HAMPDEN TOWN COUNCIL

HAMPDEN MUNICIPAL BUILDING

AGENDA

MONDAY May 3, 2010 7:00 P.M.

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

A. CONSENT AGENDA

1. SIGNATURES

   a. Treasurer's Warrants

2. SECRETARY'S REPORTS

   a. April 20, 2010
   b. April 26, 2010

3. COMMUNICATIONS

   a. Goodwill Riders Snowmobile Club – Thank You
   b. Time Warner Notice
   c. MRC Meeting Agenda – 4/28/2010

4. REPORTS

   a. Finance Committee Meeting Minutes – 4/20/2010
   b. Infrastructure Committee Meeting Minutes – 4/26/2010

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

   a. Application for Renewal of Victualers License received from Anglers, Inc. d/b/a Anglers Restaurant at 91 Coldbrook Road

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

   c. Application for Renewal of Victualers License received from MWP Enterprises d/b/a Nealley's Corner Store at 1230 Kennebec Road

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

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

    a. Draft Zoning Ordinance Text Amendment – Rural District Uses – Referral to Planning Board

    b. Mayo Road Bids – Infrastructure Committee Recommendation

4. NEW BUSINESS

    a. Safe Routes to School Grant Application

    b. Lock-in Price – Propane – Infrastructure Committee Recommendation

    c. Use of Pool Reserve – Air Handling System – Infrastructure Committee Recommendation

    d. Sewer Commitment – 1st Quarter 2010

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT

A-2-a

# TOWN COUNCIL MINUTES

## April 20, 2010

Due to the Patriot's Day holiday, the regularly scheduled meeting of the Hampden Town Council was held on Tuesday, April 20, 2010. The meeting was held at the municipal building council chambers and was called to order by Mayor Arnett at 7:00 p.m.

**Attendance**: **Councilors**: Mayor Matthew Arnett, Thomas Brann, William Shakespeare, Jean Lawlis, Shannon Cox and Andre Cushing; Janet Hughes was excused

**Town Manager**: Susan Lessard

**Town Counsel**: Thomas Russell

**Department Heads/Staff**: Library Director Debbie Lozito, Public Works Director Galen 'Chip' Swan and Town Planner Bob Osborne

Brian and Cindy Carlisle of Pizza Gourmet, Hampden Academy Mock Trial Team Advisor Kathryn King, and Cheryl Fasse and members of the Weatherbee School Destination Imagination Team

Mayor Arnett noted that Councilor Hughes was unable to attend the meeting this evening. Motion by Councilor Cox, seconded by Councilor Cushing to excuse Councilor Hughes – unanimous vote in favor.

## A. CONSENT AGENDA

The Treasurer's Warrants were reviewed and signed by the Finance Committee at their meeting earlier in the evening. Motion by Councilor Cushing, seconded by Councilor Cox to accept the balance of the Consent Agenda – unanimous vote in favor.

## B. PUBLIC COMMENTS

Hampden Academy Mock Trial Team Advisor Kathryn King informed the Council that the team will be attending the national championship in Philadelphia. She submitted a letter to Councilor Cushing on behalf of the team requesting support from the Council. The Finance Committee discussed the request and recommended funding the team to the maximum amount allowed under the policy. Motion by Councilor Cushing, seconded by Councilor Lawlis to support the Mock Trial Team in the amount of $200 – unanimous vote in favor.

Town Planner Bob Osborne encouraged Hampden citizens to participate in the 5th Annual Stream Cleanup scheduled for Saturday May 1st from 9:00 am until noon. There will be a barbeque following the event at the Municipal Building.

## C. POLICY AGENDA

### 1. PUBLIC HEARINGS

a. ZONING ORDINANCE TEXT AMENDMENT – ARTICLE 7.2 re DEFINITIONS OF "ANIMALS AS USUAL PETS" AND "ANIMALS OTHER THAN USUAL PETS"

Town Planner Bob Osborne explained that this amendment will allow up to six hen chicks as a conditional use in the Residential A and Residential B districts. The Planning Board has returned an "ought to pass" recommendation.

Mayor Arnett explained the procedure for the public hearing and then opened the hearing.

Proponents – none; Opponents – none: General Questions or Comments – None. The hearing was closed.

Motion by Councilor Lawlis, seconded by Councilor Cox to adopt the amendment. During discussion, Councilor Shakespeare stated that he would vote against the amendment as he does not agree that a hen/ chicken is a pet. Vote on the motion was 5-1 (Shakespeare) – motion carried.

**2. NOMINATIONS-APPOINTMENTS-ELECTIONS**

Councilor Cox announced that she will be resigning from the Council effective June 21, 2010. She said she has enjoyed her time on the Council, but needs to focus on her work and personal life at this time. She said it has been an honor to serve on the Council and thanked the citizens who voted for her.

Mayor Arnett regretfully accepted the resignation and commented that Councilor Cox has made an outstanding contribution and brings a great deal of sensitivity and skill to the process.

**3. UNFINISHED BUSINESS**

a. 2010 PAVING BID AWARD – (Continued)

Public Works Director Chip Swan has met with the low bidder, T. R. Ginise and he is confident that they can do the work and that their asphalt supplier is able to meet MDOT specifications. Chip recommended that the Council accept their bid in the amount of $361,359.40.

Motion by Councilor Shakespeare, seconded by Councilor Cushing to accept the bid from T. R. Ginise as recommended by the Public Works Director – unanimous vote in favor.

b. SALE OF LOT 12 – BUSINESS PARK

Manager Lessard reported that the Planning & Development Committee has discussed an offer on Lot #12 in the Hampden Business and

Commerce Park. The conditions of the offer were $50,000 at time of acquisition and the additional $20,000 at time of building permit application or three years from the date of acquisition, whichever comes first. The Committee unanimously voted to recommend that the Council accept the offer.

Motion by Councilor Brann, seconded by Councilor Lawlis to authorize the Town Manager to proceed with the sale of Lot #12 as stipulated – unanimous vote in favor.

c. 2010/2011 BUDGET SCHEDULE – FINANCE COMMITTEE RECOMMENDATION

Manager Lessard reported that the Finance Committee has reviewed the proposed budget schedule and approved the schedule as presented with one change – the May 19th workshop will be moved to May 18th.

**4. NEW BUSINESS**

a. DESTINATION IMAGINATION TEAM – FUNDING REQUEST

This item was moved to the beginning of the meeting. Cheryl Fasse, one of the managers of the Weatherbee School Destination Imagination team introduced members of the team who presented their first-place award winning project to the Council. Mrs. Fasse informed the Council that the team will be attending the global finals in Knoxville, Tennessee and they will need to raise $12,000 to send the team members, team managers and chaperones. They are looking for support from the community to help them achieve their fundraising goal.

Mayor Arnett reported that the Finance Committee has discussed the funding request and is recommending supporting the DI Team to the maximum amount allowed under the Council's funding policy. Motion by Councilor Cushing, seconded by Councilor Cox to support the Destination Imagination Team in the amount of $200.00 – unanimous vote in favor.

b. NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD DRIVE – 5/8/2010

Motion by Councilor Cox, seconded by Councilor Shakespeare to adopt the proclamation as proposed and authorize the Mayor to sign on behalf of the Council – unanimous vote in favor.

c. BRIAN & CINDY CARLISLE – CERTIFICATE OF RECOGNITION – PIZZA & POETRY PROGRAM SUPPORT

This item was also moved up on the agenda. Library Director Debbie Lozito explained that 20 years ago the Library started a program called "Pizza and Poetry" and noted that for the entire 20 years Pizza Gourmet has donated pizza to the program. Debbie and Mayor Arnett recognized Brian and Cindy Carlisle of Pizza Gourmet for their contribution and presented them with a Council proclamation and key to the town.

d. JUSTIN RUSSELL – CERTIFICATE OF RECOGNITION – LIBRARY WEBSITE

Library Director Debbie Lozito acknowledged Justin Russell for his contribution of services to the library's website. While he was in high school Justin designed and administered the website and has been doing so for the last ten years. Although Justin was unable to attend, Mayor Arnett read the Council proclamation recognizing him for his years of volunteer service to the Library and community.

e. 2010 ALEWIFE FISHING RIGHTS

Motion by Councilor Brann, seconded by Councilor Cushing to preserve alewife fishing rights and continue the alewife fishing plan according to the 2010 Model Alewife Ordinance – unanimous vote in favor.

## D. COMMITTEE REPORTS

Councilor Shakespeare reported that the next meeting of the Infrastructure Committee will be at 5:00 pm on Monday, April 26th.

Councilor Lawlis reported that the Services Committee met on April 12th and heard a report from the Tree Board which is drafting a mission statement for the Friends of Dorothea Dix Park. She further reported that she attended the meeting of the Friends of Dorothea Dix Park and noted that there is a lot of support and enthusiasm in that group. The Dog Park group is drawing up plans and is drafting a set of rules for submission to the Town Attorney for review.

Councilor Brann reminded everyone that the first Comp Plan informational meeting will be at 6:00 pm on Monday, April 26th.

Councilor Cushing reported that the Communications Committee is developing some new programs and the April newsletter has been mailed out to citizens.

Councilor Cox reported that the Committee on Committees will meet at 5:30 pm on April 27th. The Committee is putting together a draft advisory booklet for the volunteer boards and committees, with focus on the library, pool and recreation.

Manager Lessard reported that the Finance Committee met earlier and reviewed the Treasurer's Statements and financial statements. Manager Lessard presented an overview of the controls and procedures in place to ensure the fiscal integrity of our funds. The Finance Committee requested a meeting with the Town's auditors at its second meeting in June.

Mayor Arnett reported that the Town Manager's contract expires at the end of the fiscal year and the Finance Committee will conduct a performance review and make a proposal for a new contract.

## E. MANAGER'S REPORT

A copy of the Manager's Report is attached hereto.

## F. COUNCILOR'S COMMENTS

Councilor Cushing offered congratulations to the Destination Imagination and Mock Trial teams for their success.

Councilor Lawlis said she was sad to see Councilor Cox leaving and thanked her for all the help she has given her this past year.

## G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:14 p.m.

Denise Hodsdon
Town Clerk

MANAGER'S REPORT
Tuesday, April 20, 2010

Rain Garden – A team of volunteers from Maine Savings has agreed to maintain the rain garden on an ongoing basis. Public works in conjunction with Laura Wilson and Gretchen Heldmann will be doing some up-front work this year but weeding and clean up will be managed by Maine Savings volunteers. Thanks to Maine Savings for their willingness to step up and assist the Town with this worthwhile project!

Bangor Daily News Article – Landfill Closure – I hope that you all had the opportunity to see the BDN article on Saturday, April 18th regarding the landfill closure and what-comes-next in terms of oversight of that facility. I think that the article did a good job of explaining where things stand.

2009 – 2010 Taxes – I am pleased to report that we have now collected 94% of the 2009 – 2010 tax commitment. Thanks to all the Hampden residents who do such a good job of staying current with their taxes.

Energy Audit – The Lura Hoit Pool had an energy audit performed last week by Efficiency Maine. When the report is returned, we will schedule a review of it by the Infrastructure Committee.

Sidewalks – Western Avenue – Planner Robert Osborne is preparing an application for funding under the Safe Routes to School Program for sidewalks to access the new Hampden Academy and to complete the sidewalk on Western Avenue that ends before Mayo Road. The deadline is in June.

Recreation Grant Application – Kurt is applying for a $5,000 grant to make some improvements to the picnic table shelters, tree plantings, and playground equipment at Dorothea Dix Park to the Center for Disease Control and Prevention. The application deadline is 4/23/2010 and decisions will be made on April 30, 2010.

Hampden/Hermon Public Safety – At this time the Town of Hermon has decided to go forward with advertising for a replacement for their fire chief and seeing what kind of applicant pool they receive. They appreciate our willingness to work with them but will not be considering any combined options at this time since they are going through their own personnel replacement process.

A-2-b

# TOWN COUNCIL
# COMPREHENSIVE PLAN INFORMATIONAL MEETING
# MINUTES

## APRIL 26, 2010

A special meeting of the Hampden Town Council was held on Monday, April 26, 2010 for the purpose of accepting public comment and questions regarding the proposed 2010 Comprehensive Plan. Councilor Brann called the meeting to order at 6:15 p.m.

**Attendance:** Councilor Thomas Brann
Councilor Jean Lawlis,
Councilor William Shakespeare
Town Manager Susan Lessard
Economic Development Director Dean Bennett
Town Planner Bob Osborne
Nancy Chaiyabhat

Nancy Chaiyabhat was the only member of the public present at the meeting and because she has been involved in the Comp Plan revision process, she is familiar with the proposed Plan and did not have any comments or questions for the Council.

Motion by Councilor Lawlis, seconded by Councilor Shakespeare to adjourn the meeting at 6:16 pm due to there being only one member of the public present and she had no questions – unanimous vote in favor.

Denise Hodsdon

Denise Hodsdon
Town Clerk

4-3-a

*E. Stephen Eyles*

April 22, 2010

Hampden Town Council
Town of Hampden
106 Western Ave.
Hampden, ME 04444

Subject: Goodwill Riders Snowmobile Club – 2010 Town Donation

Goodwill Riders Snowmobile Club would like to thank the Town of Hampden and the Hampden Town Counsel for its very generous donation of One Thousand Dollars for the 2009-2010 winter seasons.

Although the past winter season was a little abbreviated do to the lack of snow in February and March, several projects were completed that will benefit the Hampden trail system next year and years to come.

This donation will go a long way to improving yet more of the trail system over the next twelve months.

Again, Thank your for continued support.

Sincerely

Steve Eyles
Trail Master
Goodwill Riders Snowmobile Club

*245 Shaw Hill Road, Hampden, Maine 04444*

4-3-b

TIME WARNER CABLE
THE POWER OF YOU™

PO Box 8180
Portland, ME 04104

Dear Town/City Manager,

I am writing to you as part of our ongoing efforts to keep you apprised of developments affecting Time Warner Cable customers in your community.

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The agreements with the programmers/broadcasters on the attached list are due to expire soon and we may be required to cease carriage of one or more of these services/stations in the near future. Conversely, there are also times when we will include the addition of new channels within these ads.

Again, this is a routine notice and we are confident agreements will be reached with these networks. Enclosed is a copy of the ad that will run in the local daily paper; the notice can also be found on our website at: http://www.timewarnercable.com/newengland/support/policies/channelchange.html

These ads are placed in the first and third Wednesday of each month. This information is also located on the back of the customer bill.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Melinda Poore
Melinda.poore@twcable.com
Ph: (207)253-2217

Mike Edgecomb
Michael.edgecomb@twcable.com
Ph: (207) 594-2249 x2181

Shelley Winchenbach
Shelley.winchenbach@twcable.com
Ph: (207) 594-2249 x2177

Time Warner Cable - New England Division's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The following agreements are due to expire soon, and we may be required to cease carriage of one or more of these services/stations in the near future.

E!
Style
Erotic Pleasure Networks
Encore
Encore Action
Encore HD
Encore Love
Encore Mystery
Encore WAM
Encore Westerns
Fox Reality
I-LIFE (Inspiration Networks)
Indie Plex
Movie Plex
Retro Plex
Starz!
Starz Cinema
Starz Comedy
Starz Comedy HD
Starz Edge
Starz Edge HD
Starz In Black
Starz Kids & Family
Starz Kids & Family HD
TruTV
Weather Channel
WBGR
WFFF
WVNY
WGBR

Please note, some channels listed may not be available in your service area. Please consult for local listings for more details at www.timewarnercable.com/newengland.

