



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY

AUGUST 18, 2014

7:00 P.M.

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

- A. PLEDGE OF ALLEGIANCE
- B. CONSENT AGENDA
  - 1. SIGNATURES
  - 2. SECRETARY'S REPORTS
  - 3. COMMUNICATIONS
    - a. Email from Woodard & Curran – Elm Street East Guard Rails
  - 4. REPORTS
    - a. Finance Committee Minutes – 7/7/2014
    - b. Monthly Department Reports – June 2014
- C. PUBLIC COMMENTS
- D. POLICY AGENDA
  - 1. NEWS, PRESENTATIONS & AWARDS
  - 2. PUBLIC HEARINGS
  - 3. NOMINATIONS – APPOINTMENTS – ELECTIONS
  - 4. UNFINISHED BUSINESS
    - a. Saturday Bus Service
  - 5. NEW BUSINESS
    - a. Set 2014/2015 Mil Rate
    - b. Proposed Amendment to Fees Ordinance – Article 8 Pool Fees – Introduction for Public Hearing

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

- c. Proposed Amendment to Town Charter – Article II Town Council Quorum – Introduction for Public Hearing
- d. Proposed Amendment to Town Charter – Article IX Referendum and Initiative – Introduction for Public Hearing
- e. Proposed Amendment to Town Charter – Article X General Provisions – Introduction for Public Hearing
- f. Town Charter – Sections VII and VIII – Reviewed by Finance & Administration Committee – no changes recommended
- g. Future of Parks and Trails in Hampden – Councilor Shakespeare
  - 1. Turtle Head
  - 2. Dorothea Dix
  - 3. Papermill Park
  - 4. Others
- h. Personnel Loss – Development Impacts – Councilor Brann

E. COMMITTEE REPORTS

F. MANAGER'S REPORT

G. COUNCILORS' COMMENTS

H. ADJOURNMENT

**Subject:** Elm St East Guard Rails  
**From:** Jim Wilson (jwilson@woodardcurran.com)  
**To:** lightlady\_1@yahoo.com;  
**Cc:** publicworks@hampdenmaine.gov;  
**Date:** Tuesday, August 5, 2014 8:49 AM

B-3-a

Good Morning Sue,

Chip let me know this morning that he made the field call to extend the guard rail on Elm Street East at the culvert replacement. He also let me see the letter that apparently generated some concern among members of the Council.

As a bit of background, the project Chip asked us to assist with was to replace the deteriorated existing drainage pipe and stabilize the slope that was eroding. We identified early that the Town's budget for the repair would be tight and that we would not be able to create a typical design sets of full plans & specs without eating into the available construction budget. Accordingly, we worked with Chip to define a "simple" scope of services that streamlined the design process and avoided creation of full bid documents.

One of the streamlining steps we took was to meet with Chip and Greg Nash to discuss the project scope and design parameters rather than to create a draft design scope for his review and iterative negotiations. At our meeting the guard rail was discussed. We considered whether due to the limited budget we should attempt to reuse the existing guard rail but Chip felt that for the cost, it would be better to provide new especially where the old rail had deflected some with the slippage of the slope. Therefore, the design reflected replacement of the existing guardrail as he requested. The drawing actually reflected replacement at a length slightly longer than the previous rail.

I understand from Chip that during the work the contractor initially was short of materials to install the rail as shown on the plan and that they had to return to complete the installation after partially completing the work. This gave Chip an opportunity to consider whether the rail as installed could or should be longer and he made the field call that it should.

Chip used the words "design flaw" in his letter to you and what I believe he meant by that is that when he had the opportunity to see the nearly completed project and having the opportunity to take advantage of the rail contractor who had to return, he realized he would have rather had the rail longer than the previous one which was how we had previously discussed it. It was a decision made during design that he second guessed based on what he was seeing in the field and so therefore he referred to it as a "design flaw". In reality, I would characterize it as a design "modification" based on his field observations which was not possible prior to the work.

As the additional rail was not included in the original drawing, an additional cost would seem to be reasonable. That is to say, the Town is not being double charged for the additional rail and in fact, Chip felt that the additional cost was reasonable given the fact he was able to take advantage of the contractor who already needed to return. I concur.

Hopefully this helps provide some clarity around the topic. For what it's worth, the creative approach Chip worked with us to achieve resulted in getting the project out fast and within the Town's available budget. Our fees alone were reduced by more than the additional cost for the guard rail. That said, we realize that our willingness to perform work in this manner is not always comfortable for everyone and we need to be clear on what we are doing for you.

Thanks for this opportunity to explain. Let me know if you need anything else.

Jim

James D. Wilson, P.E.  
Senior Project Manager  
Woodard & Curran, Inc.  
One Merchants Plaza  
Bangor, ME 04401  
1(800)564-2333

**FINANCE & ADMINISTRATION COMMITTEE MEETING**

Monday, July 7, 2014

## Attending:

Mayor Carol Duprey

Resident Terry McAvoy

Councilor David Ryder

Councilor Ivan McPike

Town Manager Susan Lessard

The meeting was opened at 6 p.m. by Mayor Duprey.

