



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

NOVEMBER 9, 2009

7:00 P.M.

▣ **5:45 pm – FINANCE COMMITTEE MEETING**

A. CONSENT AGENDA

1. SIGNATURES

a. Treasurer's Warrants

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

a. Trisha Bruen Application Friends of Dorothea Dix Park

4. REPORTS

- a. Rapid Renewal – October 2009
- b. Finance Committee Minutes – October 19, 2009
- c. Infrastructure Committee Minutes – 10-26-2009
- d. Host Community Benefit – September 2009
- e. 4th Quarter Tipping Fee – PERC
- f. Board of Appeals Hearing – 11-17-2009, Clisham

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

a. Election Results – November 3, 2009

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

MONDAY

NOVEMBER 9, 2009

7:00 P.M.

3. UNFINISHED BUSINESS

- a. Real Heroes Breakfast – Red Cross
- b. Shoreland Zoning Update – Town Planner
- c. Sewer Commitment – 3rd Quarter 2009t

4. NEW BUSINESS

- a. Liquor License Renewal – Countrymeadow, Inc. DBA Pizza Gourmet

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT

FINANCE COMMITTEE MEETING

Monday, November 9, 2009

Agenda

5:45 p.m.

Hampden Town Office

1. Minutes of 10-19-2009
2. Treasurer's Warrants
3. Financial Reports - October
3. Goals, Objectives Discussion Date for December
4. Public Comments
5. Committee Member Comments



Check One: Initial Application
 Application for Reappointment

A-3 a.

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Bruen LAST Trisha FIRST L MI

ADDRESS: 213 STREET Main Road South MAILING Hampden

TELEPHONE: 862-6219 HOME 852-8550 WORK

OCCUPATION: Stay at home Mom / Self employed tree service biz

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Friends of Dorothea Dix Park

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? I have a bachelor's degree in an unrelated

field. My interest in this committee membership is to provide a voice in support of park improvements which will enhance the experiences of park visitors.

Are there any issues you feel this board or committee should address, or should continue to address? I think the committee should focus

on improving and enhancing the current characteristics and offerings of the park. Trail maintenance, tree maintenance and accessibility need to be provided on a continual basis.

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE

- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

Friends of Dorothea Dix Park ^{3 YEAR} PLANNING BOARD

FOR TOWN USE ONLY

Date Application Received: OCT 26 2008

APPOINTMENTS COMMITTEE ACTION: _____ DATE: _____

COUNCIL ACTION: _____ DATE: _____

NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____

Rapid Renewal Transaction Volume Summary
Town of Hampden: Transaction date >= 20091001 and < 20091101

A-4.A.

Payment Method	Transaction Count	Transaction Amount	Processing Fees
Credit/Debit Card	0	0.00	0.00
Electronic Check	43	6919.91	0.00
TOTAL	43	6919.91	

Class Code Summary

Class	Count
BB	4
CR	4
LB	2
PC	33

Rapid Renewal
October 2009

A-4-b

FINANCE COMMITTEE

Minutes

Monday, October 19, 2009

The meeting was opened at 5:45 p.m. by Chairman Arnett.