The following programming changes are scheduled to take place:

Speed will be relocating from the Digital Tier to the Classic Cable/Standard Tier on April 1.
Starting on or about April 1, 2010 digital equipment will be needed to continue viewing the following channels (these channels will remain in their existing packages and they will continue to be available in a digital format that can be viewed using digital cable equipment, such as a digital set top box or a CableCARD equipped Unidirectional Digital Cable Product - UDCP).

CMT (effective April 15)
TruTV (effective April 15)
Oxygen (effective April 15)
Speed (April 1)

National Geographic WILD will be replacing FOX Reality on our Digital Tier on/after March 29, 2010.
Fox Soccer plus SD and HD will be added to our Sports Tier across our service are on/around April 14.
The following On-Demand programming will no longer be available effective March 31, 2010: Movies on Demand Action, Movies On-Demand Comedy, Movies On-Demand Drama.

TIME WARNER CABLE
THE POWER OF YOU™

Customers can visit our web site at www.timewarnercable.com/newengland to obtain more details on the above notice.

Time Warner Cable, 118 Johnson Road, Portland, Maine 04102

Ensuring affordable, long term, environmentally sound disposal of MSW

MRC
Municipal Review Committee, Inc.

40 Harlow Street
Bangor, ME 04401-5102

800-339-6389
207-942-6389 Voice
207-942-3548 Fax
glounder@emdc.org E-mail

MEMORANDUM

A-3-C

TO: MRC Membership
FROM: Greg Lounder
DATE: April 21, 2010
**RE: Regular Meeting of MRC Board of Directors – April 28, 2010**

**Upcoming Meeting**
Please find enclosed an agenda for the upcoming meeting of the MRC Board of Directors to be held on April 28, 2010 starting **at 10:00 a.m.** The MRC Board wishes to extend an invitation to all member representatives to attend the upcoming meeting. As noted below, the agenda will provide opportunity for member comment concerning potential increases in disposal costs in upcoming years. To assist in our preparation, please contact Greg Lounder at 800-339-6389 or 942-6389 if you plan to attend.

**What's New**

**MRC Solicits Member Input on Potential Step Increases to Net Disposal Costs to Stabilize Future Disposal Cost beyond 2018**
The MRC recently forwarded a brief survey to the membership to gather input on their views regarding: 1) step increases to net disposal costs before 2018 to provide for cost stabilization thereafter and 2) exercise of the option to purchase of the PERC facility by the Charter Municipalities in 2018. Results of survey responses received will be a meeting discussion topic. While many of the surveys have been returned, many surveys have yet to be returned. We look forward to hearing from all of you in advance of the MRC Board meeting. The will also be time available at the upcoming meeting to hear member views and invite participation in the discussion over survey results and member comments received.

**Maine Legislature's Natural Resources Committee to Continue Work on Solid Waste Policy Matters over the Summer**
Over the past several months, the MRC has closely monitored two bills of interest under review by Maine Legislature's Natural Resources Committee. The first bill, LD 1794, An Act Regarding Solid Waste Facilities, would provide for a potential expansion of the one remaining commercial land disposal facility in Maine. MRC's position is that the bill needs to augmented to ensure that any facility expansion would offer predictability to and compliment the post 2018 planning process being undertaken by the MRC membership while uphold Maine's longstanding solid waste policy framework. The second bill, LD 1797, An Act Regarding Planning for the Management of Solid Waste, would have transferred responsibility for the development of the State Solid Waste Management and Recycling Plan from the State Planning Office to the Department of Environmental Protection. MRC suggested amending the bill ensure broad and meaningful input of local stakeholders in the state plan development process.

The Natural Resources Committee, noting the complexity and long term implications raised in these bills, has committed to meeting up to four times over the next few months to continue their work on these bills. MRC will continue to closely monitor this important work.

**PUBLIC MEETING - PLEASE POST**
MUNICIPAL REVIEW COMMITTEE, INC. (MRC)
BOARD OF DIRECTORS MEETING
Eastern Maine Development Corp, 40 Harlow Street, Bangor, Maine
April 28, 2010
**AGENDA**

1. 10:00 AM - Call to Order

2. Consideration of Minutes of January 27, 2010 Board of Directors Meeting

3. Consideration of Financial Statement & Bills Payable as of March 31, 2010

4. 2nd Quarter 2009 Tipping Fee Calculation

5. PERC Facility Operations Report – Peter Prata, PERC Plant Manager

6. Charter Municipality Asset Management Report – Custody Account, Tip Fee & Operating Budget Stabilization Funds, Consideration of Withdrawal from the Tip Fee Stabilization Fund for Second Quarter Cash Distribution **NOTE: Per the MRC Transaction Guidelines: a supermajority vote of the board of directors is required on this item**

7. Administrative Report – New Charters/Contracts, 2010 GAT Trade Period, Waste Deliveries Trends, Juniper Ridge Landfill, Legislative Session Wrap Up, Solid Waste Advisory Council, PERC Environmental Performance Report, 2009 Audit

8. Discussion on Results of MRC Member Survey post 2018 Planning & Cost Stabilization. NOTE: This item will be initiated with a member community open comment/discussion period

**Noon Break -**

9. Discussion to set priorities on additional member municipality outreach for purpose of providing education and receiving input regarding the post-2018 planning process

10. Executive Session per 1 M.R.S.A. §405(6) (e) Discussion with legal counsel concerning legal rights and duties over certain contract matters related to potential negotiations with the PERC Partners.

11. Adjourn

**Members are welcome. Please call ahead 800-339-6389 or 942-6389 if you plan to attend.**

A-4-a

Finance Committee Meeting Minutes
April 20, 2010

Attending:

Mayor Matthew Arnett
Councilor William Shakespeare
Councilor Jean Lawlis
Councilor Andre Cushing
Councilor Shannon Cox
Councilor Thomas Brann

Sue Lessard, Town Manager
Kathryn King – Mock Trial Team Advisor

The meeting was opened at 5:50 p.m. by Mayor Arnett.

1. The minutes of the 4/5/2010 meeting were accepted with an amendment that shows that the Finance Committee took no formal action on the subject of the State reduction of the Homestead Exemption.
2. The warrants were accepted and signed by Committee members. There were no questions regarding the warrants.
3. The financial statements for March 2010 were presented by the Town Manager. Both expenses and revenues are in good shape for this point in the fiscal year. The Town Manager also presented a memo outlining the procedures in place to insure fiscal integrity in the cash handling and receipting of monies for the Town, and discussed having the Town's Auditors come in to talk with the Council about the fiscal status of the town. Due to the recent upheaval in the Town of Newburgh in regard to missing monies, the Mayor had expressed a desire for the Council to meet with the auditors to make sure that the Town was doing all it could to guard against such occurrences.
4. Old Business
    a. The Budget Schedule was approved as presented, with the change of a meeting date from May 19th to May 18th due to the Hampden Business Association Annual Dinner being held on May 19th.
5. New Business
    a. The Finance Committee discussed the process of reviewing the Manager's performance and considering a contract renewal for her contract, which expires 06/30/3010. An evaluation form was distributed to councilors who were asked to complete it and return it to the Mayor prior to the 2nd council meeting in May. The evaluation will also include peer

review from persons that the Manager deals with outside of the Town Office. Suggestions for such participants were the School Superintendent, a representative from Casella Waste, and the Municipal Review Committee. The manager was requested to consider providing additional names for that process as well as to post it for employees who wish to comment.

b. Destination Imagination requested a donation to help defray the costs of the team traveling to the national competition. This is the first local Destination Imagination to go to the Nationals since 2006 and they placed first in the State competition in Orono. Motion by Andre Cushing, seconded by Jean Lawlis to recommend to the full council that they support Destination Imagination team in the amount of $200. Vote 6-0.

6. Public Comments
   a. Kathryn King, advisor to the Hampden Academy Mock Trial team appeared before the committee to request a donation to the Mock Trial Team to help defray the cost of their attendance at the national competition in Pennsylvania. The team won the State championship for 2010. Motion by Jean Lawlis, seconded by Tom Brann to recommend to the full council that they support the Mock Trial Team in the amount of $200.
7. Councilor Comments – None

The meeting was adjourned at 6:40 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

A-4-b

INFRASTRUCTURE COMMITTEE MEETING
04/26/2010 Minutes

AGENDA

Attending:
*Councilor Shannon Cox*
*Councilor William Shakespeare*
*Councilor Thomas Brann*
*Councilor Jean Lawlis*
*Public Works Director Chip Swan*
*Town Manager Susan Lessard*

1. Minutes from 3/22/2010 meeting - *Motion by Shannon Cox to approve the minutes as presented.*
2. Old business
   a. Mayo Road Bids –*Public Works Director Chip Swan reported on the bids received for the Mayo Road Project. The low bidder was K & K Construction with a bid of $1,586,991. MDOT reports that K & K has done $40 million dollars worth of work for them in the past several years and that it had been of good quality with few complaints. Motion by Jean Lawlis, seconded by Tom Brann to recommend to the full council that the Mayo Road bid be awarded to K & K Excavation for a price of $1,586,991, Vote 4-0*
   b. Compost School – 3rd week in June 2010 *The Town Manager reported that she could not find a full time staffer to attend compost school in June and asked the Committee if it would be permissible to check with Board/Committee members to see if any of them were interested in attending. It was the consensus of the Committee that the Manager should ask members of the Conservation Commission and the Tree Board if anyone was interested.*
   c.

3. New Business
    a. Municipal Lease of John Deere Tractor – *Public Works Director Chip Swan explained that he was requesting to lease/purchase a 2010 John Deere enclosed cab tractor. This vehicle would be used to maintain the parking lots at the municipal building and the pool in the winter (eliminating the $7500 per year rental) and also be used in spring, summer and fall for roadside mowing and sweeping. Motion by Tom Brann, seconded by Jean Lawlis to recommend to the full council that the Town lease/purchase the 2010 John* Deere enclosed cab tractor. Vote 4 – 0.
    b. Lock in Price for Propane – *The Public Works Director discussed lock-in prices received for propane for the Town Garage for the 2010/2011 year. The recommendation is the low quote of $1.77 per gallon from Maine Energy. Motion by Shannon Cox, seconded by Jean Lawlis to recommend to the full council that they accept the $1.77 per gallon price from Maine Energy. Vote 4-0.*
    c. Carver Road Sewer Line Easement – *The Public Works Director explained that a resident of Carver Road had asked for permission to put a connecting pipe in the manhole at the end of Carver Street during the current construction of the Dance Hall Subdivision so that in the event that his current septic system failed, he would be able to tie into the Town sewer system without excavating the whole area. The Committee members indicated that Tom Russell would have to prepare an easement allowing this to occur and that all costs associated with the project would be borne by the property owner. In addition, the property owner would be required to pay a quarterly capital charge if the pipe was*

*installed even though the home was not yet connected to the Town Sewer. Motion by Tom Brann, seconded by Shannon Cox to recommend approval of the Carver Road sewer connection contingent on an easement being prepared and reviewed by the Town Attorney, Vote 4 – 0.*

d. Proposed Libby Lane Extension – *The Town Manager raised some issued related to the Public Works Director's request to consider the location of a cul-de-sac tunaround at the end of Libby Lane. The request was generated because of the interest of a property owner on Libby Lane wishing to build two homes at the end of that road. It was the consensus of the Committee to table this item until more information was available.*

e. Municipal Review Committee Survey – Disposal Contract options – *Motion by Tom Brann, seconded by Shannon Cox that the Municipal Review Committee survey regarding price-per-ton for disposal be completed to reflect that the Committee supports the $45 per ton continuing through the contracted year of 2018. Vote 4 – 0.*

4. Public Comments - *None*
5. Committee Member Comments –
   a. *Councilor Brann suggested that the Town should consider investigating the idea of turning over the entrance to the Hampden Golf Club to the abutting property owners. Although this is listed as a Town Road – it really only serves as an entrance to the Golf Course. The Town Manager will discuss this item with the Town Attorney and report back*
   b. *Councilor Shakespeare requested that Staff find ways to clean up the tables and items in the Council Chambers so that it does not look so unkempt when meetings are broadcast from that*

*location. The Town Manager indicated that she would have it done prior to the next council meeting.*

c. *The Town Manager requested that the Infrastructure consider allowing the Pool to use $619 from Pool Reserve for necessary repairs to the air handling system. Motion by Tom Brann, seconded by Jean Lawlis to recommend to the full council that the Pool be allowed to expend $619 from the Pool Reserve for repairs to the air handling system. Vote 4 – 0.*

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

*Respectfully submitted,*

Susan Lessard

*Susan Lessard*
*Town Manager*

C-1-a

TOWN OF HAMPDEN

TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/3/2010

Public Hearing: Yes X No

[ ] Application for Liquor License

[X] 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) Ken Hall (Individual)

ADDRESS: 91 Coldbrook Rd. PHONE: 862-2121

MAP/LOT: Map 43, Lot 36 DATE:

DEPARTMENT REPORT:

Inspected on April 26, 2010 and found all Proper Safety requirements to be in Place.

DATE: 4-26-2010

BY: [signature]
Title: CODE ENFORCEMENT OFFICER

BY: Keith Barnhard
Title: Fire/Building Inspector

# TOWN OF HAMPDEN, MAINE

## APPLICATION FOR VICTUALER'S LICENSE

DATE: 3/25/10 PHONE NUMBER: 862-2121

NAME(S): Albert Hall IV

ADDRESS: 91 Coldbrook Rd Hampden

NAME OF BUSINESS: Anglers Inc d.b.a. Anglers Restaurant

LOCATION OF BUSINESS: 91 Coldbrook Rd

SIGNATURE: Albert Hall

**********

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Code Enforcement Officer

Keith Barnhard

Fire Inspector/Building Inspector

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

Tax Collector

Town Treasurer

**********

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

**LICENSE FEE: $125.00** Date Received/Fee Paid: 4/21/2010 / $125.00
(Fee Includes Notice of Public Hearing)

C-1-b

TOWN OF HAMPDEN

TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/3/2010

Public Hearing: Yes X No

[X] 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) Ken Hall (Individual)

ADDRESS: 91 Coldbrook Rd. PHONE: 862-2121

MAP/LOT: Map 43, Lot 36 DATE: 4/21/2010

DEPARTMENT REPORT:

No concerns

DATE: 04/22/10 BY: [signature]

Title: Public Safety Director

BY:

Title:

**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** 5/19/10

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

**INDICATE TYPE OF LICENSE:**

- ☑ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL 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**

| | |
|---|---|
| **1. APPLICANT(S)** –(Sole Proprietor, Corporation, Limited Liability Co., etc.) Anglers Inc **DOB:** | **2. Business Name (D/B/A)** Anglers Restaurant |
| **DOB:** | 91 Coldbrook Rd |
| **DOB:** | **Location (Street Address)** Hampden ME 04444 **City/Town State Zip Code** |
| **Address** 60 W. Evergreen Ln | 91 Coldbrook Rd |
| Swanville ME 04915 | **Mailing Address** Hampden ME 04444 |
| **City/Town State Zip Code** (207)322-3292 (207)862-2120 | **City/Town State Zip Code** (207)862-2121 (207)862-2120 |
| **Telephone Number Fax Number** 01-0531899 | **Business Telephone Number Fax Number** R270869 |
| **Federal I.D. #** | **Seller Certificate #** |

3. If premises are a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS $ N/A FOOD $ 693923.22 LIQUOR $ 352295.94
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: Kenneth Hall
8. If business is NEW or under new ownership, indicate starting date: N/A
   Requested inspection date: _____ Business hours: _____
9. Business records are located at: 60 W Evergreen LN Swanville, ME
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 IV | 3/1/56 | Sanford, ME |
| Kenneth Hall | 11/17/81 | Portland, ME |
| | | |

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

Albert Hall IV - 64 W Evergreen LN Swanville, ME

Kennet Hall - Swanville, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then 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) 99 seat restaurant w/ service bar

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

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mi 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 - Camden Nat'l 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

**Please sign in blue ink**

Albert Hall Pres
Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Albert Hall IV

Print Name Print Name

## 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** Spirituous, 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** Spirituous, 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** Spirituous 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** Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) ..... $ 495.00
**CLASS V:** Clubs without catering privileges.