1. Meeting Minutes
  - a. June 16, 2014 – Motion by Councilor McPike, seconded by Councilor Ryder to approve. Unanimous vote in favor.
2. Review & Sign Warrants – The warrants were reviewed and signed by Committee member.
3. Old Business
  - a. Route 1A Sidewalk – Use of Streets & Roads Reserve Funds – Motion by Councilor McPike, seconded by Councilor Ryder to recommend to the Council that the Route 1A sidewalk repair be funded from Streets and Roads reserves in an amount not to exceed \$5,000. Unanimous vote in favor.
  - b. Elm Street East Culvert – Use of Streets & Roads Reserve Funds – Motion by Councilor Ryder, seconded by Councilor McPike to recommend to Council that the Elm Street Culvert project be awarded to Maine Earth and the \$65,707 cost be funded from Streets and Roads Reserve. Unanimous vote in favor.
  - c. Article VII – Financial Procedure – No committee members had suggestions for any changes to this section of the Charter. The Town Attorney had not yet provided a review for conflict with State Statutes. That review will be provided and if there are conflicts, they will be reported back to the Committee. In the absence of any conflicts, the next section of the Charter, Article VIII, will be discussed at the next Finance & Administration Committee meeting.
4. New Business
  - a. Emergency Street Signs – Use of Grant Funds – Motion by Councilor McPike, seconded by Councilor Ryder to recommend to Council the use of remaining grant funds to purchase emergency street signs. Unanimous vote in favor.
  - b. Littlefield Avenue Paving & Reclamation – Use of Streets & Roads Reserve Funds – Motion by Councilor Ryder, seconded by Councilor McPike to recommend to the Council that the Hampden portion of Littlefield Avenue be awarded to Wellman Paving for a cost of \$8,991.50, to be funded from Streets & Roads Reserve. Unanimous vote in favor.

c. Local Road Assistance Program Funds Acceptance – 2014/15 – Motion by Councilor Ryder, seconded by Councilor McPike to recommend to the Council to accept 2014/15 Local Road Assistance Funds from the State in the amount of \$64,916. Unanimous vote in favor.

5. Public Comment - None

6. Committee Member Comments – None

The meeting was adjourned at 6:18 p.m.

Respectfully submitted,

Susan Lessard  
Town Manager

B-4-b

TO: Hampden Town Council  
FROM: Sue Lessard, Town Manager  
DATE: August 11, 2014  
RE: Department Reports – June 2014

The purpose of this memo is to transmit the monthly reports of the Town's Departments.

Administration  
Code Enforcement  
Assessing  
GIS/IT  
Economic Development Director  
Public Works  
Public Safety  
Edythe Dyer Library  
Recreation Department

Please feel free to contact me with questions or suggestions for changes in the type/format of information submitted.

ADMINISTRATION MONTHLY REPORT – June 2014

VEHICLES REGISTERED	819
BOATS REGISTERED	150
ATV'S REGISTERED	58
SNOWMOBILES REGISTERED	00
DOGS LICENSED	04
TRANSFER STATION DECALS SOLD	122
VITAL RECORDS ISSUED	
BIRTH	06
MARRIAGE	04
DEATH	20
BURIAL PERMITS	02
MARRIAGE LICENSES ISSUED	7
HUNT/FISH LICENSES SOLD	62
VICTUALER'S LICENSES ISSUED	01
GENERAL ASSISTANCE APPOINTMENTS	2
GENERAL ASSISTANCE GRANTED	\$500.00

# Code Enforcement Office

## Monthly Report for June 2014

During the month of June the Code Enforcement Office processed a total of 33 permit applications. This total includes four new single-family homes.

A total of \$7,493.60 in fees were collected in the month of June. This compares to \$2,556.00 the previous year.

The Code Enforcement Officer performed a total of 35 inspections in the month of June.

The Code Enforcement Officer had 14 meetings with individuals at the office or on a property where guidance on both Town and State regulations was provided.

The Code Enforcement Officer attended a training sponsored by the Bangor Area Stormwater Group. The training was presented by Phil Ruck of Stillwater Environmental Engineering, Inc. and was meant to inform Code Officers of the role they play in the MS4 program. The group visited a couple of construction sites at the University of Maine to discuss various aspects of erosion and sedimentation control.

Respectfully Submitted,



Ben Johnson  
Code Enforcement Officer  
Local Plumbing Inspector

**ASSESSING REPORT  
JUNE 2014**

During the month of June I completed the data entry, BETE certifications and tracking of increases for all but one personal property account. There are a total of 268 personal property accounts with an estimated valuation of \$21,873,100 (BETE is \$11,895,900 of that total); BETE is Business Equipment Tax Exemption and the State of Maine currently reimburses the communities on one half of the valuation that is exempt. Our estimated **taxable** personal property is \$15,925,150. It does appear that we will qualify for the "enhanced BETE" reimbursement that will increase our reimbursement from 50% to 52.77%. Unfortunately, we lost approximately \$6,000,000 in personal property value when Bangor Publishing moved its' operation to Lewiston. We also lost over \$3,000,000 in personal property at New England Waste. They relocated their control and conveyance equipment to another facility.

I have met with the attorney, realtor and finance director for Bangor Publishing Company along with Tom Russell. They are requesting a reduction in valuation. I have done a re-inspection of the property, after the machinery was removed, along with a colleague. We are currently looking at information presented as well as economic and functional factors that have not been applied to the building. The real estate valuation is not complete, but I hope to complete it by July 31<sup>st</sup>.

I have also met with Tom Russell and a commercial property owner in regards to personal property. To date they have not allowed me to inspect the subject property, although I have made the request three times. I also met with another commercial property owner and the manager regarding their reporting and the details needed in order for me to assess them properly. The meeting went well and I look forward to receiving more detailed reports from them in the future.

I received and processed approximately 60 documents from the Penobscot County Registry of Deeds. I also conducted in excess of 50 field inspections, and have thus far discovered a number of items that needed updating in the records.

Maine Revenue Services conducted their annual field audit of the assessing records and sales. The preliminary report indicates that our new ratio is 99% (vs 98% last year) and our quality rating is now 8 (down from 9; the lower this number is the closer our values are to market and the variation is less). We will continue to certify 100% and I will continue to spend more time in the field reviewing properties for any errors and corrections. This system does seem to be working in getting more of the records up to date.

