

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

APRIL 6, 2009

7:00 P.M.

• 5:45 pm – FINANCE COMMITTEE MEETING

A. CONSENT AGENDA

1. SIGNATURES

a. Treasurer's Warrants

2. SECRETARY'S REPORTS

a. March 16, 2009

3. TREASURER'S REPORT

4. COMMUNICATIONS

- a. Bureau of Labor/Town – Inspection Response – 3/27/09
- b. Bangor Water District – Rate Adjustment
- c. Hampden Business Association Agenda – 4/7/09
- d. Melinda Merrill-Maguire – New Application – Planning Board
- e. David Caliendo – New Application – Board of Assessment Review

5. REPORTS

- a. Lura Hoyt Pool Board Minutes – 2/10/09
- b. Infrastructure Committee Minutes – 3/30/09
- c. Finance Committee Minutes – 3/16/09
- d. Rapid Renewal – March 2009

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Renewal of Victualer's License received from Laurie Lee d/b/a Coffee Break Café at 75 Main Road North
- b. Proposed Amendment to Conservation Ordinance to Delete Sunset Provision, Section 6.1.4

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

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. Award Fire Truck Bid
- b. Award Paving Bid
- c. Confirm Manager Budget Direction
- d. May 11th Water District/Town Meeting
- e. Hampden Academy Re-use Committee – Discussion and Finance Committee Recommendation

4. NEW BUSINESS

- a. Hike for the Homeless Proclamation
- b. United Technologies – Request for Donation
- c. Proposed Agenda Process for Council District-specific Items – Councilor Cushing
- d. Time-Warner Request for Support – Phone Services

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT

TOWN COUNCIL MINUTES

MARCH 16, 2009

The regularly scheduled meeting of the Hampden Town Council was held on Monday, March 16, 2009. 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, Shannon Cox, Andre Cushing, Thomas Brann, William Shakespeare, Jean Lawlis and Janet Hughes

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Recreation Director Kurt Mathies and Pool Director Darcey Peakall

A. CONSENT AGENDA

Treasurer's Warrants were reviewed and signed by the Finance Committee at its 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

There were none.

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. APPLICATIONS FOR RENEWAL OF VICTUALER'S LICENSES:

Mayor Arnett explained the procedure for the public hearings and then opened separate hearings for each application.

1. BANGOR TENNIS & RECREATION CLUB, 60 MECAW ROAD

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

Motion by Councilor Cushing, seconded by Councilor Lawlis to approve reissuance of the Victualer's License for Bangor Tennis & Recreation Club – unanimous vote in favor.

2. BEST WESTERN WHITE HOUSE INN, FILIBUSTER LOUNGE
155 LITTLEFIELD AVENUE

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

Motion by Councilor Cushing, seconded by Councilor Brann to
reissue the Victualer's License for Best Western White House Inn,
Filibuster Lounge – unanimous vote in favor.

3. DYSART'S SERVICE d/b/a DYSART'S TRAVEL STOP, 366
COLDBROOK ROAD

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

Motion by Councilor Cushing, seconded by Councilor Brann to
reissue the Victualer's License for Dysart's d/b/a Dysart's Travel
Stop – unanimous vote in favor.

4. RONALD & BARBARA McKINNON d/b/a McK'S VARIETY, 995
WESTERN AVENUE

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

Motion by Councilor Cushing, seconded by Councilor Cox to reissue
the Victualer's License to Ronald & Barbara McKinnon d/b/a McK's
Variety – unanimous vote in favor.

5. BRIAN & CINDY CARLISLE d/b/a PIZZA GOURMET, 60 MAIN
ROAD NORTH, SUITE A

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

Motion by Councilor Cushing, seconded by Councilor Brann to
reissue the Victualer's License to Brian and Cindy Carlisle d/b/a
Pizza Gourmet – unanimous vote in favor.

6. KATHY SMITH d/b/a R & K VARIETY, 573 MAIN ROAD NORTH

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

Motion by Councilor Cushing, seconded by Councilor Cox to reissue
the Victualer's License to Kathy Smith d/b/a R & K Variety –
unanimous vote in favor.

7. DLLS, INC. d/b/a SUBWAY OF HAMPDEN, 7 WESTERN AVE.

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

Motion by Councilor Cushing, seconded by Councilor Shakespeare to reissue the Victualer's License for DLLS, Inc. d/b/a Subway of Hampden – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

a. PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR APPOINTMENTS TO PLANNING BOARD

Councilor Cushing reported that the Planning & Development Committee interviewed both applicants and recommends appointment of both as Regular Members of the Planning Board. He noted that these appointments would fill the two regular member vacancies, but that there are still two associate member vacancies on the Planning Board.

1. THOMAS BLAIS – ASSOCIATE MEMBER TO REGULAR MEMBER

Motion by Councilor Cushing, seconded by Councilor Hughes to elevate Thomas Blais from an Associate Member to a Regular Member of the Planning Board – unanimous vote in favor.

2. EUGENE WELDON – NEW MEMBER

Motion by Councilor Cushing, seconded by Councilor Hughes to appoint Eugene Weldon as a Regular Member of the Planning Board – unanimous vote in favor.

b. WATER DISTRICT TRUSTEE APPOINTMENT – DON DARLING – INFRASTRUCTURE COMMITTEE RECOMMENDATION

Councilor Shakespeare reported that the Infrastructure Committee interviewed two candidates to fill the vacancy on the Water District Board of Trustees and is recommending appointment of Don Darling to fill that vacancy. He then moved to appoint Don Darling to the Water District Board of Trustees; Councilor Cushing seconded the motion and vote was unanimously in favor.

c. SHELBY WRIGHT – TREE BOARD APPLICANT APPROVAL – SERVICES COMMITTEE RECOMMENDATION

Councilor Cox reported that at its most recent meeting, the Services Committee unanimously recommended appointment of Shelby Wright to the Tree Board. Councilor Cox moved and Councilor Cushing seconded to appoint Shelby Wright to the Tree Board – unanimous vote in favor. Councilor Cox noted that this appointment fulfills all the seats on the Tree Board.

3. UNFINISHED BUSINESS

a. SEASHELL SLIDE REPLACEMENT AUTHORIZATION – PAID FOR BY TRUSTEES

Pool Director Darcey Peakall informed the Council that the current seashell slide has needed numerous repairs in the last 18 months and the Pool Board is looking to replace it. The Board has agreed to finance a new slide from the endowment fund and Darcey asked the Council for approval to remove the seashell slide and replace it with a Baby Dino slide.

Motion by Councilor Brann, seconded by Councilor Cox to grant permission to the Pool Board to remove the current slide and replace it with the Baby Dino slide – unanimous vote in favor.

Darcey said there will be some kind of event to name the dinosaur and an open house to invite people to check out the new slide. She noted that the pool rental fee will be reduced while the slide is out of commission.

b. COUNCIL APPOINTMENT TO SCHOOL BUDGET COMMITTEE

Motion by Councilor Cox, seconded by Councilor Shakespeare to appoint Councilor Jean Lawlis as the Town's representative on the School Budget Committee – unanimous vote in favor.

4. NEW BUSINESS

a. AFLAC – ADDITION AS EMPLOYEE-FUNDED BENEFIT – INFRASTRUCTURE COMMITTEE RECOMMENDATION

Councilor Brann reported that AFLAC made a presentation to the Infrastructure Committee regarding their insurance program and requested permission to market their products to Town employees. There would be no cost to the Town as all costs will be borne by the employees through weekly payroll deductions. The Committee recommends authorizing AFLAC to make a presentation to employees.

Councilor Brann moved to allow AFLAC to make a presentation to Town employees and for the Town to process the payments as required by agreement with AFLAC; Councilor Cushing seconded the motion and vote was unanimously in favor.

b. SILVER STAR BANNER DAY – PROCLAMATION REQUEST

Manager Lessard explained that the Silver Star Families of America are looking to honor wounded military veterans and they have requested proclamations from cities, towns, counties and states as a way of thanking and honoring these veterans. They provided a sample proclamation for signature of the Mayor.

Motion by Councilor Cushing, seconded by Councilor Cox to issue the proclamation honoring Silver Star Banner Day – unanimous vote in favor.

c. **PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATION FOR DELETION OF SUNSET PROVISION OF CONSERVATION COMMISSION ORDINANCE AND INTRODUCTION FOR PUBLIC HEARING**

Councilor Cushing reported that the Planning & Development Committee recommends deleting the sunset provision from the Conservation Commission Ordinance and he introduced this item for public hearing at the next meeting.

d. **GAZEBO RELOCATION – RECOGNITION OF CONTRIBUTORS – KURT MATHIES & GRETCHEN HELDMANN**

This item was moved to the beginning of the meeting. Recreation Director Kurt Mathies and Mayor Arnett presented certificates of appreciation to everyone who contributed in relocating the gazebo to the Western Avenue area playground. Those receiving certificates were Ken Anderson, Plant Manager for Lane Construction; Ed Nason, Plant Manager for Sunrise Materials; Tom Jewell, Assistant Division Manager for Wardwell Contracting; Jeff Jones of J. Jones Building Construction; and citizen volunteer Dick Madore. Kurt noted that EBS Building Supply donated a considerable amount of lumber for the project, but they were unable to send a representative to accept the certificate. Mayor Arnett thanked all the contributors on behalf of the Town. Mayor Arnett also noted that Kurt has been a key player in helping with our parks and recreation and expressed appreciation for his help in this project.

e. **ALEWIFE FISHING RIGHTS**

Manager Lessard informed the Council that the Conservation Commission is in the process of advertising for a fishing agent to cover the requirements of this ordinance. She explained that in order for the Town to preserve its rights to control the fishing of alewives, the Council would need to adopt the same plan as last year under the same terms and conditions as last year's ordinance, which describes how they may be caught.