**Class X** Spirituous, Vinous and Malt – Class A Lounge ..... $2,200.00
**CLASS X:** Class A Lounge

**Class XI** Spirituous, 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 (City/Town), Maine Penobscot (County) ss

On: May 3, 2010 (Date)

The undersigned being: XX Municipal Officers ☐ County Commissioners of the

☐ City XX 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 herby approve said application.

**THIS APPROVAL EXPIRERS 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 receUpon 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.

# MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE
*Liquor Licensing & Inspection Division*
164 State House Station
Augusta ME 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: Anglers Inc
   Business D/B/A Name: Anglers Restaurant
2. Date of Incorporation: 2/10/2000
3. State in which you are incorporated: Maine
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

| Name | *Print Clearly* Address Previous 5 years | Birth Date | % of Stock | Title |
|---|---|---|---|---|
| Albert Hall IV | 64 W Evergreen LN Swanville, ME 04915 | 3/1/56 | 100 | Pres |
| | | | | |
| | | | | |
| | | | | |

6. What is the amount of authorized stock? 1000 Outstanding Stock? 1000
7. Is any principal officer of the corporation a law enforcement official? Yes ☐ No ☒
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes ☐ No ☒
9. If YES, please complete the following: Name: _____

   Date of Conviction: _____ Offense: _____

   Location: _____ Disposition: _____

   Dated at: _____ On: _____
   City/Town Date

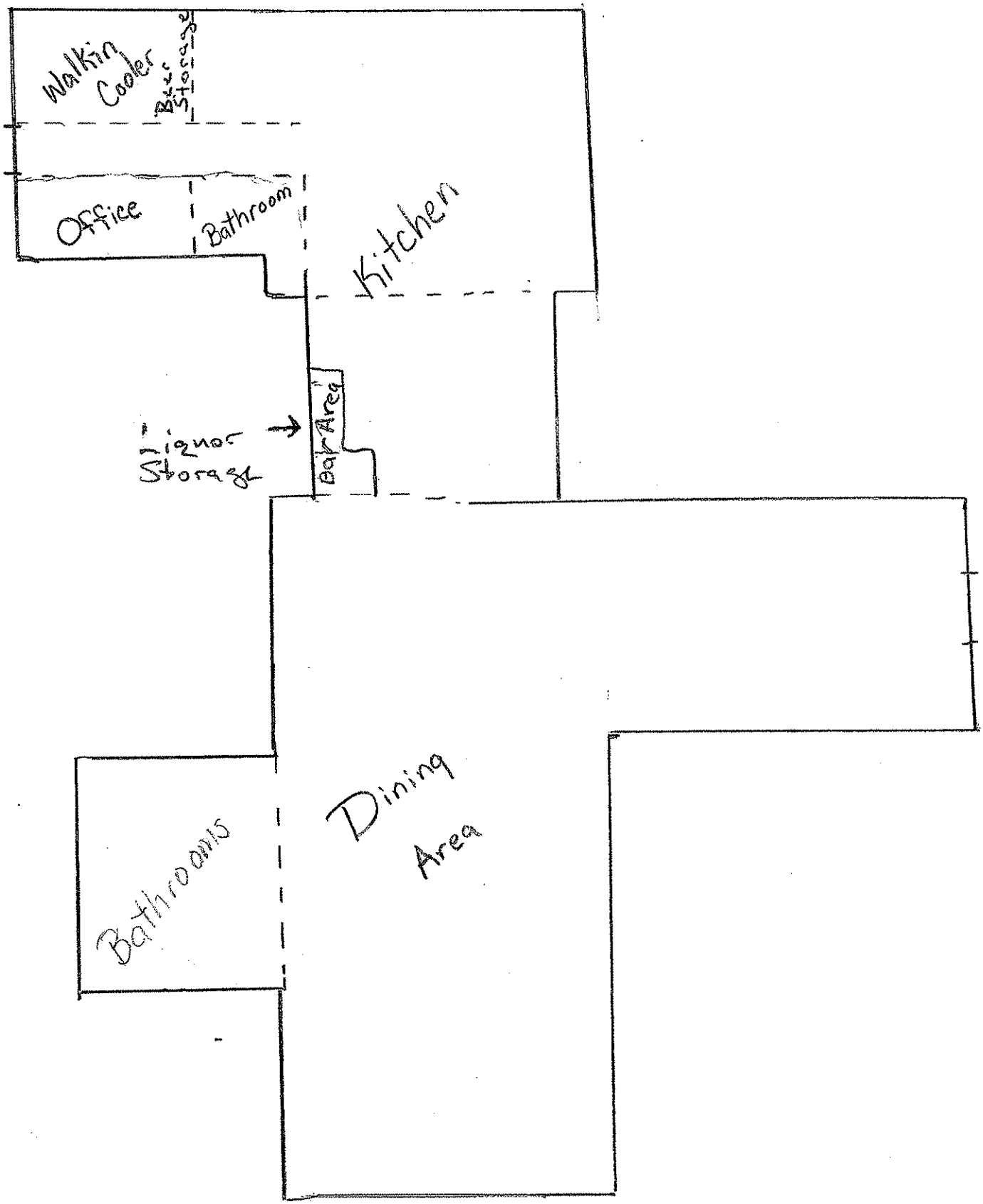
---

Albert Hall Pres
Signature of Duly Authorized Officer

4/21/10
Date

Albert Hall IV
Print Name of Duly Authorized Officer

**PREMISE DIAGRAM**



C-1-C

TOWN OF HAMPDEN

TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/3/2010

Public Hearing: Yes ✓ No ____

[ ] Application for Liquor License

[X] Application for Victualer's License

[ ] Application for Off-premises Catering

[ ] Application for Outdoor Wood-burning Furnace License

NAME: MWP Enterprises d/b/a Neallley's Corner Store (Business Name) Martin Panther (Individual)

ADDRESS: 1230 Kennebec Rd. PHONE: 949-1001

MAP/LOT: Map 1, Lot 31 DATE: 4/20/2010

DEPARTMENT REPORT:

Inspected on April 20, 2010 and found the hood system to be inadequate. I spoke with Martin Panther and explaind to him that he will no longer be able to Fry Foods that create grease-laden vapors until the hood system is brought up to code. My recommendation is for the Council to approve his Victualer's license with the condition that he does not Fry food until he is able to update the hood system.

DATE: 4-20-10 BY: [signature]

Title: CODE ENFORCEMENT OFFILER

BY: Keith Barnhard

Title: Fire/Building Inspector

# TOWN OF HAMPDEN, MAINE

## APPLICATION FOR VICTUALER'S LICENSE

DATE: 4/20/10 PHONE NUMBER: 207-949-1001

NAME(S): MWP Enterprises

ADDRESS: 1230 Kennebec Rd

NAME OF BUSINESS: Nealleys Corner Store

LOCATION OF BUSINESS: Hampden Me

SIGNATURE: [signature]

**********

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Code Enforcement Officer

Fire Inspector/Building Inspector

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

[signature]
Tax Collector

[signature]
Town Treasurer

**********

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

**LICENSE FEE: $125.00** Date Received/Fee Paid: 4/20/2010 / $125.00
(Fee Includes Notice of Public Hearing)

C-3-a

**TO:** Mayor Arnett and Hampden Town Council
**FROM:** Robert Osborne, Town Planner
**SUBJECT:** Draft Zoning Ordinance Text Amendments for Rural District Uses
**DATE:** April 27, 2010

At a recent Planning and Development Committee meeting it was voted that this item be sent to the Council for referral to the Planning Board.

This amendment would increase the types and size of buildings that could be considered accessory in this district. Attorney Russell is currently reviewing the document and no changes are anticipated.

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

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

### *3.9. Rural District*

***3.9.1. Purpose*** - The intent of this district is to protect and promote the rural use and character of the area, to provide for traditional agricultural and open space uses, and to provide for low density residential development where appropriate. It is intended that much of the residential development occurring in this district will be either dispersed in nature or, where the developer chooses, will be clustered with extensive open space surrounding the development. ***(Amended: 12-18-95)***

***3.9.2. Permitted Uses (Subject to Site Plan Review where applicable)*** - Agriculture, forestry, single family dwelling, certified manufactured home, two family dwelling, three or four family dwelling when serviced by public sewer and water, home day care (subject to *Section 4.19*), accessory use, golf course or other outdoor recreational facilities, home occupation (subject to *Article 4.10*), cluster subdivisions, essential service, and wireless telecommunications facilities (subject to *Section 4.22*). ***(Amended: 9-19-83, 8-22-94, 12-18-95, 10-01-01, 6-3-02, 03-21-05)***

***3.9.3. Conditional Uses (Subject to Site Plan Review)*** - Daycare facility (subject to *Section 4.19*), nursing home, non-profit school, public schools, church, non-profit club, hospital or clinic, mobile home park (subject to *Section 4.13*), campground, cemetery, buildings and parking for recreational facilities, processing agricultural products which are not accessory to an agricultural use, processing and excavation, gravel pit and quarry activities (subject to *Article 4.23 Excavations, Gravel Pits and Quarries*), stockpiles (subject to *Article 4.9*) not accessory to excavation, gravel pit and quarry activities, commercial nursery, indoor recreational facilities, boarding of animals; to include training and grooming, veterinary hospital, buildings necessary for essential services, community facility (including solid waste facility), Customary Rural Business (subject to *Section 4.20*). ***(Amended: 8-22-94, 12/18/95, 12-2-96, 1-21-97, 03-21-05, 12-17-07)***

***3.9.4. Lot Dimensions***

| | | |
|---|---|---|
| Minimum Area | - | 2 acres |
| Minimum Road Frontage | - | 200 feet |
| Minimum Setbacks: | | |
| Street Yard | - | 30 feet |
| Other Yards | - | 30 feet |
| Maximum Ground Coverage | - | 10 percent |
| Maximum Building Height | - | 35 feet |

Notwithstanding the above requirements, accessory structures which are not attached to a principal building may be located on a lot in accordance with the following:

| Accessory Structures Ground Floor Area | Up to 250 Sq. Ft. | | 251 – 650 Sq. Ft. | |
|---|---|---|---|---|
| Maximum Height | - | 16 feet | - | 24 feet |
| Minimum Other Yard | - | 5 feet | - | 15 feet |

Once located in accordance with the foregoing requirements, said accessory structures shall not be attached to a principal building unless said structures are in compliance with the Other Yard requirement of the District. ***(Amended: 10-3-94)***

### *3.9.5. Special District Requirements*

1. All buildings for the commercial raising or keeping of animals shall be set back a minimum of fifty (50') feet from side and rear property line. ***(Amended: 10-3-94, 12-18-95)***

2. Kennels for the commercial boarding, raising, and training of six or more dogs shall be kept fifty (50') feed from side and rear property lines. ***(Amended: 12-18-95)***

3. Accessory structures or buildings associated with single family residences may be larger than the principal building (single family residence) in both building height and total floor area provided that: The accessory building shall function as an accessory use to the residential use and not as a second primary use. Vehicles or equipment owned or leased by the person(s) residing on a lot may be stored or repaired in the accessory structure or building, and shall be considered to be an accessory use to the single family residential use. The accessory building shall not exceed 5,000 sq. ft. in floor area. The accessory building shall be constructed on a lot of at least 3 acres in size. Accessory buildings that meet these requirements do not require site plan approval.

***7.2. Definitions*** - In this Ordinance the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

*Accessory use or structure*: A use or structure of a nature customarily incidental and subordinate to those of the principal use or structure. For residential uses, accessory structures shall not be used as habitable space. ***(Amended: 11-18-02)***

*Principal building*: The primary use to which the premises is devoted, and the main purpose for which the premises exists.

C-3-b

# TOWN OF HAMPDEN

DEPARTMENT OF PUBLIC WORKS
106 WESTERN AVE.
HAMPDEN, ME 04444
TEL 862-3337 FAX 862-3910

April 26, 2010

To: Sue Lessard
From: Chip Swan
Subject: MAYO ROAD BID RESULTS

Bids were opened and publicly read on April 22nd 2010 at 1pm for the Mayo Road reconstruction project.

We received seven bids. The results are as follows:

| | **TOTAL BID PRICE** |
|---|---|
| K&K EXCAVATION, INC | $1,586,991.00 |
| S.E. MACMILLAN, INC | $1,636,788.00 |
| S.H. BRIDGES CONSTRUCTION | $1,716,000.00 |
| R.F. JORDAN CONSTRUCTION | $1,926,206.00 |
| SARGENT CORP | $1,976,274.00 |
| HUGHES BROTHERS | $2,030,640.00 |
| LANE CONSTRUCTION | $2,137,377.00 |

AS you can see the bidding was very competitive. I am recommending awarding the contract to K&K Excavations,Inc with a low bid of $1,586,991.00

Yours truly,

CHIP SWAN, PWD

Chip Swan, PWD

Town of Hampden
106 Western Avenue
Hampden, Maine 04444

Phone: (207) 862-3034
Fax: (207) 862-5067
email: hampden@midmaine.com

C-4-a

May 3, 2010

Dan Stewart
MDOT
16 State House Station
Augusta, ME 04333

Dear Mr. Stewart,

Please be advised that the Hampden Town Council at their May 3, 2010 meeting voted to support a grant application for the Safe Routes to School program.

Based on the recently completed pedestrian study done by BACTS there are clear pedestrian needs on Western Avenue and remedial actions warranted on Main Road South. The relocation of Hampden Academy to Western Avenue makes this area pedestrian sensitive and new sidewalks are needed. We urge you to approve funding for this important project.

Respectfully,

Hampden Town Council

Matthew D. Arnett, Mayor

Janet M. Hughes

Jean H. Lawlis

Thomas B. Brann

Shannon F. Cox

William W. Shakespeare

Andre E Cushing, III

**TO:** Mayor Arnett and Hampden Town Council
**FROM:** Robert Osborne, Town Planner
**SUBJECT:** Safe Routes to School Grant Application
**DATE:** April 27, 2010

You will recall that the Planning and Development Committee briefly discussed seeking out a Safe Routes to School Grant to construct sidewalks along Western Avenue. This grant does not require a local match. The grant application is based primarily on the report that MDOT funded and authored by John Noll of EMDC/BACTS. We are asking for a letter from the Council supporting an application for a grant to construct sidewalks and authorization for the Town Manager to enter into a grant agreement with MDOT. The amount of the grant is based on cost estimates from Woodard and Curran.

