



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

September 20, 2010

7:00 P.M.

□ **5:45 pm – Finance Committee Meeting**

A. CONSENT AGENDA

1. SIGNATURES

a. Treasurer's Warrants

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

a. Historic Preservation Committee Applicant – S. Reinhart

4. REPORTS

a. Finance Committee Minutes 9/7/2010

b. Lura Hoit Pool Trustee Minutes 7/6/2010

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

a. Bid Results – 1990 Fire Truck

b. 3 Town Letter to SAD #22 & Reuse

c. Mayo Road Financing Resolution

4. NEW BUSINESS

a. Application for Renewal of Liquor License – Bangor Tennis & Recreation Club

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

b.

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

A-3-a



Check One: Initial Application
 Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Reinhart Sarah L
LAST FIRST MI

ADDRESS: 28 Summer Street Hampden 04444
STREET TOWN ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: cell only: 944-4194 947-0111
HOME WORK

EMAIL: sreinhart@eatonpeabody.com

OCCUPATION: attorney

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Historic Preservation Committee

SECOND CHOICE (OPTIONAL): Board of Assessment Review

How would your experience, education and/or occupation be a benefit to this board or committee? I live in a house built in the first half of the 1800's so I understand the difficulties with trying to preserve historic structures while living in them and doing so in modern times and its economic realities.

Are there any issues you feel this board or committee should address, or should continue to address? No.

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

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

FINANCE COMMITTEE MEETING MINUTES
September 7, 2010

Attending:

Mayor Matthew Arnett
Councilor William Shakespeare
Councilor Janet Hughes
Councilor Jean Lawlis
Councilor Andre Cushing III
Councilor Tom Brann
Town Manager Sue Lessard

1. The minutes of the 8/16/2010 meeting were reviewed and accepted on a motion by Councilor Shakespeare without objection.
2. The warrants were reviewed and signed by the Committee members.
3. Old Business
 - a. Municipal Building Boiler Bids - Motion by Councilor Shakespeare seconded by Councilor Lawlis that the Committee recommend to the full council the acceptance of the bid from Industrial Heating and Piping in the amount of \$71,610 for replacement of the municipal building boilers. Vote 6-0.
 - b. SAD #22 Academy Re-use – The Committee discussed the upcoming meeting to be held on 9/14 in Winterport for the three SAD #22 communities to discuss concerns related to the decision by the SAD #22 Board to retain the current Hampden Academy property after the new high school construction was completed
4. New Business – None
5. Public Comment
 - a. Resident Joyce Rankin attended the meeting to discuss a request for the Town to provide Saturday bus service in Hampden. She presented a letter and a list of signatures of people who supported the idea. It was the consensus of the Committee to recommend to the full Council that the topic of Saturday Bus Service be assigned to the Services Committee for investigation and recommendation.
6. Committee Member Comments
 - a. Councilor Shakespeare had constituent questions related to
 1. Why Hampden does not offer payment discount for taxes? The Town Manager explained that in order to offer a discount, the community would have to raise money to

fund that sort of a credit. On a tax commitment of \$9,000,000, for a 2% discount, the Town would have to raise \$180,000. That would increase the mil rate by approximately 30 cents and create a bigger burden for all taxpayers.

2. Why does the Town not accept credit cards? The Town Manager explained that accepting credit cards involves a percentage fee charged to the town by the credit card agencies. There is no way to know that fee at the time of a transaction and absorbing the cost of the fees by the Town is unfair to residents who would not use a credit card. The Town does accept debit cards because the fee per swipe is a known amount and is collected from the user at the time of the transaction.
- b. Councilor Brann commented that the budget for next year should include funds for painting the trim on the municipal building since it is starting to flake.

The meeting was adjourned at 6:55 p.m.

Respectfully submitted,



Susan Lessard
Town Manager

Board Meeting Minutes ~ 7/6/10

Cedena McAvoy brought the meeting to order at 7:04 pm.

