



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY

MAY 6, 2013

7:00 P.M.

• **5:30 pm – Finance & Administration Committee Meeting**

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

a. April 1, 2013

3. COMMUNICATIONS

- a. Maine Municipal Association – 2012 Property & Casualty Pool Benefits
- b. Hampden Business Association – Awards Dinner – 5/22/2013
- c. Representative Brian Duprey/Council – Governor's Proposed Budget - 4/1/2013
- d. American Red Cross – Thank You
- e. Victualers License Renewals:
  - 1. McLaughlin's at the Marina
  - 2. Anglers Restaurant

4. REPORTS

- a. Finance & Administration Committee Minutes – 4/1/2013
- b. Pool Board Minutes – 3/12/2013
- c. Bus Ridership Report
- d. Finance & Administration Committee Minutes – Special Meeting 3/25/13
- e. Infrastructure Committee Minutes – 4/22/2013
- f. Rapid Renewal Reports – January, February & March 2013
- g. Services Committee Minutes – 4/8/2013

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Liquor License received from Anglers, Inc. d/b/a Anglers Restaurant at 91 Coldbrook Road

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

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

### 3. UNFINISHED BUSINESS

- a. Papermill Park Rehab
- b. Ordinance Authorizing Conveyance of Land Owned by the Town of Hampden – Transfer to Hamlin’s Marina – Introduction for Public Hearing
- c. Old Hampden Academy Property – Developer Response\*  
(\*Due to the nature of this item, portions of the discussion may be conducted in Executive Session pursuant to 1 MRSA §405 (6)(C) (Real Estate))

### 4. NEW BUSINESS

- a. Public Safety – Request for Matching Grant Reserve Funds for Stalker Dual Radar
- b. Reed’s Brook Middle School Destination Imagination Team – Request for Funding for Trip to Global Competition
- c. Winterport Winery – Request for Approval to Sell Bottled Wine & Beer at Hampden Farmers’ Market – Doug Winslow
- d. Proposed Zoning Ordinance Text Amendment, Interchange District – Referral to Planning Board
- e. Salt Bid Results – Recommendations of Infrastructure Committee and Finance & Administration Committee
- f. Paving Bid Results - Recommendations of Infrastructure Committee and Finance & Administration Committee
- g. Arbor Day Proclamation
- h. Sewer Commitment – 1/1/2013 to 3/31/2013
- i. Water District Trustee Resignation
- j. Councilor Resignation

D. COMMITTEE REPORTS

E. MANAGER’S REPORT

F. COUNCILORS’ COMMENTS

G. ADJOURNMENT



A-2-a

HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
**MINUTES**

MONDAY

APRIL 1, 2013

7:00 P.M.

*Attending:*

*Deputy Mayor Tom Brann  
Councilor David Ryder  
Councilor Jean Lawlis  
Councilor Bill Shakespeare  
Councilor Carol Duprey  
Councilor Shelby Wright*

*Town Manager Susan Lessard  
Town Attorney Thomas Russell  
Town Clerk Denise Hodsdon  
State Representative Brian Duprey  
Members of the Press  
Citizens*

*The meeting was called to order by Deputy Mayor Tom Brann at 7:00 p.m.*

**A. CONSENT AGENDA**

1. SIGNATURES

2. SECRETARY'S REPORTS

a. March 18, 2013

3. COMMUNICATIONS

4. REPORTS

a. Planning & Development Committee Minutes – 3/6/2013

b. Finance & Administration Committee Minutes – 3/18/2013

*The Consent Agenda was accepted by unanimous consent.*

**B. PUBLIC COMMENTS – *Jeremy Williams* of 1334 Carmel Road North spoke regarding the Governor's proposed revenue cuts and thought they were not out-of-line. He said we are facing some shortfalls coming up and we all need to tighten our belts. He asked that the Town Council take a common sense look at how we do things in the Town. He encouraged the Council to hold the line as much as possible, but also try to keep people employed as much as possible.**

**C. POLICY AGENDA**

1. **PUBLIC HEARINGS** – *There were none.*

2. **NOMINATIONS – APPOINTMENTS – ELECTIONS** – *There were none.*

### 3. UNFINISHED BUSINESS

- a. **Resolution re Governor's Budget Proposal** – *At its meeting on March 18<sup>th</sup>, the Finance Committee requested that Manager Lessard draft a resolution opposing the Governor's proposed budget for the Council's consideration this evening. Similar resolutions have been adopted by numerous municipalities throughout the State. Manager Lessard noted that State Representative Brian Duprey sent an email to the Council today and requested an opportunity to address this issue this evening. Councilor Lawlis read the draft resolution into the record (copy attached).*

*State Representative Brian Duprey said he dislikes the proposed budget, but he is opposed to the Council's adoption of the proposed resolution. He said he has seen dozens of these resolutions passed and it adds nothing to the debate and none of them have offered any common-sense solutions to fix the problem. He commented that the Governor's bill doesn't exist anymore; is now an Appropriations Committee bill. The 13-member committee has to create a compromise budget, which is estimated to be completed by May 30<sup>th</sup>. He informed the Council that, in talking with members of the committee, it is his opinion that it will probably be a combination of a little bit of revenue and a good portion of the revenue sharing will probably stay intact. He has advised Manager Lessard to prepare for 50-75% of the estimated losses to the Town to come to fruition. He asked the Council to reconsider politicizing and polarizing this issue and let him and Senator Cushing continue to have a good working relationship with the Council.*

*Councilor Shakespeare said he was taken aback and offended by portions of Representative Duprey's email to the Council and he read the email into the record. He asked that the email be included on the consent agenda for the next meeting.*

*Manager Lessard noted that she had submitted written information talking about the cliff approach to this, which is not just revenue sharing, but all the other things combined to make the huge number. She said if a community is given a chance to plan (say three years) or a phase-in of things you want to see on one side in terms of what the State's goals are and a phase-out of revenue for communities, that would allow us to manage that in a more responsible way than the cliff approach.*

*Kristen Hornbrook of Main Trail agreed with and supported Representative Duprey's comments. She commented that we have to share in the pain and we are all tightening our own budgets at home; the Town has to tighten the budget...everyone is going feel it. She said she believes this resolution is a waste of time and doesn't think the Town of Hampden needs to join in the chorus of whiners. She has a strong belief that the Council is perfectly capable to sit down and hammer this problem out without whining to the State.*

*Jeremy Williams of 1334 Carmel Road North commented that we are all going to lose, either at the state level or at the local level, and he*

*truly believes that we get more bang for our buck in managing our dollar in the smaller community setting than we do at the state level. He doesn't think it is appropriate to tell the Governor and Legislature that we don't like the budget and we're not going to stand for our fair share to be reduced. He thought that the Town Manager has a great idea to soften the blow and believes that the Appropriations Committee will be looking at that as well.*

*Each Councilor expressed their thoughts with Councilors Wright, Shakespeare, and Lawlis expressing support and Councilors Duprey and Ryder opposing signing the resolution. Deputy Mayor Brann asked Manager Lessard to discuss the impacts of the proposals in terms of dollars and cents.*

*Following further discussion, Councilor Lawlis felt that this would have been a good resolution if it was unanimous, but since it was obvious that it will not be, she was not going to make a motion at this time.*

*Councilor Wright noted that this item has produced one of the best discussions the Council has had in a long time and even if it goes nowhere, it has opened up a line of communication with the Town and the citizens and represents a Council that can truly work together and discuss our differences, and then agree to disagree, and then to compromise.*

*No action was either proposed or taken at this time and the Council moved on to the next item on the agenda. However, after introduction of the next item, Representative Duprey asked for the Council's indulgence in going back to the resolution. He recommended and felt it would be much more effective if the Council wrote a letter to the Appropriations Committee incorporating the resolution with Manager Lessard's cliff suggestions and the impacts on the various citizen groups. He said he would personally hand-deliver copies to the Appropriations Committee.*

*Motion by Councilor Lawlis, seconded by Councilor Shakespeare to authorize the Town Manager to draft an executive summary of the effects of the budget cuts on the different population groups, to be signed by the Council and hand delivered to the Appropriations Committee. Unanimous vote in favor.*

- b. Policy Regarding Purchase of Police Vehicles – Infrastructure Committee Recommendation** – *Councilor Wright reported that it was the recommendation of the Infrastructure Committee to limit annual police vehicle bidding to SUV style vehicles from here on. For the past several years, the Council has approved the purchase of 4-wheel drive SUV's, which offer more room for the officers and necessary equipment and these type vehicles can be utilized for more purposes. By limiting the bid specifications to SUV vehicles, it will save bidders time if they are not bidding on both sedans and SUV vehicles. Jeremy Williams felt it was a good idea but encouraged the Council to do a little research into what other municipalities are doing across the country. He feels that could help in establishing these guidelines. Motion by Councilor Wright, seconded by Councilor Lawlis that the*

C-3-a

## TOWN OF HAMPDEN RESOLUTION

**Whereas** the Governor's biennial budget proposal places towns in an uncertain fiscal situation; and

**Whereas**, the proposal includes elimination of \$283 million in municipal revenue sharing and falls \$200 million short of funding local schools at the 55% level passed in referendum; would eliminate the Homestead Exemption for anyone under the age of 65; would eliminate the "circuit breaker" property tax and rent relief program for anyone under the age of 65; would take \$8 million in truck excise revenue from towns; and would create a corporate tax exemption for large amounts of currently taxable property; all resulting in significant losses of revenue for the Town of Hampden; and

**Whereas**, all the above would shift part of the costs to the Town of Hampden, approximately \$953,000, whose only major means of raising revenue is property taxes; be it

**Resolved**, the Hampden Town Council calls upon the Maine Legislature to reject these proposals, identify less harmful cost savings, and raise revenue in an equitable fashion to avoid this added revenue burden on the Town.

Signed this 1<sup>st</sup> Day of April 2013 by the Hampden Town Council.

\_\_\_\_\_  
Mayor Janet Hughes

\_\_\_\_\_  
Councilor Thomas Brann

\_\_\_\_\_  
Councilor Shelby Wright

\_\_\_\_\_  
Councilor William Shakespeare

\_\_\_\_\_  
Councilor David Ryder

\_\_\_\_\_  
Councilor Jean Lawlis

\_\_\_\_\_  
Councilor Carol Duprey

**From:** Rep. Brian Duprey <repduprey@me.com>

**To:** wrighttowncouncil@gmail.com; shakespearetowncouncil@hampdenmaine.gov; hughestowncouncil@hampdenmaine.gov; branntowncouncil@hampdenmaine.gov; lawlistowncouncil@hampdenmaine.gov; rydertowncouncil@hampdenmaine.gov; dupreytowncouncil@hampdenmaine.gov

**Sent:** Monday, April 1, 2013 9:20 AM

**Subject:** Details on Governor's Proposed Budget

Dear Hampden Town Councilor,

I am attaching some information on Governor LePage's proposed budget highlights for your review. It gives you background on why there are budget problems.

I will be attending your Town Council meeting tonight and will be strongly opposing your proposed resolution which makes broad generalizations opposing a budget that I am quite confident no one on the Council has read with much detail.

Sending a partisan resolution will accomplish nothing at the state level, and can only further divide an already fragile council that should be spending their time on working on making Hampden a better place to live.