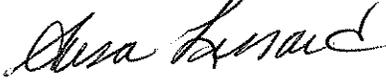
1. Minutes of October 5, 2009 Meeting – The minutes of the 10/5/09 meeting were reviewed. Motion by Councilor Lawlis to approve, vote 5-0-0.
2. Review and signature of Warrants – The warrants were reviewed by Committee members Arnett and Shakespeare. Councilor Cox was absent. The warrants were signed as presented.
3. Old Business
 - a. Penobscot Cable Consortium – Dues Notice – Chairman Arnett provided a brief overview of the history of the Penobscot Cable Consortium's original purpose and activities. At the present time the organization continues to exist for the purpose of providing joint negotiating power with respect to Cable Franchise Renewals. In addition, a portion of the treasury is available to existing members for reimbursement for Cable equipment purchases. The Town of Hampden received such funding for the purchase of a video camera. If the town does not remain in the consortium, it would lose its share of the treasury (+/- \$200,000 total) that currently exists. Motion by William Shakespeare, seconded by Jean Lawlis to recommend to the full Council that the Town pay this year's dues to the Penobscot Cable Consortium. Vote 5-0-0.
 - b. Notification – Public Works Plow Truck received – The Town Manager reported that the new plow truck authorized in the Spring had been received.
 - c. Notification – Police Cruiser received – The Town Manager reported that the new police cruiser that had been authorized in the Spring had been received.
 - d. Transfer Station Statistics – 2007-2010 – Councilors reviewed the statistics provided for wood and construction and demolition debris at the transfer station. The facility continues to see a substantially lower disposal rate than was present under the system that was changed in May of 2008. Councilor Shakespeare wished to be on record in opposition to the reduced time periods for the disposal of construction and demolition debris and wood. Both he and Councilor Brann believe that similar savings could be realized by just enforcing the sticker provisions.

- e. Pool Heating Oil Usage Statistics – Councilors reviewed information presented about the fuel savings at the pool since the installation of the new boilers. In September of 2009 alone the Pool reduced its consumption in comparison to September of 2008 by over 1000 gallons of fuel. 2008/2009 consumption was over 17,000 gallons less than 2004/05 or 2005/06, and only half a year of savings was realized since the boilers were not operational until January 2009. The Council was very pleased with these results and commended the staff for the proposal. The Manager reminded the Council that they deserved credit also for their willingness to make the long term investment.
4. New Business
- a. PVCOC Dues – Restructuring – Mayor Arnett explained that PVCOC was looking to restructure its organization into a 3-area format. The organization has had some significant organizational challenges over the past several years and has not been functioning well. However, there is considerable concern over the proposal being made for restructuring as well. Given that the dues are either near or over \$5,000 for the coming year (depending on the outcome of a vote to be taken at the annual meeting on October 29th) those present were concerned about paying further dues until or unless the organization showed more signs that it would be more stable in its operation. Motion by Tom Brann, seconded by Andre Cushing to recommend to the full Council that the representative attending the annual meeting of PVCOC on 10/29 vote in opposition to the proposed restructuring plan and further that the Council not authorize payment of dues to PVCOC unless or until the organization provides evidence that it can effectively serve the purposes for which it was created by the legislature. Vote 5-0-0.
5. Public Comments
6. Committee Member Comments – Those present discussed the item on the regular Council agenda related to the Real Heroes' Breakfast being sponsored by the Red Cross. The packet contained a letter asking the Town to consider being a sponsor for the event in the amount of \$1,000. Those present discussed whether or not this would constitute a donation, and therefore violate the policy that had been established for outside agency donations. Councilor Cushing offered to attend in his capacity as a legislator and to also act in a Council representative capacity as well and to take the video camera to video the

awards. There was some thought that one group of recipients may be from Hampden. If so – Councilor Brann thought it might be a good idea for the Town to sponsor a table for \$500 and allow friends and family of the Hampden ‘heroes’ to attend for free. In the absence of Councilor Cox who works at the Red Cross – there were unanswered questions regarding to whom the awards would be awarded. It was the consensus of the committee that the Full Council postpone discussion of this item until Councilor Cox returns.

The meeting was adjourned at 6:50 by Chairman Arnett.

Respectfully submitted –



Susan Lessard
Town Manager

A-4-C

INFRASTRUCTURE COMMITTEE MEETING
Minutes 10/26/2009

Attending:

<i>Councilor Thomas Brann</i>	<i>Water Dist. Supt. Cam Torrey</i>
<i>Mayor Matt Arnett</i>	<i>Jamie Holyoke</i>
<i>Councilor William Shakespeare</i>	<i>Shelli Gushue</i>
<i>Councilor Janet Hughes</i>	<i>James Conley</i>
<i>Councilor Andre Cushing</i>	<i>John Quesnel</i>
<i>Councilor Jean Lawlis</i>	<i>Don Darling</i>
<i>Councilor Shannon Cox</i>	<i>Mark Beauregard</i>
<i>Town Manager Sue Lessard</i>	
<i>Public Works Dir. Chip Swan</i>	