Those present: Cedena McAvoy, Karen Brooks, Jim Feverston, Mary Ellen Conner, John Weinmann, Pat Foley, Norm Stern, Darcey Peakall, and Julie Macleod. Not present: David Hawkins & Greg Hawkins

The secretary's minutes were accepted as presented.

The Director's Report:

- ~ The number of participants in June was up 118 people and daily receipts were down \$6,405 compared to last year.
- ~ The pool rental income was up \$10 compared to last year.
- ~ The monthly fuel usage went up by 357 gallons compared to last year. Darcey explained that it was due to increasing the boiler loop setting. A lower setting causes leaks from the gaskets. In order to correct this, the gaskets throughout the building would have to be replaced, which would be a huge expense.
- ~ Swim lessons for session IV had 230 participants, which is down 15 students and a decrease of \$599 compared to last year. Private lessons had 32 people, up 2 participants, enrolled for a total of 262 participants. The private lessons income was down \$650 compared to session IV last year.

The treasurer's report was accepted as presented.

Darcey presented the board a bill for \$280.00 for swim lessons. A motion was made to pay the bill from the general scholarship fund. The motion was passed 7-0.

The board voted on the t-shirt design. Cedena will now take the outline to Brandywine Graphics to get sample t-shirts made up for preview at the next board meeting.

Darcey passed around pictures of the current air handler's condition. She attended the Infrastructure meeting last week with Peter from Mechanical Services to give a presentation on what the future options of the system are. The estimated cost of a new air handling system is \$100,000 to \$160,000. The next step is to have a mechanical engineer design the new setup. Darcey suggested that the pool board could offer financial support to help offset the cost.

The board reviewed the advisory handbook and would like a few items changed or expanded upon.

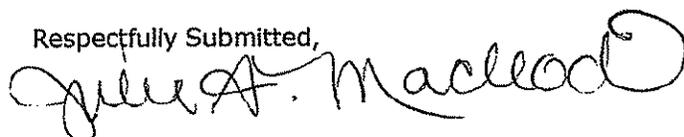
- ~ Page 7 section 1.4, Liability of Board Members/Trustees, the town council will provide statement
- ~ Page 7 section 1.5, description of the facilities current strengths and weaknesses; Cedena requested a copy of these from Darcey. Darcey will work on compiling the information.
- ~ Page 10 section 3.1 mission statement wording "to promote social functions" needs to be explained
- ~ Page 13, section 5.3, change the wording "expenditures to least" to "in descending order"
- ~ Add to chapter 5, Funding Sources, the general and specific guidelines for the scholarship fund

A motion was made to pass the list of short term goals that was compiled from last month's board meeting. The motion was passed 7-0. A motion was made to pass the list of long term goals that was compiled from last month's board meeting. The motion was passed 6-0-1 with Jim abstaining.

There will not be an August board meeting. The next meeting will take place on September 14th.

Meeting adjourned at 8:32pm.

Respectfully Submitted,



Julie A. Macleod

C-3-a

**TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC SAFETY
BID OPENING
1990 E-One Protector Fire Truck
September 14, 2010 at 11:00 am**

BIDDER	BID AMOUNT
David Smith	5,127.00
Town of Demark	12,100.00
K & T Fire Equipment	6,500.00
Company Two Fire Apparatus	10,200.00

DRAFT DRAFT DRAFT DRAFT

September 22, 2010

Mr. Timothy Pease, Chair
SAD #22 School Board
24 Main Road North
Hampden, ME 04444

RE: Concerns regarding vote to retain Hampden Academy Property

Dear Chairman Pease and SAD #22 Board Members,

The purpose of this letter is to discuss the concerns of the municipal officials of the SAD #22 member communities of Hampden, Winterport, and Newburgh in regard to the recent School Board decision to retain the current Hampden Academy property once the new high school opens.

On Tuesday, September 14th the Town Councils/Boards and their appointed Managers met at the Victoria Grant Center in Winterport to formulate a response to your decision to retain the soon-to-be-vacated Hampden Academy site. The School Board and administration were also invited to attend this meeting and Superintendent Lyons attended.