WOODARD &CURRAN

COMMITMENT & INTEGRITY
DRIVE RESULTS

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

T 800.564.2333
T 207.945.5105
F 207.945.5492

# TOWN OF HAMPDEN

## Western Avenue Sidewalk - Sidney Boulevard to Mayo Road

## Conceptual Cost Estimate

## April 14, 2010

| No. | Description | Unit | Unit Price | Estimated Quantity | Value |
|---|---|---|---|---|---|
| 1 | Administrative (5% of Construction Cost) | LS | $13,100.00 | 1 | $13,100.00 |
| 2 | Rock Excavation | CY | $100.00 | * 25 | $2,500.00 |
| 3 | Excavation Below Normal Grade | CY | $25.00 | * 50 | $1,250.00 |
| 4 | Select Backfill | CY | $25.00 | * 600 | $15,000.00 |
| 5 | Common Backfill | CY | $15.00 | 2200 | $33,000.00 |
| 6 | Ditching Excavation | LF | $15.00 | 760 | $11,400.00 |
| 7 | Provide 15" HDPE Storm Drain Pipe | LF | $50.00 | 630 | $31,500.00 |
| 8 | Provide 4' Diameter Catch Basins | EA | $3,200.00 | 5 | $16,000.00 |
| 9 | Provide Aggregate Base | CY | $25.00 | 450 | $11,250.00 |
| 10 | Provide Riprap | CY | $85.00 | 800 | $68,000.00 |
| 11 | Provide Guardrail | LF | $30.00 | 300 | $9,000.00 |
| 12 | Provide FLEAT 350 Guardrail Terminal | EA | $1,500.00 | 2 | $3,000.00 |
| 13 | Provide Bituminous Curb | LF | $10.00 | 760 | $7,600.00 |
| 14 | Provide Bituminous Pavement - Town Roads and Driveways | SY | $64.00 | 350 | $22,400.00 |
| 15 | Provide Bituminous Pavement - Sidewalks | SY | $32.00 | 450 | $14,400.00 |
| 16 | Provide Detectable Warning Fields | EA | $400.00 | 4 | $1,600.00 |
| 17 | Provide Pavement Markings | LS | $1,500.00 | 1 | $1,500.00 |
| 18 | Provide Mailbox Posts | LS | $200.00 | 1 | $200.00 |
| 19 | Traffic Control | LS | $10,000.00 | 1 | $10,000.00 |
| 20 | Testing Allowance | LS | $2,500.00 | 1 | $2,500.00 |
| | TOTAL CONSTRUCTION | | | | $275,200.00 |

| | |
|---|---|
| **Legal, Administration, Financing, Permitting (5%)** | **$13,800.00** |
| **MDOT Road Opening Permit Fee** | **$18,000.00** |
| **Design, Construction Administration, Inspection (15%)** | **$41,300.00** |
| **Contingency (25%)** | **$68,800.00** |
| **Total Project Cost** | **$417,100.00** |

WOODARD & CURRAN

COMMITMENT & INTEGRITY
DRIVE RESULTS

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

T 800.564.2333
T 207.945.5105
F 207.945.5492

# TOWN OF HAMPDEN

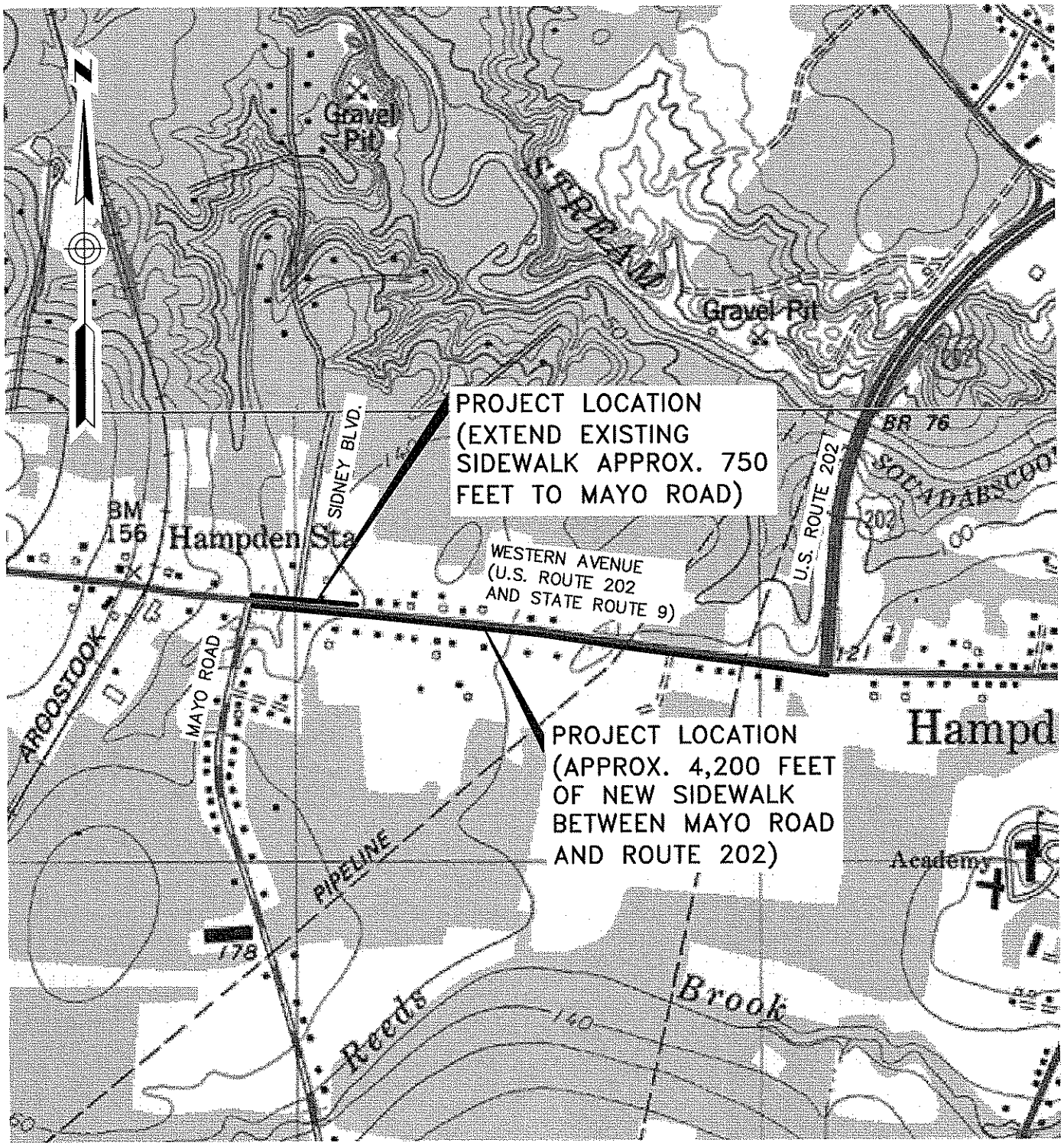
## Western Avenue Sidewalk - Mayo Road to Route 202 Intersection

## Conceptual Cost Estimate

## April 14, 2010

| No. | Description | Unit | Unit Price | Estimated Quantity | Value |
|---|---|---|---|---|---|
| 1 | Administrative (5% of Construction Cost) | LS | $29,300.00 | 1 | 29,300.00 |
| 2 | Rock Excavation | CY | $100.00 | * 75 | $7,500.00 |
| 3 | Excavation Below Normal Grade | CY | $25.00 | * 75 | $1,875.00 |
| 4 | Select Backfill | CY | $25.00 | * 3000 | $75,000.00 |
| 5 | Provide 15" HDPE Storm Drain Pipe | LF | $50.00 | 1200 | $60,000.00 |
| 6 | Ditching Excavation | LF | $15.00 | 3500 | $52,500.00 |
| 7 | Provide 4' Diameter Catch Basins | EA | $3,200.00 | 15 | $48,000.00 |
| 8 | Provide Aggregate Base | CY | $25.00 | 400 | $10,000.00 |
| 9 | Provide Riprap | CY | $85.00 | 150 | $12,750.00 |
| 10 | Provide Guardrail | LF | $30.00 | 250 | $7,500.00 |
| 11 | Provide FLEAT 350 Guardrail Terminal | EA | $1,500.00 | 2 | $3,000.00 |
| 12 | Provide Bituminous Curb | LF | $10.00 | 3500 | $35,000.00 |
| 13 | Provide Bituminous Pavement - Town Roads and Driveways | SY | $64.00 | 1800 | $115,200.00 |
| 14 | Provide Bituminous Pavement - Sidewalks | SY | $32.00 | 2000 | $64,000.00 |
| 15 | Provide Detectable Warning Fields | EA | $400.00 | 50 | $20,000.00 |
| 16 | Provide Pavement Markings | LS | $5,000.00 | 1 | $5,000.00 |
| 17 | Provide Mailbox Posts | LS | $200.00 | 17 | $3,400.00 |
| 18 | Traffic Control | LS | $60,000.00 | 1 | $60,000.00 |
| 19 | Testing Allowance | LS | $5,000.00 | 1 | $5,000.00 |
| | TOTAL CONSTRUCTION | | | | $615,025.00 |

| | |
|---|---|
| **Legal, Administration, Financing, Permitting (5%)** | **$30,750.00** |
| **MDOT Road Opening Permit Fee** | **$10,000.00** |
| **(15%)** | **$92,300.00** |
| **Contingency (25%)** | **$153,800.00** |
| **Total Project Cost** | **$901,875.00** |

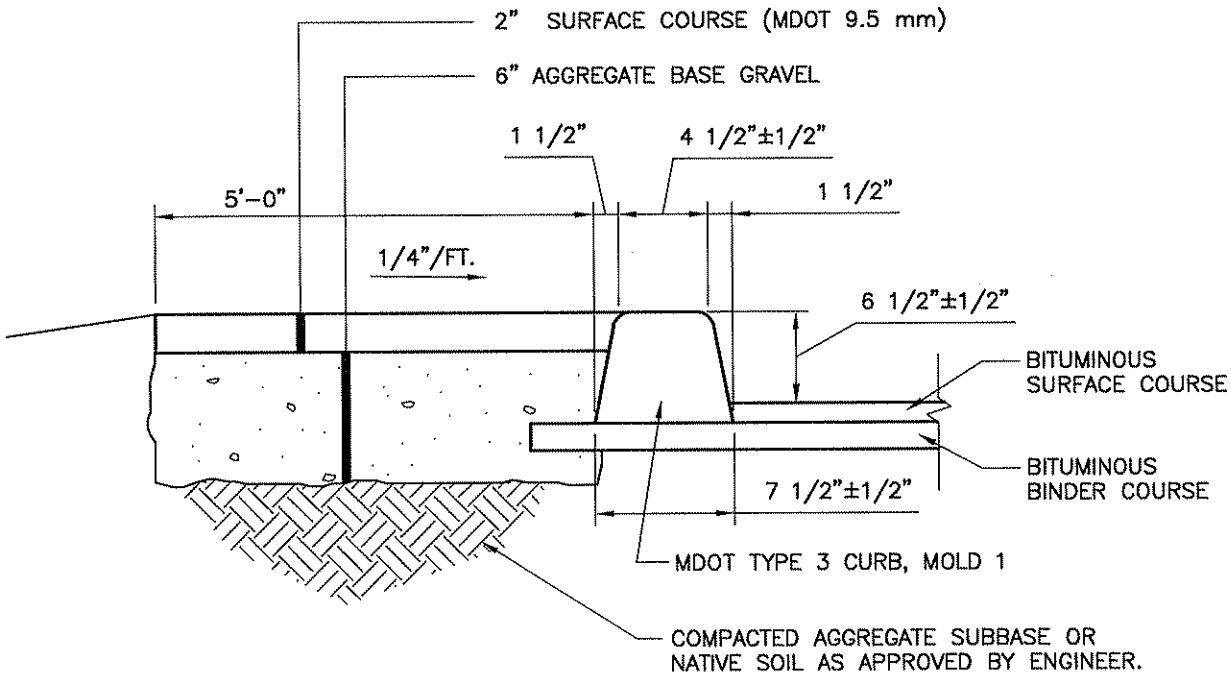



SOURCE:
U.S.G.S TOPOGRAPHICAL QUADRANGLES
BANGOR, MAINE 1991 AND HAMPDEN, MAINE 1982

1000' 0 1000' 1000'

SCALE: 1"=1000'

| | | | |
|---|---|---|---|
| WOODARD & CURRAN<br>One Merchants Plaza \| Suite 501<br>Bangor, Maine 04401<br>800.564.2333 \| www.woodardcurran.com<br>COMMITMENT & INTEGRITY DRIVE RESULTS | PROJECT LOCATION PLAN<br>DESIGNED BY: KMC CHECKED BY: JDW<br>DRAWN BY: JDE 21331515-U001.dwg | TOWN OF HAMPDEN, MAINE<br>WESTERN AVENUE SIDEWALK | JOB NO: 213351.15<br>DATE: APRIL 2010<br>SCALE: 1"=1000'<br>FIGURE 1 |




# TYPICAL BITUMINOUS SIDEWALK DETAIL

N.T.S.

WOODARD & CURRAN
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Bangor, Maine 04401
800.564.2333 | www.woodardcurran.com
COMMITMENT & INTEGRITY DRIVE RESULTS

| | | |
|---|---|---|
| TYPICAL BITUMINOUS SIDEWALK DETAIL | TOWN OF HAMPDEN, MAINE | JOB NO: 213351.15<br>DATE: APRIL 2010<br>SCALE: AS NOTED |
| DESIGNED BY: KMC / CHECKED BY: JDW<br>DRAWN BY: JDE / 21331515-U002.dwg | WESTERN AVENUE SIDEWALK | FIGURE 2 |

# Pedestrian Improvement Plan for Hampden's Four Mile Square

Prepared by:
Bangor Comprehensive Transportation System (BACTS)
Eastern Maine Development Corporation (EMDC)
With funding by
Maine Department of Transportation
April 2010

## 1.0 Introduction and Overview

The purpose of this report is to outline pedestrian needs and deficiencies associated with an area of downtown Hampden that is locally referred to as the Four Mile Square (FMS). The Town of Hampden may choose to use this document in the future to support grant requests to construct new pedestrian facilities at FMS. The FMS is located near the heart of Hampden's village area and is evolving into the town's educational district with the construction of a new high school. The new school will replace the functionally and structurally obsolete Hampden Academy located outside of the FMS on the easterly side of US Route 1A. Completion of the new school within the FMS will consolidate Hampden's educational facilities into a compact area at the center of the town's village area.

This pedestrian plan was funded by a grant from the Maine Department of Transportation (MaineDOT) and was prepared by the Bangor Area Comprehensive Transportation System (BACTS). BACTS is the federally designated metropolitan planning organization for the greater Bangor urban area. Communities within the BACTS area include all or part of Bangor, Brewer, Veazie, Orono, Old Town, Milford, Bradley, Indian Island, Eddington, Hampden, and Orrington.

This new configuration and the improvements outlined in this report will improve the health and safety of school children by offering new pedestrian opportunities for children and adults as they travel to and from the Hampden's village area and surrounding residential neighborhoods to the new school and associated recreational facilities.