I will be happy to give an update on the budget if asked, I have been in constant contact with Sue Lessard and will continue to do so.

Senator Cushing and I are well aware of the consequences of the proposed budget on all towns in our districts. Please do not embarrass us by sending a partisan resolution that offers no solutions to fix the problem.

Sincerely,

Rep. Brian Duprey

Rep. Brian Duprey  
P.O. Box 214  
Hampden, ME 04444  
Representing Maine's 39th District  
<http://www.maine.gov/legis/house/hsebios/duprbm.htm>

*Council adopt guidelines regarding the purchase of police vehicles to favor SUV's in the future. Unanimous vote in favor.*

- c. **Disposition of Fire Department Jeep Brush Truck – Manager Lessard** reported that the Jeep had been granted to the Town's Civil Defense department in 1978 or 1979 as government surplus from Brunswick Naval Air Station. Public Safety Director Rogers followed up through the Emergency Management Agency and was advised that we can sell the Jeep and keep the proceeds. Motion by Councilor Ryder, seconded by Councilor Duprey to put the Jeep out for bid. Vote was unanimously in favor.
- d. **Old Hampden Academy Property – Proposal\*** - This item was moved to the end of the agenda.

#### 4. NEW BUSINESS

- a. **Alewives Fishing Rights – Motion by Councilor Wright, seconded by Councilor Shakespeare** that the Town of Hampden retain its fishing rights for alewives and authorize the Town Manager to take appropriate action. Unanimous vote in favor.
- b. **Request for Letter of Support for LD 877, an Act to Establish the Geospatial Data Reserve Fund – Manager Lessard** reported that the Finance Committee discussed this item earlier and recommended issuing a letter of support. Motion by Councilor Wright, seconded by Councilor Duprey to authorize the Town Manager to write a letter in support of LD 877 for the Council to sign. Vote on the motion was 5-1 (Ryder); motion carried.
- c. **Public Works Request for use of Recreation Enterprise Reserve Account Funds for Mower Purchase – This item was postponed until the next meeting.**
- d. **Personal Property Tax Abatements**
  - 1. **Blue Sky Enterprises 2012 \$ 71.61 – Vote to abate tax was 6-0..**
  - 2. **Robert & Linda Bryant 2006 \$ 93.52 – Vote to abate tax was 5-0-1 (Shakespeare recused himself)**
  - 3. **Robert & Linda Bryant 2007 \$ 94.20 – Vote to abate tax was 5-0-1 (Shakespeare recused himself)**
  - 4. **Robert & Linda Bryant 2008 \$ 97.34 – Vote to abate tax was 5-0-1 (Shakespeare recused himself)**
  - 5. **Dana's Grill at Dockside 2011 \$287.79 – Vote to abate tax was 6-0**
  - 6. **Dana's Grill at Dockside 2012 \$305.28 – Vote to abate tax was 6-0**
  - 7. **Qwik Stop Video 2011 \$325.95 – Vote to abate tax was 6-0**

**D. COMMITTEE REPORTS**

*Infrastructure Committee – Councilor Wright – the committee has not met since the last Council meeting. The next meeting will be at 6:00 pm on April 22<sup>nd</sup>.*

*Services Committee – Councilor Lawlis – the next meeting is at 6:00 pm on April 8<sup>th</sup> and agenda items will include the Papermill Road park, Dorothea Dix Park and other recreation activities.*

*Planning & Development – Councilor Brann – the committee will meet at 6:00 pm on April 3<sup>rd</sup> and will continue discussions relative to the reuse of the old Hampden Academy and modification of the sign ordinance.*

*Finance & Administration Committee – Manager Lessard – at its meeting earlier in the evening, the committee discussed support of the Geospatial reserve fund; authorized Public Works to solicit bids for paving and recommended abatements for personal property accounts.*

**E. MANAGER’S REPORT** – *A copy of the Manager’s Report is attached and made a part of the minutes.*

**F. COUNCILORS’ COMMENTS** – *Councilor Shakespeare commented that he spoke with Representative Duprey during the break and they have apologized to each other for their exchange of words earlier in the meeting. He said he wanted to make it perfectly clear that the Council is not divided; we discuss items and sometimes we agree and sometimes we don’t, but we all get along.*

**G. EXECUTIVE SESSION** - *Motion by Councilor Wright, seconded by Councilor Duprey to enter executive session, to include the Town Attorney and Town Manager, to discuss a real estate matter pursuant to 1 MRSA §405 (6)(C). Unanimous vote in favor.*

*Motion by Councilor Lawlis, seconded by Councilor Wright to re-enter regular session at 9:35 pm. Unanimous vote in favor.*

*Motion by Councilor Wright, seconded by Councilor Lawlis to authorize the Town Attorney to send the real estate option to the developer. Unanimous vote in favor.*

**H. ADJOURNMENT** – *The meeting adjourned at 9:40 p.m.*



Denise Hodsdon  
Town Clerk

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

## MANAGER'S REPORT

April 1, 2013

Tax Due Date – A reminder that the second half of property taxes are due by close of business on Wednesday, April 3<sup>rd</sup> in order to avoid interest. Staff will be providing refreshments in the lobby on Wednesday for those who come to pay in person.

Hampden Food Cupboard – The Hampden Neighborhood Food Cupboard, located at the Hampden Congregational Church, has been a 501(c)(3) since 1993. However, it has never been registered with the IRS as a sales-tax exempt organization. Some corporate donors are now requiring that such organizations have that designation in order to be considered for funding donations. The Food Cupboard serves as an important non-denominational resource for area residents who may be having difficulty making ends meet. I am assisting them by preparing the form 1023 that needs to be submitted to the IRS for this designation and am in hopes that it can be processed expeditiously so that they may get that designation in order not to lose out on funding opportunities.

Council Meeting Date – The next Council meeting is scheduled for April 15<sup>th</sup>, which is a holiday. It is also school vacation week. Mayor Hughes has indicated that she will not be available for a meeting that is either on the Tuesday or Wednesday of that week. It could be changed to Monday April 22<sup>nd</sup>, but that conflicts with Infrastructure, unless that meeting is held prior to Council instead of Finance & Administration for that date.

# The value of Membership...

## 2012 Property & Casualty Pool

### Town of Hampden

During the 2012-2013 Property & Casualty Pool coverage year, the Town of Hampden received the **benefits** identified below:

#### DIVIDENDS

The governing board of Property & Casualty Pool voted dividends to be distributed in 2012. Dividends are not guaranteed year-to-year.

Dividends PAID to the *Town of Hampden*: .....\$3,382

#### UNDERWRITING

The Property & Casualty Pool does not charge for property added during a coverage term if the added value is \$1,000,000 or less. There is also no charge for adding or changing equipment and vehicles. MMA made 5 mid-term change(s) to your coverage schedules during the 2012-2013 coverage term.

The total Additional Contribution waived as a result: .....\$857

#### LOSS CONTROL

In the last year, Loss Control staff visited and provided 10.00 service hours.

The estimated value of this service is: .....\$950

**THE TOTAL VALUE OF BENEFITS FOR THE 2012-2013 YEAR:**

# \$5,189\*

\*This is NOT a bill.

*The Maine Municipal Association Property & Casualty Pool appreciates your participation.*



## **PROPERTY & CASUALTY POOL**

MMA Risk Management Services

MAINE PEOPLE WORKING FOR MAINE COMMUNITIES

*Membership is the difference*

### **ADVANTAGES:**

- A Partnership of Maine Communities grouping together to fund a self-insurance pool
- Public Entity risk management is what we do and all we do
- Specialized comprehensive coverage designed for Maine Communities
- Coverage crafted to take full advantage of the protections and immunities provided to cities, towns, schools, water and sewer districts
- Providing rate stability for over 25 years

### **Marketing/Underwriting:**

- On-site visits at your convenience
- Direct access to your underwriter to answer coverage questions
- New and renewal application assistance
- Itemized breakdowns of contributions available for each line of business

### **Claims Management:**

- We understand the Maine Tort Claims Act and the immunities it provides
- Online, fax or paper claims reporting
- Direct access to your assigned Claims Handler
- Claims review meetings are encouraged and available at your request/location

### **Loss Control:**

- Experienced, designated Loss Control Consultants
- MMA staff provides all services with no additional fees.
- Partnering with you to provide inspections, program and property evaluations, training and consultation, specific to municipal exposures that prevent injuries and accidents and help you control your costs

### **Special Coverages Available:**

- Personal Automobile Deductible Reimbursement for employees
- Volunteer Accident Insurance
- Tenant Users Liability Insurance
- Volunteer Firefighter Blanket Accident Coverage
- Road Salt Contamination Coverage

**For More Information Contact: Phone: (800) 590-5583**

**Marcus Ballou Email: mballou@memun.org | Judy Doore Email: jdoore@memun.org**



# HAMPDEN BUSINESS ASSOCIATION

A-3-b

P.O. Box 155 • Hampden, Maine 04444

## ***BUSINESSPERSON OF THE YEAR AWARD DINNER***

### ***Phil & Brenda Badger of Hampden Electrical***

Spectacular Events Center – 395 Griffin Road, Bangor  
Wednesday MAY 22, 2013  
5 PM - Social Hour  
6 PM - Program & Dinner

The Hampden Business Association awards dinner held in past years has been a tremendous success honoring business people who have made a significant contribution to the quality of life in Hampden. This year's honorees are Phil & Brenda Badger of Hampden Electrical. Hampden Electrical has been in business since 1994 and Phil has been a devoted member to the Hampden Kiwanis for many years. Hampden Electrical has also donated their services to many Hampden community projects.

We hope you plan to attend, to meet with your fellow business people and congratulate this year's award recipient. We also are offering you the opportunity to join other community leaders in paying tribute to our honorees by being a sponsor of the 2013 HBA Awards Dinner. Sponsorships are offered at the following levels:

Platinum Sponsorship - \$450

Includes one table with eight buffet dinner tickets  
Name inclusion in program and evening events

Gold Sponsorship - \$350

Includes one table with six buffet dinner tickets  
Name inclusion in program and evening events

Silver Sponsorship - \$150

Includes two buffet dinner tickets  
Name inclusion in program and evening events

Supporters of the HBA - \$50

Name inclusion in program and evening events

Individual buffet dinner tickets - \$35

Company or Supporter Name (as it is to appear in the program)

\_\_\_\_\_

Sponsorship Level \_\_\_\_\_

Number of Individual Tickets \_\_\_\_\_

Please indicate your level of sponsorship or participation and return the form by fax to Keith Bourgoïn at 207-945-5118 or email to [kbougoïn@heccpa.com](mailto:kbougoïn@heccpa.com). Please mail your payment to HBA, PO Box 155, Hampden, ME 04444

**Subject:** Details on Governor's Proposed Budget

**From:** Rep. Brian Duprey (repduprey@me.com)

**To:** wrighttowncouncil@gmail.com; shakespearetowncouncil@hampdenmaine.gov;  
hughestowncouncil@hampdenmaine.gov; branntowncouncil@hampdenmaine.gov;  
lawlistowncouncil@hampdenmaine.gov; rydertowncouncil@hampdenmaine.gov;  
dupreytowncouncil@hampdenmaine.gov;

**Date:** Monday, April 1, 2013 9:20 AM

A-3-C

Dear Hampden Town Councilor,

I am attaching some information on Governor LePage's proposed budget highlights for your review. It gives you background on why there are budget problems.