While officials of the three municipalities that comprise SAD #22 recognize that the School Board was within its legal rights to take the action that it did in making the vote to retain the property, they do not agree with the contention of the Superintendent made at a meeting in Hampden on September 7th that the municipal officials of the three communities have no 'right' to question or express concerns over that decision because they have no legal interest in the decision. As the entities that are assessed annually to pay costs associated with the operation of the District, actions taken that may increase those costs or that appear to be different from what was previously promised are certainly within the purview of those officials.

I have attached the list of twenty four concerns that were cited during the meeting in Winterport. While these items are cited separately, there are in essence, five major areas of concern.

1. Cost, Condition, & Timing - One overwhelming concern of all in attendance is related to the cost of continuing to retain ownership of the old site once the new high school has been opened. A

majority of the campus is not in a fit condition for occupancy by others and is a traffic nightmare – hence the need for the new academy at a different site. The School administration has indicated that it has a two year planning window to ‘find’ an educational use for the property. In reality – that is far too long a time period. If there is to be any hope that the academy property not be a fiscal albatross around the neck of the District for a period of time after closure – its disposition has to be in a ‘ready-to-go’ state at the time the new high school opens. Failure to do that will have no recourse other than for member municipalities to pay for the cost of upkeep on the old facility for an unknown period of time.

2. Mission & Legal Standing– Although the School Board has indicated that it is retaining the property for educational purposes, none have been defined, and the District is seeking funds for a feasibility study to ‘find’ a purpose. It is of concern that this vote to retain was taken with no plan behind it to support it. It is our understanding that there was no legal requirement that that decision be made at this time. Discussion at the September 7th meeting in Hampden with administration and School Board Representatives indicates that the District is really seeking a way to make the former academy site into a funding source for the District or its attendant 501(c) 3. The Municipal representatives have serious concerns about changing the mission of the District to one that includes economic development strategies. At the present time there is nothing in law that allows for a school district to be in the economic development business. Legislation would have to be enacted to allow that and it is unclear as to whether that would garner sufficient support at the local level – or at the state level – for passage.
3. Public Perception – It is the contention of the Municipal officials of the three communities that during the development and ‘selling’ of the new high school project and the attendant re-use investigations conducted by WBRC with the communities of the district that there was never a public discussion or indication that the District would seek to retain the old property. It was the belief of all that it would follow the ‘normal’ course of the law in regard to disposition of closed schools and that the re-use ideas put forward by those in the visioning sessions would give direction to the eventual use of the property in the Town of Hampden.
4. Transparency – It is of concern to the Municipal officials of the three communities that the desire to retain the property and find ways for it to provide a funding stream to the District may move this from a public process subject to voter approval to one in which a 501 c3 is making funding decisions for augmented programs. As a further

means of providing transparency to this process, it is the belief of the municipal officials of the three communities of the district that the School District should hold a referendum vote in all three communities before determining a course of action related to the retention of the old Hampden Academy site.

5. Need – The ideas that an educational purpose may be found for the old Hampden Academy site and that there may be a way to change the law to allow a school district to use other properties under its ownership for economic development are not related to a need that fits the K-12 student population in SAD #22. It is the contention of the municipal officials of the three communities that the new facility being designed has the capacity not only for expansion at the current site – but capacity in terms of time availability to serve more than K-12 educational ideas as well.

Further, the 'one campus' concept that located the new high school adjacent to the other schools already in existence may be augmented by additional land owned by the Town of Hampden that is adjacent to school property. If there is real concern about the need for additional land for school construction in the future – that is the logical location for it – not the former academy site. No exploration has been done with the Town of Hampden about the possibility of 'swapping' land to address such a concern.

The municipal representatives of the three communities will be reconvening to discuss this subject further on Tuesday, October 26th at the Victoria Grant Center in Winterport. It is our request that the SAD #22 School Board consider the questions and issues that have been raised by the communities and respond to them in writing before that date.

