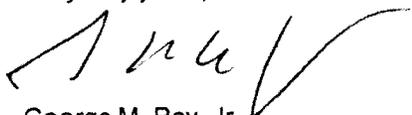
5"SS Chimney Liner, Installed	1	\$2,443
Twin 275 Gallon Oil Tank Package	1	\$2,957
Grundfos Comfort HW Recirc System	1	\$1,360

**Notes:**

Code requires whole system be brought up to date, including chimney and oil tank.  
 Oil tanks meet code "as is". May want to upgrade due to age.  
 Oil line must be changed.  
 Chimney is lined. A SS liner is recommended.  
 Liner price based on no off-sets or restrictions in chimney.  
 There may be a 24 hour period when heat and/or hot water will be off.

Thank you for the opportunity to quote on this project. Should you have any questions or require any additional information, please feel free to contact me.

Very truly yours,



George M. Ray, Jr.  
 207.667.5536

**Acceptance of Proposal**

The above prices, specification and conditions satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Terms: 50% down, balance as requisitioned.

**Ray Plumbing Co.**  
**P.O.Box 588, 180 Abram Way**  
**Ellsworth, Maine 04605**

**PROPOSAL Revised #1**

**DATE: October 31, 2012**

**FOR: Edythe L. Dyer Community Library**  
**JOB: Boiler Replacement, Town of Hampden, Maine**

**Replace Boiler**

Energy Kinetics System 2000 EK-1 Frontier Premier Heat Only Package: Includes Standard Base, Air Box, Digital Manager, Filter Kit w/ Flex Oil Line, Complete Supply, Return, By-pass Piping, Main Circulator, Air Purger and Vent, Gauge, Relief Valve, Boiler Feeder & Back Flow Preventer, Ball Valve and Purge

Boiler as Listed Above, No Tank	1	
Resettable LWCO & Hi Limit Kit	1	
Re-use Expansion Tank	1	
Smoke Pipe	1	
Air Box Piping w/ Core Drill	1	
Run New Coated Oil Line, Protect @ Door	1	
##Add Tiger Loop to Oil System		
Pipe Existing Zones Supply & Return For		
Primary/Secondary, Re-use Circulators	1	
10 Zone ERC Control	1	
Injection Zone Valves	2	
Replace Existing Zone Valves	7	
##Re-use Extg Thermostats		
**Pipe HW Storage Tank w/ Thermal Exp		
**Watts Mixing Valve for Hot Water		
% Remove Extg 80 Gal Water Heater	1	
% 30 Gal Electric Water Heater w/ Timer	1	
Wire Boiler and Controls	1	
Removal/Disposal of Boiler & 80 Gal EWH	1	
<b>Total for Boiler Replacment</b>		<b>\$15,215</b>

**Options:**

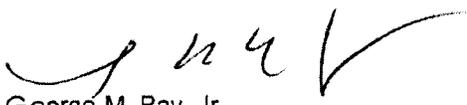
5"SS Chimney Liner, Installed	1	\$2,443
Twin 275 Gallon Oil Tank Package	1	\$2,957
Grundfos Comfort HW Recirc System	1	\$1,360

**Notes:**

\*\* = Modified, ## = Deleted, % = Added.  
 Code requires whole system be brought up to date, including chimney and oil tank.  
 Oil tanks meet code "as is". May want to upgrade due to age.  
 Oil line must be changed.  
 Chimney is lined. A SS liner is recommended.  
 Liner price based on no off-sets or restrictions in chimney.  
 There may be a 24 hour period when heat and/or hot water will be off.

Thank you for the opportunity to quote on this project. Should you have any questions or require any additional information, please feel free to contact me.

Very truly yours,



George M. Ray, Jr.  
 207.667.5536

**Acceptance of Proposal**

The above prices, specification and conditions satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Terms: 50% down, balance as requisitioned.