Motion by Councilor Shakespeare, seconded by Councilor Cushing to preserve alewife fishing rights and continue the alewife fishing plan in the same manner as last year – unanimous vote in favor.

f. **NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD DRIVE – PROCLAMATION REQUEST**

Manager Lessard explained that this an annual request from the NALC in support of their annual food drive to help end hunger in America. They provided a proclamation for signature of the Mayor.

Motion by Councilor Cushing, seconded by Councilor Brann to support the proclamation – unanimous vote in favor.

Manager Lessard reminded everyone that Saturday, May 9th is the day the letter carriers will be collecting non-perishable food items.

g. CONSERVATION COMMISSION REQUEST

Manager Lessard informed the Council that the Conservation Commission has requested feedback relative to a letter they would like to send to legislators regarding proposed job cuts to the Maine Department of Inland Fisheries and Wildlife. The Commission opposes the cuts and believes that these cuts will have a significant negative effect on the ability to identify sensitive habitat areas. Manager Lessard said she was uncomfortable with a committee issuing a position from the community, which the Council had not reviewed and endorsed.

Councilor Brann moved and Councilor Cox seconded to support the letter submitted by the Conservation Commission.

During discussion, Councilor Cushing expressed concern about the Town sending advocacy letters to the State in regard to budgetary matters. He feels that the committees and boards have a responsibility to handle the affairs that affect the Town, but he would not be in favor of a policy that encourages boards to advocate on budgetary matters with the State.

Councilor Brann disagreed and said that the Town of Hampden has taken a position where we think the environment is of significant importance. He pointed out that we have a Conservation Commission to pay attention to the conservation needs and impact of activities throughout the region and state on preservation of land masses that we consider important within the Town. Whereas we have decided that that is an important priority for the Town, he feels it is the responsibility of the Conservation Commission to speak up and that we need to support them on that activity.

Vote on the motion was four in favor (Shakespeare, Lawlis, Cox and Brann) and three opposed (Cushing, Hughes and Arnett) – motion carried.

h. REQUEST FROM ACANE TO HOLD 2009 SOUADABSCOOK
STREAM CANOE RACE

This year's canoe race is scheduled for Saturday, April 11th and this is the annual request for authorization to hold the race in Hampden.

Motion by Councilor Hughes, seconded by Councilor Shakespeare to support the canoe race and authorize the Town Manager to issue a letter giving them permission to hold the race – unanimous vote in favor.

i. GENERAL ASSISTANCE ORDINANCE UPDATE – FOOD STAMP INCREASES

Manager Lessard explained that the Department of Health and Human Services has modified the food stamp maximums effective April 1, 2009. She noted that generally when amending an ordinance, a public hearing is required, but DHHS has indicated that since a hearing was held at the beginning of the year, modifications do not require a public hearing, but simply a vote of the Council to authorize use of these maximums.

Motion by Councilor Brann, seconded by Councilor Hughes to adopt the MMA model ordinance Appendix B for the period of April 1, 2009 to September 30, 2009 – unanimous vote in favor.

j. PROJECT CANOPY GRANT APPROVAL

Recreation Director Kurt Mathies and newly appointed Tree Board member Shelby Wright made a presentation regarding the Tree Board's application for a Project Canopy Grant to help fund a tree planting project in the Western Avenue Recreation Area adjacent to the Lura Hoyt Pool. Shelby explained that these grants are reimbursement awards sponsored by the Maine Forest Service and the USDA that provide a 50/50 match for tree planting and maintenance projects. The maximum grant award is \$8,000 and the Tree Board is hoping for maximum funding. Shelby explained that because this is a reimbursement only grant, funds would have to be guaranteed by the Town to support the project in full until the reimbursement is received. Shelby pointed out that most of the matching funds are in-kind contributions of labor, staff time, etc. as well as possibly some monetary commitments. The Tree Board is requesting a \$9,000 commitment from the Town to facilitate the project.

The Tree Board plans to plant 44 trees and shrubs in the Recreation Area and has verbal commitments for donations of labor and materials from several community organizations, including the Garden Club, Boy Scouts and Girl Scouts and the Kiwanis Club.

Councilor Cox reported that the Services Committee has reviewed the presentation and unanimously supports the proposed project. She had very high praise for the caliber of work coming out of the Tree Board. Councilor Brann added that as a Tree City, we are required to make a contribution of funds annually into the process of creating a more forested environment and these funds would count toward that requirement.

Motion by Councilor Cox to support the submission of the Project Canopy grant proposal and the subsequent support for the project if awarded the grant, up to \$9,000 to be funded from the Recreation/Conservation Reserve account and if successful in receiving the grant, the funds will be returned to that account. Councilor Lawlis seconded the motion and vote was unanimously in favor.

Shelby said that in order to submit the grant, Project Canopy does request letters of support outlining the commitment that each of the partners in the

grant process will make. She requested a letter of support from the Town Council in support of the Project Canopy grant application and planting project. Motion by Councilor Brann, seconded by Councilor Cox to authorize the Town Manager to draft such a letter and sign on behalf of the Town – unanimous vote in favor.

Shelby then informed the Council that a representative of the Town will need to sign the grant application. Motion by Councilor Brann, seconded by Councilor Cox to authorize the Town Manager to sign the grant application on behalf of the Town – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Cox reported that the Services Committee met on March 9th and spent a good deal of time on the Project Canopy grant; dealt with Shelby Wright's nomination to the Tree Board; got a brief update on the Friends of Dorothea Dix; discussed revision of the mission statement and hopes to have proposed drafts for the April meeting; is working to form a citizens group to shepherd the work of what was the Communications Committee; and discussed and approved scholarship guidelines for the Pool Board scholarships. The Committee also had a brief discussion about SAD #22 and how issues relating to the new school project are being brought forth to the committees and to the Council and talked about trying to find the best way to do that where the information is available to the full Council. The Services Committee would like to see a better flow of information and timetable coming from SAD #22. The next meeting of the Services Committee will be at 6:00 pm on April 13th.

Councilor Cushing reported that the Planning & Development Committee is still in the process of working on the shoreland zoning ordinance and stormwater management plan. The Committee discussed the outdoor wood boiler issue and hopes to have a recommendation for Council in the near future. The Committee is reviewing a proposal from Hamlin Marina that may have some long-term benefits to the Town in terms of an exchange that will allow us to see development of a new park area. The next meeting is at 6:00 pm on March 18th.

Councilor Brann reported that the Infrastructure Committee had discussion relative to the transfer station policy and it looks like the changes have been very successful in reducing the budget and amount of trash that has passed through the station. He reported that the Mayo Road update and Route 1-A sewer project are eligible and ready to be submitted for stimulus funds. The Committee also had some discussion on increasing town involvement in composting and will invite someone from DEP to come up and talk about the potentials of composting.

Mayor Arnett reported that the Finance Committee met this evening and continues to discuss the long-term resident tax rebate program. He said the discussion has been lively and there are many different points of view, particularly in light of the current economic difficulties. The Committee has agreed to continue that item on its agenda, but not to take action until there is a better picture of budget requirements. The Committee discussed the proposed budget guidelines submitted by Manager Lessard and is in unanimous support of those guidelines and requested that it be placed on the agenda for action at the next Council meeting.

E. MANAGER'S REPORT

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

F. COUNCILOR'S COMMENTS

Councilor Shakespeare assured the public that the Town Council is very aware of the hard financial situation everyone is facing and that the Council and Town Manager are trying to do everything possible to keep expenses down.

Councilor Lawlis commented that she received a request from a constituent for considering a new street light on Route 1-A at a newly created intersection. She spoke with Manager Lessard and it is going through the proper procedural steps.

Councilor Brann reiterated his complaint with the State's changing the speed limit on Route 9 from the Mayo Road to the crest of the hill beyond the railroad tracks. He said since they increased the speed limit, there have been several near-misses that he knows of.

Councilor Cushing noted that the Tax & Rent refund applications are available at the Town Office or online through the State's website. He commended the Tree Board and Recreation Department for putting together a very nice package to enhance the Western Avenue Recreation Area.

Councilor Cox also thanked the Tree Board for the work they have done. She said it is interesting to see how purposeful they have been as a committee in the planning for that particular project. She hoped that the grant receives support from the grantors. Councilor Cox also informed everyone that the Hampden Academy Jazz Band will be in a competition sponsored by the Bangor Breakfast Rotary at Bangor High School at 7:00 pm Thursday evening.

Mayor Arnett offered congratulations to Alyssa Duron, a senior at Hampden Academy, who was recently awarded the Girl Scout Gold Award. She is the daughter of Bobby and Stephanie Duron. Mayor Arnett was able to attend the award ceremony and commented that she is an outstanding young woman and her parents have every right to be very proud of her.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:45 p.m.