Both Bob and Rosemary took vacations in June and Gretchen and I covered the phones and waited on customers. June was a busy month!

Respectfully,  
Kelly J. Karter, CMA  
Hampden Assessor

IT update: I continued to have trouble getting Time Warner internet service at the Skehan Center, and so I initiated and completed the process of staying with TDS and upgrading the speed on the contract with them, even though it is not as cost effective. We are now on a one-year contract with them for faster internet speed, though as suspected, we are not really getting the full speed. This building has been, and continues to be, a real IT challenge. Aside from that, I fixed a variety of computer issues throughout town during June, nothing major.

GIS update: I worked on updates to a few data layers.

Stormwater update: I submitted the final draft of the work plan for the \$41,600 grant award I won (I call it the Phase II grant), to develop a watershed based management plan for Sucker Brook, which is our priority impaired watershed under our stormwater permit. I also received notice that the money will be coming from the 604b program, and they offered us an additional \$2,400 to bring the total grant to \$44,000. I had to adjust the in-kind match amount a little bit to reflect this, but that was minor. The work plan is now being reviewed by EPA and I await their comment. I also did a little more field work in Sucker Brook for the Phase I grant.

Other: While people were on vacation I assisted customers in the office and answered phones more frequently than I usually do. I also assigned a few new e911 addresses.

Respectfully Submitted,



Gretchen Heldmann, GISP  
GIS/IT Specialist

**Department of Community and Economic Development**  
**Activity Report: June 2014**

Hampden Business Park:

- Continuing to facilitate Sargent Corporation with the permitting and zoning issues associated with park development.

Ammo Park/Coldbrook Road/Hampden Business Park:

- Continued facilitation of discussion between landowners focusing on potentially shared benefit or coordination and collaboration. Organized and facilitate a meeting of landowners with Bangor Gas to discuss potential infrastructure expansion through triangle.

Marina Project:

- Collaborating with Public Works Director on the completion of Turtle Head Park parking lot. This project, in its 7<sup>th</sup> year of implementation is a milestone of progress in our efforts to work with and respond to the needs of the business community.

Natural Gas:

- Continue collaboration with Bangor Natural Gas/Ammo Park on evaluation process to determine viability and location(s) within Hampden for potential natural gas installation.

Business Advocacy:

- Meeting with the HBA Executive Committee to discuss its future and strategic direction.
- Facilitating small business interest in the town of Hampden.
- Maintain positive and supportive relationships with Hampden's small business community.

Business Attraction:

- Developing a marketing plan for next fiscal year to effectively market the town of Hampden to the greatest extent possible given with limited resources.

TIF Implementation:

- Preparing draft TIF documentation for required public hearing and submission to State of Maine for Bangor Hydro TIF approval.

Staff Collaboration:

- Weekly consultation with Town Planner, Code Enforcement Officer, Assessor and Public Works Director.
- Effectively assemble and utilize staff to present a positive, welcoming response to interested and active developers within the community.

## MONTHLY REPORT PUBLIC WORKS JUNE 2014

Mowed all cemeteries once a week

Mowed all fields

Washed Equipment

Broomed bridges , highways, and Sidewalks

Patched pot holes

Loaded transfer station 2 times after demo weekends

Put Voting Booths up

Cleaned Cemeteries

Checked all buildings and removed trash

Flushed 13000 Ft of sewer line

Dug Trench for wiring for new zero sort compactor

Prepared pad for zero sort compactor

Cemetery crew had 2 burials

Replaced road signs

Screened loam

Screened Sand

Trimmed Brush along roadway

Repaired equipment

TOWN OF HAMPDEN  
DEPARTMENT OF PUBLIC WORKS  
WEEKLY FOREMAN REPORTS

LIST DAILY ACCOMPLISHMENTS, SIGNIFICANT EVENTS, WEATHER CONDITIONS AFFECTING WORK, AND ANY OTHER INFORMATION THAT SHOULD BE NOTED. USE BACK OF SHEET IF NECESSARY FOR ADDITIONAL COMMENTS.

SUNDAY

DATE:

MONDAY

DATE: 6-16-2014 LOADED DEMO + WOOD IN TRANSFER STATION  
WORKED ON SCREENS IN SCREENING PLANT  
SCREENED SAND IN BACK PIT MOVED CEMETERYS  
WORKED ON STREET SIGN RIVER VIEW + CULVERT ON PIERCE RD

TUESDAY

DATE: 6-17-2014 SCREENED SAND BACK PIT  
WORKED ON FLOOR LIBRARY TRIP WARSAW  
LOADED BOXES TRANSFER STATION DEMO  
MOWED GRASS IN CEMETERYS  
FILLED HOLES ON SHOULDER MONROE RD + HOPKINS

WEDNESDAY

DATE: 6-18-2014 Flushed Sewers THUNDER STORM 4AM  
SCREENED SAND BACK PIT RAIN IN NITE  
NEW BLADES ON OUCH MOWER MOVED BALLFIELDS  
MOWED LOCUST GROVE CEMETERY, MARKED DIG SAFE Tcaball Lane  
CHECKED CULVERT DUDLEY ST. HOLE IN HOT TOP

THURSDAY

DATE: 6-19-2014 CUT GRAVEN OUT PATCH ON Old County  
NOT TOPPED HOLE BY CULVERT ON Old County Rd  
PUT 8" SEWER PIPE IN CULVERT ON DUDLEY ST.  
SCREENED SAND BACK PIT

FRIDAY

DATE: 6-20-2014 WORKED ON WINDSHIELD WIPERS ON LOADER  
LOADED TIL'S IN TRANSFER STATION  
SCREENED SAND BACK PIT, WIPER ARM ON LOADER  
MARSHALL NASH WORKING IN TRANSFER STATION  
CLEANED GARAGE

SATURDAY

DATE:

SIGNATURE

D. Patten

DATE 6-23-2014

TOWN OF HAMPDEN  
DEPARTMENT OF PUBLIC WORKS  
WEEKLY FOREMAN REPORTS

LIST DAILY ACCOMPLISHMENTS, SIGNIFICANT EVENTS, WEATHER CONDITIONS AFFECTING WORK, AND ANY OTHER INFORMATION THAT SHOULD BE NOTED. USE BACK OF SHEET IF NECESSARY FOR ADDITIONAL COMMENTS.