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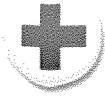
Sincerely,

Rep. Brian Duprey

Rep. Brian Duprey  
P.O. Box 214  
Hampden, ME 04444  
Representing Maine's 39th District  
<http://www.maine.gov/legis/house/hsebios/duprbm.htm>  
E-Mail: [repduprey@me.com](mailto:repduprey@me.com)

Please be advised, any information sent to me in my capacity as a Legislator may become a matter of public record.

Facebook: <http://www.facebook.com/repbrianduprey>  
Twitter: [@repduprey](#)



**American Red Cross**  
Maine

A-3-d

www.MaineRedCross.org

March 12, 2013

**Regional Headquarters**  
2401 Congress Street  
Portland, ME 04102  
Tel (207) 874-1192  
Fax (207) 874-1976

Town of Hampden  
106 Western Ave  
Hampden, ME 04444-1436

**United Valley**  
1180 Lisbon Street  
Lewiston, ME 04240  
Tel (207) 795-4004  
Fax (207) 795-4037

Dear Friends,

Thank you for your generous gift of \$1,580.00 to the Pine Tree Chapter of the American Red Cross. The Chapter will use your donation to provide emergency help to eastern and northern Maine's families, children and adults when disaster strikes.

**Mid Coast**  
16 Community Way  
Topsham, ME 04086  
Tel (207) 729-6779  
Fax (207) 729-2738

Your contribution is particularly helpful as demand is especially high for disaster response services in Maine during the cold winter months. You are helping to support people in your community as well as 360 other towns and cities that the Chapter serves in Aroostook, Hancock, Knox, Penobscot, Piscataquis, Waldo, Somerset and Washington Counties.

**Pine Tree**  
73 Hammond Street, #1  
Bangor, ME 04401  
Tel (207) 941-2903  
Fax (207) 941-2906

**Your donation supporting Red Cross services in Maine could not have come at a more important time.**

There have been a large number of local disasters in Maine this year. Your Pine Tree Chapter has responded to 134 disasters since last summer, helping almost 400 Mainers with \$81,000 in assistance after house fires, apartment fires, floods, and damaging storms. Even as the coldest months approach, when more people will be using wood, kerosene and propane for home heating, *there are now as many as five local house fires every week* that call for an immediate Red Cross response. Some of them are multi-family homes with children.

**Aroostook County**  
7 Hatch Drive, #250  
Caribou, ME 04736  
Tel (207) 493-4620  
Fax (207) 493-4869

All Red Cross disaster help is an outright gift, provided free to victims. And because the Pine Tree Chapter is always ready to provide a safety net for Mainers facing an emergency, the Local Disaster Relief Fund is nearly depleted.

**That is why your gift is being used right now.**

Thanks to you, the Pine Tree Chapter will help people prepare for and respond to emergencies. *Local Disaster Response Services* will provide food, clothing, shelter and emotional support to hundreds of people facing a personal disaster. *Service to the Armed Forces* will help keep hundreds of military families in touch with each other during family emergencies. *Health and Safety Education* in CPR, first aid, and water safety will train 10,000 Mainers this year in skills that help save lives.

Thank you again for your contribution. Thank you for your valuable commitment to the work of the American Red Cross.

Sincerely,

Todd

Todd M. Nadeau  
Executive Director

*"Thanks so much for your very generous support of our mission, it means so much!"*

The American Red Cross provided no goods or services in conjunction with this contribution. This letter serves as the tax receipt for your gift. The American Red Cross is a tax-exempt, nonprofit organization as described in section 501(c) (3) of the IRS Code for 1984, as amended. Our tax identification number is 53-0196605.

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone:  
Fax: |  
email:

A-3-e-1

April 30, 2013

Kimberly McLaughlin  
McLaughlin's at the Marina  
108A Marina Road  
Hampden, ME 04444

Dear Kim:

Your application for renewal of your Victualer's License has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon, CMC  
Town Clerk

**VICTUALER'S LICENSE CERTIFICATE**

No. 9

**MUNICIPALITY OF HAMPDEN, MAINE**

To all whom these presents may concern: Date: April 30, 2013

**KNOW YE**, that Kimberly and Reid McLaughlin,  
doing business as McLaughlin's at the Marina  
has been duly licensed as a Victualer at 108A Marina Road  
in the Municipality of Hampden by said Municipality until May 5, 2014,  
and has paid to the fee of Fifty Dollars (\$50.00).

  
Authorized Municipal Officer CODE ENFORCEMENT OFFICER

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone:  
Fax:  
email:

A-3-e-2

April 30, 2013

John Moody  
Anglers Restaurant  
91 Coldbrook Road  
Hampden, ME 04444

Dear John:

Your application for renewal of your Victualer's License has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

Denise Hodsdon, CMC  
Town Clerk

**VICTUALER'S LICENSE CERTIFICATE**

No. 8

**MUNICIPALITY OF HAMPDEN, MAINE**

To all whom these presents may concern: Date: April 30, 2013

**KNOW YE**, that Anglers, Inc.,

doing business as Anglers Restaurant

has been duly licensed as a Victualer at 91 Coldbrook Road

in the Municipality of Hampden by said Municipality until May 18, 2014,

and has paid the fee of Fifty Dollars (\$50.00).

Authorized Municipal Officer **CODE ENFORCEMENT OFFICER**

**FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES****Monday, April 1, 2013****Attending:**

Councilor Tom Brann	Councilor David Ryder
Councilor Jean Lawlis	Public Works Director Chip Swan
Councilor Carol Duprey	Recreation Director Kurt Mathies
Councilor William Shakespeare	Susan Lessard, Town Manager
Councilor Shelby Wright	

The meeting was called to order at 5:34 p.m. by Councilor Brann.

1. Minutes of 3/18/2013 Meeting. There were no corrections to the minutes and they were adopted by unanimous consent.
2. Review & Sign Warrants – The Committee members reviewed the warrants and signed them. Questions related to the issuance, cost, and control of meal vouchers issued to Public Works Employees during storms were asked. The Town Manager explained that this practice had been going on for at least 20 years and that it was based on the employees working overtime during storms and not being able to go home for meals.
3. Old Business - None
4. New Business
  - a. Request for Letter of Support for LD 877, an Act to Establish the Geospatial Data Reserve Fund – Motion by Councilor Brann, seconded by Councilor Lawlis to recommend to the Council that a letter of support for LD 877 be issued for the establishment of a Geospatial Data Reserve Fund at the State level. Vote 5-1 (Ryder).
  - b. Public Works Request for use of Recreation Enterprise Reserve Account Funds for Mower Purchase – The Public Works Director and the Recreation Director attended the meeting to explain the proposal to use Recreation Enterprise funds for the purchase of a new zero turn mower that is used in large part for maintenance of the ballfields and recreation areas. There was considerable discussion surrounding whether or not this mower needed to be purchased at this time, whether the Town should change its equipment replacement policy, and whether recreation enterprise funds should be the source for an equipment purchase. It was the consensus of the Committee to postpone this item until more information is available to answer the questions raised.
  - c. 2013 Paving Bids – Motion by Councilor Lawlis, seconded by Councilor Wright to allow the Public Works Director to advertise for paving bids for the 2013 paving year. Unanimous vote in favor.
  - d. Personal Property Tax Abatements – Motion by Councilor Lawlis, seconded by Councilor Wright to recommend to the full Council that the personal property taxes listed below be abated. 5-0-1 (Shakespeare abstained).
    1. Blue Sky Enterprises, LLC      2012    \$ 71.61

- |    |                          |      |          |
|----|--------------------------|------|----------|
| 2. | Robert & Linda Bryant    | 2006 | \$ 93.52 |
| 3. | Robert & Linda Bryant    | 2007 | \$ 94.20 |
| 4. | Robert & Linda Bryant    | 2008 | \$ 97.34 |
| 5. | Dana's Grill at Dockside | 2011 | \$287.79 |
| 6. | Dana's Grill at Dockside | 2012 | \$305.28 |
| 7. | Qwik Stop Video          | 2011 | \$325.95 |
5. Public Comment - None
  6. Committee Member Comments – None

The meeting was adjourned at 6:48 p.m.

Respectfully submitted,

Susan Lessard  
Town Manager

Lura Hoit Pool ~ Board Meeting Minutes ~ 3-12-13

Cedena McAvoy brought the meeting to order at 7:00 pm.

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

Susan Lessard reviewed the new pool budget structure and plan of repaying the Host Community Benefit fund for the \$80,000 that was used for the new air handler. See attachments.

The secretary's minutes were accepted as presented.

**The Director's Report:**

- ~ The number of participants in February was down 1,086 people. This was due to Hampden Academy Swim Team having 20 less people on the team than last year and Stillwater Academy and Job Corps canceled multiple times throughout the month.
- ~ Daily receipts in February were up \$3,828 compared to last year. Memberships were up by 62 families due to aqua exercise now being included as part of the membership benefits.
- ~ The rental income was up \$203 compared to last year.
- ~ The monthly fuel usage was down 501 gallons compared to last year.
- ~ In session II, the pool provided 169 participants in group lessons and 14 private lessons. Group swim lessons were down 17 participants and private lessons were up by 4 participants. Group lesson income was down \$818 and private lesson income was up \$695 compared to last year.

The treasurer's report was accepted as presented.

Karen and Sarah have agreed to be the nominating committee. They will propose their slate of officers at the next board meeting.

A draft of the corporate letter was passed around and Vickie has agreed to work with Sarah on the letter. A motion was made to require businesses to have 50 or more employees to qualify for the corporate membership. The motion was passed 9-0. They will present the new letter at the April 9<sup>th</sup> meeting.

Mike will be attending a conference held by Bangor Chamber of Commerce to learn how to promote your business using new media outlets (ex: Facebook, Twitter, etc...).

Meeting adjourned at 8:35pm.

Respectfully submitted,



Julie A. Macleod

BUS RIDERSHIP  
TOWN OF HAMPDEN

	January	February	March	April	May	June	July	August	September	October	November	December	Total
1999	796	778	1030	896	801	787	776	838	821	874	873	770	10040
2000	592	732	806	723	708	673	675	709	732	748	662	668	8428
2001	661	485	608	646	730	637	529	543	482	677	588	610	7196
2002	626	599	675	691	669	586	610	662	706	826	670	699	8019
2003	717	618	708	713	754	553	837	787	849	1508	1614	1738	11396
2004	1487	1577	1926	1877	1623	1926	1930	2096	2010	1805	1795	1981	22033
2005	1884	1942	2425	2303	2292	2294	2048	2353	2360	2375	2255	2179	26710
2006	2367	2092	2594	2213	2412	2571	2384	2555	2302	2337	2603	2443	28873
2007	2366	2253	2952	2313	2612	2649	2554	2830	2167	2844	2737	2700	30977
2008	3064	3053	2932	3177	3238	3128	3586	3224	3031	3269	2528	2916	37146
2009	2726	2942	3415	3506	3458	3255	3507	3334	3550	3381	3704	3003	39781
2010	3167	3148	3509	3181	2724	2927	2947	3042	3049	2921	2949	3092	36656
2011	3009	2692	3149	2888	2918	2878	2692	3263	3198	3333	3709	3449	37178
2012	3533	3405	3540	3515	3595	3599	3584	4024	3516	3954	3997	4165	44427
2013	3496	3262	3433										10191

A-4-c

SPECIAL FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES  
March 25, 2013

Attending:

Councilor Tom Brann

Councilor Shelby Wright

Councilor William Shakespeare

Councilor Carol Duprey

Resident Terry McAvoy

Councilor David Ryder

Councilor Jean Lawlis

Town Clerk Denise Hodsdon

Town Manager Susan Lessard

The meeting was chaired by Deputy Mayor Tom Brann in the absence of Mayor Hughes and was called to order at 5:30 p.m.