### 1.1 Four Mile Square

The FMS comprises an area bounded on the north by Western Avenue (also known as US 202 State Route 9), to the east by US 1A, to the south by the Kennebec Road, and to the west by Mayo Road (Appendix A, Figure 1). The new Hampden Academy, currently under construction, will be sited on a 23 acre SAD 22 owned parcel located west of the existing Weatherbee and McGraw Schools. Reeds Brook School is located southeast of the new Academy adjacent to US 1A. Reeds Brook, located southeast of the new school, bisects the FMS before emptying into the Penobscot River. Two fuel pipelines, the inactive Loring Pipeline and the Exxon-Mobil Pipeline cross through the FMS west of the new school. The Loring Pipeline right-of-way is currently used as a snowmobile and ATV trail. The majority of vacant land within the FMS is owned by the Town of Hampden and SAD 22.

### 1.2 The New Hampden Academy

The new Hampden Academy will replace the existing Academy which is currently located outside of the FMS on the east side of US Route 1A. Residents of SAD 22 in Hampden, Winterport, and Newburgh voted to accept $45.4 million in state funds and raise $6.2 million in local funds to construct a new Hampden Academy. The Town of Hampden will raise its share of the local match, $3.8 million, through an increase in the

local mill rate. The new school will include a 900 seat performing arts center, additional laboratory space, and a gymnasium with a wellness center.

The project also includes improvements to the intersection of Western Avenue and US 202/ SR 9 such as relocating crosswalks, new pedestrian signal heads, realignment of turn and through lanes, and shoulder improvements. Cross campus traffic between the new Hampden Academy entrance at Western Avenue and the Reeds Brook School entrance off US 1A will not be permitted.

### 1.3 Mayo Road Reconstruction

Residents of the Town of Hampden approved a November 2009 local bond referendum authorizing the town to borrow $3.8 million to reconstruct the Mayo Road. Mayo Road is one mile in length and together with the Back Winterport Road is used by residents and commuters as a defacto bypass around US Route 1A (Main Street) east of the FMS. Hampden's Town Council proposed the referendum due to the anticipated additional transportation demands that the new school will place on the Mayo Road. Through truck traffic will not be permitted on the reconstructed roadway. The project scope, scheduled to be completed in 2010, includes a full reconstruction of the roadway, underground drainage, and the addition of a sidewalk on the easterly side of the road.

## 2.0 Existing Conditions

The highway system surrounding the FMS such as US Route 1A, Western Avenue and Kennebec Road connects the commercial, business, and residential activities of Hampden and other coastal communities south of Belfast and beyond to eastern Maine's largest service center, Bangor. The roads form an all-purpose route catering to the access and mobility of abutters and longer distance travelers as well. The four roads surrounding the FMS are not congested, except for short durations at peak times on US 1A. Congestion is often limited to the village area in the morning and afternoon when students and parents are entering and exiting the existing Hampden Academy.

### Traffic Volumes

Table 1 indicates 2008 AADT ranges from a low of 2,050 on Kennebec Road to a high 13,250 on US Route 1A. The highest volumes occurred on US Route 1A and Western Avenue due to the significance of US 1A and State Route 9/ US 202 for carrying regional traffic. The largest increase in AADT between 2006 and 2008 were recorded on Western Avenue between the Mayo Road and the Western Avenue/ US 202 intersection. This may be a result of the Mayo Road and the Back Winterport Road being used as a de-facto bypass around the US 1A village area in Hampden so as to avoid school related congestion.

**Table 1**
**Annual Average Daily Traffic (AADT) Volumes for 2006-2008**

| Roadway | Location | AADT/ 2006 | AADT/ 2008 | Change (%) |
|---|---|---|---|---|
| US Route 1A | North of Western Ave. | 6880 | 6540 | (4.9) |
| US 1A | South of Western Ave. | - | 13250 | - |
| US 1A | North of Kennebec Road | - | 10540 | - |
| US 1A | South of Kennebec Road | 8960 | 8720 | (2.6) |
| Western Ave. | West of US 1A | 11370 | 10790 | (5.1) |
| Western Ave. | East of US 202 | - | 10880 | - |
| Western Ave. | West of US 202 | 9070 | 10120 | 11.5 |
| Western Ave. | West of Mayo Road | 4610 | 4740 | 2.8 |
| Kennebec Road | West of Mayo Road | 4680 | 4360 | (6.8) |
| Kennebec Road | West of US 1A | 2170 | 2050 | (5.5) |
| Mayo Road | North of Kennebec Road | 3430 | 3380 | (1.4) |

Source: MaineDOT

Safety

MDOT rates crashes according to a Critical Rate Factor (CRF), which corresponds to the number of times the actual crash rate exceeds the expected (average) crash rate. Generally, a CRF of 1.0 or more indicates a higher than usual number of crashes at that specific intersection or stretch of road. According to the 2008 MaineDOT High Crash Location Listings there is one High Crash Location (HCL) located at the intersection of US Route 1A and Cottage Street. A total of ten crashes occurred at this intersection between 2006 and 2008. The MaineDOT HCL listings do not indicate if pedestrians were involved in any of the crashes.

The Hampden Police Department has not recorded any pedestrian related accidents surrounding the FMS during the past three years.

Speed Limits

Figure 1 indicates the posted state speed limits surrounding the FMS. Speed limits vary from a low of 25 mph on US Route 1A to 40 mph on Western Avenue.

Heavy Haul Truck Network

The MaineDOT commissioned a study to identify a statewide network of highways suitable for commercial truck traffic. The study, entitled "A Heavy Haul Truck Network for the State of Maine," was conducted by Wilbur Smith Associates (2001). The study also identified deficiencies on those highways proposed to be part of the Heavy Haul Truck Network (HHTN) and recommended reconstruction projects and associated costs to address those deficiencies. Maine's HHTN includes US Route 1A south of Western Avenue, Western Avenue, SR 9, and US 202. These roadways surround the FMS and serve as the primary routes for heavy trucks weighing up to 100,000 lbs. Gross Vehicle Weight (GVW) as they travel between southern Maine and the greater Bangor region and beyond.

A BACTS commissioned Truck Route Study showed the percentage of trucks on U.S. Route 1A in southern Hampden, as 9 percent in 1997 (690 heavy trucks out of total traffic of 7,546). The study forecast the number of trucks would have increased to 856 by 2006.

Right-Of-Way

Right-Of-Way (ROW) along US Route 1A is 66 feet along the easterly side of the FMS. Western Avenue has a ROW of 100 feet from Mayo Road east to the vicinity of Edwards Supermarket. Western Avenue between the supermarket and US Route 1A has a ROW of 66 feet.

## 2.1 Route 1A Corridor Study

The MaineDOT commissioned Gorrill-Palmer Consulting Engineers to conduct a Corridor Study of US Route 1A in Hampden in 2009. The purpose of the study is to provide safety and mobility recommendations along US Route 1A in anticipation of the redevelopment of the existing Hampden Academy complex on the east side of US Route 1A and the construction of the new Academy in the FMS. The report makes several recommendations for US Route 1A including intersection improvements at Western Avenue, selected driveway closures or consolidation, and left turn restrictions. The study does not make any recommendations specific to pedestrian improvements.

## 2.2 Land Use and Village Development

The FMS is located adjacent to Hampden's village area and is surrounded by residential areas with some commercial uses. The town's village core of residential and commercial development is bounded by the Penobscot River to the east, US Route 202/ SR 9 to the west, the Bangor city line to the north, and about one half mile south of Kennebec Road. Land use surrounding the Town's built up core consists primarily of low density residential housing and other rural uses. The construction of the new school within the FMS is in keeping with good land use planning practices and will serve to consolidate institutional uses such as

educational facilities into one compact area thus making pedestrian access to the facilities safe and attractive.

Vehicular access will be limited to one access point off Western Avenue and one point off US Route 1A with no through traffic permitted between the schools' access roads. The existing Hampden Academy on the easterly side of US Route 1A will be closed and redeveloped into another use. The location of the new Academy to the FMS will improve the quality of life for residents and school children by eliminating the need for pedestrians to cross US Route 1A and reducing traffic congestion during peak hours in the morning and afternoon.

Hampden Comprehensive Plan and Zoning

Hampden has long recognized the importance of good pedestrian facilities in their town. The Town's 2001 Comprehensive Plan makes the following recommendations which demonstrate broad local support for the proposed pedestrian improvements surrounding the FMS:

- Sidewalks should be constructed where there are existing and proposed developments which would be well facilitated via a pedestrian linkage such as housing developments, schools, parks, and shopping areas.

- Heavily traveled roadways such as Main Road (US Route 1A) and portions of Western Avenue and Kennebec Road (which contain schools, recreational facilities, office and retail establishments, and civic uses such as churches, the Post Office and town office) should be a high priority for service. Based on the anticipated densities and level of traffic generated, existing and proposed developments which are accessed off those roadways should be reviewed for pedestrian access.

The 2001 Comprehensive Plan's Transportation section contains a Bicycle and Pedestrian Plan map which indicates the completion of sidewalks surrounding the FMS is a high priority.

The Comprehensive Plan also indicates that the FMS and surrounding neighborhoods are currently within the Town's service area for sewer and water thus supporting the FMS as a viable and responsible growth area.

The Transportation section of the 2001 Comprehensive Plan includes a policy which promotes alternatives to single passenger vehicle trips including bikeways and pedestrian walkways.

The Town of Hampden's existing zoning map indicates the majority of FMS and surrounding area is zoned Residential B which allows higher density residential and multifamily housing. The northeasterly portion of FMS is zoned Business B and Village Commercial. Adjacent areas along US Route 1A are zoned Residential A, Residential B, and Village Commercial. Outlying areas beyond the FMS are zoned Rural.

## 3.0 Healthy Communities

The following passage was provided by the SAD #22 School Health Coordinator and reflects many of the broad goals for a healthy community:

> "It is well known that adults and children are not getting enough physical activity to prevent conditions that result from a sedentary lifestyle such a obesity, diabetes, heart disease, and high blood pressure. Studies show that children living where there are unsafe surroundings, poor housing, and limited access to sidewalks, parks, and recreation centers tend to be overweight or obese. The Town can encourage our children to be more active in a car-dependent society by providing them with the necessary infrastructure for walking and bicycling.
>
> The Hampden community has embraced the idea that our community needs to provide safe places for people to get exercise. We know we need to help our kids be more physically active by giving them the environment where they can safely walk or bike instead of ride in an automobile. We have an ideal opportunity to create this environment in the FMS. By adding sidewalks to Mayo Road, the westerly part of Western Avenue, and relocating mailboxes from the westerly side of US 1A to the easterly side of the roadway, residents will be able to safely walk to any destination within the FMS and beyond. Without the improvements recommended in this report, the town will continue to be only partially "walkable" thus not giving our community the opportunity to promote obesity prevention programs including school or community-based initiatives such as Walktober, Walking School Bus, and Bike to School."

## 4.0 Recommendations

### Western Avenue (north side)

*Safety and Functional Issues:* The entrance to the new Hampden Academy is located off Western Avenue (across from US 202/ SR 9) which is a high volume roadway used by local and regional traffic including heavy trucks. Sidewalks are located on the eastern end of Western Avenue but there are no sidewalks from the entrance to the new school west to Mayo Road. Mayo Road will be reconstructed with a new sidewalk on the easterly side in 2010. The westerly portion of Western Avenue including both the north and south sides, as result, will be the only part of the FMS with no sidewalks and represents a significant obstacle to residents accessing the educational and recreational facilities at FMS Appendix B, Photos 1 through 5).

*Recommendations:* Construct a sidewalk on the northerly side of Western Avenue from the end of the existing sidewalk westerly 821 feet to the Mayo Road (Appendix A, Figure 2).

*Construction Issues:* Although Western Avenue has adequate ROW (100 feet) to construct sidewalks, portions of the roadway are elevated on fill or box culverts as it crosses low areas or stream channels.

*Cost:* See Appendix F.

Western Avenue (south side)

*Safety and Functional Issues:* The entrance to the new Hampden Academy is located off Western Avenue (across from US 202/ SR 9) which is a high volume roadway used by local and regional traffic including heavy trucks. Sidewalks are located on the eastern end of Western Avenue but there are no sidewalks from the entrance to the new school west to Mayo Road. Mayo Road will be reconstructed with a new sidewalk on the easterly side in 2010. The westerly portion of Western Avenue including both the north and south sides, as result, will be the only part of the FMS with no sidewalks and represents a significant obstacle to residents accessing the educational and recreational facilities at FMS (Appendix C, Photos 1 through 5).

*Recommendations:* Construct a sidewalk on southerly side of Western Avenue from the entrance to the new Academy westerly 4,113 feet to the Mayo Road (Appendix A, Figure 2).

*Construction Issues:* Although Western Avenue has adequate ROW (100 feet) to construct sidewalks, portions of the roadway are elevated on fill or box culverts as it crosses low areas or stream channels.

*Cost:* See Appendix F.

US Route 1A

*Safety and Functional Issues:* US Route 1A is an important high volume regional roadway that serves local and through traffic including heavy trucks. Entrance driveways to the Hampden's three existing schools and the new Academy are located off US Route 1A. Although sidewalks have existed on the westerly side of US Route 1A for some time, limited ROW and widening of the roadway necessitated that the sidewalks be placed immediately adjacent to the roadway curbing. As a result, mailboxes have encroached on the sidewalks over the years making it impossible to walk side-by-side and presenting a pedestrian hazard after dark. The sidewalks do not comply with the American's with Disabilities Act (ADA) due to narrow width (Appendix D, Photos 1 through 6).

*Recommendation:* Realign mailboxes encroaching on existing sidewalk on westerly side of US Route 1A or widen sidewalk to increase pedestrian safety and conform to ADA standards (Appendix A, Figure 3).