Thank you, in advance, for your consideration of these questions. While there are clear role differences between school and municipal officials – we are all responsible to the same electorate for our funding. The upcoming year is going to see further funding constraints at both the educational and municipal levels from the State. It is necessary that we find ways to work cooperatively to insure that impacts to the taxpayer are minimized.

Sincerely,

Hampden, Winterport, Newburgh Officials

List of Concerns from 9-14-2010 Meeting

1. The old site could be a budget drain for SAD #22 communities.
2. Towns believed that the old high school property would be abandoned and not retained.
3. Towns 'sold' the new high school project based in part on the unsafe condition of the old facility, and that it would not be retained.
4. There is a lack of specificity in the SAD #22 Board's retention plan and a two year planning window will result in the need for tax dollars to pay for maintenance and upkeep in the time period between planning and any development that might occur.
5. The SAD #22 Board should turn property over to the Towns when it is no longer needed for K-12 education. Some communities in the District gave property to the school district for a token amount and the District should act in kind when it no longer needs a school in the district for a K-12 purpose.
6. What is the compelling need for retaining the old academy?
7. Why not use the new high school facility for additional functions instead of developing the old site?
8. Special legislation would be required to allow public/private partnerships of the SAD and developers. There is concern over the transparency of any planning in this area.
9. The visioning sessions held as part of the WBRC re-use process included non-educational re-use of the old site.
10. During the planning process for the new high school communities and residents were never informed that the SAD #22 Board intended to retain the old high school property.
11. What is the reaction of the DOE to the idea of retention?
12. What role did/does the WBRC re-use plan have in the future of the school property?
13. Bottom line concern of source (taxpayers at all levels) for funding any changes to the property.
14. Municipal officials are upset at the statement by the School Superintendent questioning the 'right' of municipal officials to comment on the proposed property retention.
15. Legislative changes to allow for SAD #22 to do development would include costs in terms of time and money and could potentially face opposition from other communities and interest groups as well as opposition from local residents in Hampden, Winterport, or Newburgh.
16. How does the school retention/redevelopment fit into the mission of SAD #22 as stated on its website?

17. What would funds derived from the reuse be used for? Defraying the cost of the budget or for extras?
18. How would the school department act as an economic developer under current law?
19. Can the school district lease property to for-profit entities?
20. What does the term '4th town' that the school superintendent uses mean?
21. The legal opinion of the school attorney agrees with the legal opinion of the Town attorney in regard to school property disposition statutes. What other legal opinion is SAD #22 relying on to go forward with the retention and re-use?
22. The time frame remaining if the school takes two more years to consider its options is not long enough for immediate action following exodus from the school. The SAD #22 Board should consider a planning window of 6 months instead.
23. Concern over the intent of the School Board in making the decision to retain the property before having any clear idea of what its use might be and the expansion of the role of the School Board into the role of property developer.
24. Would the School Board hold a referendum vote in all three communities prior to taking final action to retain the Hampden Academy property?

C-3-e

TOWN OF HAMPDEN
RESOLVE

RESOLVE RELATING TO THE ORDINANCE AUTHORIZING APPROPRIATION AND BORROWING OF FUNDS TO FINANCE THE CONSTRUCTION AND/OR RECONSTRUCTION OF MAYO ROAD AND OTHER RELATED INFRASTRUCTURE IMPROVEMENTS THROUGH ISSUANCE OF GENERAL OBLIGATION BONDS OR NOTES OF THE TOWN OF HAMPDEN WHICH MAY BE CALLABLE IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$2,300,000.