A special meeting of the Finance & Administration Committee was held on March 25, 2013 for the purpose of discussing the Town Charter and any changes that should be made to it. During the course of the meeting the following items were discussed:

1. Redistricting
2. Political Endorsements
3. Council Attendance
4. Charter Violations/penalties
5. District/At-Large Council seats
6. Term limits
7. Recall provision
8. Serving in other State/County government Elected offices

The attached list contains the proposed changes that were supported by a majority of the Councilors in attendance and for which they requested that language be developed.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Susan Lessard

Town Manager

PROPOSED CHARTER CHANGES  
New Language

Article II

Section 201 Composition and Term of Office

(b) Term of Office

The term of office for Councilors after the regular municipal election in 2013 shall serve the following terms:

2014 Election – 2 Districts for 3 years

1 District for 2 years

1 District for 1 year

(Districts for stated terms shall be determined by lottery no later than July 1, 2014)

2015 Election – 1 At-Large for 3 years

1 At-Large for 2 years

1 At-Large for 1 year

Regular staggered election for three year terms for all Council offices shall resume in 2016.

(The purpose of this change is to allow an annual staggered election of District and At-Large Council members, but retains terms for Councilors at 3 years).

Section 206 Prohibitions – Except where otherwise authorized by state statute no councilor shall hold any other elected State, County, or Town Office or town employment during the term for which that person was elected to the town council. Neither the council or any of its members shall, in any manner, dictate the appointment or removal of any administrative official or employees whom the Manager or any subordinates are empowered to appoint, but the Council may express its views and freely discuss with the manager anything pertaining to appointment and removal of such officials and employees.

(The purpose of this change is to no longer allow persons who serve in elected State or County offices to also serve concurrently as a Town Councilor)

Section 207(b) – Forfeiture of Office – A Councilor shall forfeit that person's office if that person (1) lacks at any time during that person's term of office any qualification for the office prescribed by this Charter or by law (2) violates any express prohibition of this charter (3) convicted of a crime or offense which is, during that person's term, reasonably related to that person's ability to serve as Councilor, or (4) fails to attend six (6) meetings (Regular or Special) of the Council in the prior twelve month period.

(The purpose of this change is to define the number of absences that a Councilor can have on a rolling year basis before losing eligibility to serve).

## Article VIII Nominations & Elections

Section 801 Conduct of Elections – The regular municipal election shall be held the Tuesday following the first Monday of November in each year. All elections called for under this charter shall be conducted under the provisions of Title 21A.

(The purpose of this change is to clarify that elections for the Town of Hampden are governed by Title 21A – before the Charter identified Title 21, which has been repealed)

## Section 802 Officials Nominated and Elected

(a) Councilors at Large. The full names and street address of all candidates nominated for Councilor at Large, except those who have withdrawn, died or become ineligible shall be printed on the official ballots under a heading reading “Nominees of Councilor at Large”.

(b) District Councilors. The full names and street addresses of all candidates nominated for membership as district councilor in the council, except for those who have withdrawn, died or become ineligible, shall be printed on the official ballots under the separate heading reading Nominees for “District Councilor”.

(The purpose of this change is to allow all residents to vote for all Town Councilors. District Council candidates must still reside in their respective districts. This means that candidates for all Council positions can be voted on by all residents.)

Section 805 Election Provisions – Provisions of Title 21A relating to the qualifications of voters, registration, the manner of voting, the duties of election officers and all other particulars respective to preparation for, conducting and management of elections, so far as they may be applicable, shall govern all municipal elections, except as otherwise provided in this charter.

(The purpose of this change is to clarify that Title 21A is the only State statute governing elections in Hampden).

INFRASTRUCTURE COMMITTEE MEETING MINUTES  
MONDAY, APRIL 22, 2013

Attending:

Councilor Shelby Wright	Town Manager Susan Lessard
Councilor David Ryder	Public Works Director Chip Swan
Councilor Jean Lawlis	Resident Terry McAvoy
Councilor William Shakespeare	
Councilor Carol Duprey	

The meeting was opened at 6 p.m. by Committee Chair Councilor Wright.

1. MINUTES OF 2/25/2013 – Motion by Councilor Lawlis, seconded by Councilor Shakespeare to approve the minutes as presented. Unanimous vote in favor.
2. OLD BUSINESS
  - A. PUBLIC WORKS REQUESTS
    1. WATER/SEWER PROJECT – ROUTE 1A – The Public Works director explained that there were two sewer projects that needed to be done, one is the replacement of sewer lines on Route 1A from Western Avenue to the bottom of Water Works Hill in order to take advantage of a joint contract with the Water District who will be replacing the water lines in that area and the second is the renovation of two major pump stations – the one at the intersection of Route 202 and Western Avenue and the other the one on Mayo Road. Both pump stations have electronics that were installed in the 1980's and it is no longer possible to get parts for some of them. Ongoing breakdowns are costing a good deal of money to repair. The oldest sewer bond is paid off this year and if the Town decided to do these projects the amount of the new bond issue should be similar to the one that is being paid off, resulting in little difference in debt service payments but a reduction in operating costs due to fewer maintenance issues. Motion by Councilor Ryder, seconded by Councilor Lawlis to recommend to the full Council the development of an Ordinance to consider the Main Road North sewer line installation and two pump station rebuilds. Unanimous vote in favor. If adopted by the Council after a public hearing, this item would be on the November 2013 ballot for voter approval.
    2. TRUCK REPLACEMENT REQUEST – Public Works Director Swan requested permission from the Committee to go out to bid for a truck replacement for the 2003 Freightliner. He is requesting a smaller truck since it is used for the Business Park and in town routes for paving and would be more versatile for that purpose. In addition, the F550 requested would cost significantly less than the much larger truck currently in service. Motion by Councilor Shakespeare, seconded by Councilor Duprey to allow the Public Works Director to put out a bid for a public works truck to replace the 2003 Freightliner. Unanimous vote in favor.

3. PAVING BIDS – Public Works Director Swan discussed the paving bids received for the 2013 year. The low bid was submitted by Vaughan Thibodeau in the amount of \$69.69 per ton for paving and \$110 per ton for hand placed material. The Manager explained that funding for this comes from the current year budget and that the bid amount would not exceed the amount budgeted. Motion by Councilor Wright, seconded by Councilor Shakespeare to recommend to the full Council that the Town accept the bid from Vaughan Thibodeau in the amounts of \$69.69 per ton for paving and \$110 per ton for hand placed material. Unanimous vote in favor.
  4. X-WALKS & STRIPING QUOTES – Since the amount expended for these items is less than the \$10,000 bid amount, this was provided as an information item for the Committee by the Public Works Director. He solicited quotes from three vendors and selected the low bid for striping from Fine Line in the amount of \$6,850 and for crosswalks from Wilson’s Line Striping in the amount of \$3,890. Both items are will within the budgets for this fiscal year.
  5. MOWER REPLACEMENT – After considerable discussion between the Committee and the Public Works Director, this item was postponed until the June 2013 Committee meeting.
  6. SALT BID – The Public Works Director presented the salt bids for 2013/2014. The Town ‘piggybacks’ with the State of Maine on this contract and the price presented is the same as it was for 2012/2013 in the amount of \$57.21 per ton. Motion by Councilor Lawlis, seconded by Councilor Wright to recommend to the full Council the acceptance of the salt bid from Harcross in the amount of \$57.21 per ton. Unanimous vote in favor.
  7. SHAW HILL EXTENSION – The Public Works director notified the Committee that he had received confirmation from the Maine Department of Transportation that the unmaintained ‘leg’ at the end of Shaw Hill Road where it connects to Western Avenue was the property of the Town of Hampden. Public Works will work to improve the condition of that piece of roadway this year and if there are sufficient monies in the paving contract it will be paved as well.
3. NEW BUSINESS
- A. POLICY DISCUSSION – EQUIPMENT REPLACEMENT – The Town Manager discussed the idea of developing a written replacement policy for all town vehicles and equipment so that Councilors could have more information available at the time they are asked to make purchasing decisions. It was the consensus of the Committee that this would be a good idea and the Manager will provide a draft for discussion at the next Infrastructure Committee meeting.
  - B. POLICY DISCUSSION – PUBLIC WORKS MEAL CERTIFICATES FOR SNOWSTORMS – The purpose of this item was to follow up discussion that had been held at a recent Finance Committee over whether or not it was appropriate for the town to provide a meal allowance to public works employees when they worked overtime for plowing. The legality of doing so without listing the allowance as income for the employees was raised as well. The Manager had an opinion from

the Town's auditors that it could be handled either as a taxable benefit or not, depending on the way in which a policy regarding the benefit was written. After considerable discussion of whether or not to continue the practice, to make it taxable, to expand it to allow use at entities other than Dysart's, or to increase it if it was made taxable, it was the consensus of the Committee that the Public Works Director and the Town Manager come back to the Committee with a policy for their review that continues the practice but makes it a taxable benefit.

4. PUBLIC COMMENTS - None
5. COMMITTEE MEMBER COMMENTS – None

The meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Susan Lessard  
Town Manager

A-4-f

Jan 2013

Rapid Renewal Transaction Volume Summary  
Town of Hampden: Transaction date >= 20130101 and < 20130201

Payment Method	Transaction Count	Transaction Amount	Processing Fees
Credit/Debit Card	0	0.00	0.00
Electronic Check	51	7023.34	0.00
TOTAL	51	7023.34	

Class Code Summary

Class	Count
AG	1
AW	1
BB	3
CO	2
CR	1
PC	40
VT	3

Rapid Renewal Transaction Volume Summary  
Town of Hampden: Transaction date >= 20130201 and < 20130301

*Feb 2013*

Payment Method	Transaction Count	Transaction Amount	Processing Fees
Credit/Debit Card	0	0.00	0.00
Electronic Check	35	6435.47	0.00
TOTAL	35	6435.47	

Class Code Summary

Class	Count
BB	1
CM	1
CR	3
LB	1
PC	28
SW	1

Rapid Renewal Transaction Volume Summary  
Town of Hampden: Transaction date >= 20130301 and < 20130401

*March 2013*

Payment Method	Transaction Count	Transaction Amount	Processing Fees
Credit/Debit Card	0	0.00	0.00
Electronic Check	54	8661.30	0.00
TOTAL	54	8661.30	

Class Code Summary

Class	Count
AG	1
BB	1
BC	1
CO	3
CR	1
LB	1
MC	1
MQ	2
PC	42
TS	1

A-4-g

Minutes  
Hampden Town Council  
Services Committee  
April 08, 2013

The meeting of the Hampden Town Council Services Committee was called to order at 6:00p.m. on Monday, April 08, 2013, at the Hampden Municipal Building by Chairperson Jean Lawlis.