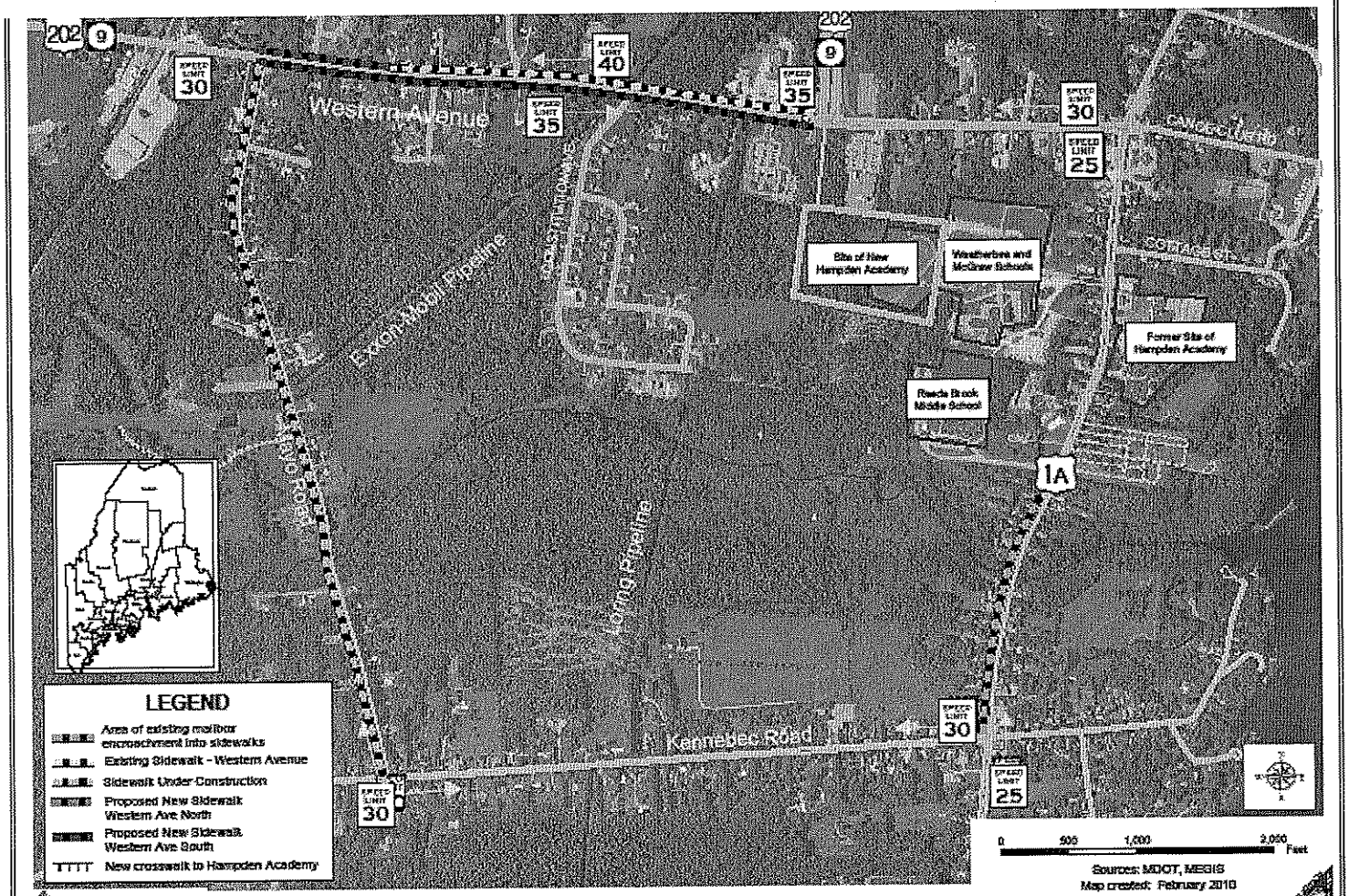
*Construction Issues:* Landowner resistance.

*Cost:* See Appendix F.

# APPENDIX A

**Figures**

# HAMPDEN PEDESTRIAN PLAN

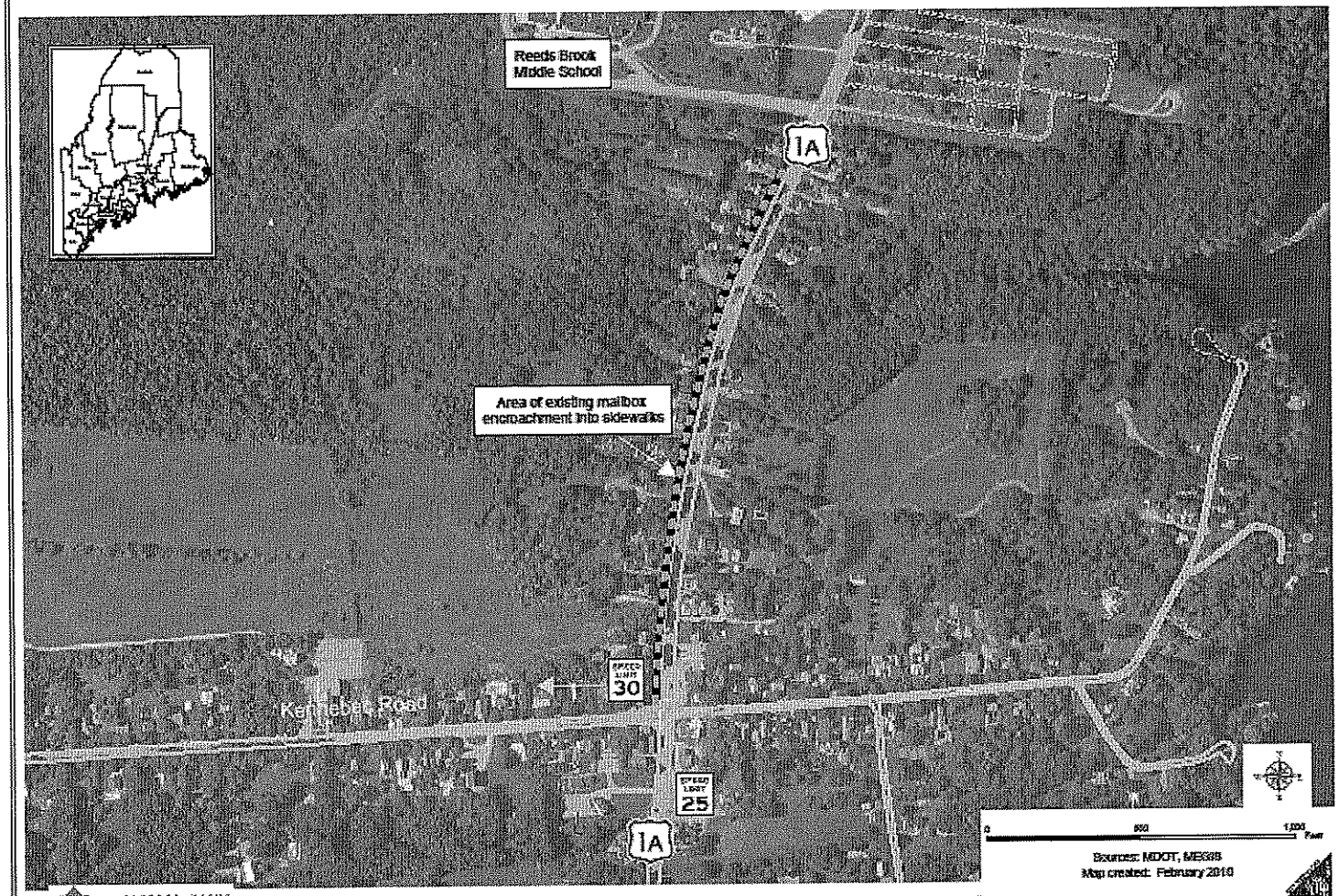



EASTERN MAINE DEVELOPMENT CORPORATION

* Eastern Maine Development Corporation * 40 Harlow Street * Bangor, ME 04401 * (207) 942-6389 * Website: www.emdc.org

FIGURE 1

## HAMPDEN PEDESTRIAN PLAN / US ROUTE 1A




EASTERN MAINE DEVELOPMENT CORPORATION

* Eastern Maine Development Corporation * 40 Harlow Street * Bangor, ME 04401 * (207) 942-6389 * Website: www.emdc.org

FIGURE 3

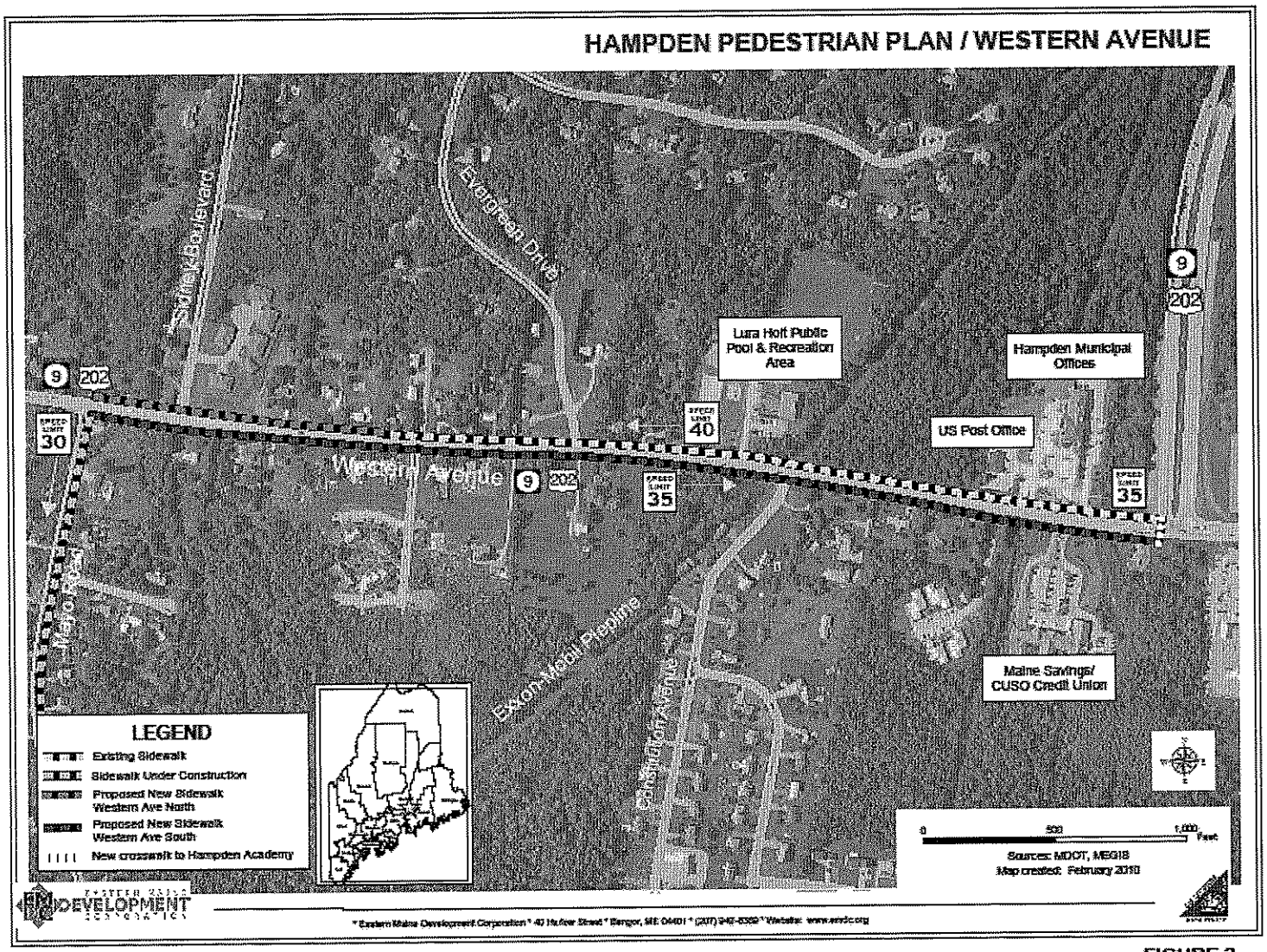
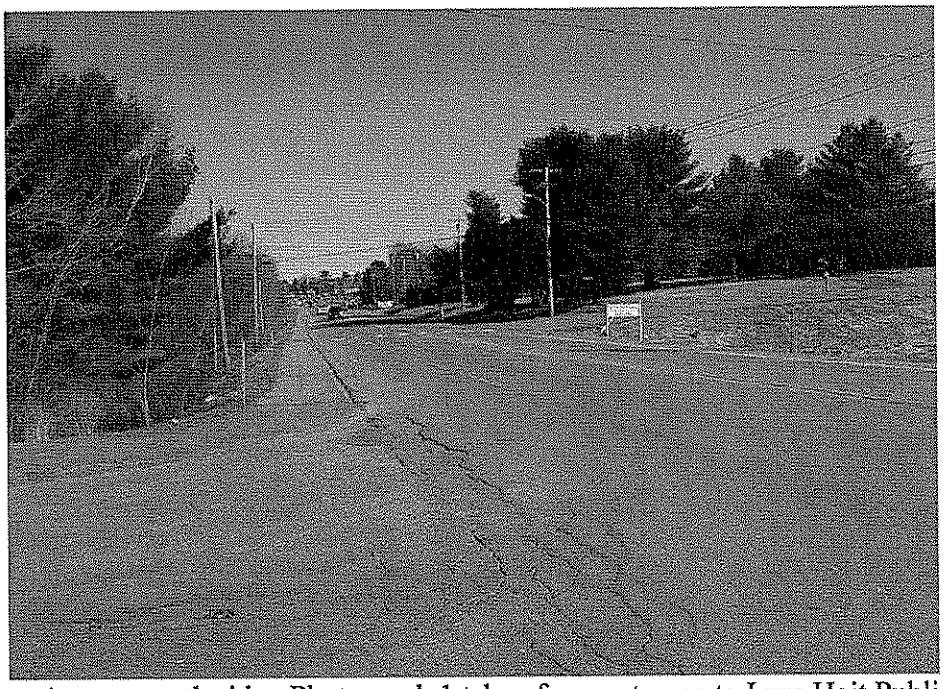

HAMPDEN PEDESTRIAN PLAN / WESTERN AVENUE
Sidewalk Boulevard
Evergreen Drive
Western Avenue
Exxon Mobil Pipeline
Pickering Avenue
Lura Holt Public Pool & Recreation Area
Hampden Municipal Offices
US Post Office
Maine Savings/ CUSO Credit Union
9
202
SPEED LIMIT 30
SPEED LIMIT 40
SPEED LIMIT 35
LEGEND
Existing Sidewalk
Sidewalk Under Construction
Proposed New Sidewalk Western Ave North
Proposed New Sidewalk Western Ave South
New crosswalk to Hampden Academy
0
500
1,000
Feet
Sources: MDOT, MEGIS
Map created: February 2010
EASTERN MAINE DEVELOPMENT CORPORATION
* Eastern Maine Development Corporation * 40 Hurlbert Street * Bangor, ME 04401 * (207) 942-6389 * Website: www.emdc.org

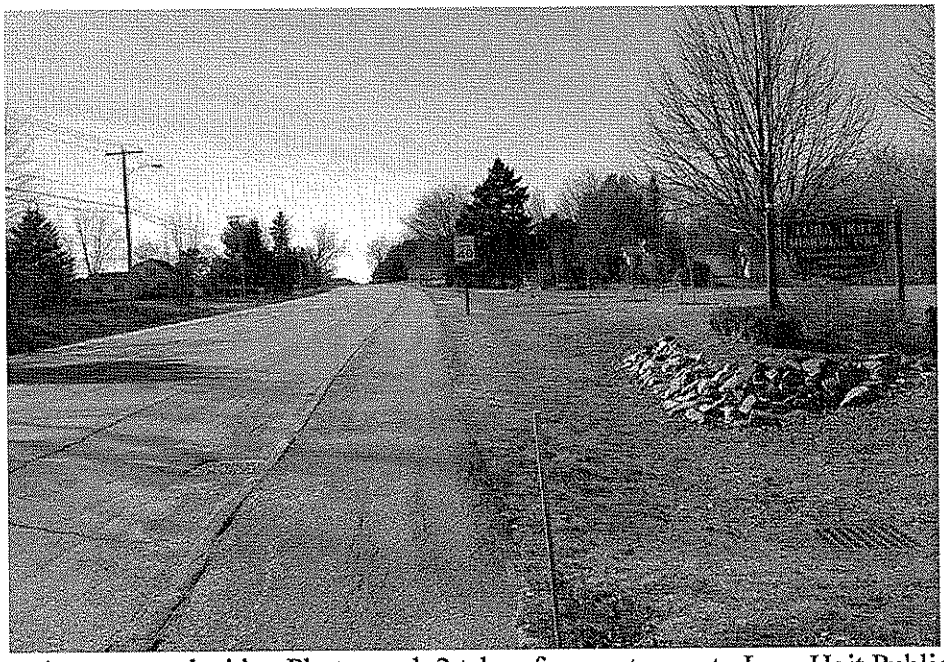
FIGURE 2

# APPENDIX B

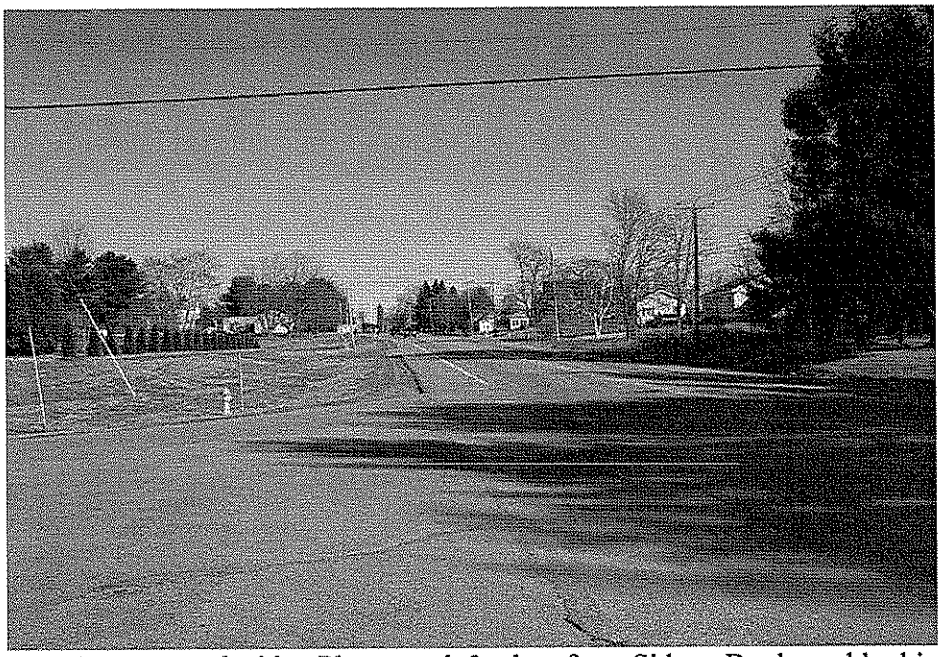
**Photos of Western Avenue (North Side)**