The Town Council of the Town hereby resolves as follows:

WHEREAS, pursuant to Section 5772 of Title 30-A, Maine Revised Statutes, as amended, the Charter of the Town and a referendum duly called and held on November 3, 2009, approving the above-captioned ordinance adopted August 17, 2009, and any other applicable authority under Maine law thereto enabling, the Town of Hampden is authorized to borrow a principal amount not to exceed in the aggregate of Two Million Three Hundred Thousand Dollars (\$2,300,000), said amount to be payable over a period not to exceed thirty (30) years and is issuing its General Obligation Bond (the "Bond") in the principal amount of \$1,825,000 pursuant thereto, at such interest rates and on such further terms and conditions as may be approved by the Treasurer and a majority of the Town Council, the proceeds of said loan to be used substantially for the construction and/or reconstruction of Mayo Road and other related infrastructure improvements. Said loan to be evidenced by the General Obligation Bond or Bonds of the Town to be executed and delivered on behalf of the Town by the Town Treasurer and countersigned by a majority at least of the Town Council in a principal amount not to exceed \$1,825,000.

BE IT HEREBY RESOLVED that one or more Bonds in the aggregate principal amount of \$1,825,000 may be sold to the Maine Municipal Bond Bank.

RESOLVED: That authority to allocate and designate one or more of the Bonds, in whole or partial maturities, in varying principal amounts, as any of tax exempt, Build America Bonds, recovery zone economic development bonds, qualified school construction bonds and/or qualified energy conservation bonds is hereby delegated to the Chairman or the Treasurer of the Town.

RESOLVED: That authority to invest that portion Bonds constituting the debt service reserve fund in a taxable bond issued by the Bond Bank is hereby delegated to the Chairman or the Treasurer of the Town.

Chairman, Town Council

Councilor

Councilor

Councilor

Councilor

Councilor

Councilor

I certify that I am the duly qualified Clerk of Hampden, Maine, and that the foregoing resolves were adopted by the Town Council at a meeting of said Councilors duly called and legally held in accordance with the laws of Maine on September 20, 2010 and that the meeting was open to the public and that adequate and proper notice thereof was given in accordance with the laws of Maine, and that such votes have been entered into and become a part of the permanent records of the Town and remain in full force and effect and have not been rescinded or amended.

(SEAL)

TOWN OF HAMPDEN

Town Clerk

Dated at Hampden, Maine
Dated: September 20, 2010

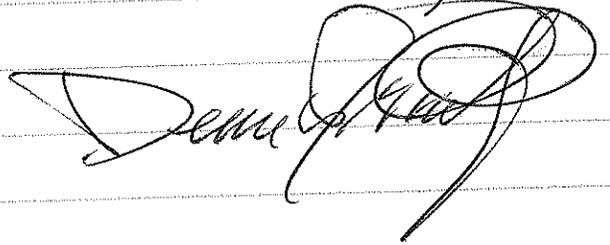
BANKOOR JENNIN

9/9/10

Please WAIVE THE
PUBLIC HEARING FOR

BANKOOR JENNIN

Thank You

A handwritten signature in black ink, appearing to read "Demetrius", written in a cursive style with a large loop at the end.

**Department of Public Safety
Division**



Liquor Licensing & Inspection

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

BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES 10.10.10

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

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

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>BANGOR TENNIS & RECREATION CLUB INC.</u>	2. Business Name (D/B/A)
DOB:	
DOB:	Location (Street Address) <u>60 MECAW ROAD</u>
Address <u>60 MECAW ROAD</u>	City/Town State Zip Code <u>HAMPDEN</u> <u>ME</u> <u>04444</u>
	Mailing Address <u>SAME</u>
City/Town State Zip Code <u>HAMPDEN</u> <u>ME</u> <u>04444</u>	City/Town State Zip Code
Telephone Number Fax Number <u>207 942-4836</u>	Business Telephone Number Fax Number <u>207-942-4836</u>
Federal I.D. # <u>01-0376232</u>	Seller Certificate # <u>186516</u>

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 \$ _____ FOOD \$ APPROX \$4500.00 LIQUOR \$ APPROX \$3000.00
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: DEAN ARMSTRONG
8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: _____ Business hours: _____
9. Business records are located at: 60 MECAW RD HAMPDEN MAINE
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
DEAN ARMSTRONG	6/23/35	WATERVILLE, MAINE