Attendance:

Councilor Jean Lawlis, Chair  
Councilor Janet Hughes  
Councilor Tom Brann  
Terry McAvoy

Councilor David Ryder  
Kurt Mathies, Recreation Director  
Councilor William Shakespeare  
Jeremy Jones

**Approval of Minutes**

Minutes from March 11, 2013 were approved without objection

**New Business**

There was no new business

**Old Business**

Kurt Mathies, Recreation Director gave an update on the state of the Friends of Dorothea Dix Park. The group was getting ready to meet in early May and will schedule a clean up day or two. Also, the water fountain is ready to go in. Public works will dig the trench sometime after Memorial Day.

Kurt gave an update on how things were going at the Skehan Recreation Center. He reported that things were running well with great attendance at programs and functions. There was discussion about the Bangor Roller Derby Bout on March 16. Tickets sold were over 400. Feedback was good. Also there was a verbal agreement from John Bapst Memorial High School for varsity practices and will draw up a formal agreement as soon as the game schedule is finalized.

Jeremy Jones was there to give an update on the Papermill Recreation Area Revitalization Plan. He supplied an Addendum that was discussed. Jeremy and Kurt will discuss further with a meeting with other stakeholders and report back to the committee. A copy of the addendum is enclosed.

Meeting adjourned at 7:20pm

April 8, 2013 J. W. Jones, Papermill Park Ad hoc Contact Person

## **Papermill Park Revitalization Plan Addendum**

These steps are offered for discussion and are meant to complement and compromise with the Sept. 10, 2012 Revitalization Plan presented by Rec. Director Kurt Mathies.

The goal as many see it is to achieve the list of improvements by use of Volunteers and Donated materials and services whenever possible, thereby minimizing the impact on the town taxpayer. Steady, visual and functional progress can be made with an extended timeline and as opportunities arise. More will volunteer to pitch in and maintain as the improvements progress. With patience, the vision of a multi use, Family Friendly park will be realized at minimal cost.

Request permission to contact key individuals for information and conditions regarding project and services needs. i.e., Chip Swan HPW, Gretchen Heldmann GIS, tax maps, Bangor Hydro, etc. To be conditional with Director Mathies prior clearance and non-contractual.

Respectfully submitted,

Jeremy W. Jones [papermillpark@gmail.com](mailto:papermillpark@gmail.com)

**Dedicated Papermill Park Account** – Establish a Dedicated Account to receive donations for park use only

**Boundaries** – Locate and Mark all corner pins and park boundaries

**Clean-Up** – Trash, pick up and remove all trash, Branches/brush, stack for chipping, add trash cans and doggie doodie stations at entrance,

**Vegetative Management** – Prune back encroaching brush, remove dead/ hazardous branches, plan to harvest nuisance poplar with revenue, if any, to be returned for park use, save a few logs to fashion benches, scrap firewood for volunteers or needy, chip remainder and stockpile for trails, eradicate poison ivy and invasives when found

**Trails** – Clean up existing trails, add wood chips & improve where needed, plan others where appropriate, seek agreements with abutting land owners

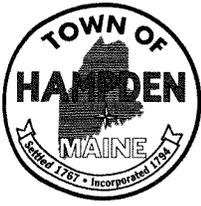
**Fields** – Mow and maintain, protect and enhance Monarch butterfly sanctuary, clean up and restore half court basketball court

**Restroom** – Assess, repair, rebuild existing structure, unisex, add seasonal gravity fed wash station

**Access and Parking** – Maintenance & service vehicles only, access opening sized for wheelchair/ stroller & pedestrians only, improve existing parking spots and along park side of road Only.

**Signage** – “SLOW Park Entrance” on road approaches, other rule signage, future info kiosk

More Details to follow as developed.



C-1-a

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/6/2013

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: Anglers, Inc. d/b/a Anglers Restaurant  
Business Name Individual

ADDRESS: 91 Coldbrook Rd. PHONE: 862-2121

MAP/LOT: Map 22 Lot 4 DATE: 4/17/2013

DEPARTMENT REPORT:

No Concerns

DATE: 04/17/13

BY: [Signature]  
Title: Public Safety Director

BY: \_\_\_\_\_  
Title: \_\_\_\_\_

**Department of Public Safety  
Division**



**Liquor Licensing & Inspection**

**BUREAU USE ONLY**

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

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

**PRESENT LICENSE EXPIRES** 5/19/2013

**INDICATE TYPE OF PRIVILEGE:**  MALT  SPIRITUOUS  VINOUS

**INDICATE TYPE OF LICENSE:**

- RESTAURANT (Class I,II,III,IV)
- HOTEL-OPTIONAL FOOD (Class I-A)
- CLASS A LOUNGE (Class X)
- CLUB (Class V)
- TAVERN (Class IV)

- RESTAURANT/LOUNGE (Class XI)
- HOTEL (Class I,II,III,IV)
- CLUB-ON PREMISE CATERING (Class I)
- GOLF CLUB (Class I,II,III,IV)
- OTHER: \_\_\_\_\_

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S)</b> –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Anglers Inc</u>			<b>2. Business Name (D/B/A)</b> <u>Anglers Restaurant</u>		
DOB:			DOB:		
DOB:			<b>Location (Street Address)</b> <u>91 Coldbrook Rd.</u>		
<b>Address</b>			<b>City/Town</b> <u>Hampden</u>	<b>State</b> <u>Maine</u>	<b>Zip Code</b> <u>04444</u>
<u>60 West Evergreen Lane.</u>			<b>Mailing Address</b> <u>91 Coldbrook Rd.</u>		
<b>City/Town</b> <u>Swanville</u>	<b>State</b> <u>Maine</u>	<b>Zip Code</b> <u>04915</u>	<b>City/Town</b> <u>Hampden</u>	<b>State</b> <u>Maine</u>	<b>Zip Code</b> <u>04444</u>
<b>Telephone Number</b> <u>207-322-5071</u>		<b>Fax Number</b> <u>862-2120</u>		<b>Business Telephone Number</b> <u>207-862-2121</u>	
<b>Federal I.D. #</b> <u>01-0531899</u>		<b>Fax Number</b> <u>207-862-2120</u>			
			<b>Seller Certificate #</b>		

3. If premises are a hotel, indicate number of rooms available for transient guests: \_\_\_\_\_
4. State amount of gross income from period of last license: ROOMS \$ None FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_
5. Is applicant a corporation, limited liability company or limited partnership? YES  NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES  NO
7. If manager is to be employed, give name: John R Moody
8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_
- Requested inspection date: open Business hours: 11-8 7 days a week
9. Business records are located at: 91 Coldbrook Rd Hampden, Maine 04444
10. Is/are applicants(s) citizens of the United States? YES  NO

11. Is/are applicant(s) residents of the State of Maine? YES  NO

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

Name in Full (Print Clearly)	DOB	Place of Birth
Albert Hall	3/1/1956	Sandford, ME
John Moody	12/11/1987	Milford, CT

Residence address on all of the above for previous 5 years (Limit answer to city & state)  
Albert → Swanville, Maine  
John → Monroe, Maine + Belfast, ME

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

Name: John Moody Date of Conviction: 10/12/2011  
Offense: Operating Under Influence Location: Hampden, Maine  
Disposition: \_\_\_\_\_

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

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

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

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) See Attached

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

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? .8 mile Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES  NO   
If YES, give details: Mortgages thru Camden Nat Bank

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

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

Dated at: \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_  
Town/City, State Date

Signature of Applicant or Corporate Officer(s)  
Albert Hall

Please sign in blue ink  
Signature of Applicant or Corporate Officer(s)  
John Moody (GM)

STATE OF MAINE

Dated at: Hampden, Maine Penobscot
City/Town (County)
On: 1/20/13
Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE - SPECIAL ATTENTION

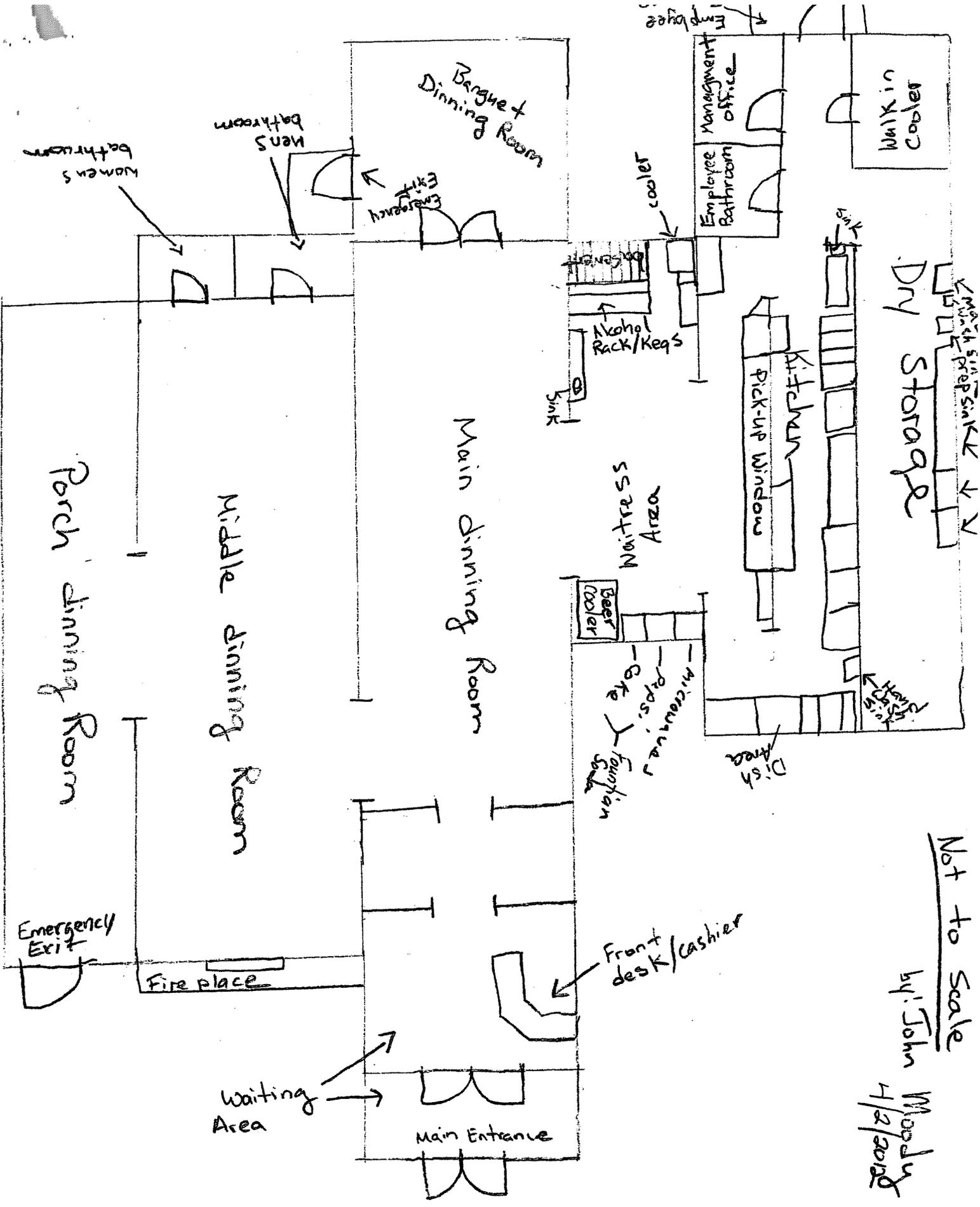
§ 653. Hearings; bureau review; appeal

- 1. Hearing. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer or location of existing on-premise licenses.
A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau.
2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c.45, Pt.A§4 (new).]
B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c.730, §27 (amd).]