1. Minutes of September 28, 2009 Meeting – *Motion by Andre Cushing, seconded by Jean Lawlis to approve the minutes as presented, unanimous vote in favor.*
2. Old Business
 - a. Water District/Council Semi-Annual Meeting
 1. Hydrant Plowing – *Public Works Director Chip Swan presented a proposal to allow the Water District to use the loader rented by the town for plowing use at the Town Office and the Pool for a rate of \$24/hour plus a \$7/hour fuel charge. The Water District would provide its own operator(s). The sharing of equipment would be a cost-effective way for the Water District to get the hydrants cleaned without the need for a new loader at this time. The Water District agreed that this was a practical solution to the issue of clearing hydrants.*
 2. Customer Complaint – Backflow Device – *The General Manager of the Water District answered questions related to a complaint by Tammy Young regarding the need for a testable backflow device for an inflatable pool. Ms. Young has removed the pool and her water service has not been interrupted. Mr. Torrey stated that the District had not been contacted by the PUC regarding this issue despite the fact that Ms. Young has filed a complaint with them.*
 3. Budget/Planning – *The Water District Trustee Chair, James Conley, then explained the agenda and information that they had provided for the meeting (copy attached).*

Highlights of that information included:

 - *A 15% increase in the cost of water from Bangor*
 - *A potential 10-20% rate increase in Water District Rates effective in April of 2010*
 - *Projects including a new garage, replacement of a pump station on Route 1A, possible replacement of a line on Canoe Club Road, construction of a new water line to the new Hampden Academy, and a grant to upgrade the Water District facilities plan were discussed.*

- *The District wishes to continue working with the town on short and long term projects and anticipates the need for Water District staff to be onsite if the Mayo Road Project is approved in November.*
 - *Potential Cost Savings related to sewer billing were discussed*
 - *Wells are being explored in the Monroe Road Area as a possible alternative source to the City of Bangor*
 - *The Water District Trustees and the Council will meet prior to the public hearing for the proposed rate increase that will be applied for by the Water District in January.*
- b. *Saturday Bus Service & Parking for Bus Riders – Those present discussed the idea of Saturday service but indicated that more information was necessary before making such a commitment. The next newsletter will contain a survey that discusses this item. The Town will also look at potential sites for park and ride lot(s) for bus passengers who do not live on the route.*
- c. *Update – Route 1A Sewer Project – The Public Works Director reported that the project would be completed by 10-30-09.*
- d. *November Referendum – possible impact on Public Works – Those present briefly discussed the potential fiscal impact of the passage of the excise tax referendum. The consensus was that a strategic planning session should be planned for December, regardless of the status of that particular referendum question, so that that Council could take a ‘new’ look at the way in which services are provided and funded.*
- e. *Compost School – Waiting list for next class – The next class will likely be in June of 2010.*
3. *New Business*
 4. *Public Comments*
 5. *Committee Member Comments – Councilor Shakespeare reminded the Town Manager that the doorstops in the restrooms had not yet been replaced. The Public Works Director was in attendance and indicated that he would get that task completed.*

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

*Susan Lessard
Town Manager*

October 22, 2009

Susan Lessard
Town Manager
Municipal Building
106 Western Avenue
Hampden, ME 04444

Dear Susan:

The enclosed host fee payment of \$102,145.68 represents the period September 2009, during which 55,214 tons were disposed at PTL.

As always, please give me a call if you have any questions about the landfill.