SUNDAY

DATE: \_\_\_\_\_

MONDAY

DATE: 6-23-2014

CLEANED TRANSFER STATION  
HAMPDEN ELECTRIC WIRED COMPACTOR IN TRANSFER  
CE.S.P.L.A ANCHORED NEW COMPACTOR FOR O SKOT  
ALLEN ENVIRONMENTAL CAMERAING NEW SEWER

TUESDAY

DATE: 6-24-2014

CLEANED TRANSFER STATION  
SCREENED SAND BACK PIT  
MONON COMPOSTERS + BALL FIELDS  
PUT UP RECYCLING SIGNS IN TRANSFER STATION

WEDNESDAY

DATE: 6-25-2014

Deurey catch basin cover off. Reformed  
culvert and put back on. tractor remove logs  
and weight box installed mower. Mowed  
Meadow to Kennecott and Kennecott home.

THURSDAY

DATE: 6-26-2014

Install NO PARKING sign/H side of E  
Ball Field. Cut up tree on Canaan Rd  
and Miller Rd.

FRIDAY

DATE: 6-27-2014

Mowed bushes and grass around culvert at  
9 Horse shoe. Cut bushes at Triangle and old  
County Rd. Mark Dig site for cross culvert on  
old County. Sec to 35<sup>th</sup> and AT Triangle to old County

SATURDAY

DATE: 6-28-2014

MUD IN ROAD ON CANAAN Rd 3 PM.

SIGNATURE

D. Pattison

DATE 6-30-2014

**TOWN OF HAMPDEN  
DEPARTMENT OF PUBLIC WORKS  
WEEKLY FOREMAN REPORTS**

LIST DAILY ACCOMPLISHMENTS, SIGNIFICANT EVENTS, WEATHER CONDITIONS AFFECTING WORK, AND ANY OTHER INFORMATION THAT SHOULD BE NOTED. USE BACK OF SHEET IF NECESSARY FOR ADDITIONAL COMMENTS.

SUNDAY  
DATE: \_\_\_\_\_

MONDAY CHANGED BOXES TRANSFER GETTING READY O Recycle  
DATE: 6-30-2014 LOADED BOXES TRANSFER STATION  
DITCHES ON SHAWHILL TOP BY NEW HOUSES  
WORKED ON O TURF MOWER Pulley BROKEN  
MOWED IN CEMETERYS + BALL FIELDS  
CUT BRUSH ON DUDLEY STREET

TUESDAY  
DATE: 7-1-2014 LOADED GUNN IN NEW COMPACTOR O SHOP  
WORKED BRAKES ON #32 MOWED Trailer Hitch <sup>at 35</sup>  
RESET CURB CUT ON SHAWHILL + DITCHED  
CUT BRUSH ON SIDE STREETS DOWNTOWN INTERSECTIONS IN  
SCREEN SAND BACK PIT

WEDNESDAY  
DATE: 7-2-2014 Mowed + SREDO DITCH ON SHAWHILL  
MOWED BALL FIELDS + CEMETERYS  
SCREENED SAND BACK PIT MOWED SIDE RD PATTERSON RD  
START OF O SORT RECYCLING IN TRANSFER STATION  
WENT TO WHITE SIGN FOR POSTS + SIGNS  
PUT UP CHILDREN PLAYING SIGN OLD COUNTY RD

THURSDAY  
DATE: 7-3-2014 CUT UP TREE 7pm old county rd 67°  
PICKED UP TREE OLD COUNTY RD  
CLEANED EQUIPMENT  
MOWED CEMETERYS + BALL FIELDS

FRIDAY  
DATE: 7-4-2014 Holiday

SATURDAY  
DATE: 7-5-2014 CHECKED O SORT COMPACTOR 6 AM,  
CHANGED PACER

SIGNATURE D. Pallas DATE 7-7-2014



## HAMPDEN PUBLIC SAFETY

Police - Fire - EMS  
106 Western Avenue  
Hampden, Maine 04444  
Phone 207-862-4000  
Fax: 207-862-4588



TO: Susan Lessard, Town Manager  
FROM: Joe Rogers, PSD  
RE: Monthly Report for ~~May~~ June  
DATE: July 21, 2014

During the month of June, the Hampden Police Department responded to 416 calls for service, had 10 arrests/court violations; and issued 42 traffic citations and 154 written traffic warnings. The Fire Department responded to 23 calls for service and the ambulance responded to 49 calls.

Lt. Matt St.Pierre and FF/Medic Jared LeBarnes attended a two day training program in Augusta. The topic of the training was Fire Origin Determination where they gained valuable skills to help our agency more effectively determine the origin and cause.

All of our full-time firefighters also attended an ACLS (Advanced Cardiac Life Support) Refresher class. This training was held at the public safety building and was open to other agencies as well.

A joint emergency training was conducted with the USPS on June 28<sup>th</sup>. A suspicious package was located at the USPS, and Hampden Fire Department, along with all other agencies and equipment that would play a part in this type of emergency; came together and participated in a drill. Everyone was very satisfied with the drill and how smoothly things came together. We are confident that should an incident like this occur in Hampden, we will be well-prepared to handle it.