- 3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners.
A. [1993, c.730, §27 (rp).]
4. No license to person who moved to obtain a license. (REPEALED)
5. (TEXT EFFECTIVE 3/15/01) Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.





Not to Scale

by: John Moody  
4/2/2012



C-3-b

Denise Hodsdon <clerk@hampdenmaine.gov>

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## Property Ordinance

1 message

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Thomas A. Russell <tar@frrlegal.com>

Wed, May 1, 2013 at 2:14 PM

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

Denise and Sue: Attached is a proposed ordinance and incorporated plan to authorize the sale of a portion of the Town's marina property to Hamlin's Marina, Hampden.

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### 2 attachments

 **Ordinance Authorizing Conveyance of Land.doc**  
26K

 **5479 outlet 2011-10-13 B BY 11.pdf**  
388K

TOWN OF HAMPDEN

ORDINANCE AUTHORIZING CONVEYANCE OF LAND OWNED BY THE TOWN OF HAMPDEN

RECITALS

Whereas, the Town of Hampden owns land acquired from the City of Bangor by virtue of a deed dated June 23, 1982, recorded in the Penobscot County Registry of Deeds in Book 3314, Page 273 (hereinafter the "Marina Parcel"); and

WHEREAS, Hamlin's Marina, Hampden leases a portion of the Marina Parcel from the Town of Hampden; and

WHEREAS, Hamlin's Marina, Hampden acquired a parcel of land adjacent to the Marina Parcel by deed dated December 27, 2010, recorded in said Registry of Deeds in Book 12366, Page 3 (hereinafter the "Peninsula Parcel"); and

WHEREAS, the Town of Hampden and Hamlin's Marina, Hampden entered into a Land Transfer Agreement dated October 24, 2011, whereby Hamlin's Marina, Hampden agreed to convey the Peninsula Parcel to the Town of Hampden in exchange for the Town conveying a portion of the Marina Parcel to Hamlin's Marina, Hampden; and

WHEREAS, Hamlin's Marina, Hampden conveyed the Peninsula Parcel to the Town of Hampden by deed dated March 29, 2012, recorded in said Registry of Deeds in Book 12772, Page 144; and

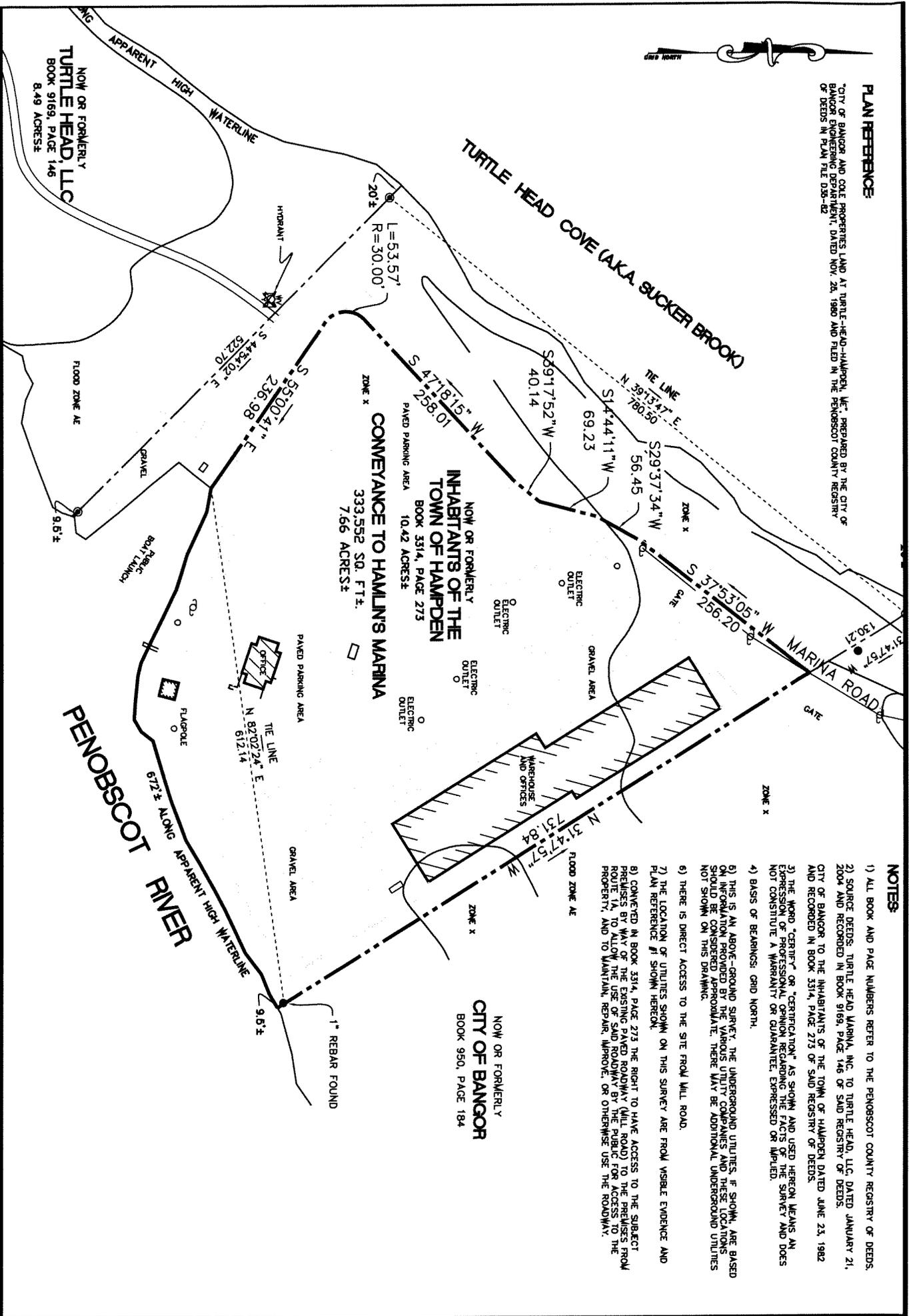
WHEREAS, the Town of Hampden has received the necessary governmental approvals to convey the contemplated portion of the Marina Parcel to Hamlin's Marina, Hampden;

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING RECITALS AND IN FURTHERANCE OF THE LAND TRANSFER AGREEMENT, THE TOWN OF HAMPDEN HEREBY ORDAINS:

1. That the Town of Hampden shall convey a portion of the property it acquired from the City of Bangor by deed dated June 23, 1982, recorded in the Penobscot County Registry of Deeds in Book 3314, Page 273, to Hamlin's Marina, Hampden, its successors or assigns, in accordance with the terms and conditions of a Land Transfer Agreement between the parties dated October 24, 2011. The portion of the Marina Parcel to be conveyed being the 7.66 acre parcel depicted on the plan by CES INC, dated October 13, 2011, attached hereto and incorporated herein by reference, along with access and utility easements.
2. That the Town Manager is hereby authorized to execute any and all documents deemed necessary or appropriate to accomplish the transaction contemplated by the Agreement.
3. That the Town Manager is hereby authorized to execute any and all documents deemed necessary or appropriate to terminate the existing lease between the parties, or at the election of Hamlin's Marina, Hampden, to assign it to an entity designated by Hamlin's Marina, Hampden.
4. That this Ordinance shall become applicable upon the date of adoption by the Town Council.

**PLAN REFERENCE**

"CITY OF BANGOR AND COLE PROPERTIES LAND AT TURTLE-HEAD-HAMPDEN, ME.", PREPARED BY THE CITY OF BANGOR ENGINEERING DEPARTMENT, DATED NOV. 26, 1980 AND FILED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN PLAN FILE D-36-82



**NOTES**

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

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

BY:	JAT
DATE:	10-13-2011
REV:	
REV DATE:	

DWG:	<b>1 OF 1</b>
JN:	5479
SCALE:	1"=150'

**CES INC**  
 ENGINEERING · SURVEYING · PLANNING · SCIENCES

C-4-a

Maine Bureau of Highway Safety

INVOICE # 8

April 4, 2013

Reserve  
3-780-00

TO: Hampden Police Department  
Sgt. Christian Bailey  
106 Western Ave.  
Hampden, ME 04444

FOR: Local share for 1 Stalker Dual radars at \$995.00 per unit.

Amount Due: 1 unit(s) at \$995.00 per unit = \$995.00

Please make check payable to Treasurer, State of Maine and mail to:

Bureau of Highway Safety  
164 State House Station  
Augusta, ME 04333-0164

PLEASE COMPLETE THIS SECTION AND RETURN THIS FORM TO BHS:

Contact person: Sgt. Chris Bailey

Phone number: 862-4000

Radar SHIPPING address: 106 Western Ave.

Hampden, Maine

E-mail address: C Bailey @ hamden maine . gov

Please return this invoice with your payment to the address above.  
If it is not possible to return this invoice with payment, please send the invoice separately.

Buckle Up. Drive Safely.



Office Located At:  
Central Maine Commerce Center  
45 Commerce Dr, Suite 1  
Augusta, ME 04330  
Phone: (207) 626-3840 Fax: (207) 287-3042



Denise Hodsdon <clerk@

C-4-b

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**Fwd: RBMS DI Team info and pictures**

1 message

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**Susan Lessard** <manager@hampdenmaine.gov>

Tue, Apr 30, 2013 at 6:08 PM

To: Denise <clerk@hampdenmaine.gov>

This is for the agenda on May 6th.  
Thanks  
Sue

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

From: <maineswalecs@aol.com>  
Date: Tue, Apr 30, 2013 at 5:50 PM  
Subject: RBMS DI Team info and pictures  
To: manager@hampdenmaine.gov

Hi Susan,

Here's the info about the RBMS DI Team. We are looking forward to sharing our team's success at the Town Council Meeting on Mon., May 6th. The DI Team created a 4 minute movie and would love to show it, if possible. Please let me know if this is possible.

Thank-you,  
Cora Swalec  
942-7789 home

---

**4 attachments**



**IMG\_9162.JPG**  
2288K



**028.JPG**  
2234K



**IMG\_9254.JPG**  
2351K

 **RBMS DI Team press release.docx**  
21K

## EXTRA, EXTRA READ ALL ABOUT IT...

### The Reeds Brook Middle School Destination ImagiNation Team is going to the 2013 DI Global Finals in Knoxville, TN!

The Reeds Brook Middle School 6<sup>th</sup> and 7<sup>th</sup> grade DI Team (Orion Zydlewski, Nicholas Parker, Molly Swalec, Mary Batsie, Kaelan Dinwiddie and Steven Santiago) won the Destination ImagiNation State Competition at UMOrono on April 6<sup>th</sup>. Three of the six team members (Molly, Mary and Kaelan) will represent the State of Maine at the DI Global Finals in Knoxville, TN on May 21<sup>st</sup> thru 25<sup>th</sup>.