Sincerely,



Donald Meagher

Enc: Host community benefit payment



Penobscot Energy Recovery Company

P.O. Box 160 • 29 Industrial Way
Orrington, Maine 04474
(207) 825 - 4566

A-4-e

ESOCO ORRINGTON, LLC.
Plant Operator

MEMORANDUM

TO: PERC Charter Municipalities

FR: Gary Stacey, Plant Controller *GS*

Date: October 6, 2009

Subject: 4th Quarter 2009 Tipping Fee for Charter Municipalities

The tipping fee for the 4th quarter of 2009 (Oct., Nov., Dec.) will be **\$72.00 per ton**. This figure is based on our best estimate of expected waste deliveries and pass-through costs for the 4th quarter of 2009, **plus an adjustment (reconciliation) for actual performance in the 3rd quarter of 2009.**

Calculations for the 4th quarter tipping fee include a positive adjustment carried over from the 3rd quarter of \$16,607. The major components in the adjustment from the prior quarter were due to:

- 1) Total MSW deliveries being over the estimated amount by 1,040 tons (84,000 estimated vs. 85,040 actual)
- 2) Charter MSW deliveries being below estimated deliveries by 256 tons (54,000 estimated vs. 53,744 actual)
- 3) Charter share of disposal costs was above estimates by \$14,401.

2009 Charter tip fees by quarter:

- 1st quarter was budgeted at \$71.93 with actual of \$73.20
- 2nd quarter was budgeted at \$73.01 with actual of \$72.50
- 3rd quarter was budgeted at \$72.97 with actual of \$71.50
- 4th quarter was budgeted at \$73.24 with actual of \$72.00

PERC will be forwarding detailed information relating to the 4th quarter tipping fee calculations to the Municipal Review Committee for their review and approval.

If you have any questions about the quarterly tipping fee, your town's billing, or your contract, please call Gary Stacey at 1-800-698-0859 ext.17.

RECEIVED
OCT 19 2009

BY:.....



HAMPDEN PUBLIC SAFETY
Code Enforcement Division
106 Western Avenue
Hampden, Maine 04444
Phone 207-862-4500
Fax: 207-862-5067



Date: October 28, 2009
To: Mayor Arnett, Hampden Town Council
Chairman Weatherbee, Hampden Planning Board
Subject: Upcoming Board of Appeals Meeting
From: Ben Johnson, Code Enforcement Officer *B.J.*

Pursuant to 30-A M.R.S.A. § 4353 this memo is to notify the Town Council and Planning Board that there will be a Board of Appeals meeting Tuesday, November 17, 2009. The meeting and public hearing will be held at 7:00 pm in the Council Chambers of the Hampden Municipal Building. The Board will consider the following items:

Public Hearing:

A request for dimensional variance with regard to a side yard setback has been made by Jaime & Michael Clisham for a property located at 170 Shaw Hill Road, further identified as Assessor's tax map 7 lot 69-05. This property is located in the Rural zoning district. The applicant has requested a side yard dimensional property line setback variance of three (3) feet to accommodate a portion of a structure located within said setback area. The Rural zoning district requires a thirty (30) foot setback from all property lines. The ZBA will consider this item pursuant to Article 6.2.2.2 of the *Town of Hampden Zoning Ordinance* and the *Town of Hampden Board of Appeals Ordinance*.

C-2-A

**OFFICIAL RETURN OF VOTES
FOR
MUNICIPAL ELECTION
HELD ON
NOVEMBER 3, 2009**

Councilors At-Large – 3

Directors School Administrative District No. 22 – 2

Trustee Hampden Water District – 1

Also to determine the following Referendum Question:

ARTICLE 1. Ordinance authorizing appropriation and borrowing of funds to finance the construction and/or reconstruction of Mayo Road and other related infrastructure improvements through issuance of general obligation bonds or notes of the Town of Hampden which may be callable in the principal amount not to exceed \$2,300,000.

Shall the above described ordinance be adopted and the municipal officers have the authority to issue general obligation bonds or notes of the Town and accomplish the Project as described above and in the ordinance?

Given in at the General/Referendum Election held on November 3, 2009.

At a legal meeting of the Inhabitants of Hampden in the County of Penobscot, qualified to vote in the municipal election, held on the first Tuesday of November, the same being the 3rd day of said month in the year of our Lord, two thousand nine, the said Inhabitants gave their votes for Councilors At-Large – 3; Directors School Administrative District No. 22. – 2; and Trustee Hampden Water District – 1.