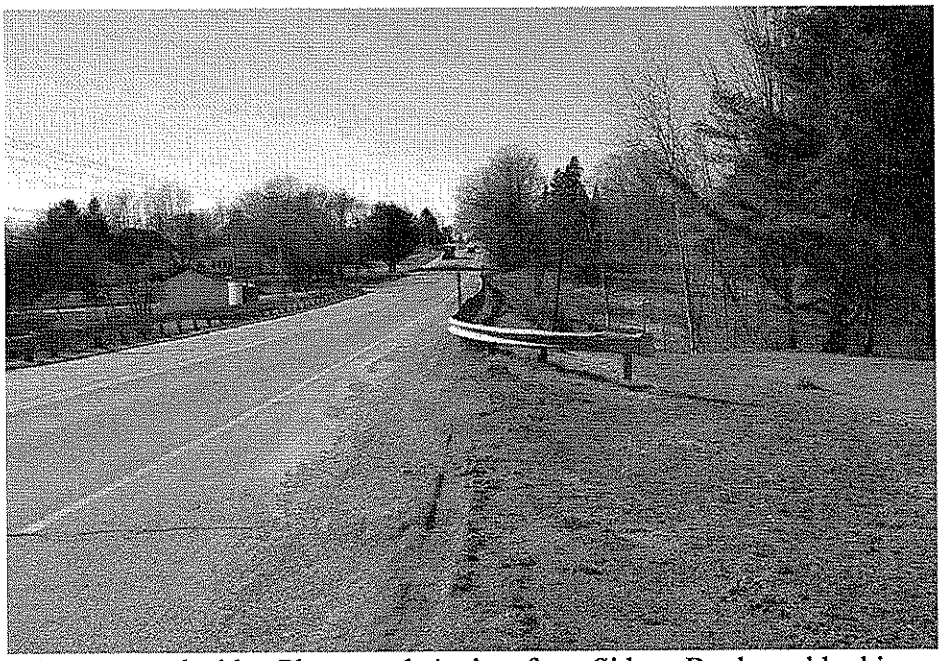
Western Avenue north side: Photograph 1 taken from entrance to Lura Hoit Public Pool and Recreation Area looking east along sidewalk on northerly side of Western Avenue.



Western Avenue north side: Photograph 2 taken from entrance to Lura Hoit Public Pool and Recreation Area looking west at sidewalk along northerly side of Western Avenue.



Western Avenue north side: Photograph 3 taken from Sidney Boulevard looking at shoulder along north side of Western Avenue.

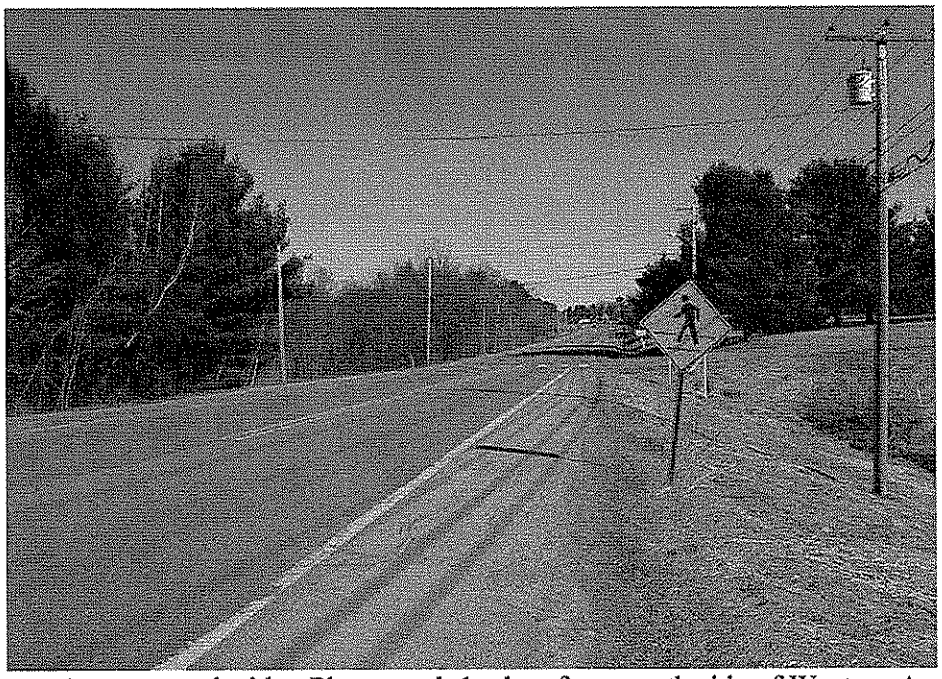


Western Avenue north side: Photograph 4 taken from Sidney Boulevard looking west along Western Avenue at box culvert over intermittent stream and Mayo Road (on left).

Western Avenue north side: Photograph 5 taken from north side of Western Avenue looking west at box culvert over intermittent stream.

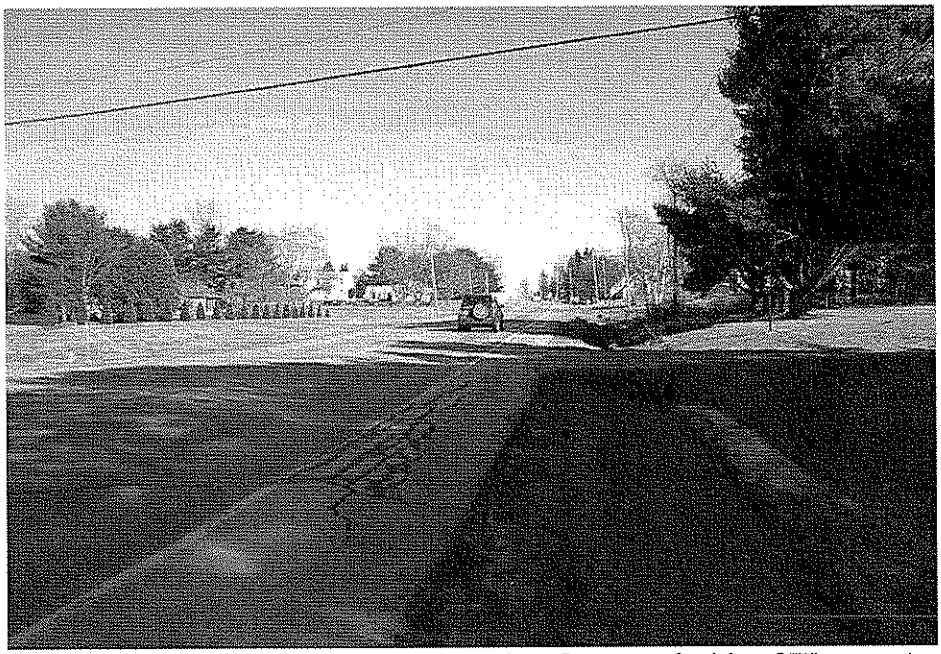
# APPENDIX C

**Photos of Western Avenue (South Side)**

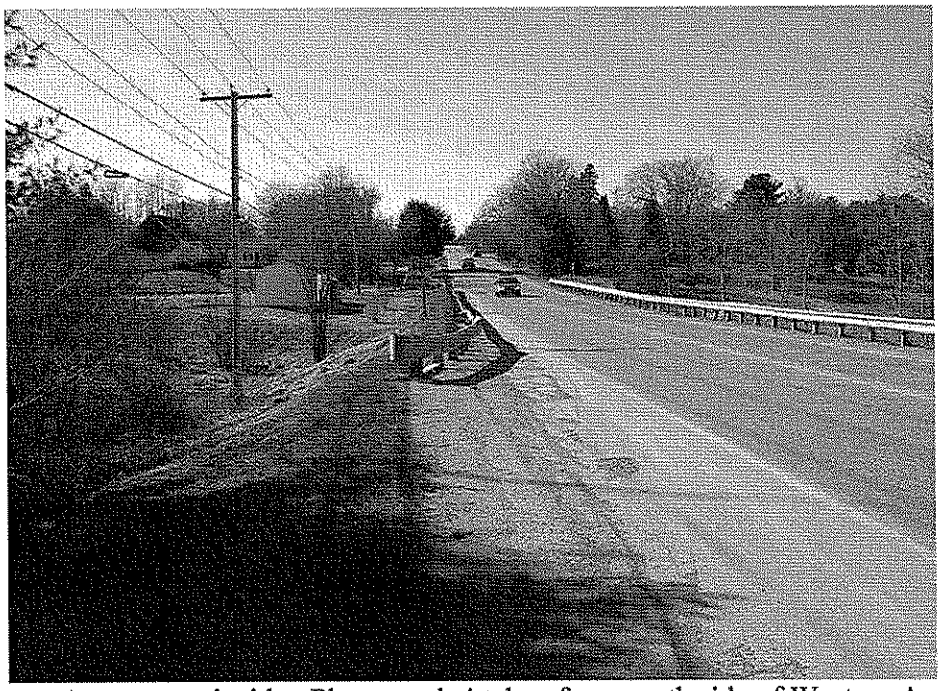


Western Avenue south side: Photograph 1 taken from south side of Western Avenue (across from Lura Hoit Pool and Recreation Area) looking east toward Constitution Avenue (on right).

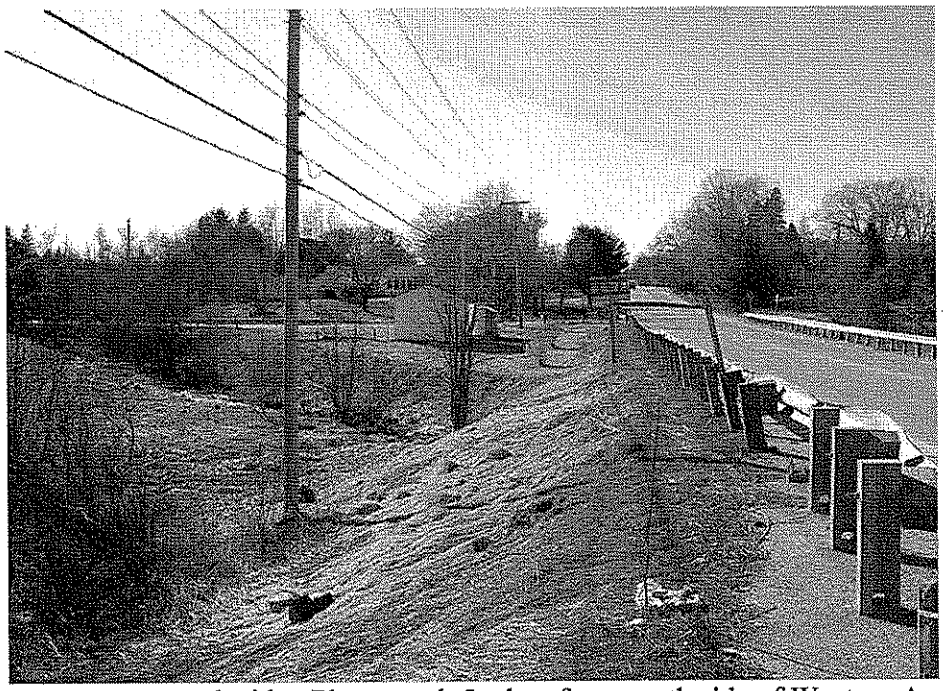
Western Avenue south side: Photograph 2 taken from south side of Western Avenue (across from Lura Hoit Pool and Recreation Area) looking west



Western Avenue south side: Photograph 3 taken from south side of Western Avenue (across from Sidney Boulevard) looking east.



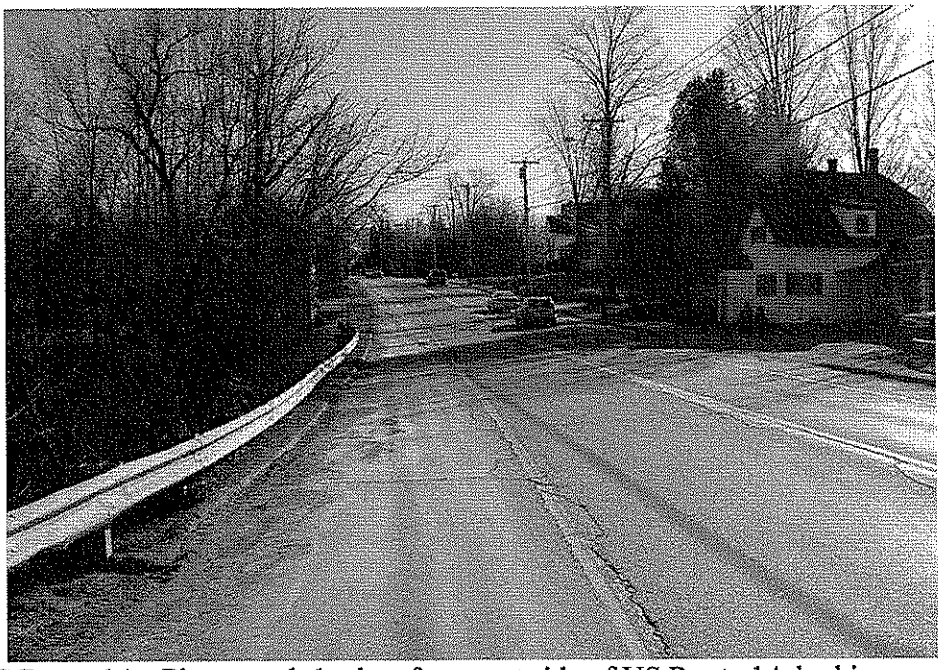
Western Avenue south side: Photograph 4 taken from south side of Western Avenue (across from Sidney Boulevard) looking east at box culvert over intermittent stream and Mayo Road (on left).