Also in June, the police officers completed firearm qualifications with their duty weapons and the rifle.

Edythe Dyer Community Library  
June, 2014  
Report of activities to the Town Council

**Circulation:** 3269 adult items; 3378 children's materials; 132 items were downloaded; 94 people used our public access computers (this does not include people who brought their own wireless devices). 2736 people came into the Library.

EDL staff answered 313 reference questions for people in the library and 228 over the telephone (these include 50 that were people who thought they were calling the town office)

EDL loaned 561 items to other libraries and borrowed 686 through the statewide delivery service.

**Children's programs:** Play & Learn Programs: 22 children / 16 adults  
Preschool Storytimes: 56 children / 41 adults  
Toddler Storytimes: 121 toddlers / 102 adults  
Read 'em and eat book discussion: 16  
Lego Play: 22 children / 19 adults  
First Grade field trip: 117 children / 9 adults

**Summer Reading** Friday Science 19 children / 12 adults

**Adult programs:** Sarah Smiley author visit: 48 adults  
Creative Writing: 20 adults  
Knitting group: 33 adults & teens

**Community groups:** 4 groups met: 16 people

**Literacy:** 1 groups met: 2 people

**Trainings/professional development:**

- Debbie attended a Maine Library Association executive council meeting as chair of the Scholarship and Loan Committee.
- Debbie attended the semi-annual Minerva Users Council meeting.
- Susan attended a Minerva circulation round table at Bangor Public Library
- Debbie attended the annual Public Library Directors' Institute

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## Hampden Recreation Department

### Skehan Recreation Center

#### June Update 2014

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Currently we are open 5 days per week, with the occasional weekend hours depending on programs/rentals. Current day time programming consists of walking, senior fitness, line dancing, men's noon-time basketball, yoga, Tuesday/Thursday open gyms and pickleball. Spring session outdoor programs concluded in June as school ended. Facility rental times by Bangor Roller Derby continued this month. Weekend programs/rentals included a Sunday roller derby practice rental and a Saturday bout (final bout of the season). In addition the Skehan Center hosted the Kid's Korner registration day for the 2014-2015 school year, and was a rain location for a couple of Saturday outdoor programs that were forced indoors. Our hours have adjusted for the summer months to Monday, Wednesday, and Friday from 7 am to 4 pm, and Tuesday and Thursday from 7 am to 9 pm.

Electricity costs continue to be huge for the Skehan Center. I met with Everett McLeod from Gilman Electric in April who did a survey of the current gym lighting in the Skehan Center. Everett reviewed our current usage, vs needs, and current trends toward energy efficiency fixtures and bulbs. Hampden Electric has completed their cost estimate to complete a changeover to LED lightening or florescent fixtures and bulbs using the existing 48 fixture wiring. After receiving the cost estimate I also inquired about the installation of sensors on the lighting to further increase efficiency. Hampden Electric said that with current rebates, sensors could be installed on all lights and Efficiency Maine almost covers the entire costs. The cost estimate is attached for your review.

Gretchen Heldmann (GIS/IT) successfully secured a speed upgrade for Internet at the Skehan Center. The upgrade has helped with the internet speed and connect ability, and has marginally helped with the drop call issues with the VOIP phone lines. Gretchen continues to wait for Time Warner to review her request to install a direct cable internet line from the Verizon Pole out front of the Skehan Center to our portion of the complex.

The Kids Korner registration day was held at the Skehan Center on June 2<sup>nd</sup>. The line formed early as usual, but moved quickly once the doors opened at 9 am. All participants registered on June 2<sup>nd</sup> were accommodated for their desired spots. Several spaces remained after registration, and by Monday afternoon, the majority of spaces remaining had been reserved. We have some partial part time availability still available at both schools in both am and pm programs.

This summer we partnered with the Bronco Travel Soccer program to provide the newly name Bronco Soccer Camp the week of June 23<sup>rd</sup>. Recreation staff provided registration, insurance, and equipment for the program along with 2 staff for the week. Bronco Travel Soccer provided knowledgeable staff for employment by the town, and the camp instruction program for the week. This partnership proved to be a win win for both groups! This year we were able to double our number of participants, and make a

sizable profit of about \$4400.00. We plan to meet in July to evaluate the camp together and make plans for 2015!

# Hampden Recreation Department

## Skehan Recreation Center

### Director Report

June 2014

- Completed monthly fire extinguisher inspections.
- Completed AED Monthly Test.
- Managed concession stand purchases and sales
- Completed monthly billing for Bangor Roller Derby and received June payment.
- Hosted the fourth of 4 Bangor Roller Derby Bouts at the Skehan Center.
- Received ticket proceeds for the June Roller Derby Bout sales.
- Billed John Bapst for summer basketball clinic rental.
- Attended Hampden Children's Day Committee for monthly event meeting.
- Made contact with various vendors for Hampden Children's Day as directed by the committee.
- Continued to work with Bronco Travel Soccer to accept registrations for the 2014 Soccer Camp.
- Ordered the porta potty install for Papermill Road Recreation Area.
- Interviewed and hired staff for adult softball and track and field programs.
- Assisted Bronco Travel Soccer with employee paperwork to be placed on payroll for Bronco Soccer Camp.
- Met with Bronco Travel Soccer program for a pre-camp meeting.
- Hosted the Bronco Soccer Camp. Happy to report a healthy \$4500 profit!
- Paid Bronco Travel Soccer Camp for their instruction service at the summer camp.
- Continued processing registrations for the summer/camp program session.
- Purchased supplies for summer programming needs.
- Organized and ran the 38<sup>th</sup> Hampden 8.5 Mile Road Race and a Fun Run on Father's Day morning with the help of Sub5 Track Club.
- Worked with the Garden Club to purchase compost and mulch for the Pool Field Gazebo, Dyer Library, and Dorothea Dix Park, and Miracle Grown for the summer garden feeding.
- Received the lighting quote for Hampden Electric for a possible conversion of sodium halide gym lights to a more energy efficient style LED or fluorescent. Potential for dramatic savings in energy costs in particular with an LED conversion that is capable of recouping costs in just a few years.
- Continued to foster and strengthen relationship ties with the building owners Historic Hampden Academy LLC.