**Ray Plumbing Co.**  
**P.O.Box 588, 180 Abram Way**  
**Ellsworth, Maine 04605**

**PROPOSAL - Revised #2**

**DATE: October 31,2012**

**FOR: Edythe L. Dyer Community Library**  
**JOB: Boiler Replacement, Town of Hampden, Maine**

**Replace Boiler**

Energy Kinetics System 2000 EK-1 Frontier Premier Heat Only Package: Includes Standard Base, Air Box, Digital Manager, Filter Kit w/ Flex Oil Line, Complete Supply, Return, By-pass Piping, Main Circulator, Air Purger and Vent, Gauge, Relief Valve, Boiler Feeder & Back Flow Preventer, Ball Valve and Purge

Boiler as Listed Above, No Tank	1	
Resettable LWCO & Hi Limit Kit	1	
Re-use Expansion Tank	1	
Smoke Pipe	1	
Air Box Piping w/ Core Drill	1	
Run New Coated Oil Line, Protect @ Door	1	
##Add Tiger Loop to Oil System		
**Connect to Extg Supply & Return As Is, Re-use Circulators	1	
**10 Zone Digital Manager Upgrade	1	
% 7 Zone Interface Relay Set-up	1	
##Injection Zone Valves		
##Re-use Existing Zone Valves		
##Re-use Extg Thermostats		
**Pipe HW Storage Tank w/ Thermal Exp		
**Watts Mixing Valve for Hot Water		
% Remove Extg 80 Gal Water Heater	1	
% 30 Gal Electric Water Heater w/ Timer	1	
Wire Boiler and Controls	1	
Removal/Disposal of Boiler	1	
<b>Total for Boiler Replacment</b>		<b>\$12,247</b>

**Options:**

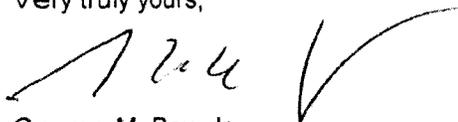
5"SS Chimney Liner, Installed	1	\$2,443
Twin 275 Gallon Oil Tank Package	1	\$2,957
##Grundfos Comfort HW Recirc System		

**Notes:**

\*\* = Modified, ## = Deleted, % = Added.  
 Code requires whole system be brought up to date, including chimney and oil tank.  
 Oil tanks meet code "as is". May want to upgrade due to age.  
 Oil line must be changed.  
 Chimney is lined. A SS liner is recommended.  
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 There may be a 24 hour period when heat and/or hot water will be off.

Thank you for the opportunity to quote on this project. Should you have any questions or require any additional information, please feel free to contact me.

Very truly yours,



George M. Ray, Jr.  
 207.667.5536

**Acceptance of Proposal**

The above prices, specification and conditions satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Terms: 50% down, balance as requisitioned.

**Ray Plumbing Co.**  
**P.O.Box 588, 180 Abram Way**  
**Ellsworth, Maine 04605**

Estimated Annual Fuel Use		Gallons Per	
	Year	Fuel Cost	Annual Fuel Cost
Existing Oil Used	2080	\$ 3.25	\$6,760
Years Of Use	20		\$135,200
Less Expected Fuel Savings Of Another System 10%	208		
Estimated Fuel Use	1872	\$ 3.25	\$6,084
Years Of Use	20		\$121,680
System 2000 Boiler			
Less 33% Fuel Use	686.4		
Estimated Fuel Use	1393.6	\$ 3.25	\$4,529
Years Of Use	20		\$90,584

Replacement System	10/15/2012	Other System - Brand A	10/31/2012	System 2000 EK-1	10/31/2012	System 2000 EK-1	10/31/2012
<b>System 2000 EK-1</b>	<b>\$18,244</b>	<b>\$</b>	<b>\$11,500.00</b>	<b>Investment</b>	<b>\$15,215</b>	<b>Investment</b>	<b>\$12,247</b>
Fuel Use/YR	\$4,529	\$6,084		Fuel Use/YR		Fuel Use/YR	
Yrs Of Use	\$90,584	\$121,680		Yrs Of Use		Yrs Of Use	
Total Systems	\$108,828	\$133,180		Total Systems		Total Systems	
Brand A		\$133,180		System 2000		System 2000	
System 2000		\$108,828		Additional Money Spent On Fuel To Avoid Spending Difference In		Additional Money Spent On Fuel To Avoid Spending Difference In	
Projected Pay Back Of Both Systems		\$24,352		Projected Pay Back		Projected Pay Back	
System 2000 Grant	\$18,244 (\$10,000)	\$11,500.00 (\$10,000)		System 2000 Grant	\$15,215 (\$10,000)	System 2000 Grant	\$12,247 (\$10,000)
Total	\$8,244	\$1,500.00		Total	\$5,215	Total	\$2,247
Fuel Savings / Yr \$	\$2,231	\$676.00		Fuel Savings / Yr \$	\$2,231	Fuel Savings / Yr \$	\$2,231
Yrs To Pay Back	3.7	2.2		Yrs To Pay Back	2.3	Yrs To Pay Back	1.0
ROI	27%	45%		ROI	43%	ROI	99%