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

Total Number of Ballots Cast: 3473

OFFICIAL RETURN OF VOTES
GENERAL/REFERENDUM ELECTION
NOVEMBER 3, 2009

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

Shannon Cox	<u>1776</u>
Andre Cushing	<u>2218</u>
Andrew Colford	<u>1730</u>
Matthew Arnett	<u>1959</u>
Declared Write-ins:	<u>N/A</u>

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

Peter Huston	<u>2453</u>
Richard Moore	<u>2447</u>
Declared Write-ins:	<u>N/A</u>

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

Samuel Shane Sargent	<u>2878</u>
Declared Write-ins:	<u>N/A</u>

Also vote on Referendum Article 1 (as stated above)

Yes had:	<u>1889</u>
No had:	<u>1456</u>

Council Members of the Town of Hampden, Maine

OFFICIAL RETURN OF VOTES
GENERAL/REFERENDUM ELECTION
NOVEMBER 3, 2009

A True Copy.

Attest: _____
Denise R. Hodsdon, Town Clerk
Town of Hampden

C-3-A



American Red Cross

October 13, 2009

Bangor Office
122 Target Industrial Circle
Bangor ME 04401
Phone: (207) 941-2903
Fax: (207) 941-2906

With offices in:

Ellsworth
Phone: (207) 667-4737
Fax: (207) 667-2270

Rockland
Phone: (207) 594-4576
Fax: (207) 596-0553

Caribou
Phone: (207) 493-4620
Fax: (207) 492-0342

Board of Directors

Lance Macmaster, *Chair*
Darlene MacLeod, *Vice Chair*
Kathy Knight, *Secretary*
David Barrett, *Treasurer*

Richard Borgman
Robert Brown, MBA, CPA
Allen Campbell
Todd Christiansen
Michael R. Crowley
Clinton Deschene
Gail Fanjoy
Arnold "Bucky" Gahagan
Thomas Hicks
Jaime Laliberte
Alan Punches, PhD
Cliff Rhome
Crystal Dakin Richards
James Ryan
Col John R. Thomas

Shannon Flavin Cox
Executive Director

Town of Hampden
Susan Lessard, Town Manager
106 Western Avenue
Hampden ME 04444-1428

Dear Susan,

There is still time for the Town of Hampden to help celebrate local Real Heroes this year – people who have demonstrated courage, kindness and selflessness by their acts of heroism. I ask the Town to become a sponsor of the Pine Tree Chapter's 13th annual Real Heroes Breakfast on Thursday November 19 at the Bangor Civic Center.

You will be part of an event that is truly heartwarming, emotional and inspiring.

I ask the Town of Hampden to become a Patron Sponsor for \$1,000. This sponsorship amount will entitle Town of Hampden to benefits that include your name in the event program, a table for up to ten guests, a table sign, and a quarter-page event program display ad.

I attach a complete list of this year's sponsorship opportunities. Whatever your sponsorship donation, the local Red Cross Chapter is a tax-exempt nonprofit charitable corporation, and Town of Hampden's gift is tax-deductible to the extent allowed by law.

WABI-TV5 will co-sponsor the November 19 event at the Bangor Civic Center again this year. Celebrating the state's spirit, the Real Heroes Breakfast will recognize the Real Heroes of northern and eastern Maine. Five awardees will be selected from nominations submitted by the public. Their stories will be captured on video pieces presented at the event to more than 550 attending business, civic and community leaders, and all the following week to the general public on Channel 5.

Area businesses and communities make this event possible. It is the Pine Tree Chapter of the American Red Cross's largest fund raising event of the year, and is closely related to the Red Cross mission – to help people save lives, and to help people prevent, prepare for and respond to emergencies.

Thanks to generous supporters like the Town of Hampden, the Real Heroes Breakfast provides funds for the Chapter's Local Disaster Relief Fund, Armed Forces Emergency Services Program, Health & Safety Training Program and other services that serve the emergency and safety needs of more than 11,000 Mainers every year.