Thank you for the opportunity to serve the community in this capacity.

Shelley Abbott  
Recreation Director

D-5-a

2013 MUNICIPAL TAX RATE CALCULATION FORM

Municipality: Hampden

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

Table with 4 columns: Line number, Description, Sub-line number, and Amount. Includes lines 1-6 for valuation calculations.

Assessments

Table with 4 columns: Line number, Description, Sub-line number, and Amount. Includes lines 7-11 for assessment calculations.

ALLOWABLE DEDUCTIONS

Table with 4 columns: Line number, Description, Sub-line number, and Amount. Includes lines 12-15 for deduction calculations.

Table with 6 columns: Line number, Amount, Selection (X), Rate, Calculation, and Amount. Includes lines 16-23 for final tax rate calculations.

(If Line 23 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant, Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.

D-5-6

TOWN OF HAMPDEN

Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

TOWN OF HAMPDEN, MAINE  
FEES ORDINANCE

ARTICLE 8

POOL

Amended 11-17-03, 4-4-05, 10-6-08, 9-19-11, 11-27-12

8.1. **Susan G. Abraham Memorial Endowed Scholarship** provides the opportunity to learn to swim (see 8.9 & 8.10) to those who could not otherwise afford it. The scholarship is based on individual assessment of financial need and must be resident of ~~Hampden, Winterport or Newburgh~~ RSU #22 District. (Amended 9/19/2011)

8.2. **Annual Resident Membership Fees:**

8.2.1. Family	<del>\$255.00</del>	<u>\$268.00</u>
8.2.2. Single Adult	<del>\$155.00</del>	<u>\$163.00</u>
8.2.3. Youth/Teen	<del>\$120.00</del>	<u>\$126.00</u>
8.2.4. Senior	<del>\$145.00</del>	<u>\$152.00</u>

8.3. **Six Month Resident Membership Fees:**

8.3.1. Family	<del>\$155.00</del>	<u>\$163.00</u>
8.3.2. Single Adult	<del>\$ 95.00</del>	<u>\$100.00</u>
8.3.3. Youth/Teen	<del>\$ 75.00</del>	<u>\$ 79.00</u>
8.3.4. Senior	<del>\$ 90.00</del>	<u>\$ 95.00</u>

8.4. **Three Month Resident Membership Fees:**

8.4.1. Family	<del>\$ 95.00</del>	<u>\$100.00</u>
8.4.2. Single Adult	<del>\$ 60.00</del>	<u>\$ 63.00</u>
8.4.3. Youth/Teen	<del>\$ 50.00</del>	<u>\$ 53.00</u>
8.4.4. Senior	<del>\$ 55.00</del>	<u>\$ 58.00</u>

8.5. **Annual Non-Resident Membership Fees:**

8.5.1. Family	<del>\$280.00</del>	<u>\$294.00</u>
8.5.2. Single Adult	<del>\$180.00</del>	<u>\$189.00</u>
8.5.3. Youth/Teen	<del>\$145.00</del>	<u>\$152.00</u>
8.5.4. Senior	<del>\$170.00</del>	<u>\$179.00</u>

8.6. **Six Month Non-Resident Membership Fees:**

8.6.1. Family	<del>\$170.00</del>	<u>\$179.00</u>
8.6.2. Single Adult	<del>\$110.00</del>	<u>\$116.00</u>
8.6.3. Youth/Teen	<del>\$ 90.00</del>	<u>\$ 95.00</u>
8.6.4. Senior	<del>\$105.00</del>	<u>\$110.00</u>

<b>8.7.</b>	<b>Three Month Non- Resident Membership Fees:</b>		
8.7.1.	Family	\$105.00	<u>\$110.00</u>
8.7.2.	Single Adult	<del>\$ 70.00</del>	<u>\$ 74.00</u>
8.7.3.	Youth/Teen	<del>\$ 60.00</del>	<u>\$ 63.00</u>
8.7.4.	Senior	<del>\$ 65.00</del>	<u>\$ 68.00</u>
<b>8.8.</b>	<b>Daily Swim Fee <del>during family or lap swim times</del> <u>for non-members</u></b> (Amended 9/19/2011)		
8.8.1.	Single Swim - Resident	\$ 4.00	
8.8.2.	Single Swim – Non-Resident	\$ 5.00	
8.8.3.	Resident 12 Use Punch Card	<del>\$30.00</del>	<u>\$ 36.00</u>
8.8.4.	Non-Resident 12 Use Punch Card	<del>\$42.00</del>	<u>\$ 48.00</u>
<b>8.9.</b>	<b>Resident Swim Lessons</b> (Amended 9/19/2011)		
8.9.1.	Members	\$4.50 per class	
8.9.2.	Non-Members	<del>\$5.50</del> <u>\$6.00</u> per class	
<b>8.10.</b>	<b>Non-Resident Swim Lessons</b> (Amended 9/19/2011)		
8.10.1.	Members	\$6.00 per class	
8.10.2.	Non-Members	<del>\$7.00</del> <u>\$7.50</u> per class	
<b>8.11.</b>	<b>Private Swim Lessons</b> (Amended 9/19/2011)		
8.11.1	Resident Member		
	1 Child	\$15.00 per class	
	2 Children	\$20.00 per class	
8.11.2.	Resident Non-member		
	1 Child	\$20.00 per class	
	2 Children	\$25.00 per class	
8.11.3	Non-resident Member		
	1 Child	\$20.00 per class	
	2 Children	\$25.00 per class	
8.11.4	Non-resident Non-member		
	1 Child	\$25.00 per class	
	2 Children	\$30.00 per class	
<b>8.12.</b>	<b>Deleted</b> November 27, 2012		
<b>8.13.</b>	<b>Deleted</b> November 27, 2012		
<b>8.14.</b>	<b>Adult Aqua Aerobics Drop Ins:</b>		
8.14.1.	Members	\$4.00/class	
8.14.2.	Non-Members	\$5.00/class	
<b>8.15.</b>	<b>Gentle Aerobics</b> (deleted 9/19/2011)		