DI is a non-profit international organization that promotes creative problem solving techniques through commitment, teamwork, creativity and critical thinking. The students develop skills that will benefit them in school and in the future as adults in the work environment.

The RBMS DI Team chose the "Real to Reel" Community Service Project Central Challenge. The Challenge required the team to identify and address a real-world need in a real-world setting. After visiting Newburgh Rescue and learning that LifeFlight can have trouble landing in Newburgh at night, the team decided to raise money for a set of helicopter landing lights for the town of Newburgh. They decided that any extra money would go to purchase Jump Kits for the Newburgh Paramedics to keep in their cars. The RBMS DI team took a crash course in First Responder Medicine and learned how important First Responders are. When the team visited LifeFlight at Eastern Maine Medical Center, they learned what makes a good helicopter landing site.

The team held four different fundraisers. A "Bottle Drive" targeted both their school and the people in the towns of Newburgh and Hampden. During the "Balloon Invasion" fundraiser, the team sold tickets for balloons to fill the Principal's office. One lucky ticket also won a pair of tickets to the last home UMO Men's Hockey game. "Coin Wars" raged for two weeks at RBMS. The winning classroom won a custom cake created by the team members. A "Bake Sale" at a school dance concluded the fundraising. The team raised a grand total of \$448.65, enough to buy a set of helicopter landing lights and at least one Jump Kit for Newburgh Rescue.

During the DI State Competition, the team premiered a four minute movie that documented their project. The team filmed everything, their meetings, their fundraisers and their field trips. They overcame the most challenging aspect of making their movie which was transferring information between the many different computers they used. During their eight minute presentation the team also had to evaluate the project and present a thorough project review. The team did confess that if they had been able to do more fundraisers, they would have bought an aquatic ATV for remote rescues. The team also had to host a live Press Conference and answer randomly selected Press Conference Questions.

Now the team is facing a problem that they cannot solve by themselves. They hope to raise \$5,000 for registration and transportation expenses. As a team, they are working hard to raise the necessary funds through various efforts such as bottle and can redemption drives, a quilt raffle, rubbish and recycling assistance, and an Instant Challenge Game Night at McGraw School on May

15<sup>th</sup> and the 2<sup>nd</sup> Annual DI Road Race on June 2<sup>nd</sup>. They are also hoping to enlist financial support from businesses, civic organizations and individuals who would like to support this DI team of 6<sup>th</sup> grade students in representing their school, their community and their state in this prestigious global competition. You can help make this trip happen by making a tax-deductible donation to the team. Please make checks payable to "RBMS DI" and mail them to Reeds Brook Middle School, 18a Main Road South, Hampden, ME 04444. Thank-you for any help you can give them!

## **The RBMS DI Team's Global Finals Fundraising Schedule:**

**Now thru Sun., June 2<sup>nd</sup>---** ongoing sale of raffle tickets for DI Quilt \$1 per ticket or \$5 per 6 tickets... quilt is on display at Dysart's Truck Stop and Restaurant in Hermon

**Now thru Fri., May 31<sup>st</sup>---** ongoing Bottle Drives at Hampden Redemption Center (274 Western Ave.) and the Newburgh Town Office

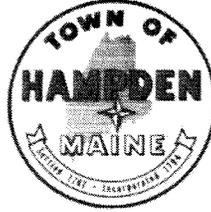
**Sat., May 4<sup>th</sup>---**RBMS DI Team Hampden Transfer Station "Aid" Day...*allow us to help unload your trash*

**Wed., May 15<sup>th</sup>, 6-7pm---**Instant Challenge Game Night at McGraw School

**Sun., June 2<sup>nd</sup>, 9am----**2<sup>nd</sup> Annual DI Road Race at Weatherbee School...*5K race, Fun Race for kids, childcare*

***Donations*** can also be mailed to Reeds Brook Middle School, 28 Main Road South, Hampden, ME 04444. Checks should be made payable to "RBMS DI". Thank-you for any support you can give us!

C-4-d



**TO:** Mayor Hughes and Hampden Town Council  
**FROM:** Robert Osborne, Town Planner *RO*  
**SUBJECT:** Draft Zoning Ordinance Text Amendment, Interchange District  
**DATE:** April 30, 2013

At a recent Planning and Development Committee meeting there was a unanimous vote to refer this item to the Hampden Planning Board for review and recommendation. The purpose of this draft zoning ordinance text amendment is to allow single family residence as a permitted use on Old Coldbrook Road. Currently there appears to be only single family residential uses active on Old Coldbrook Road. This stems from a request by Linda Avril to reuse their former beauty shop as a single family residence.

**TOWN OF HAMPDEN**  
**Draft**

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

**3.6. Interchange District**

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

**3.6.2. Permitted Uses (Subject to Site Plan Review)** – Any retail or service business, hotel, motel, take-out restaurant, small restaurant, sit-down restaurant, automobile and truck service station and repair facility, gift shop, truck terminal, business or professional office, indoor recreation, single family dwelling on Old Coldbrook Road, home occupation (subject to *Article 4.10*), accessory uses or structures, essential services, and wireless telecommunications facilities (subject to *Article 4.22*).  
(Amended: 03-08-99, 05-21-01, 10-01-01, 12-6-04, 03-21-05, 1-17-12).

**3.6.3. Conditional Uses (Subject to Site Plan Review)** - Fast-food restaurant, outdoor dining restaurant, tavern, bar, dance hall, outdoor recreation, stockpiles (subject to *Article 4.9*) not accessory to excavation, gravel pit and quarry activities and buildings necessary for essential services. Any establishment which provides in excess of 5,000 square feet of outdoor display or storage of goods or equipment (Amended: 05-21-01, 12-6-04, 12-17-07, 1-17-12)

**3.6.4. Lot Dimensions**

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

(Amended: 01-19-06)

**3.6.5. Special District Regulations**

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

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

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

*EXAMPLE:* A 48 foot tall building is proposed. By subtracting the base Interchange District maximum building height from the proposed height the following is the result  $48' - 35' = 13'$ . Then add that amount to each yard or setback.

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

(Amended: 01-19-06)



C-4-e

**TOWN OF HAMPDEN**  
**DEPARTMENT OF PUBLIC WORKS**

106 WESTERN AVE.  
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 17, 2013

To: Sue Lessard  
From: Chip Swan  
Subject: Annual Salt Purchase

On April 17th Municipalities were given a chance to renew salt bids with Maine DOT State wide

June 1st<sup>h</sup> 2012 the results were announced as follows for Hampden:

<u>BIDDER</u>	<u>PRICE PER TON</u>
HARCROS	\$57.21
CARGILL	\$63.42
EASTERN SALT	NO BID

I recommend accepting HARCROS bid of \$57.21 price per ton /salt  
For the winter of 2013-2014.

Yours Truly,

Chip Swan, PWD

EXHIBIT B	2012 Bid	
Municipality	Sodium Chloride (tons)	PRICE PER TON

	Tons	Harcros	Add to award
City of Augusta	3000	\$57.53	
City of Gardiner	1500	\$58.20	
Town of Atkinson	140	\$64.06	
Town of Alna	250	\$62.48	
Town of Beals	70	\$67.22	
Town of Boothbay	500	\$62.62	
Town of Belgrade	900	\$60.00	
Town of Breman	190	\$60.54	
Town of Chelsea	234	\$61.78	
Town of China	300	\$57.94	
Town of Columbia	210	\$64.23	
Town of Cooper	210	\$69.39	
Town of Crystal	33	\$75.11	
Town of Dover-Foxcroft	750	\$61.02	
Town of Dyer Brook	30	\$74.64	
Town of Greenville	180	\$66.33	
Town of Hampden	1200	\$57.21	
Town of Hartland	275	\$59.62	
Town of Hallowell	500	\$60.78	
Town of Kingfield	150	\$66.34	
Town of Machias	120	\$66.70	
Town of Mercer	158	\$62.66	
Town of Milford	300	\$58.98	
Town of Milo	300	\$62.64	
Town of Montville	225	\$57.21	
Town of Mount Desert	1500	\$57.31	
Town of Mount Vernon	300	\$63.33	
Town of Nobleboro	125	\$60.02	
Town of Northport	350	\$56.72	
Town of Oakfield	90	\$75.16	
Town of Orono	1500	\$56.14	
Town of Parkman	120	\$63.88	
Town of Sangerville	140	\$63.18	
Town of Sedgwick	250	\$59.38	
Town of St Albans	340	\$59.86	
Town of Stockton Springs	130	\$57.21	
Town of Swanville	500	\$56.23	
Town of Temple	130	\$65.46	
Town of Unity	120	\$57.62	
Town of Waterville	2700	\$56.80	

Town of Wayne	260	\$62.98
Town of Weston	90	\$75.84
Town of Whitefield	400	\$62.80
Town of Winslow	1000	\$56.80
Town of Winthrop	550	\$61.78
Town of Wiscasset	450	\$61.78
University of maine Orono	950	\$56.90

**County of Somerset**

Brighton Plt.	130	\$65.10
Dan MacDonald	30	\$66.34
Dennis Frigon - Rockwoo	100	\$71.76
Highland Plt.	60	\$66.70
Kingsbury Plt.	150	\$67.40
Mayfield	200	\$67.04
Town of Embden	200	\$64.40
Woodpecker Logging – C	150	\$65.11
Woodpecker Logging - Le	260	\$65.60

C-4-f



**TOWN OF HAMPDEN**  
**DEPARTMENT OF PUBLIC WORKS**

106 WESTERN AVE.  
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 18, 2013

To: Sue Lessard  
From: Chip Swan  
Subject: Paving Award

Below are the results of the recent paving bid opened on April 18th, 2013.

	PRICE /TON / ( 4183/Tons )	HAND PLACED / ( 35/TONS )	TOTAL
VAUGHN THIBODEAU II	\$69.69	\$110.00	\$291513.27
WELLMAN PAVING	\$72.22	\$107.00	\$305844.26
B & B PAVING	\$73.95	\$135.00	\$314057.84
LANE CONSTRUCTION	\$78.00	\$235.00.00	\$334499.00
PIKE INDUSTRIES	\$95.25	\$165.00	\$404205.75

I was happy to receive 5 bids for the annual street paving.  
The price per ton from Thibodeau is \$3.56 less per ton than last yr.

I would like to recommend awarding Vaughn Thibodeau 2013 paving contract with a price per ton of ~~\$67.37~~ <sup>69.69</sup> for main line paving and \$110.00 hand place mix.

Please let me know if you have any questions on these items.