The attached Recognition Levels sheet provides full details of the benefits the Town of Hampden will receive from its sponsorship. *I also attach a reply form for your use by October 30.* If you prefer, you may call the Chapter's Development Director Mickey Sirota at 941-2903 x 106 or email him at sirotam@pinetree.redcross.org with your reply. Mickey or I will be glad to answer any questions you may have about your sponsorship and the Real Heroes Breakfast.

Remember,

- The Town of Hampden's Breakfast Sponsor gift of \$1,250 gives you a half-page program ad and all the benefits listed on the attached Recognition Levels sheet.
- Your \$1,000 Patron Sponsor gift comes with a quarter-page ad and all listed benefits.
- You may become a Table Sponsor with a \$500 gift, with program listing and all listed benefits.

I hope the Town of Hampden will join the Pine Tree Chapter of the American Red Cross by supporting the 13th annual Real Heroes Breakfast. Event proceeds will benefit disaster victims, military families and caring people right here in eastern and northern Maine.

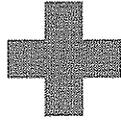
Expect my call soon to answer your questions and ask for your sponsorship. Please join me, WABI-TV5, the Chapter's Board of Directors, dozens of local businesses, communities and organizations, Red Cross staff and volunteers as we honor this year's Real Heroes.

Sincerely,



Shannon Flavin Cox, Executive Director
Pine Tree Chapter of the American Red Cross

Atts: Recognition Levels
13th Annual Real Heroes Breakfast Sponsor Reply



American Red Cross

**PINE TREE CHAPTER OF THE AMERICAN RED CROSS
13th Annual Real Heroes Breakfast**

Thursday November 19, 2009 7:30-9 a.m.
Bangor Civic Center

**SPONSOR AND CONTRIBUTOR
RECOGNITION LEVELS**

MAJOR AWARD SPONSOR \$5,000

Co-Sponsor of Event
Award Presentation by Sponsor Representative
Mention in Pre-Event and Post-Event Advertising and Publicity
Corporate Banner Display in Civic Center Lobby
Name in Program
Table of 8 to 10 Guests
Table Sign
Full Page Program Ad – Inside Front or Back Cover

AWARD SPONSOR \$2,500

Award Presentation by Sponsor Representative
Mention in Pre-Event and Post-Event Advertising and Publicity
Corporate Banner Display in Civic Center Lobby
Name in Program
Table of 8 to 10 Guests
Table Sign
Full-Page Program Ad

BREAKFAST SPONSOR \$1,250

Name in Program
Table of 8 to 10 Guests
Table Sign
Half-Page Program Ad

PATRON SPONSOR \$1,000

Name in Program
Table of 8 to 10 Guests
Table Sign
Quarter-Page Program Ad

TABLE SPONSOR \$500

Name in Program
Table of 8 to 10 Guests
Table Sign

CONTRIBUTOR \$100 or more

Name in Program

A limited number of individual seats will be available at a cost of \$50 per seat.

C-3-b



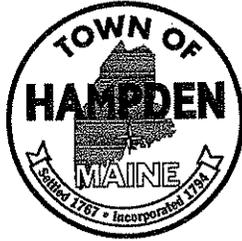
TO: Hampden Town Council
FROM: Robert Osborne, Town Planner *RO*
SUBJECT: Draft Shoreland Zoning Ordinance Update
DATE: November 4, 2009

The purpose of this correspondence is to update the Council on the status of the Draft Shoreland Zoning Ordinance.