Denise Hodsdon
Town Clerk

MANAGER'S REPORT
MARCH 16, 2009

Tax Due Date – Another reminder that the second half of property taxes are due by April 1st in order to avoid interest. The sign is now up in front of Municipal Building again as a reminder!

Sewer Billing – 30 Day Notices – 30-day notices for unpaid sewer charges will be sent out by certified mail this week.

Transfer Station Decals – 2009 – The grace period for allowing vehicles into the transfer station without a 2009 sticker has expired. Vehicles without stickers or paper passes will be turned away.

Dept. of Labor Inspection – Although we did very well on the recent surprise inspection by the department of Labor, when we received the report, they had attached fines to several of the violations. Since we had requested a voluntary inspection last summer – and never received one – I have appealed the fines. I am meeting with a representative from the Department of Labor tomorrow to discuss this matter.

Budget – Department heads are busy working on their individual budgets. Their submission deadline is March 27th. I have outlined the parameters of this year's budget to the Finance Committee and am hopeful that these items will be forwarded to the full council for consideration at the next Council meeting.

Vivian Gresser -Thank you – Attached to this report is a note sent to our assessor thanking her for help with a tax and rent refund application.

Gretchen Heldmann – School Volunteer – Our GIS/IT Specialist visited with students at the school in Winterport to discuss maps and mapping last week. Many of our staff do volunteer work in the schools, from the annual public safety-manned cookout for the elementary school(s) in Hampden to days in which staff members attend a class to read to students.

Sewer Funding – Stimulus funds – We were not selected to receive grant or 0% interest funding for the sewer project on Main Road. The State had \$300 million dollars worth of applications and awarded \$29 million in funding. I will be completing an application for low-interest (2%) funding through the State Revolving Loan Fund.



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF LABOR STANDARDS
WORKPLACE SAFETY & HEALTH DIVISION
45 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0045

A-4-a

LAURA A. FORTMAN
COMMISSIONER

WILLIAM A. PEABODY
DIRECTOR

March 27, 2009

Ms. Susan Lessard, Town Manager
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Dear Ms. Lessard:

In response to Representative Andre Cushing's inquiry, Steven Greeley, Deputy Director of the Workplace Safety and Health Division (WSHD), reviewed the issue and has informed me that the Town of Hampden Public Works Department had requested a consultation visit in September 2008 and therefore should not have been included in the Public Sector Enforcement inspection of town operations in January 2009.

Based on this information, we will reduce the proposed penalty of \$4,250 to \$2550 to reflect the \$1700.00 in penalties proposed for public works citations. The penalty discussion on the remaining items will occur in Hampden after the deadline for correction date of May 15, 2009. Staff of the WSHD will contact you to schedule that meeting.

Please accept my apology for this oversight. If I can be of any assistance, please do not hesitate to contact me at 623-7900.

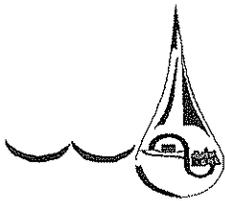
Sincerely,

William A. Peabody, Director
Bureau of Labor Standards

Cc: Rep. Andre Cushing
Jane Gilbert, Dep. Commissioner



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BANGOR WATER DISTRICT

P.O. BOX 1129 BANGOR, MAINE 04402 -1129
TEL: (207) 947- 4516 · FAX: (207) 947 -5707

A-4-b

www.bangorwater.org

Kathy Moriarty
General Manager
Weston Haskell
Asst. General Mgr.

March 19, 2009

Town Manager Susan Lessard
Town of Hampden
106 Western Ave
Hampden ME 04444

RE: Bangor Water District proposed rate adjustment

Dear Ms. Lessard:

As you may be aware, the Bangor Water District plans to file a rate case with the Maine Public Utilities Commission, seeking an increase in domestic and fire protection charges. On behalf of the District, I wish to invite you or your representative to attend a meeting of our large-use customers at 10 a.m. on Wednesday, April 1 in BWD's conference room at 614 State Street. This informational session is in addition to a public hearing scheduled for May 14, and is an opportunity for our larger users to review rate data and ask questions.

At our regular monthly meeting on March 17, Board members voted to seek an adjustment of 15 percent. The revenue increase will be implemented by an across-the-board increase of fifteen percent (15%) in rates for all customer classes. The revenues from public fire protection, sprinkler systems and private hydrants will increase fifteen percent (15%). Our last rate adjustment was in 2007; the new rate adjustment would take affect July 1, 2009. Due to rising expenses and decreases in water revenues, the Bangor Water District is seeking an increase in water rates to:

- help offset the inflationary costs of water treatment chemicals and supplies
- support the installation of upgraded water treatment equipment and methods, and
- replace, maintain, and upgrade needed water infrastructure.

In order to prepare for this session, it would helpful to know how many plan to attend. Please contact our business office at 947-4516 ext. 0 with your response.

We look forward to seeing you on April 1.

Sincerely,

BANGOR WATER DISTRICT

Kathy Moriarty
General Manager

Town of Hampden
106 Western Ave.
Hampden, ME 04444

A-4-C

H B A

Hampden Business Association

Morning Meeting Announcement !!

WHEN: Tuesday, April 7th 2009
7:30 a.m. – 8:30 a.m.

WHERE: Maine Savings FCU
101 Western Ave. Hampden
(CUSO entrance downstairs conference room)

AGENDA

1. Nominations and voting to fill all positions for 1 year terms effective immediately:

PRESIDENT
VICE-PRESIDENT
SECRETARY
TREASURER

Current Officers:

Perry Speaker – President (not running)
Andre Cushing – Vice President
Ken White – Secretary
Dewey Martin - Treasurer

2. **SPECIAL GUEST:** Irv Marsters, Owner of the Bangor Letter Shop will speak regarding the “Junior Achievement Program.”

3. School News

4. Town News

5. Annual Dinner update – May 13, 2009

6. Other news and notes

The HBA wishes to thank Don Poisson and Maine Savings FCU for the use of their facility. Questions may be directed to Perry Speaker @ 862-9225 or to:
perry.speaker@tdstelecom.com. Please visit our website @
www.hampdenbusinessassociation.com.



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Merrill-Maguire Melinda J
LAST FIRST MI

ADDRESS: 592 Meadow Rd
STREET MAILING

TELEPHONE: 862 3450 991 4433
HOME WORK

OCCUPATION: Clinical social worker

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: planning board

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? I have an interpersonal perspective that allows me to evaluate situations from a holistic manner. I am also circumspect and open to new ideas that may be different from my own

Are there any issues you feel this board or committee should address, or should continue to address? continue to address the interplay of commercial progress, preservation and residential quality of life.

- 3 YEAR
- 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
- 5 YEAR
- PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>3/16/09</u>
APPOINTMENTS COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: CAYENDO DAVID A
LAST FIRST MI

ADDRESS: 28 CANAAN RD SAME
STREET MAILING

TELEPHONE: 862-3625 745-7295
HOME WORK

OCCUPATION: BOOKER

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: BOARD OF ASSESSMENT REVIEW

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee?

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

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

3 YEAR

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

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY

Date Application Received: 3/25/09

APPOINTMENTS COMMITTEE ACTION: _____ DATE: _____

COUNCIL ACTION: _____ DATE: _____

NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____

LURA HOIT BOB

A-5-a

Board Meeting Minutes ~ 2/10/09

Dan Brooks brought the meeting to order at 7:01 pm.

Those present: Dan Brooks, Norman Stern, Kim McNutt, Karen Brooks, Mary Ellen Conner, Jim Feverston, Garry Greene, Cedena McAvoy, Darcey Peakall, and Julie Macleod. Not present: Whitey Miller

The secretary's minutes were accepted as presented.

The Director's Report for February:

- ~ The number of participants in January was up 475 people, pool rental income was up \$1,220 and daily receipts were up \$990 compared to last year.
- ~ The monthly fuel usage went down by 994.9 gallons. The new boilers were on line as of January 1, 2009.
- ~ The swim lessons participants were up by 26 people compared to session II last year. The total participants registered for session II group and private lessons were 196 people.

Darcey handed out packets of information on a dinosaur slide that she would like for the board to review. She looked into multiple kinds of slides and this style is the only one will fit into the existing spot. The slide company will paint the dinosaur to match the pool's color theme of purple and white. The board agrees that having a slide makes us unique, draws people to the facility and keeps the existing patrons coming back. The board would like Darcey to contact the company about the warranty and would like her to call three other places that have the slide in their facility to get feed back.

The treasurer's report was reviewed and was accepted as presented.

A motion was made to authorize payment from the money market account to the extent necessary up to \$13,000.00 for purchase and instillation of the Baby Dinosaur slide and removal of the sea shell slide, subject upon further investigation. The motion was passed 8-0.

Norm discussed details from the sub-committee meeting about fundraising. The pool has the framework for an endowment but at this time it needs a goal statement.

Jim spoke about Hampden's Comprehensive Plan that a sub-committee of the town council has been working on. The board feels that the pool should be added to the plan.

Darcey is working with Susan Lessard and Mr. & Mrs. Abraham on the dedication plaque for Susan Abraham.