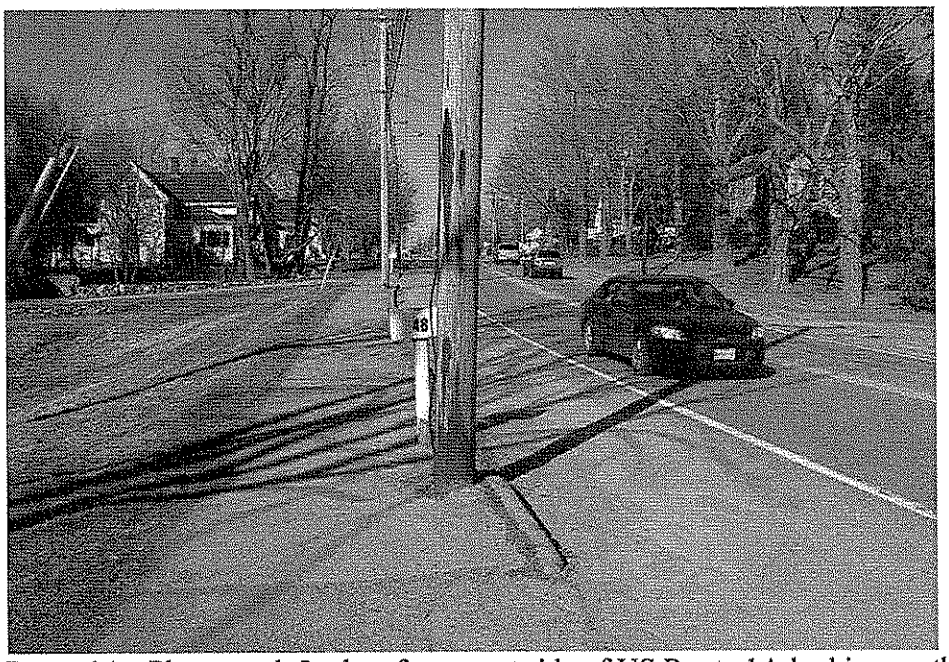
Western Avenue south side: Photograph 5 taken from south side of Western Avenue looking west at box culvert over intermittent stream and Mayo Road (on left).

# APPENDIX D

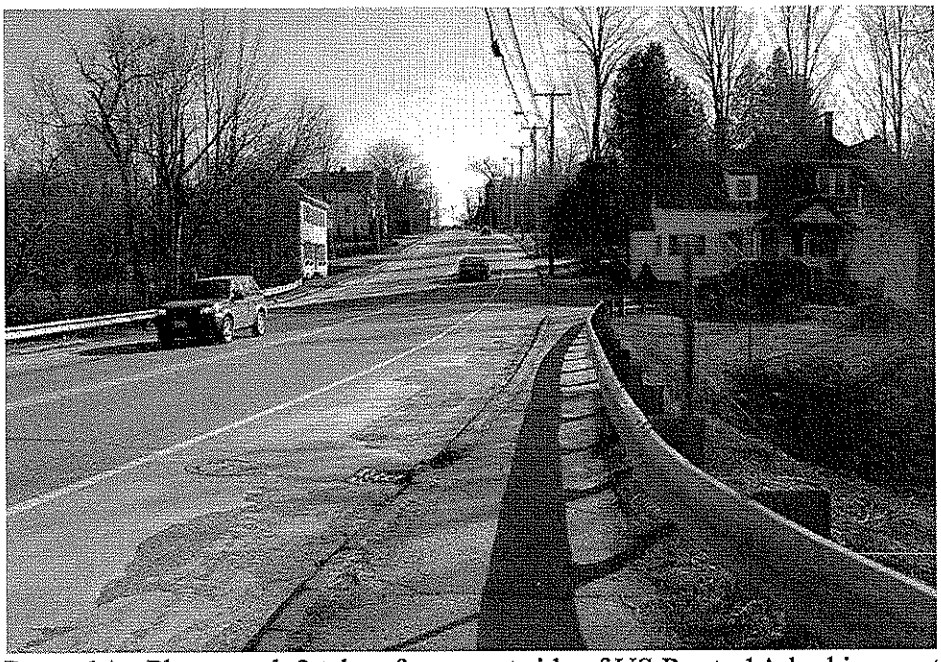
**Photos of US Route 1A**



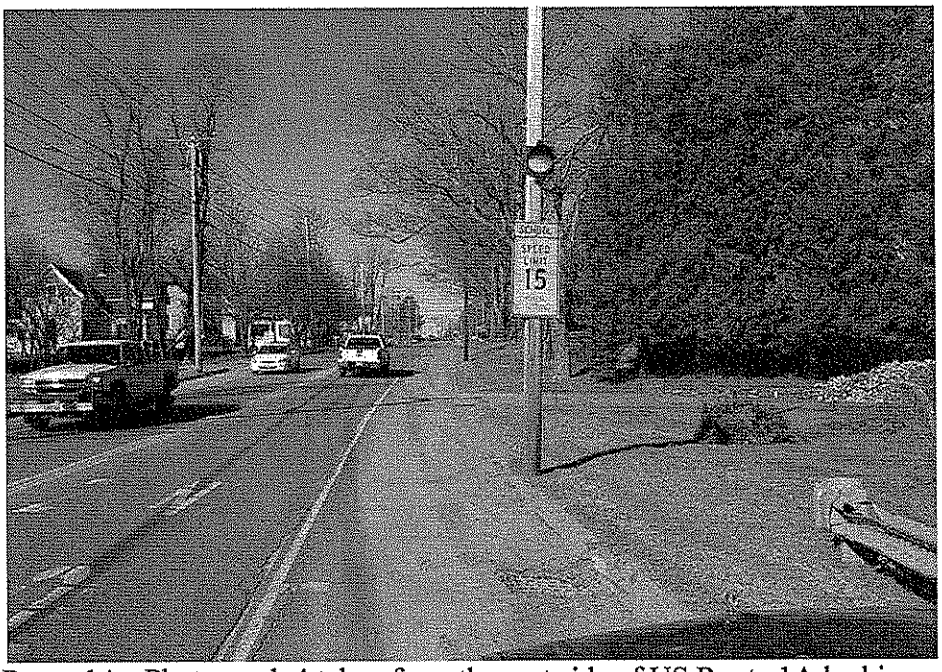
US Route 1A: Photograph 1 taken from east side of US Route 1A looking south.



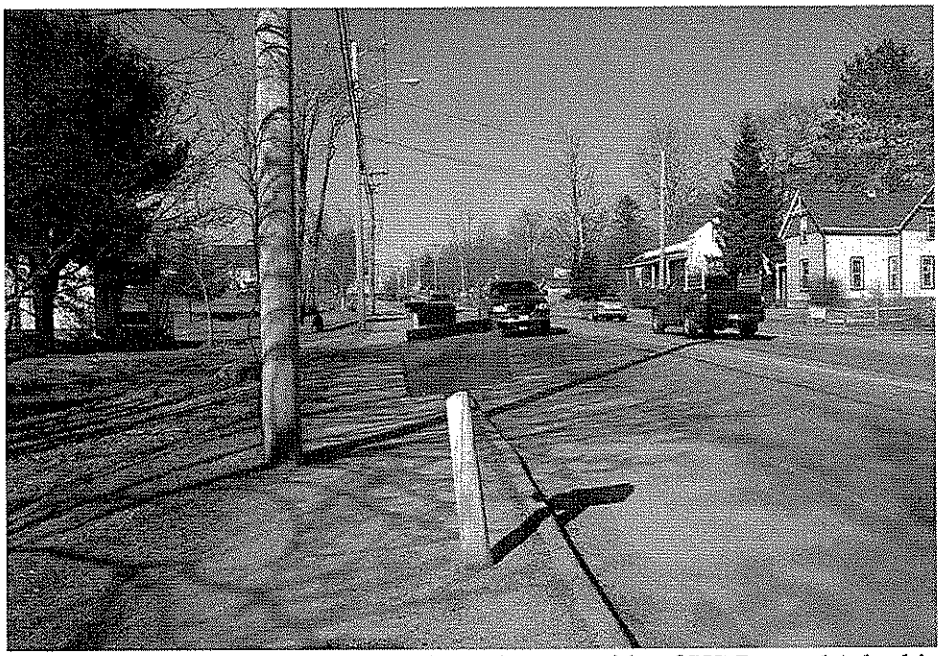
US Route 1A: Photograph 2 taken from west side of US Route 1A looking north at mail boxes that have encroached into the sidewalk.



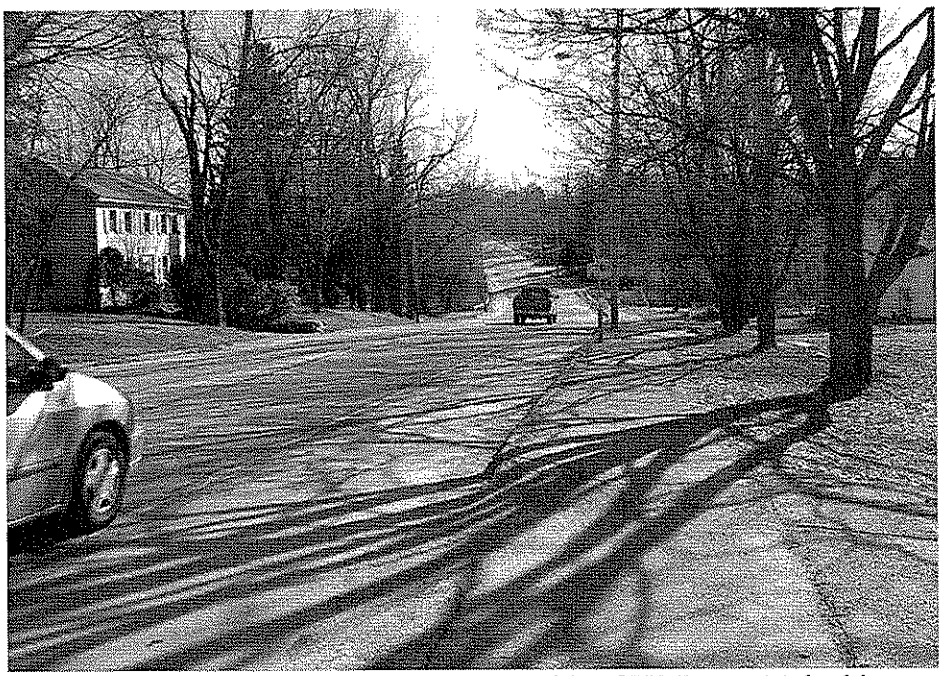
US Route 1A: Photograph 3 taken from west side of US Route 1A looking south at sidewalk and Reeds Brook stream crossing.




US Route 1A: Photograph 4 taken from the east side of US Route 1A looking north toward the Reeds Brook, McGraw, Weatherbee and Hampden Academy school zones.



US Route 1A: Photograph 5 taken from the west side of US Route 1A looking north toward the Reeds Brook School (on left) and mail boxes that have encroached into the sidewalk.



US Route 1A: Photograph 6 taken from west side of US Route 1A looking south toward Reeds Brook stream crossing.

# APPENDIX E

**Letters of Support**

BACTS letter of support
SAD/ school letter of support
Town letter of support

# APPENDIX F

**Cost Estimates**

C-4-B

# TOWN OF HAMPDEN

DEPARTMENT OF PUBLIC WORKS
106 WESTERN AVE.
HAMPDEN, ME 04444
TEL 862-3337 FAX 862-3910

April 26, 2010

To: Sue Lessard
From: Chip Swan
Subject: Propane Lock In Pricing

I received four quotes on propane lock in pricing from May of 2010 to June of 2011.
The results are as follows:

| | |
|---|---|
| **MAINE ENERGY** | **$1.77/Gal** |
| **IRVING OIL** | **$1.89/Gal** |
| **DEAD RIVER** | **$1.94/Gal** |
| **R H FOSTER** | **$1.97/Gal** |

**I would recommend Maine Energy with a $1.77/gal lock in price.**

Yours truly,

Chip Swan, PWD

C-4-C

MECHANICAL SERVICES, INC.
MAINE CONTROLS
mechanicalservices.com

400 PRESUMPSCOT STREET
PORTLAND, ME 04103-5292
TEL. (207) 774-1531
FAX (207) 553-7006

72 FREEDOM PARKWAY
HERMON, ME 04401-5788
TEL. (207) 947-8250
FAX (207) 848-5592

76 CENTER ROAD
EASTON, ME 04740-0377
TEL. (207) 488-6112
FAX (207) 488-8023

40 GABRIEL DRIVE
AUGUSTA, ME 04330-9430
TEL. (207) 626-0822
FAX (207) 621-1008

# PROPOSAL and CONTRACT

| | | | |
|---|---|---|---|
| Customer: | Lura Holt Pool | Contact: | Darcy Peakall |
| Address: | 146 Western Ave.<br>Hampden, Maine 04444 | | T: 862-4305<br>F: 862-5067 |
| Job Location: | Same | SE#: 14962 | Date: April 23, 2010 |

**DESCRIPTION OF SERVICES COVERED BY THIS CONTRACT:**
Mechanical Services, Inc. shall provide labor and materials required to replace two sheaves on the supply and return fan motors located in the Heat Recovery Unit.

**COST FOR THIS PROPOSED WORK SHALL BE:**
Six Hundred Nineteen Dollars. ($619.00)
The work shall be invoiced at completion. Any additional work will be performed upon written authorization and will be invoiced separately from work described above.

**THE FOLLOWING WORK IS NOT INCLUDED IN THIS PROPOSAL:**
- The handling or disposal of, or any costs associated with the handling or disposal of, hazardous materials, special waste, or mold, or any byproduct thereof.
- Unless specifically provided for herein, Mechanical Services, Inc. is not responsible for the structural integrity of any portion or aspect of the building where this work will be performed, including the ability of the structure to support the load of the equipment being installed.
- All extra service to correct problems found during work described above.

**WARRANTY:** For a period of one year from the date of start-up, all parts and labor for new equipment provided by Mechanical Services, Inc.

**THIS PROPOSAL IS VALID FOR 30 DAYS.**

Customer signature below attests to financial responsibility for payment of invoices in accordance with our terms of net 30 days. A finance charge of 1½% per month (annual percentage rate of 18%) will be charged on all amounts due and unpaid 30 days from invoice date. Mechanical Services, Inc. shall be entitled to recover from the customer all costs incurred, including reasonable attorney fees, for the collection of any amounts due.

Prepared By:

Tom Maynard (Signature) Title: Bangor Project Coordinator Date: April 23, 2010

## ACCEPTANCE

Mechanical Services, Inc. is hereby authorized to perform the work as described in this proposal.

Accepted By: (typed or printed name) _____

_____ Title: _____ Date: _____

C-4-d

**Town of Hampden**
**106 Western Avenue**
**Hampden, Maine 04444**

**Phone: (2**
**Fax: (207**
**email: ha**

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 01/01/10 and ending 03/31/10. 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) 5/27/10. 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 $138,828.56. You are hereby required to charge interest at a rate of 7 % per annum on any unpaid account balance beginning 05/28/10. 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 04/2010 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