Penobscot Temperature Controls, Inc.  
 54 Nadine's Way  
 Hampden, ME-04444  
 (207)945-9350

# Quote

Date	Quote #
11/1/2012	72

Name / Address
Town of Hampden 106 Western Avenue Hampden, ME 04444

		Project	Location
		New Boiler	Town Office
Item	Description	Qty	Total
Materials and labor	<p>Edythe L Dyer Community Library Boiler Replacement.            We will remove and dispose for the existing boiler.            We will provide and install one NY Thermal Odyssey model # CT 120-180 boiler / Riello burner. with Tekmar outdoor reset control, one 40 gallon indirect water heater.            Tiger loop oil filter unit, replace existing oil line.            Use existing heating circulation pumps and zone valves            Thermostat control wire connections, new boiler system start up and check out. One year warranty</p>		9,789.00
Thank you for your business! **This quote may be withdrawn by us if not accepted within 30 days.**		<b>Total</b>	\$9,789.00



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**OIL BOILERS - ODYSSEY**

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[Sales Literature](#)

**FEATURES**

- Its unique three-pass combustion path design generates outstanding performance with efficiencies up to 85 per cent
- The most advanced technology, NTI's Fuel smart Hydrostat 3250 from hydrolevel
- The flame envelope is totally surrounded by water resulting not only in high efficiencies but low installation clearances
- Safely operates at low water temperatures allowing a reliable "cold start" operation
- Lifting holes are provided in the casting to enable the use of lifting bars, making boiler placement efficient and safe
- All boilers are protected with a plastic film to prevent damage before installation
- Certified for low clearance and combustible floor installations
- The snap-off front panel and hinged burner door make cleaning easy and quick



**SPECIFICATIONS**

Model	Input GPH	Heating Capacity BTU	Efficiency	Dimension A	Water Volume	Weight (lbs)
CT-80	.65	77,000	83.8%	17.5	3.6	260
CT-90	.75	88,000	83.0%	17.5	3.6	260
CT-100	.85	99,000	82.4%	17.5	3.6	260
CT-120	1.00	121,000	85.1%	25.5	5.4	390
CT-150	1.25	149,000	84.0%	25.5	5.4	390
CT-180	1.50	176,000	82.8%	25.5	5.4	390
CT-215	1.75	212,000	85.8%	33.5	7.3	500
CT-230	1.85	223,000	85.8%	33.5	7.3	500
CT-250	2.00	240,000	85%	33.5	7.3	500

SUPPLY AND RETURN SIZE 1 1/4" NPT	
Stack Size	5"
Allowable operating Range °f	90-220°F
Maximum allowable temperature	240°F
Maximum allowable pressure	50 Psi

PROPOSAL

**HUNTLEY OIL COMPANY, INC.**  
**740 MAIN ROAD NORTH**  
**HAMPDEN, MAINE 04444**  
**(207) 945-9378**

October 30, 2012

Edythe L. Dyer Community Library  
*PROPOSAL SUBMITTED TO*  
269 Main Road North  
*STREET*  
Hampden, Maine 04444

**We hereby submit specifications and estimates for: Boiler Replacement at the Edythe L. Dyer Community Library.**

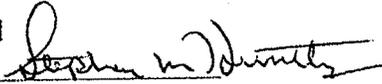
Price for the installation:      \$9,996.02

We propose hereby to furnish material and labor- complete in accordance with above specifications, for the sum of Nine Thousand Nine Hundred Ninety-Six dollars and 02/100. Payment to be made as follows: \$4,998.01 is due to start the conversion and \$4,998.01 is due once the installation is completed.

*Due to recent world conditions, Huntley Oil Co., Inc. cannot and will not be responsible for any cost increase in any metal or metal made product. We will also reserve the right to substitute Pex tubing for copper tubing. This will depend on price and availability.*

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. The owner is to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance and are State of Maine licensed.

Note: This proposal may be  
Withdrawn by us if not accepted  
Within 30 days

Authorized  
Signature   
Stephen M. Huntley, President

**Acceptance of Proposal:** The above prices,  
Specifications and conditions are satisfactory and are hereby accepted.  
You are authorized to do the work as specified. Payment will be made as  
Outlined above.