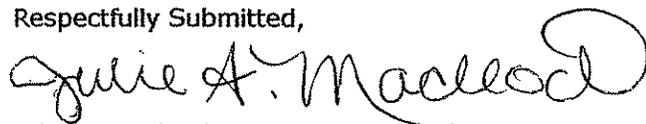
Dan would like Darcey to look into the legality of adding a starting block, that Hampden Academy Swim Team acquires, and how far away from the slide would it have to be and a pool temperature sign to be displayed on the pool deck.

Cedena is bringing in new artwork to be displayed in March.

Cedena suggested pursuing grant writing and using the lounge as a warming center.

Meeting adjourned at 8:42pm.

Respectfully Submitted,



Julie A. Macleod

INFRASTRUCTRE COMMITTEE MEETING MINUTES
March 30, 2009

Attending:

- | | |
|-------------------------------|---------------------------------------|
| Mayor Matthew Arnett | Councilor Andre Cushing |
| Chairman Tom Brann | Sue Lessard, Town Manager |
| Councilor William Shakespeare | Galen Swan, JR. Public Works Director |
| Councilor Janet Hughes | Joseph Rogers, Public Safety Director |
| Councilor Jean Lawlis | Lieutenant Ray Pipes – Fire/EMS |
| Firefighter Jason Lundstrom | Lieutenant Frank Coombs – Fire/EMS |
| Firefighter Tony Redmond | |

The meeting was opened at 6 p.m. by Chairman Brann. The minutes of the 2/24/09 meeting were reviewed with no objections.

Fire Truck

The discussion of new truck bids was moved to the beginning of the meeting. The Town Manager gave a brief background on the history of this process for Councilors who were not in office at the time the truck bid was authorized. Lieutenant Pipes and Firefighter Lundstrom explained the bid spec that was developed by a team of department members, the bids received in response to the advertisement, and the manner in which the bids were reviewed for compliance with the specification.

The Committee members asked questions relating to construction, delivery schedule, service and warranty information, source of funding and parts and materials used. It was also explained that this new vehicle would replace the tanker trunk and the oldest pumper that the town currently owns. The Tanker would be sold immediately upon receipt of the new vehicle and the pumper would be advertised more widely to try and get a better price. The delivery date for the new truck, once ordered, is supposed to be approximately 11 months.

Motion by Jean Lawlis, seconded by William Shakespeare to recommend that the full council accept the staff recommendation for purchase of the Rosenberg/Spartan fire truck from Yankee Fire and Rescue for \$374,081. 6-0-0.

Transfer Station

The Public Works director presented information to the committee on his proposed budget for 2009/2010 for the Transfer Station. The purpose of the discussion was to get direction from the committee relative to whether or not he should budget for changes from current operation at that facility or it was the desire of the Committee to continue with current operations.

Councilor Shakespeare reiterated his belief that the facility could be more efficiently operated if it was open Friday – Sunday only and that all types of waste be disposed of on those days and that the Town could generate more revenue if it charged \$20 per

household for stickers (up to 4). He also indicated that he had seen a contractor at the facility with a contractor logo on the vehicle. The Public Works Director will instruct staff to watch for any vehicles that have stickers that appear to be in violation of the current rules.

After general discussion, the Committee decided to continue the discussion on general transfer station matters at the 4/27/09 meeting at which the representative from DEP will explain about composting also.

Motion by Jean Lawlis, seconded by Andre Cushing to support continuation of the current transfer station operation as reflected in the proposed 2009/2010 budget presented by the Public Works Director. Vote 5-1-0.

Paving

Public Works Director Chip Swan presented the Committee with information on paving bids for 2009. The bids were \$9 higher than the price last year and \$7 higher than our budgeted amount. The cost differential can be traced to the price of asphalt, which is substantially higher this year because of changes in the refining of petroleum products.

Motion by Matt Arnett, seconded by Andre Cushing to recommend to the full council acceptance of the Public Works Director recommendation of Lane Construction in the amount of \$351,245.85 for 2009 paving. Vote 6-0-0.

The Committee spent some time discussing pavement management going forward and asked the Public Works Director to work on a prioritization plan for roads as well as consideration of other steps to extend road pavement life. He indicated that he had attended a pavement school and obtained a computerized program to assist in this process. The State representative was to meet with the Public Works director on 3/31/09 to go over the program operation.

Mayo Road Status

The Public Works Director and representatives of the engineering company will meet with the limited number of potentially impacted property owners to discuss construction easements for the project within the next month.

Route 1A Sewer

The plans for 1A are complete and the ones for the side streets should be complete by early April. The Public Works Director is meeting with the engineers on 4/7/09 to review the plans.

Composting

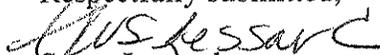
Rick Haffner from DEP will attend the 4/27/09 meeting of the infrastructure committee to discuss municipal composting options.

Public Comment – None

Committee Member Comments – There was general commentary related to the upcoming budget cycle. Councilor Lawlis mentioned the work underway on the school budget and the Town Manager informed the Committee that the Unions had agreed to open their contracts for no cost of living raise and a change in the health insurance plan.

The meeting was adjourned at 9 p.m.

Respectfully submitted,



Susan Lessard
Town Manager

BACKGROUND INFORMATION

Infrastructure Committee Meeting
Monday, March 30, 2009
6:00 p.m.

1. Minutes of 2/24/09 Meeting
Minutes are attached to this memo
2. Old Business
 - a. Transfer Station
The discussion on transfer station regulations currently in place needs to continue in order to develop a recommendation for the full Council to consider during the second meeting in April. Up for consideration based on prior discussions are:
 - ◆ C & D & Wood disposal frequency
 - ◆ Decal fees
 - ◆ Hours of operation
 - ◆ Recycling efforts
 - ◆ Composting
 - b. Mayo Road Status
At the present time there is no new additional information on this topic.
 - c. Route 1A Sewer Project Status
The Engineers have nearly completed the final design of the project and it will be on the agenda for permission to go out to bid at the first meeting in April. We were not granted stimulus grant/0% loan monies but are applying for 2% loan funding through the State Revolving Loan Fund.
 - d. Composting
Rick Hafner from the Maine DEP will be at your meeting on Monday, April 27th at 6 p.m. to do a short presentation on composting options for the Town.
3. New Business
 - a. Paving 2008/09, 2009/2010
Chip has information on the road paving program that is part of the 2008/2009 program (this fiscal year) as well as proposals for 2009/2010. Given the cost of paving and the budget curtailment we are trying to effect – it would be good to discuss some parameters for this before we get into the actual budget itself.
4. Public Comment
5. Committee Member Comments

INFRASTRUCTURE COMMITTEE MEETING
MINUTES
Tuesday, February 24, 1009

Attending:

Councilor William Shakespeare
Councilor Jean Lawlis
Councilor Janet Hughes
Chairman Thomas Brann
Sue Lessard, Town Manager
Galen 'Chip' Swan, Public Works Director
Cameron Torrey, Water District Superintendent
Councilor Andre Cushing
AFLAC Representatives
Water District Trustee Candidates

The meeting was opened at 6 p.m. by Councilor William Shakespeare since Chairman Tom Brann had not yet arrived.

1. The first order of business was the approval of the minutes of 2/3/09. Motion by Jean Lawlis, seconded by Janet Hughes to approve on a unanimous vote.
2. Interviews – Don Darling, and Doug Poulin – Water District Trustee Vacancy

Water District Superintendent did an overview of the roles and responsibilities of Water District Trustees at the beginning of each interview. Following that, each candidate was asked questions as to interest in the position and any relevant background information. Mr. Darling is a long-time state employee of the Department of Environmental Protection and Mr. Poulin is a retired social worker who currently works with special needs students in MSAD #22. The Town Manager explained the process for selection to each candidate during his interview. The Committee will interview, and later in the meeting vote, on a recommendation for appointment that will be forwarded to the full council for consideration at their 3/2/09 meeting. Both candidates indicated that they had no 'agenda' in seeking the office, that they wanted to give back to their community in some way, and that they had an interest in the topic of water in general. Mr. Darling had considerable board and committee experience from his work on the Children's Day Committee. Mr. Poulin had not served on formal boards prior to this application.

After interviewing both candidates, the Committee indicated that they would deliberate and make a recommendation at the end of the meeting agenda.

3. AFLAC – Maggie Saucier

AFLAC representative Maggie Saucier passed out ducks to those in attendance and then gave an overview of the programs that AFLAC had available for employees if the Town authorized participation in the program. There is no employer contribution required, the billing is done on-line, and premiums are paid through payroll deductions. AFLAC is responsible for sign up, problem resolution, and claims. The program has been added in several area communities including Bangor and Brewer. The Committee thanked Ms. Saucier for the presentation and indicated that it would deliberate on the topic at the end of the meeting.

4. Old Business

a. Transfer Station Discussion –

Committee members and others in attendance had a healthy discussion regarding the operation of the transfer station with the idea that a full review will be completed by an April time-frame in order to assess the success of changes made in April of 2008.

The Town Manager and Public Works Director presented information on what other communities in our area do for disposal of all types of wastes and what the costs are to their residents. It was the consensus of those in attendance that Hampden residents were getting a good deal in comparison to other communities.