- 8.16. Pool Facility Rental Fees** (Limited Availability): *(Amended 9/19/2011)*
- |   |  |
|---|--|
| 8.16.1. Resident Pool Rental ( <u>up to 30 total guests</u> )     | <del>\$70.00</del> <u>\$75.00</u> /hour <del>30 total guests</del> |
| 8.16.2. Resident Lounge Rental                                    | \$20.00/hour   |
| 8.16.3. Non-Resident Pool Rental ( <u>up to 30 total guests</u> ) | <del>\$85.00</del> <u>\$91.00</u> /hour <del>30 total guests</del> |
| 8.16.4. Non-Resident Lounge Rental                                | \$25.00/hour   |
| 8.16.5. <u>Every 10</u> Additional Guests (As Required by Rules)  | \$15.00/hour   |
- 8.17. Swim Diaper** \$1.00

D-5-c

The Town of Hampden hereby ordains that the following amendments to the Town Charter be enacted:

Deletions ~~stricken~~  
Additions underlined

**ARTICLE II TOWN COUNCIL**

*Sec. 211 Procedure –*

*(d) Voting* - The ayes and nays of any vote taken by the town council shall be entered in the record of the proceedings of the council by the Town Clerk, or designee. ~~Five~~ Four members of the council shall constitute a quorum, but a smaller number may meet from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the council. No action of the council shall be binding or valid unless adopted by the majority vote of those present.

Effective Date: This Charter Amendment shall take effect upon adoption by the voters.

Summary: The current quorum provision requires a super majority of 5 members of the 7 member Town Council for a quorum to conduct business. There have been a number of times when the Town Council was unable to hold a council meeting due to a lack of the presence 5 members. This amendment would reduce the quorum requirement to a simple majority. This amendment will not have an effect on the number of votes required for council action, as Section 211(d) requires a majority vote of the councilors present at the meeting. For both a meeting with 4 members present and a meeting with 5 members present, the majority vote required would be 3 votes.

**FARRELL, ROSENBLATT & RUSSELL**

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D-5-d  
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MEMORANDUM

Date: July 31, 2014  
To: Susan Lessard  
From: Tom Russell  
Re: Town Charter Review  
Articles VII, VIII, IX and X

Article VII  
Financial Procedure

I have reviewed the provisions of Article VII and Title 30-A M.R.S. Chapter 223 (Sections 5651-5826), entitled "Municipal Finances", and I did not find any inconsistencies between the Charter provisions and the statutory provisions.

Article VIII  
Nominations and Elections

As you know, Article VIII was amended last November to incorporate the provisions of Title 21-A, with Title 30-A as a backup if an election matter was not covered by the Charter or Title 21-A. The language of Section 802 dealing with councilors at large was also amended at that time. Section 807 was amended on June 10, 2014 to bring the districts into compliance with the requirements of Title 30-A M.R.S. § 2503. With the foregoing amendments, Article VIII is consistent with state election laws.

## Article IX Referendum and Initiative

Most of the Maine statutes dealing with this subject at the municipal level only apply to plantations or towns with the town meeting form of government. In large part, municipalities have home rule authority over referenda and initiatives. However, Title 30-A M.R.S. § 2504 provides that no municipality may enact a charter provision or ordinance that prohibits the circulation of petitions for any local initiative. In other words, for local initiatives, a municipality may not require that voters come to the municipal office to sign such a petition. Article IX does not prohibit the circulation of petitions, so it is in compliance with the requirements of Section 2504, and Article IX is not inconsistent with any applicable state law applicable to municipal referendum initiatives.

However, Article IX itself has some internal inconsistencies. Section 901(a) provides that the qualified voters of the town shall have the power to require reconsideration of certain ordinances adopted by the Town Council. However, Section 903, dealing with the commencement of referendum proceedings, provides that the full text of the “ordinance, order or resolve” sought to be reconsidered by referendum be contained in or attached to the petition throughout the circulation process, and also refers to the submission of the question of adopting an ordinance, order or resolve to a referendum vote. I recommend that Section 903 be amended to delete references to “order” or “resolve” therefrom, thereby making it consistent with Section 901(a). Also, it would be advisable to amend the title to Section 903 to add the word “Referendum” after the words “Commencement of”.

In addition, it is common for charters to provide the town council an opportunity to repeal an ordinance if a qualified referendum petition is filed with the town clerk. If the council repeals the ordinance that is subject to the referendum petition, the question to approve or reject the ordinance is not submitted to the voters. Language to that effect is contained in Section 901(a), but it is not contained in Section 903, the section that sets forth the proceedings involving a referendum petition. I recommend that such language be added to Section 903. (Note: That would be consistent with Section 905, which provides that no election on an ordinance proposed via the initiative process is required if the town council enacts the proposed ordinance.)