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

## PROPOSAL

*HUNTLEY OIL COMPANY, INC.  
740 MAIN ROAD NORTH  
HAMPDEN, MAINE 04444  
(207) 945-9378*

Edythe L. Dyer Community Library  
*PROPOSAL SUBMITTED TO*  
269 Main Road North  
*STREET*  
Hampden, Maine 04444

October 30, 2012

**We hereby submit specifications and estimates for: Boiler Replacement**

1-Biasi cast iron boiler B10-9

1-Rellio 40 F10 oil burner

We will be connecting to the existing piping and zoning system.

Price will include:

- All the necessary piping and wiring for boiler replacement only.
- The installation of a 41-gallon indirect storage tank and all the necessary piping.
- The re-piping of the oil tank vent piping.
- The replacement of the oil supply line and sleeving to the oil burner.
- The removal and hauling off of the existing boiler.

Please note that we recommend the oil tanks to be replaced.

Please note that the public cannot be allowed near the boiler or in the boiler room.

If a wall separation is needed, you will have to provide the necessary combustion and ventilation air requirements at an extra cost.

Please note that all existing A/C ducts need to be closed off during the winter months.

Please note that we will also advise you to have a protective cover built over the oil supply connections at the fuel oil tank.

Please note that if the existing chimney does not meet the code requirements, relining or repair of will be at an extra cost

The work will be done during normal business hours, Monday-Friday, 7:00a.m to 5:00p.m.

The installation will be installed to comply with All State & local codes.

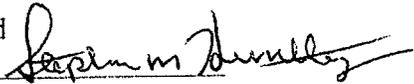
J&M Chase Electric, Inc will be a subcontractor on this replacement.

*Due to recent world conditions, Huntley Oil Co., Inc. cannot and will not be responsible for any cost increase in any metal or metal made product. We will also reserve the right to substitute Pex tubing for copper tubing. This will depend on price and availability.*

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. The owner is to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance and are State of Maine licensed.

Note: This proposal may be  
Withdrawn by us if not accepted  
Within 30 days

Authorized  
Signature

  
Stephen M. Huntley, President

**Acceptance of Proposal:** The above prices,  
Specifications and conditions are satisfactory and are hereby accepted.  
You are authorized to do the work as specified. Payment will be made as  
Outlined above.

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

# The **BIASI B-10 Boiler System**



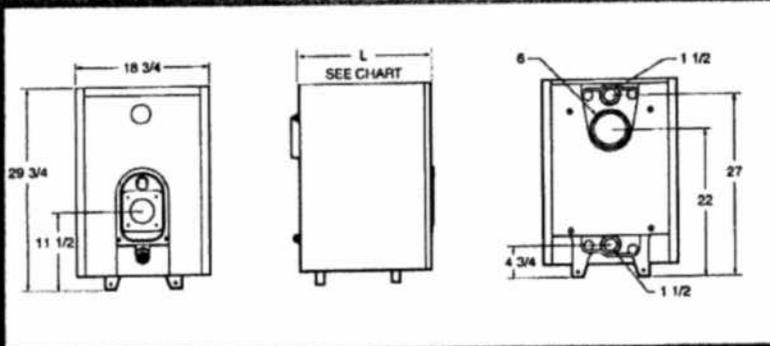
- **Energy Star compliant**
- **Compact size**
- **Limited lifetime warranty**



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# BIASI...The Style of Warmth

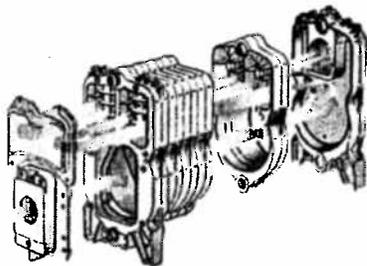
The B-10 boiler system has been heating residential buildings throughout the world for years. It has proven its fuel efficiency and durability in countries where fuel can cost up to four times as much as in the U.S. The same fuel-saving technology is now available here in North America. With the three-pass boiler design and low water content, heat is quickly supplied for your heating zones and hot water needs. Combined with a boiler temperature reset, high limit control, you can achieve a fuel savings of up to 40% over conventional single-pass boilers. You will also have peace of mind since the B-10 boiler package complies with ASME and UL standards. The B-10 boiler system is the cost-competitive heat and hot water system of choice.