Councilor Shakespeare presented three proposals for Councilors to think about as the review process of the Transfer Station continues:

1. \$20 charge per household for transfer station sticker, good for up to four stickers
2. Reduce Transfer Station Operating Days to Friday – Sunday.
3. Allow wood and construction and demolition debris to be accepted at any time the transfer station is open

This subject will be on the next Infrastructure Committee meeting Agenda to allow for further discussion and consideration prior to the April review deadline with the full-council.

b. Mayo Road Update – no information to report.

c. Sewer Route 1A Project – Our information has been submitted for consideration for the State Revolving Loan fund and stimulus money.

5. New Business

a. Composting –

Councilor Lawlis explained that she had been doing research into the idea of composting leaves and grass clippings instead of disposing of them in the compacters at the Transfer Station. She contacted DEP on the subject and a staff member offered to come and discuss composting with the Committee. It was the consensus of the Committee to authorize the Town Manager to contact DEP and arrange for a representative to come to address the committee.

It was noted that the current Transfer Station footprint would not allow for a municipal composting facility but that possibilities exist for cooperation with neighboring communities such as Bangor and Brewer who both have composting operations.

Councilor Lawlis informed the Committee that she would be writing an article on the importance of recycling for the next edition of the Hampden Highlights newsletter.

The merits of the Town sponsoring composting workshops was also discussed. It was the consensus of the Committee that the Town Manager should contact MOFGA and/or the Garden Club to locate a speaker for such a workshop(s).

6. Public Comment – None

7. Committee Member Comments - none

The Committee deliberated on the decision regarding the Water District Trustee applicants. Candidate Poulin was nominated by Councilor Shakespeare and Candidate Darling was nominated by Councilor Lawlis. There were four votes for Candidate Darling and one for Candidate Poulin. The Committee directed the Town Manager to prepare the recommendation for the full council and to thank both candidates for applying and to encourage candidate Poulin to consider serving on another Town Board.

AFLAC – Motion by Tom Brann, seconded by Janet Hughes to recommend to the full Council that AFLAC be allowed as an employee-paid payroll deduction available for employees. Vote 5-0.

The meeting was adjourned at 8:35 p.m.
Respectfully submitted,
Susan Lessard
Town Manager

09-10

Hampden

Initial Request Worksheet

Account	Expense	
	Current Budget	Budget Request
Dept/Div: 15-10 SOLID WASTE / SOLID WASTE		
COMPENSATION		
01-05 WAGES	63,412.00	63,536.00
01-15 CLOTHING	1,100.00	1,100.00
INSURANCE		
05-01 FICA/MEDI	4,851.00	4,861.00
05-05 MSRS/ICMA-ER	5,000.00	5,008.00
05-10 W/C	1,800.00	1,800.00
05-15 HEALTH	22,360.00	22,360.00
05-20 LIFE	267.00	267.00
05-25 DENTAL	300.00	300.00
SUPPLIES		
10-20 SUPPLY/MATRL	3,000.00	3,000.00
UTILITIES		
15-05 ELECTRICITY	1,200.00	1,200.00
MAINT/REPAIR		
20-01 EQUIP.REPLAC	0.00	-
20-05 EQUIP.MAINT.	1,500.00	1,500.00
EQUIPMENT		
25-10 RENTAL	12,360.00	2,800.00
PROF.SERVICE		
30-53 S/W REMOVAL	365,670.00	305,045.00
SOLID WASTE	482,820.00	412,777.00

2009/2010
BUDGET EXPLANATION SHEET

Account Name: RESURFACE ROADS

Account Number: 10-01-10-70

2008/2009 Appropriation: \$150,000.00

Requested 2009/2010 Appropriation: \$265450.00

ARRONS WAY	\$29,678.88
CARVER ROAD	\$8,781.70
CHARLES STREET	\$9,699.36
CROSS ST	\$6,229.08
DEER HILL LANE	\$31,827.84
DEWEY ST	\$2,886.58
EDGEWOOD DR	\$2,613.60
FERRY ST	\$4,978.91
GEORGE STREET	\$10,396.32
HUGHES BLVD	\$35,486.88
LINDEN STREET	\$2,555.52
NORWAY DRIVE	\$14,520.00
ORIENT AVE.	\$2,265.12
PAPERMILL ROAD	\$42,706.22
PLEASANT ST.	\$10,985.83
SHAW HILL ROAD	\$98,062.27
STONE BROOK ROAD	\$16,088.16
SUMMER STREET	\$27,201.77
SUNSET AVE.	\$27,471.84
TOWN FARM	\$49,656.00
TRIANGLE ROAD	\$7,608.48
V F W DRIVE	\$7,898.88
WESTBROOK TERRACE	\$9,931.68
WILLIAM STREET	\$10,919.04
TOTAL	\$461,449.96

ANNUAL LINE STRIPING	\$4000.00
<hr/>	
SUB-TOTAL	\$265450.00
<hr/>	
RESERVE	(\$200,000.00)
<hr/>	
TOTAL	\$465,450.00

FINANCE COMMITTEE MEETING MINUTES
March 16, 2009

Attending:

Councilor William Shakespeare Sue Lessard, Town Manager
Councilor Jean Lawlis Councilor Shannon Cox
Councilor Tom Brann
Councilor Andre Cushing
Mayor Matthew Arnett

The minutes of the 2/2/09 meeting were reviewed and no objections were raised.

The warrants for expenditures were reviewed and signed by the committee members.

Long-term, Elderly tax credit/rebate program discussion

The Committee reviewed a letter submitted by resident Nancy Hamilton that exhibited concerns over the idea of a tax credit/rebate program in general and in specific one that had no income-eligibility.

Councilors Cox, Lawlis, and Cushing and Mayor Arnett indicated that they would not support a program that did not require some sort of income eligibility.

Councilor Shakespeare stated that the length of residency should be 20 years instead of fifteen and not have an income component. Councilor Brann endorsed the no-income eligibility proposal since he saw the program as a 'thank you' to those who had paid taxes in Hampden for a long period of time.

Mayor Arnett and Councilor Cushing were not in favor of proceeding with this program in any fashion given the current economic climate. Motion by William Shakespeare, seconded by Shannon Cox to keep this item on the active agenda until 2009/2010 budget numbers are available. Vote 6-0.

Manager's Budget Guidelines

The Town Manager presented a proposal to the Committee for preparation of the 2009/2010 municipal budget (copy attached). This budget would have no cost of living increase and a change in health insurance for employees.

The Committee discussed the proposal and a motion was made by Jean Lawlis, seconded by Shannon Cox to recommend to the full Council support of the budget guidelines as prepared by the Town Manager. Vote 6-0.

Motion by Shannon Cox, seconded by Andre Cushing to adjourn at 6:40 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Lessard", written over the printed name.

Susan Lessard
Town Manager

**DRAFT-DRAFT-DRAFT-DRAFT-DRAFT
(WITH INCOME CRITERIA)**

**TOWN OF HAMPDEN ELDERLY, LONG-TERM RESIDENT
PROPERTY TAX CREDIT ORDINANCE**

Section 1. Purpose

The purpose of this Ordinance is to establish a program (the "Program") to provide property tax credit to persons 65 years of age and over who reside in the Town of Hampden who have continually owned and resided in residential property for fifteen years or more. Under this Program, the Town of Hampden will provide tax credit to those individuals who qualify as Hampden resident beneficiaries of the State of Maine Residents Property Tax Program pursuant to Chapter 907 of Title 36 of the Maine Revised Statutes and who meet the criteria established by this Ordinance.

Section 2. Definitions

Homestead: A homestead is a dwelling owned by the person seeking tax assistance under this Ordinance or held in a revocable living trust for the benefit of that person. The dwelling must be occupied by that person and that person's dependents as a home and the applicant must have owned and resided in residential property in Hampden for at least fifteen consecutive years.

Income: Is the previous year's U.S. form 1040 tax return "adjusted gross income".

Owners of Record: Shall be as of April 1 preceding the July 1 deadline application.

Qualifying applicant: A qualifying applicant is a person who is determined by the Town Manager, after review of a complete application under Section 4 of this Ordinance, to be eligible for a tax credit payment under the terms of this Ordinance.

Section 3. Criteria for Participation

In order to participate in the Program, an applicant shall demonstrate all of the following:

- a. The applicant shall be 65 years of age or more at the time of application.
- b. The applicant shall have a homestead in the Town of Hampden at the time of the application and have owned and occupied residential property in Hampden for fifteen consecutive years.

**DRAFT-DRAFT-DRAFT-DRAFT-DRAFT
(WITH INCOME CRITERIA)**

- c. The applicant has received a refund under the provisions of Chapter 907 of Title 36 of the Maine Revised Statutes.
- d. Applicant's income shall not exceed two times the Town of Hampden "mean retirement income" as identified by the most recent Decennial census demographic information available from the U.S. Census Bureau.

Section 4. Application and Payment Procedures

Any person seeking to participate in the Program shall submit a written request to the Town Manager no later than May 1st of each year. Applications are required every year to participate in this Program. The Town Manager shall provide an application form for the Program, which shall include, at a minimum, the applicant's name, homestead address and contact information. Attached to all applications shall be proof and dollar amount (copy of check) of State Refund under Chapter 907 of Title 36 of the Maine Revised Statutes (State "Circuit Breaker Program"). The Town Manager shall review and determine if the application is complete and accurate, and if the applicant is otherwise eligible to participate in the Program. The Town Manager shall notify an applicant if an application is determined to be incomplete and identify any missing information. The Town Manager's decision on eligibility to participate in the Program shall be final.