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) STEEL BUILDING WITH 4 TENNIS COURTS, SHOWERS, BATHROOMS, LOUNGE AREA & PRO SHOP

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

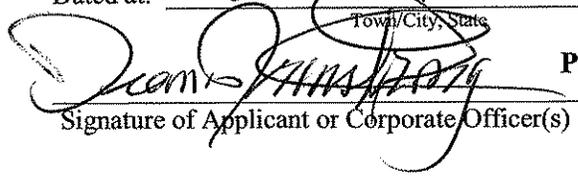
19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? APPROX 2 Which of 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: MORTGAGE THROUGH MERRILL BANK

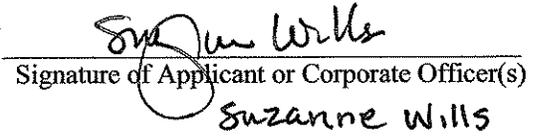
The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

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: BANGOR, MAINE on 7TH SEPTEMBER 2010
Town/City, State Date


Signature of Applicant or Corporate Officer(s)

Please sign in blue ink


Signature of Applicant or Corporate Officer(s)
Suzanne Wills

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

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

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

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

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

On: 2010
Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

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

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

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

1. Exact Corporate Name: BANGOR TENNIS & RECREATION CLUB INC.

Business D/B/A Name: _____

2. Date of Incorporation: JULY 2, 1981

3. State in which you are incorporated: MAINE

4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
SAMUEL NYER	698 ESSEX ST BANGOR MAINE	7/13/25	50.2	PRES
DEAN ARMSTRONG	91 CENTER ST BANGOR MAINE	6/23/35	30.1	V PRES
DEBORAH PALMER	14 FRANCES ST BROOKLINE MASS	2/10/50	5.0	
RICHARD SWETT	45 DWELLEY AVE DOVER FOXCROFT ME	1/28/42	6.3	
SIDNEY SMITH	LOT 90 HOLIDAY PK BANGOR ME	6/28/29	4.2	
MARTIN SCHNEIDER	102 NORFOLK ST BANGOR ME	3/22/27	4.2	
SUZANNE WILLS	48 LASKEY LANE HAMPDEN ME	12/23/62	0	CLERK

6. What is the amount of authorized stock? 100,000 Outstanding Stock? 80,000

7. Is any principal officer of the corporation a law enforcement official? () YES (X) NO

8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES (X) NO.

9. If yes, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: _____ City/Town On: _____ Date

Suzanne Wills Date: 9/8/2010
 Signature of Duly Authorized Officer

Suzanne Wills
 Print Name of Duly Authorized Officer

STATE OF MAINE
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SUPPLEMENTARY QUESTIONNAIRE FOR CLUB APPLICANTS

1. Exact Club Name: BANGOR TENNIS & RECREATION CLUB, INC

2. Title, name, birth date and telephone number of each principal officer of the club:

Title	Name	Birth Date	Telephone #
PRESIDENT	SAMUEL NYER	7/13/25	207 942 3880
VICE PRESIDENT	DEAN ARMSTRONG	6/23/35	207 990-1453
CLERK	SUZANNE WILLS	12/23/62	207 862 3487

3. Date Club was incorporated: JULY 2, 1981

4. Purpose of Club: () Social (X) Recreational () Patriotic () Fraternal

5. Date regular meetings are held: N/A

6. Date of election of Club Officers: N/A

7. Date elected officers are installed: N/A

8. Total Membership: 218 Annual Dues: 155.00 Payable When: ANNUALLY

9. Does the Club cater to the public or to groups of non-members on the premises? () YES (X) NO

10. Excluding salaries, will any person other than the Club, receive any of the financial profits from the sale of liquor?

() YES (X) NO

11. If a manager or steward is employed, complete the following:

Name: DEAN ARMSTRONG Date of Birth: 6/23/1935

Suzanne Wills Clerk
 Signature and Title of Club Officer

SUZANNE WILLS CLERK
 Print Name and Title of Club Officer

PREMISE DIAGRAM