## The BIASI B-10 Residential Series

Boiler Model #	DOE Heating Capacity	Gross Input Burner Capacity		Net IBR Output (MBH)	AFUE Efficiency (%)	Water Content (Gals.)	Length (L) (Inches)	Weight (Lbs.)
		GPH	MBH					
B-3	67	0.55	80	58	86.6	3.7	15.5	247
B-4	97	0.80	112	84	86.8	4.7	19.5	307
B-5	124	1.00	140	108	87.2	5.7	23.5	367
B-6	153	1.25	175	133	86.7	6.7	27.5	427
B-7	185	1.50	215	161	86.8	7.7	31.5	486
B-8	211	1.80	257	183	86.8	8.7	35.5	546
B-9	257	2.10	298	223	86.5	9.7	39.5	606

Maximum water working pressure: 58 PSI. (1) The burner input is based on oil with a heat value of 140,000 BTU/Gal.; (2) The net output ratings shown are based on piping and pick-up allowance of 1.15; (3) The efficiency ratings are based on a combustion condition of 12.5% CO<sub>2</sub>. Warranty: The BIASI B-10 boiler has a limited lifetime warranty. A copy is provided with each boiler or is available from your dealer. Built in accordance with the requirements of ASME boiler and pressure vessel code.



A 3-pass boiler design is the most efficient way to get the maximum amount of heat from the fuel, since it contains three times as much interior surface area (compared to a single-pass boiler) to extract heat from.

### Technical Advantages

- Gas or oil burner compatible
- Easy-access swing door
- No flue required; can be direct vented outdoors
- Low water content boiler heats up faster with less fuel
- Efficient 3-pass heat exchanger boiler design
- GG20 cast-iron construction for superior heat retention and durability
- ASME and UL listed
- 58 PSI cast-iron construction



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■ 40 Harlow Street  
■ Bangor, ME 04401-5102



C-4-e

To: MRC Membership  
From: Greg Louder, MRC Clerk *GL*  
Date: October 26, 2012  
RE: **MRC Board of Directors Election Ballot**

---

Please find enclosed a MRC Board of Directors election ballot. Ballots cast in this election will determine the election of three (3) Directors to serve on the MRC Board of Directors for three-year terms from January 1, 2013 through December 31, 2015.

Biographical descriptions of the candidates, as provided by the candidates, are also enclosed for your information.

Ballots must be returned to MRC before 5:00 pm, December 11, 2012. A self-addressed, stamped envelope is enclosed for your convenience.

The election results will be read at the MRC Annual Meeting held at 3:00 P.M. on December 12, 2012.

**Note: Vote must be cast for one candidate only.**

Please contact Greg Louder at 942-6389 or 800-339-6389 with any questions.

# Voting Ballot

- ◆ To fill three positions for a three year term from January 1, 2013 to December 31, 2015  
(3 highest vote totals)

The Charter Municipality of \_\_\_\_\_ casts its vote for the following *individual* to serve on the Municipal Review Committee Board of Directors for the above stated term.

**Note: Candidates are listed alphabetically. Biographies provided by each candidate are attached.**

---

## **VOTE FOR ONE INDIVIDUAL ONLY**

→ *More than one checked box will invalidate the ballot* ←

Catherine M. Conlow - Bangor

Neil Farrington - China

Karen Fussell – Brewer

Matthew S. Pineo - Brownville

Tony Smith – Mount Desert

**Please return this ballot no later than 5:00 p.m., DECEMBER 11<sup>th</sup>, 2012 to:**

Municipal Review Committee, Inc.

40 Harlow Street

Bangor, ME 04401

Or

FAX to (207) 942-3548

**RESULTS OF THIS ELECTION WILL BE READ AT THE MRC ANNUAL MEETING  
TO BE HELD DECEMBER 12<sup>th</sup>, 2012 at 3 PM**

## **Biography for Catherine M. Conlow**

City Manager, Bangor, Maine (Nov. 2010 – Present)

Town Manager, Orono, Maine (Jan. 2004 – Nov. 2010)

Public Services Director, Blaine, MN. (May 2001 – Dec. 2003)

Jackson County, OR. (June 1989 – April 2001)

- Director of Economic and Special Development
- Executive Director, Urban Renewal Agency
- Solid Waste Manager