Section 5. Determination of eligibility and amount of eligibility

Credit made under this section may not exceed taxes actually due on the homestead.

The Town Manager shall report to the Town Council at its second meeting in May of each year the projected payments and number of eligible applicants requesting assistance for the Program fund.

Section 6. Program Fund – Limitations upon payments

Payments under the Ordinance shall be conditioned upon the existence of sufficient monies in the Program Fund the year in which participation is sought. If there are not sufficient monies in the Program Fund to pay all qualifying applicants under this Ordinance, payments shall be limited to the amounts available in the Fund. In the event that a lack of funding results in no payment or less than the full payment to a qualifying applicant, the request will not carry over to the next year.

**DRAFT-DRAFT-DRAFT-DRAFT-DRAFT
(WITH INCOME CRITERIA)**

Section 7. Creation of the Program Fund

The Program Fund from which payments shall be made under the terms of this Ordinance shall be created as follows:

In April of each year, the Hampden Town Council shall determine whether or not to fund the Elderly, Long-term Resident Tax credit program for the upcoming year.

If the determination is made to offer the program in that fiscal year, The Town Council, as part of its annual budget deliberations, shall establish a valuation amount on which to base the property tax credit for the upcoming year. As funds are available, the Town Council shall appropriate monies from the general fund or other sources to support this Program. Any surplus monies available after all payments have been made shall lapse into the Town's undesignated fund balance on June 30th of each year.

Section 8. Timing of Credit

A person who qualifies for credit under this Program shall have the full amount (or pro-rated amount if inadequate funds are available) applied to the tax bill at the time the tax bill is sent out in August of each tax year.

Section 9. Limitations upon payments

Only one qualifying applicant per household shall be entitled to credit under the Program each year. The right to file an application under this Ordinance is personal to the applicant and does not survive the applicant's death. A surviving spouse meeting the qualifications of this ordinance shall be eligible to apply following the death of an applicant.

DRAFT-DRAFT-DRAFT-DRAFT-DRAFT-DRAFT
(NO INCOME CRITERIA)
TOWN OF HAMPDEN
ELDERLY, LONG-TERM RESIDENT
PROPERTY TAX CREDIT ORDINANCE

Section 1. Purpose

The purpose of this Ordinance is to establish a program (the "Program") to provide property tax rebates to persons 65 years of age and over who have resided in and continuously owned, residential property in the Town of Hampden for a minimum of fifteen years. Under this Program, the Town of Hampden will provide tax credit to those individuals who qualify.

Section 2. Definitions

Homestead: A homestead is a dwelling owned and resided in by the person obtaining tax credit under this Ordinance or held in a revocable living trust for the benefit of that person.

Qualifying applicant: A qualifying applicant is a person of 65 years of age or older who has continuously owned and occupied residential property in the Town of Hampden for a period of at least 15 consecutive years.

Section 3. Criteria for Participation

In order to participate in the Program, an applicant shall meet the following criteria:

- a. The applicant shall be 65 years of age or more at the time of application.
- b. The applicant shall have a homestead in the Town of Hampden at the time of the application and have continuously owned and occupied a homestead in the Town of Hampden for a period of not less than fifteen consecutive years.

Section 4. Application and Payment Procedures

No application shall be required for participation in this program. Eligibility will be reviewed annually by the Town Manager, Town Clerk, and Town Assessor and a list of eligible property owners established based on the criteria in Section 3. If a property owner is not contacted by the town for participation and said property owner meets the criteria outlined in Section 3, he/she may make a written request to the Town Manager for a review of his/her eligibility.

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(NO INCOME CRITERIA)

Section 5. Amount of eligibility

- a. Eligibility shall be determined annually and a list provided to the Town Council Finance Committee by the Town Manager no later than April 15th of each year.
- b. The amount of tax credit allowed shall be determined annually as part of the municipal budget preparation. Each year, the Council shall determine an amount of valuation, the tax on which shall be credited to the tax accounts of eligible homeowners. The annual budget will contain a line item with sufficient funds to meet the fiscal obligation of the total credit.

Section 6. Program Fund – Limitations upon payments

Credits under the Ordinance shall be conditioned upon the existence of sufficient monies in the annual municipal budget. If the annual municipal budget does not contain sufficient monies for the application of the credit in that fiscal year, the credit shall not be granted.

Section 7. Creation of the Program Fund

The Fund from which credits shall be made under the terms of this Ordinance shall be created as follows:

As funds are available, the Town Council shall appropriate monies from the general fund or other sources to support this Ordinance. Any surplus monies available after all payments have been made shall lapse into the Town's undesignated fund balance on June 30th of each year.

Section 8. Timing of Payments

A person who qualifies for credit under this Ordinance shall have the full amount applied to the tax bill at the time it is issued by the Town of Hampden.

Section 9. Limitations upon payments

Only one qualifying applicant per household shall be entitled to credit under the Ordinance each year. The right to credit from this Ordinance is personal to the applicant and does not survive the applicant's death, but the right may be exercised by a qualifying spouse upon the death of the applicant if the spouse meets the eligibility requirements.

TO: Town Council Finance Committee
FROM: Sue Lessard, Town Manager
DATE: March 12, 2008
RE: Budget 2009/2010

The purpose of this memo is to discuss proposals for consideration by the Council related to preparation of the 2009/2010 budget. I have begun work with department heads and employees on this process already, but want to make sure before proceeding further that the direction that I am heading is acceptable to the Town Council.

Basics:

1. I have begun preparations for this budget with the assumption that we would, at the least, flat fund the tax appropriation for the Municipal Budget. By that I mean that the budget prepared would not contain any 'new' tax expenditures.
2. I am not considering that the Town has any new property valuation for 2009/2010. Discussions with the Assessor indicate that we have at least \$5 million dollars in new construction valuation however I am considering that as available if necessary for people who request, and are granted valuation abatements.
3. In order to accomplish this, it is necessary to ask the employees to forego any cost of living increase for the coming year. Since we have contractual obligations to the police and fire departments through their unions, I have met with the employees and requested that they open the contract(s), and insert an additional year (2009/2010) with a zero percent cost of living. They are meeting with their Union Representative on March 23rd and will be giving me their answer after that. I have met with all department heads and all non-union employees are supportive of this request. They understand the current economic situation and the pressures on the budget and are appreciative that I am working to insure that all of them continue to have a job in this very difficult economy.
4. I am proposing a change in our health insurance offerings from the plan we currently have to the next level down. If employees stay within the network of participating physicians, they will see a \$5 higher co-pay per medical visit, and if they go outside of the network, they would be responsible for 30% of charges instead of the current 20%. This switch would save us 12% of the cost of our health insurance coverage.
5. I am proposing that the Town Office go to a four, ten-hour day work schedule. Not only would it allow us to shut down half of this building for three consecutive days, saving on both heating and air-conditioning

costs, it would also provide the 'earlier - later' hours that customers have been requesting without incurring additional staffing cost. If we were open from 7:30 a.m. until 6 p.m. many more people would find using our services easier. From the employee viewpoint - although it makes for four longer work-days, it also saves on the cost of transportation to and from work for one day a week. From a management viewpoint, I can also require that people make personal appointments for medical, etc. on the Friday that they do not work at the office. I would like to implement this proposal prior to the end of the fiscal year for a trial period to see how the general public reacts to it and how it actually works in reality. If we began it in May, I would have the rest of March and all of April for us to notify people via the net, cable TV and a mailing.

6. The school superintendent has indicated that their union will not agree to open the contract for a wage freeze and additional contractual obligations for them in the coming year are approximately \$985,000 dollars. I do not believe it is reasonable in this environment to ask the taxpayers to raise that much money and told the assistant superintendent that. For them, it would require staff cutbacks and program elimination. Initially, it was indicated that the administration would be willing to take no increase but in a recent conversation with the assistant superintendent there was discussion of a 'percent or two'. The school will be getting some money from the stimulus package but nowhere near enough to compensate for these increases. I am not looking to balance the school budget on the backs of the municipal employees. That is not only not fair - it is not possible.

7. One really important point that I need to make is that my proposals for holding this budget are not consistent with what is happening in the region. I have spoken with many of the area managers and at this point in the process, no one is considering 0% cost of living and no one else has asked their Unions to open their contracts. Many of them consider it to be a near-impossible task to request union cooperation with such a request.

I believe it is the right thing to do despite that fact. I believe that it sends the right message to the taxpayers that we are not just living in some alternate reality where it is possible to do business as usual. I believe that we need to hold the line this year and see what happens when all the dust has settled from the economy, the State, and the Feds. We are in a strong fiscal position and I want us to stay that way. Taking a deep breath for one year and keeping spending the same or slightly less just makes sense. I am not suggesting that we dig an artificially deep hole by slashing services - we would not be able to recover from such an action - and we would impact both the public and the staff in very negative ways.

If this proposal is acceptable to the Council, I would ask that we think long and hard about 'new' things for the coming year. If I am asking employees to accept the idea of a changed schedule and no cost of living increases – they need to feel that we are not creating new things at the expense of existing programs and personnel. That said – I am not discouraging work on completion or implementation of the comprehensive plan or sub-committee work. We just need to be creative about how we fund new ideas – including additional grant-writing.