Yours Truly,

Chip Swan

Yours truly,

Chip Swan, PWD

TOWN OF HAMPDEN

PAVING  
 BID SHEET

April 18, 2013  
 10:00 am

BIDDER	PRICE PER TON (Est. 4183 Tons)	HAND PLACE/TON (Est. 35 Tons)	TOTAL CONTRACT PRICE
Vaughn D. Thibodeau II	69.69	110.00	291,513.27
Wellman Paving	72.22	107.00	305,841.26
B & B Paving	73.95	135.00	314,057.84
Pike Industries	95.25	165.00	404,205.75
Lane Construction	78.00	235.00	334,499.00

C-4-g

# ARBOR DAY PROCLAMATION

**WHEREAS**, In 1872, Sterling Morton proposed that a special day be set aside for the planting of trees, and

**WHEREAS**, the holiday called Arbor Day, was first observed with the planting of more than a million trees in a single state, and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world, and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

**WHEREAS**, trees in Hampden increase property values, enhance the economic vitality of business areas, and beautify our community, and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal.

**THEREFORE, I JANET HUGHES, MAYOR OF THE TOWN OF HAMPDEN, TOGETHER WITH THE HAMPDEN TOWN COUNCIL, DO HEREBY PROCLAIM MAY 22, 2013 AS**

## ARBOR DAY

**IN THE TOWN OF HAMPDEN, AND WE URGE ALL CITIZENS TO SUPPORT THE EFFORTS TO PROTECT OUR TREES AND WOODLANDS, and**

**FURTHER, We urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.**

**DATED** this 6th day of May in the year 2013.

Mayor \_\_\_\_\_

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone: (207) 838-4444  
Fax: (207) 838-4444  
email: han

C-4-h

### 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 01/01/13 and ending 03/31/13. 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) 05/30/13. 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 \$ 131,355.40. You are hereby required to charge interest at a rate of 7 % per annum on any unpaid account balance beginning 08/2013. 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 \_\_\_\_\_ 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

C-4-1

Donald Darling, Jr.  
P.O. Box 439  
Hampden, Maine 04444-0439

April 2, 2013

Hampden Water District Board  
P.O. Box 218  
Hampden, Maine 04444-0218

Re: Resignation

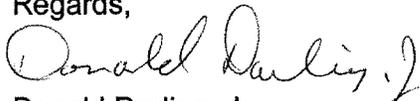
Gentleman,

The charter of the Hampden Water District requires members of the Hampden Water District Board to be a resident of the town. Due to my move from town, to be completed by April 30, I am obliged to resign my position as a Board Trustee.

Therefore, I resign my position as a Board Trustee effective April 30, 2013.

It was a pleasure to be in the company of the District staff and Trustees in service to the District. I consider my time well spent.

Regards,

  
Donald Darling, Jr.

Term expires  
Dec. 31, 2016

## CHAPTER 34

### AN ACT to Create the Hampden Water District

Emergency preamble. Whereas, the inhabitants of the town of Hampden in the county of Penobscot have no public water supply and the built up portions of said town are in danger of destruction in case of fire, and the inhabitants of said town are unable to procure a satisfactory supply of pure water for domestic and sanitary purposes, and

Whereas, in the opinion of the legislature, these facts render the immediate passage of this act necessary for the preservation of the public peace, health, and safety, and constitute an emergency within the meaning of section 16 of Article XXXI of the constitution, now, therefore,

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. Territorial Limits: corporate name; purposes.** The inhabitants and territory within the Town of Hampden in the County of Penobscot shall be and are constituted a public municipal corporation under the name of "Hampden Water District" for the purpose of supplying the inhabitants of said district with pure water for domestic, sanitary, manufacturing and municipal purposes.

**Sec. 2. Source of supply.** The said district, for the purposes of its incorporation, is hereby authorized to take, hold, divert, use and distribute water from the Souadabscook stream in said town of Hampden.

**Sec. 3. Right of eminent domain.** The said district, for the purposes of its incorporation, is hereby authorized to take and hold, as for public uses, by purchase, gift, or by the exercise of the right of eminent domain, which right is hereby expressly delegated to said water district for said purposes, any lands or interest therein or water rights necessary for erecting and maintaining dams, for flowage, for power, for pumping its water supply through its mains, for reservoirs and standpipes for preserving the purity of the watershed, for laying and maintaining aqueducts, mains and other structures for taking, distributing, discharging and disposing of water and for rights of way or roadways to its sources of supply, dams, power stations, reservoirs, standpipes, mains, aqueducts, structures and lands.

**Sec. 4. Authorized to lay pipes, etc., through public ways and across private lands.** The said district is hereby authorized to lay in and through the streets, roads, ways and highways within said district and across private lands therein, and to maintain, repair and replace all such pipes, aqueducts, mains and fixtures as may be necessary, and may excavate through any lands when necessary and convenient for its corporate purposes; and whenever said district shall lay any pipes, aqueducts or mains in any street, roadway, or highway it shall cause the same to be done with as little obstruction as practicable to the public travel, and shall at its own expense without unnecessary delay cause the earth and pavement removed by it to be replaced in proper condition.

**Sec. 5. Authorized to erect and maintain dams, reservoirs, etc.** The said district is hereby authorized for the purposes of its incorporation, to erect and maintain all dams, pumping stations, with all necessary appliances required therefore, reservoirs, standpipes and structures necessary and convenient for its corporate purposes.

**Sec. 6. Liability for damage; procedure in exercise of eminent domain; adjustment of**  
damages. Said water district shall be liable for all damages that shall be sustained by any person

**Sec. 8. (cont.)**

In preparing his ballot the voter shall mark a cross (X) against and to the right of such names on such ballot as he desires to vote for, not to exceed the number of trustees so to be elected. If the voter shall desire to vote for any person or persons whose name or names are not on the printed ballot, he may fill in such name or names in the blank spaces left therefore by writing the same therein. Where the voter so adds by writing in such new name or names, his vote for such new name or names shall be counted therefore although he may fail to mark a cross against the same. The result of such election shall be declared by said municipal officers, and due certificate thereof filed with the town clerk.

As soon as convenient after the initial members of the board are chosen the trustees shall hold a meeting at the town councilors' office in the Town of Hampden, to be called by one of the trustees upon reasonable notice as the trustee determine proper. They shall organize by the election of a president and clerk, adopt a corporate seal and, when necessary, may choose a treasurer and all other needful officers and agents for the proper conduct and management of the affairs of the district. They may also ordain and establish by-laws as are necessary for their own convenience and the proper management of the affairs of the district. The trustees of said district holding office at the effective date of this act continue to hold office until their successors are elected and take office.

The terms of trustees of the district are for 5 years. The trustees must be nominated and elected under the same procedure and at the same time as provided for the town councilors of the town.

\* The term of office of the trustees begins on the 3<sup>rd</sup> Thursday of January. In the event a vacancy arises in the membership of the board of trustees, the unexpired term of the vacant office must be filled by the Town Council of the Town of Hampden. When any trustee ceases to be a resident of the district, the trustee shall vacate the office of trustee and the vacancy must be filled pursuant to this section. All trustees are eligible for reelection, but a person holding the office of town councilor or road commissioner in the Town of Hampden is not eligible for nomination or election as trustee. The trustees may procure an office and incur expenses as may be necessary. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 7, the compensation of the trustees and the treasurer of the board of trustees is determined by the board of trustees. At the close of each fiscal year, the trustees shall make a detailed report of their doings, of the receipts and expenditures of the water district, of its financial and physical condition and of any other matters and things pertaining to the district that will show the inhabitants of the district how the trustees are fulfilling the duties and obligations of their trust, such report to be made and filed with the Town Council of the Town of Hampden.

**Sec. 9. Temporary loans negotiated; issue of bonds.** For accomplishing the purposes of this act, said water district through its trustees is authorized to borrow money temporarily and to issue therefore the negotiable notes of the district, and for the purpose of refunding the indebtedness so created, for paying any necessary expenses and liabilities incurred under the provisions of this act, including the expenses incurred in the creation of a district, in securing sources of supply, taking water and land, paying damages, taking rights of way or other interest in real estate, by purchase or otherwise, laying pipes, aqueducts and mains, constructing, installing, maintaining and operating reservoirs, standpipes, dams, pumping stations and whatever equipment may be necessary or incidental to the construction and installation of such system of water works, and making renewal of or extensions, additions and improvements to the same, the said water district, through its trustees, may, from time to time, issue bonds of the district, to an amount or amounts necessary in the judgment of the trustees therefore. Said notes and bonds shall be legal obligations of said water district, which is hereby declared to be a quasi-municipal corporation within the meaning of section 116 of Chapter 56 of the revised statutes, and all the provision of said section shall be applicable thereto. The said notes and bonds shall

as the next order of council business preside over the election of a deputy mayor. (*Amended: November 6, 1990, Amended: November 6, 2007*)

C-4-j

**Sec. 205 Powers and Duties** - Except as otherwise provided by state statute or this charter, the town shall be vested in the town council, which shall be the general legislative body. The town council shall be the municipal officers of the Town of Hampden.

**Sec. 206 Prohibitions** - Except where authorized by state statute no councilor shall hold any other town office or town employment during the term for which that person was elected to the town council. Neither the council nor any of its members shall, in any manner, dictate the appointment or removal of any administrative officials or employees whom the manager or any subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officials and employees.

Except for the purpose of inquiry, the council and its members shall deal with the administrative services solely through the manager and neither the council nor any member, thereof shall give orders to any subordinates of the manager, either publicly or privately. (*Amended: November 6, 1990*)

**Sec. 207 Vacancies; Forfeiture of Office; Filling of Vacancies**

- (a) **Vacancies** - The office of councilor shall become vacant upon nonacceptance, resignation, abandonment, death, permanent disability, permanent incompetency, failure to qualify for the office within 10 days after written demand by the council, forfeiture of office, or failure of the municipality to elect a person for the office. (*Amended: November 6, 1990*)
- (b) **Forfeiture of Office** - A councilor shall forfeit that person's office if that person (1) lacks at any time during that person's term of office any qualification for the office prescribed by this charter or by law, (2) violates any express prohibition of this charter, (3) is convicted of a crime or offense which is, during that person's term, reasonably related to that person's ability to serve as councilor, or (4) fails to attend three (3) consecutive regular meetings or misses more than a maximum of six (6) regular meetings per year of the council without being excused by the council. (*Amended: November 5, 1985, November 6, 1990*)
- (c) **Filling of Vacancies** - If a seat on the town council becomes vacant more than 6 months prior to the next regular municipal election, the council shall call a special election to fill the unexpired term within 60 days from the date that the vacancy occurred. If a seat on the council becomes vacant less than 6 months prior to the next regular municipal election, the council may call a special election. (*Amended: November 2, 2004*)

\*

**Sec. 208 Council to Judge Qualifications of Its Members** - The town council shall be the judge of the election and qualifications of its members and for such purposes shall have power to subpoena witnesses and require productions of records, but the decision of the council in any such case shall be subject to review by the courts.

**Sec. 209 Induction of Council Into Office** - The town council shall meet at the usual time and place for holding meetings on the first regularly scheduled meeting in January and at said meeting councilors-elect shall be sworn to the faithful discharge of their duties by the town clerk or by the town counselor. For any person elected at a special election to fill a vacancy, the councilor-elect shall be sworn to the faithful discharge of the councilor-elect's duties by the town clerk or by the town counselor at the first regularly scheduled meeting of the town council after certification of the election results. (*Amended: June 8, 1982, November 6, 2007*)

**Sec. 210 Investigations** - The council may make investigations into the affairs of the town and the conduct of any town department, office or agency and for this purpose may enact an ordinance providing