B.S. Public Administration  
Shippensburg University

Master of Public Administration  
George Washington University

Member – International City Management Association, Maine Town and City Manager's Association

## **Biography for Neil Farrington**

Retired Navy – 24 years

China Selectboard – 10 years

China Recycle Coordinator – 4 years

Transfer Station Planning Committee – 3 years

Chairman, China Wetland Committee - 3 years

Economic + Community Development Committee – 3 years

China Comp Plan Committee – 3 years

China Rep to K.V.C.O.G – 6 years

## **Biography for Karen Fussell**

Karen Fussell has been the Finance Director for the City of Brewer for the past 12 years. She is a Certified Internal Auditor and has dual master's degrees in Public Policy and Urban Planning from the Kennedy School of Government at Harvard University. Karen has worked for the U.S. Congressional Budget Office, the City and County of San Francisco's Controller's Office and as an Environmental Planner for the California Department of Transportation. Karen has been interested and involved in solid waste issues for over 25 years. Most recently, she was instrumental in implementing Brewer's pay as you throw and Zero-Sort recycling programs and has been closely following the MRC's post-2018 planning process. As a resident of Orrington and the Finance Director for Brewer, she has a vested interest in ensuring that PERC remains a viable and affordable outlet for waste in this region.

### **Biography for Matthew S. Pineo**

Serves as Town Manager for Brownville. Also serves as the CEO/CAO of Penquis Solid Waste Corporation which is a quasi-municipal landfill and transfer station. Brownville has been an active member with MRC & PERC and the Board would like the Town Manager to serve the MRC. I have also attended MRC meetings and worked with MRC & PERC since my start in 5/11 06 as Town Manager

## Biography for Tony Smith

- The next six years will be critical to the successful future management of solid waste in the local area and the State of Maine. Decisions made will affect all facets of solid waste management, not the least of which is the associated cost. I would like to work with others to address the pending challenges.
- BSc. Biology and Chemistry, Mount Allison University, 1979
- BSc. Civil Engineering, UM, 1986
- Consulting Engineer for 15 years with 12 of those years with CES, Inc.; experience in solid waste management including landfill closures and transfer station and recycling center siting, design and construction.
- Public Works Director for the Town of Mount Desert since 2001; equipment and staff management responsibilities include curbside MSW collection with town-owned packer trucks and town staff; recycling center; annual one week bulky waste collection. Tasks include four successful contract negotiations with Teamsters Local 340.
- Chairman of the Acadia Disposal District, an independent quasi-municipal, tax-exempt solid waste corporation comprised of five towns each represented by one director; operates under an adopted set of by-laws and an interlocal agreement signed by the member towns; provides services related to the efficient and lawful management, disposal and recycling of waste materials on behalf of its member towns. Tasks include coordination of an annual HHW and UW collection event; two successful contract negotiations with an area transfer station and successful agreement negotiations with the City of Ellsworth for recycling.
- Enjoy working with colleagues and staff and love my job 95% of the time – we all have our moments.
- Member of the Episcopal Church's Buildings and Grounds Committee, Somesville Library Association and Town Revitalization Committee.
- Resident of the Town of Mount Desert; enjoy reading, walking and hunting and fishing as a reason to get to the woods.

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone: (\_\_\_\_\_)\_\_\_\_\_  
Fax: (20\_\_\_\_)\_\_\_\_\_  
email: h\_\_\_\_\_@\_\_\_\_\_.net

C-4-f

### CERTIFICATE OF COMMITMENT OF SEWER USER RATES

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

We, the undersigned municipal officers of the municipality of Hampden, Maine hereby certify and commit to you a true list of the sewer rates established by us pursuant to 30-A M.R.S.A §3406 for those properties, units, and structures required by local and state law to pay a sewer rate to the municipality, for the period beginning 07/01/12 and ending 09/30/12. This list is comprised of the pages numbered 1 to 1 inclusive which are attached to this certificate. The date(s) on which the rates included in this list are due and payable is (are) 11/29/12. You are hereby required to collect from each person named in the attached list his or her respective amount as indicated in the list, the sum total of those lists being \$141,603.48. You are hereby required to charge interest at a rate of 7 % per annum on any unpaid account balance beginning 11/30/12. You are hereby authorized to collect these rates and any accrued interest by any means legally available to you under State law. On or before 01/2013 you shall complete and make an account of your collections of the whole sum herein committed to you.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Municipal Officers of the Town of Hampden, Maine