Budget Info to date:

Department heads are working hard on their budgets and the drafts are not due to me until the 27th of March, however, there are a few numbers that are available based on my initial discussions with them that I think will please the Council. I am in hopes that the savings described below will provide a cushion so that we are in an even stronger position going into the 2010/2011 fiscal year.

1. The budget for the pool will be reduced by at least \$30,000 due to fuel savings from the installation of the new boilers.
2. Changing the health insurance plan will save the town approximately \$60,000 per year.
3. Going to a 4-day workweek in the Town Office will save an estimated \$9 - \$11 thousand dollars
4. The transfer station budget can be reduced by \$60,000 next year due to the savings resulting from the rule changes at the facility. This budget was flat funded in 2008/09 by reducing estimated disposal costs for c & d and wood since we were beginning our new program. Those changes have produced real savings and it is possible to reduce the budget even further.
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6. Closing the pool on Sundays in the summer saves close to \$2,000 (the difference between loss of revenues for those days and the staff costs). It is a very sparsely used day of the week in the summer and while \$2,000 is not a lot of money – we are not going to find a hundred thousand dollars in the corner – it is going to come in much smaller bites!

Thank you, in advance, for your consideration of this information.

Rapid Renewal Transaction Volume Summary
Town of Hampden: Transaction date >= 20090301 and < 20090401

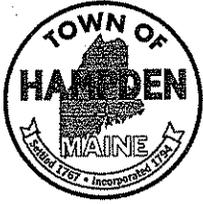
A-5-d

Payment Method	Transaction Count	Transaction Amount	Processing Fees
Credit/Debit Card	0	0.00	0.00
Electronic Check	31	4386.04	0.00
TOTAL	31	4386.04	

Class Code Summary

Class	Count
BB	2
CR	2
PC	26
VT	1

March 2009



C-1-a

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Public Hearing Date: 4/6/09
(If applicable)

- Application for Liquor License
- Application for Victualer's License
- Application for Off-premises Catering
- Application for Outdoor Wood-burning Furnace License

NAME: Coffee Break Cafe Laurie Lee
Business Name Individual

ADDRESS: 75 Main Rd. North PHONE: 862-6000

MAP/LOT: Map 36, Lot 32 DATE: 3/4/09

DEPARTMENT REPORT:

Inspected on March 18, 2009 and found
all proper safety requirements to be in
place.

DATE: 3-18-09

BY: [Signature]
Title: ceo

BY: [Signature]
Title: Fire/Building Inspector

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 3/3/09 PHONE NUMBER: 862-6000

NAME(S): Laurie Lee

ADDRESS: 15 Kendau Rd Winteport ME 04494

NAME OF BUSINESS: Coffee Break Cafe

LOCATION OF BUSINESS: 75 main Rd North Hampden ME

SIGNATURE: Gammie Lee 04444

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Ben J.
Code Enforcement Officer

Keith Bamhard
Fire Inspector/Building Inspector

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

Cheryl M Johnson
Tax Collector

Charles L. Brand
Town Treasurer

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

LICENSE FEE: \$50.00 Date Received/Fee Paid: 3/4/09 1 \$50-



TO: Mayor Arnett and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Planning and Development Committee Recommendation for Conservation Ordinance to Delete Sunset Provision
DATE: March 5, 2009

Please be advised that the Council Planning and Development Committee voted to forward this item to the Town Manager to be placed on the March 16, 2009 agenda to be set for Public Hearing. The Committee agreed that the sunset provision should be deleted from the Conservation Ordinance.

Town of Hampden's Conservation Ordinance has a sunset provision that requires the Council to extend the ordinance every two years. This provision was established at its adoption in 2005 for an easy way to do away with the ordinance if the Council had insurmountable issues with it. The Council indicated that there was no issue with either the ordinance or the Conservation Commission in 2007 and recommended that the sunset provision be struck at the March 19, 2007 meeting. However given the time constraints the Council voted to extend the ordinance to April 20, 2009 because they realized that this ordinance amendment would require a public hearing which had not been scheduled.

Planning and Development Committee recommends this Conservation Ordinance amendment to the Town Council with an "ought-to-pass" recommendation, and that the Council set a date for public hearing prior to the April 20, 2009 sunset date.

TOWN OF HAMPDEN
Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

TOWN OF HAMPDEN, MAINE
CONSERVATION ORDINANCE

ENACTED DATE: March 21, 2005
EFFECTIVE DATE: April 20, 2005

EXTENDED BY TOWN COUNCIL: March 19, 2007
EFFECTIVE DATE: April 20, 2009

CERTIFIED BY: _____
Name

Title Affix Seal

CONSERVATION ORDINANCE
CONTENTS

ARTICLE	PAGE
1. GENERAL ADMINISTRATION.....	2
2. ESTABLISHMENT OF CONSERVATION COMMISSION.....	2
3. ORGANIZATION AND ADMINISTRATION.....	2
4. DUTIES OF THE COMMISSION.....	2
5. POWERS OF THE COMMISSION.....	3
6. VALIDITY; REPEALER AND EFFECTIVE DATE.....	4

ARTICLE 1 GENERAL ADMINISTRATION

1.1 Intent And Purpose. This shall be known and shall be cited as the Conservation Ordinance of the Town of Hampden, Maine. This ordinance is established to protect, conserve and enhance the natural resources of the Town of Hampden. To achieve these objectives it is intended to establish a Conservation Commission which will act in an advisory capacity to the Hampden Town Council. The Conservation Commission will provide oversight for the conservation of Town owned lands, or easements, be they forests, meadows, or wetlands. The Commission shall coordinate, and act as a point of contact for, the efforts of State and Federal agencies as well as Hampden residents undertaking natural resource projects or other significant projects which may impact natural resources in the Town.

1.2 Authority. Pursuant to the provisions Title 30-A 3261 MRSA and the Charter of the Town of Hampden, Article II, Section 212, and Article III, Section 302, THE TOWN OF HAMPDEN HEREBY ORDAINS that there is established a Conservation Commission, to be organized, administered and governed in accordance with the following provisions:

ARTICLE 2 ESTABLISHMENT OF CONSERVATION COMMISSION

2.1. Establishment. The Hampden Conservation Commission is hereby established as a board of the town, which shall serve as the appointed body to carry out the duties and functions specified below. It shall be administered consistent with its role as a board.

ARTICLE 3 ORGANIZATION AND ADMINISTRATION

3.1. Membership. The Conservation Commission shall consist of seven (7) persons, appointed by the Town Council. The members shall serve staggered three (3) year terms.

3.2. Town Planner. The Town Planner shall be an ex-officio member of the Commission. The Commission may make recommendations to the Town Council as to nominations for future membership on the Commission.

3.3. Honorary Membership. The Town Council may name various persons to the Commission as honorary members as it deems appropriate, on recommendation of the Commission. Such honorary membership may be conferred on individuals in recognition of their contribution to conservation in Hampden, or as a means to bring special training, skills and perspective to the work of the Commission. Honorary members may participate in meetings of the Commission but may not vote nor otherwise exercise the authority which is hereby granted to the full Commission members.

ARTICLE 4 DUTIES OF THE COMMISSION

4.1. Duties of the Commission. The following shall be the duties of the Conservation Commission.

4.1.1. Meetings. The Commission shall conduct its business at open meetings, such meetings to be posted at public locations as to time and place.

4.1.2. Minutes. The Commission shall keep a record of its meetings and decisions, available to the public at the municipal building during normal business hours.

4.1.3. *Research.* The Commission shall conduct research, in conjunction with the planning board, if any, into the local land areas.

4.1.4. *Coordination with other conservation bodies.* The Commission shall seek to coordinate the activities of conservation bodies organized for similar purposes.

4.1.5. *Annual Report.* The Commission shall, at least once a year, or at the request of the Town Manager file a report with the Town Council containing information as to the activities of in the past year and an outline of the program anticipated in the coming year.

4.1.6. *Assistance.* At the request of other Town departments and boards the Commission shall provide assistance on environmental and conservation issues.

4.1.7. *Land index.* The Commission shall keep an index of all open areas within the municipality, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may recommend to the municipal officers or any municipal body or board, or any body politic or public agency of the State, a program for the better protection, development or use of those areas, which may include the acquisition of conservation easements.

4.1.7.1. Any body politic or public agency of the State conducting planning operations with respect to open areas within a municipality having a conservation commission shall notify that conservation commission of all plans and planning operations at least 30 days before implementing any action under that plan.

4.1.8. *Notification of land acquisition or sale affecting natural resources or public lands.* The Conservation Commission shall be notified by the Town Planner Office of any project, acquisition, or sale by Municipal State or Federal agencies which may impact the Town's natural resources or public lands. The Commission shall be given adequate opportunity to present its findings relative to such actions.

ARTICLE 5 POWERS OF THE COMMISSION

5.1. *Powers of the Commission.* The following shall be the powers of the Conservation Commission.

5.1.1. *Acquisition of lands.* With the approval of the Town Council or by referendum the Commission may acquire land or any interest therein in the name of the municipality for any purpose set forth in Title 30-A, Section 3264 M.R.S.A., as amended, and may accept gifts of land, money or easements for conservation.

5.1.2. *Tree planting program.* The Commission may develop and undertake an annual tree planting program within funding constraints of the Town budgeting process.