Background. The Hampden Town Council voted to refer this item to the Planning Board for Public Hearing at their July 13, 2009 meeting. The rules required that all property owners that would be affected with new or enlarged Resource Protection District must be notified at least 14 days prior to the meeting at which the Planning Board sets the date for public hearing. Subsequently, the Planning Board voted on August 12, 2009 to set the public hearing for this draft ordinance and map. Once that date was set staff sent out 760 mailed notices to all property owners subject to shoreland zoning regulations and met with a number of them to discuss their land and how it would be affected. Planning Board held the public hearing on this item September 23, 2009 in Community Room and approximately 70 citizens attended and 15 spoke to the Board. Following the public hearing the Planning Board referred this item to the Planning Board Ordinance Committee for review of the ordinance and the public record and to make recommendations. The Planning Board Ordinance Committee meetings were held October 7, 14 and 28, 2009 in the Council Chambers. The Ordinance Committee voted to return the amended ordinance and map to the Board with an "ought to pass" recommendation.

The Planning Board will hold a public hearing on the amended ordinance and map on November 18, 2009. I anticipate the Planning Board will return the amended ordinance to the Council with an "ought to pass" recommendation at that time.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



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

CERTIFICATE OF COMMITMENT OF SEWER USER RATES

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

We, the undersigned municipal officers of the municipality of Hampden, Maine hereby certify and commit to you a true list of the sewer rates established by us pursuant to 30-A M.R.S.A §3406 for those properties, units, and structures required by local and state law to pay a sewer rate to the municipality, for the period beginning 07/01/09 and ending 09/30/09. This list is comprised of the pages numbered 1 to 1 inclusive which are attached to this certificate. The date(s) on which the rates included in this list are due and payable is (are) 11/30/09. 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 \$ 132,898.00. You are hereby required to charge interest at a rate of 9 % per annum on any unpaid account balance beginning 12/01/09. 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 4/2010 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

**Department of Public Safety
Liquor Licensing & Inspection
Division**



BUREAU USE ONLY

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

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

PRESENT LICENSE EXPIRES _____

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.) <u>Countrymeadow Inc</u> DOB: _____				2. Business Name (D/B/A) <u>Pizza Gourmet</u>			
DOB: _____				Location (Street Address). <u>60 Main Rd No Ste A</u>			
DOB: _____				City/Town <u>Hampden</u> State <u>ME</u> Zip Code <u>04444</u>			
Address <u>60 Main Rd No Ste A</u>				Mailing Address <u>60 Main Rd No Ste A</u>			
City/Town <u>Hampden</u> State <u>ME</u> Zip Code <u>04444</u>		City/Town <u>Hampden</u> State <u>ME</u> Zip Code <u>04444</u>		City/Town <u>Hampden</u> State <u>ME</u> Zip Code <u>04444</u>			
Telephone Number <u>207 862 6900</u>		Fax Number		Business Telephone Number <u>207 862 6900</u>			
Federal I.D. # <u>01-0451740</u>				Seller Certificate # <u>0240282</u>			

- 3. If premises is a hotel, indicate number of rooms available for transient guests: _____
- 4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 495329 LIQUOR \$ 3271.
- 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: Paul Straffer
- 8. If business is NEW or under new ownership, indicate starting date: _____
- Requested inspection date: _____ Business hours: _____
- 9. Business records are located at: 60 Main Rd No Ste A Hampden ME 04444
- 10. Is/are applicants(s) citizens of the United States? YES NO
- 11. Is/are applicant(s) residents of the State of Maine? YES NO

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

Name in Full (Print Clearly)	DOB	Place of Birth
Brian Carlisle	2 14 51	Bangor
Cynthia Carlisle	3 8 59	Bangor
Paul Stratton	2-9-79	Winterport

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____
CRRT PO Box 880728 Port St. Lucie, FL

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____
60 Main Rd No Ste A

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 mile Which of the above is nearest? School + 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: _____

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: Hampden ME on 10-15-, 2009
Town/City, State Date

B Carlisle Pres
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

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

FILING FEE.....\$ 10.00

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

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

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)

On: _____
Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c.730, §27 (rp).]

4. **No license to person who moved to obtain a license. (REPEALED)**

5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.



**SUPPLEMENTAL APPLICATION FORM
ON/OFF-PREMISE DIAGRAM**

In an effort to clarify licensee premises and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premises to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrance, coffee area, kitchen, storage area, dining rooms, bar/age, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.