Section 901(b) is also internally inconsistent. It provides that qualified voters have the power to propose ordinances, resolves or orders to the council, and if the council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it (i.e., the proposed ordinance) at an election. However, Section 905, which establishes the initiative procedure, only refers to the “proposed ordinance” throughout its language. I recommend that the words “resolves” and “orders” be deleted from Section 901(b).

Denise Hodsdon has requested that the last sentence in the first paragraph of both Section 903 and Section 905 be amended to require that the voter’s printed name and street address follow each signature on the petition.

Article X  
General Provisions

Section 1003 is inconsistent with the provisions of Title 30-A M.R.S. § 2104, and the Town Council has already passed an amendment to that section to be submitted to the voters at the upcoming November election.

Section 1002 prohibits discrimination based on certain matters, but it does not contain “sexual orientation”, a matter that is protected under the Maine Human Rights Act. Also, Section 1002 uses the term physical or mental handicap, when the protected matter under the MHRA is physical or mental disability.

I have drafted proposed charter amendments for consideration to address the foregoing recommendations.

The Town of Hampden hereby ordains that the following amendments to the Town Charter be enacted:

Deletions ~~stricken~~  
Additions underlined

## Article IX-Referendum and Initiative

### Sec. 901 General Authority

- (a) *Referendum.* The qualified voters of the town shall have power to require reconsideration by the council of any adopted ordinance and, if the council fails to repeal or change an ordinance so reconsidered, to approve or reject it by referendum at ~~a town~~ an election, provided that such power shall not extend to the budget or capital program or any emergency ordinance or ordinance relating to appropriations of money, levy taxes, or salaries of officers or employees.
- (b) *Initiative.* The qualified voters shall have the power to propose ordinances, ~~resolves or orders~~ to the council and, if the council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at an election, provided that such power shall not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of officials or employees.

**Sec. 903 Commencement of Referendum Proceedings** - Any 5 registered voters may begin referendum proceedings by a request in writing, to the town clerk for the appropriate petition blanks. All papers of the petition shall be uniform in size and style and shall be assembled as one instrument for filing. They shall contain or have attached thereto throughout their circulation the full text of the ordinance, ~~order or resolve~~ sought to be reconsidered. The petition shall be signed only by registered voters of the town and each voter's signature shall be followed by that person's printed name and street address.

Each paper of the petition, when filed, shall have attached to it an affidavit executed by the circulator thereof stating that the circulator personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in the circulator's presence, that the circulator believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance sought to be reconsidered.

If within 20 days after the enactment of any such ordinance, ~~order or resolve~~, the appropriate petition signed by not less than 10% of the registered voters of the town is filed with the town clerk requesting its reference to a referendum, the town council shall call a public hearing to be held within 30 days from the date of the filing of such petition with the town clerk, and shall order the question of adopting such ordinance, ~~order or resolve~~ submitted to a referendum vote to be held at the next scheduled election, or in the case of no election being scheduled within 6 months of the date of said public hearing, the council may order a special election to be held for that purpose, unless such ordinance shall be repealed by the council prior to the call for said election. Pending action by the voters of the town, the referred ordinance, ~~order or resolve~~ shall be suspended from going into operation until it has received a vote of the majority of the voters voting on said question.

***Sec. 905 Enactment of Ordinances by Initiative*** - Ordinances may be enacted by the following initiative procedure:

Any 5 registered voters may begin initiative proceedings by request in writing to the town clerk for the appropriate petition blanks. The complete text of the proposed ordinance shall be included with the request. All papers of the petition shall be uniform in size and style and shall be assembled as one instrument for filing. They shall contain or have attached thereto throughout their circulation the full text of the proposed ordinance. The petition shall be signed only by registered voters of the town and each voter's signature shall be followed by that person's printed name and street address.

Each paper of the petition shall have attached to it when filed an affidavit executed by the circulator thereof stating that the circulator personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in the circulator's presence, that the circulator believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the proposed ordinance.

Upon receipt by the town clerk of the appropriate petition signed by not less than 10% of the registered voters of the town, the town council shall call a public hearing to be held within 30 days from the date of the filing of such petition with the town clerk, and shall order the question of adopting such ordinance submitted to a vote to be held at the next scheduled election, or in the case of no election being scheduled within six months of the date of said public hearing, the council may order a special election to be held for that purpose, unless such ordinance shall be enacted by the council prior to the call for said town election. Such ordinance shall be enacted and take effect when a majority of those voting thereon shall have voted in the affirmative.

**Effective Date:** These Charter Amendments shall take effect upon adoption by the voters.

**Summary:** The purposes of the amendments are to correct inconsistencies in the provisions dealing with referenda and initiatives, and to require the printed names and street addresses of the persons signing a petition to enable the Town Clerk to verify their status as a registered voter in Hampden.

The Town of Hampden hereby ordains that the following amendments to the Town Charter be enacted:

Deletions ~~striken~~

Additions underlined

## ARTICLE X GENERAL PROVISIONS

*Sec. 1002 Activities Prohibited* - No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any town position or appointive town administrative office because of religion, age, sex, sexual orientation, marital status, race, color, ancestry, national origin, physical or mental ~~handicap~~ disability.

Effective Date: This Charter Amendments shall take effect upon adoption by the voters.

Summary: The purpose of this amendment is to make Section 1002 consistent with the Maine Hyman Rights Act.

D-5-h

TO: Hampden Town Council  
FROM: Sue Lessard, Town Manager  
DATE: August 14, 2014  
RE: Agenda Item D-5-H

The purpose of this memo is to provide a brief description of this item as explained to me by Councilor Brann, who will be discussing this with the Council.

Councilor Brann requested this item to foster a discussion about the impact of the loss of two key persons who held/hold positions that have duties related to the processing of development applications to the Town and what steps the Town should take to insure that our capacity is not reduced in these areas. He will explain this more fully at the meeting.