5.1.3. *Hampden Conservation Award.* The Commission may maintain and review nominations for a Hampden Conservation Award in conjunction with the Town Council.

5.1.4. *Natural resources inventory.* The Commission may, in association with the Comprehensive Planning Committee, develop an inventory of Natural Resources in the Town, to include: brooks, streams woodlands, wetlands, wildlife habitats, and other unique natural areas, to identify

conservation opportunities.

5.1.6. *Strategic Plan.* The Commission may, in association with the Recreation Committee, develop strategic plans for the use and development of public parks, trails and access to outdoor recreation opportunities.

5.1.7. *Coordinate and implement conservation on municipal lands.* The Commission may coordinate and implement conservation on municipal lands subject to the approval of the Town Council and direct expenditure of all money appropriated for conservation projects on municipal lands.

5.1.8. *Distribution of maps and literature.* The Commission may prepare, print and distribute maps, plans and literature as needed to promote conservation and the initiatives of the Commission.

5.1.9. *Local Energy Conservation Efforts.* The Commission may provide leadership and direction for local energy conservation and recycling education.

5.1.10. *Coordination with other conservation bodies.* The Commission may coordinate efforts with those of other local, regional and state organizations.

5.1.11. *Coordination with other bodies for the purpose of fund raising and other resources.* The Commission may coordinate efforts with other public and private organizations to secure funding and other resources for local conservation, energy conservation, and recycling projects.

5.1.12. *Other activities not listed.* The Commission may undertake other conservation related activities not listed here subject to Town Council approval.

ARTICLE 6 VALIDITY, REPEALER AND EFFECTIVE DATE

6.1. *Validity; Conflict of Laws; Effective Date*

6.1.1. *Validity.* Should any section or provisions of this ordinance be declared by a court of competent jurisdiction to be invalid, such determination shall not invalidate or affect any other section or provision of this ordinance, and to that end the provisions of this ordinance are declared to be severable.

6.1.2. *Repealer.* All ordinances, resolutions orders and votes of the Town of Hampden, by whatever governing body enacted, and which relate to the Conservation Commission are hereby repealed to the extent they are inconsistent with this Ordinance.

6.1.3. *Effective Date.* The effective date of this ordinance shall be thirty (30) days after adoption by the Town Council.

6.1.4. ~~*Sunset Provision.* This Ordinance shall automatically stand repealed two years from its effective date, unless specifically extended by a vote of the Town Council on or before that date.~~
(~~Extended by Town Council on 3/19/2007 until 4/20/2009~~) Deleted.

TOWN OF HAMPDEN

PUMPER/TANKER FIRE TRUCK
 BID SHEET

March 27, 2009
 2:00 PM

C-3-a

BIDDER	VEHICLE	TRADE-IN ALLOWANCE	TOTAL BID AMOUNT
Allain Equipment Manufacturing	Spartan Metro		\$386,188.54
Yankee Fire & Rescue	Rosenbauer/Spartan		\$380,469.00 or <u>\$374,081.00 if prepay for the chassis</u>
Greenwood Emergency Vehicles	E-One	Option: \$20,000.00	\$473,846.00 or \$453,846.00 if opt to trade
New England Fire Equipment	Smeal		\$476,301.00
Greenwood Emergency Vehicles	Toyne Spartan Metro		\$428,445.00
K & T Fire Equipment	Spartan Metalfab		\$407,271.00

C-3-b



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 2, 2009

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

Below are the results of the recent paving bid opened on March 27th, 2009.

	<u>PRICE /TON / HAND PLACED /</u>	<u>TOTAL</u>
	(4219/Tons)	(145/TONS)
LANE CONSTRUCTION	\$77.15	\$347,245.85
B&B PAVING	\$83.90	\$372,824.00
T.R. GINISE PAVING	\$89.00	\$411,741.00
VAUGHN THIBODEAU & SONS	\$95.50	\$430,029.50
Annual Line Striping	\$4000.00	TOTAL \$351245.85
Amount budgeted		\$150,000.00
Additional amount needed for contract is		\$201245.85

These bids represent a 12.9% increase over last year. The estimated cost of the low bidder is \$201245.85 more than was budgeted. I would request an additional \$201245.85 from the reserve account.

I would recommend accepting the bid from Lane Construction for \$77.15 per ton for street paving, \$150.00 per ton for hand placed on the RTE 1A sidewalk .

Yours truly,

Chip Swan, PWD

TO: Town Council Finance Committee
FROM: Sue Lessard, Town Manager
DATE: March 12, 2008
RE: Budget 2009/2010

The purpose of this memo is to discuss proposals for consideration by the Council related to preparation of the 2009/2010 budget. I have begun work with department heads and employees on this process already, but want to make sure before proceeding further that the direction that I am heading is acceptable to the Town Council.

Basics:

1. I have begun preparations for this budget with the assumption that we would, at the least, flat fund the tax appropriation for the Municipal Budget. By that I mean that the budget prepared would not contain any 'new' tax expenditures.
2. I am not considering that the Town has any new property valuation for 2009/2010. Discussions with the Assessor indicate that we have at least \$5 million dollars in new construction valuation however I am considering that as available if necessary for people who request, and are granted valuation abatements.
3. In order to accomplish this, it is necessary to ask the employees to forego any cost of living increase for the coming year. Since we have contractual obligations to the police and fire departments through their unions, I have met with the employees and requested that they open the contract(s), and insert an additional year (2009/2010) with a zero percent cost of living. They are meeting with their Union Representative on March 23rd and will be giving me their answer after that. I have met with all department heads and all non-union employees are supportive of this request. They understand the current economic situation and the pressures on the budget and are appreciative that I am working to insure that all of them continue to have a job in this very difficult economy.
4. I am proposing a change in our health insurance offerings from the plan we currently have to the next level down. If employees stay within the network of participating physicians, they will see a \$5 higher co-pay per medical visit, and if they go outside of the network, they would be responsible for 30% of charges instead of the current 20%. This switch would save us 12% of the cost of our health insurance coverage.
5. I am proposing that the Town Office go to a four, ten-hour day work schedule. Not only would it allow us to shut down half of this building for three consecutive days, saving on both heating and air-conditioning

costs, it would also provide the 'earlier - later' hours that customers have been requesting without incurring additional staffing cost. If we were open from 7:30 a.m. until 6 p.m. many more people would find using our services easier. From the employee viewpoint - although it makes for four longer work-days, it also saves on the cost of transportation to and from work for one day a week. From a management viewpoint, I can also require that people make personal appointments for medical, etc. on the Friday that they do not work at the office. I would like to implement this proposal prior to the end of the fiscal year for a trial period to see how the general public reacts to it and how it actually works in reality. If we began it in May, I would have the rest of March and all of April for us to notify people via the net, cable TV and a mailing.

6. The school superintendent has indicated that their union will not agree to open the contract for a wage freeze and additional contractual obligations for them in the coming year are approximately \$985,000 dollars. I do not believe it is reasonable in this environment to ask the taxpayers to raise that much money and told the assistant superintendent that. For them, it would require staff cutbacks and program elimination. Initially, it was indicated that the administration would be willing to take no increase but in a recent conversation with the assistant superintendent there was discussion of a 'percent or two'. The school will be getting some money from the stimulus package but nowhere near enough to compensate for these increases. I am not looking to balance the school budget on the backs of the municipal employees. That is not only not fair - it is not possible.

7. One really important point that I need to make is that my proposals for holding this budget are not consistent with what is happening in the region. I have spoken with many of the area managers and at this point in the process, no one is considering 0% cost of living and no one else has asked their Unions to open their contracts. Many of them consider it to be a near-impossible task to request union cooperation with such a request.

I believe it is the right thing to do despite that fact. I believe that it sends the right message to the taxpayers that we are not just living in some alternate reality where it is possible to do business as usual. I believe that we need to hold the line this year and see what happens when all the dust has settled from the economy, the State, and the Feds. We are in a strong fiscal position and I want us to stay that way. Taking a deep breath for one year and keeping spending the same or slightly less just makes sense. I am not suggesting that we dig an artificially deep hole by slashing services - we would not be able to recover from such an action - and we would impact both the public and the staff in very negative ways.

If this proposal is acceptable to the Council, I would ask that we think long and hard about 'new' things for the coming year. If I am asking employees to accept the idea of a changed schedule and no cost of living increases – they need to feel that we are not creating new things at the expense of existing programs and personnel. That said – I am not discouraging work on completion or implementation of the comprehensive plan or sub-committee work. We just need to be creative about how we fund new ideas – including additional grant-writing.

Budget Info to date:

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Thank you, in advance, for your consideration of this information.

Hampden Water District



C-3-d
Tel: (207) 862-3490
Fax: (207) 862-3595
www.hampdenwaterdistrict.org

P.O. Box 218
Hampden, ME 04444-0218

March 25, 2009

Hampden Town Council
Attn: Susan Lessard
106 Western Ave.
Hampden, Maine 04444

Dear Ms. Lessard,

This letter is to remind you and the Town Council of the Bi-Annual Joint Meeting between the Hampden Water District Trustees and the Hampden Town Council on May 11th at 6:00 pm at the Hampden Water District. Please feel free to contact me before the meeting, as I will be trying to put together an agenda.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cam Torrey'.

Cam Torrey
General Manager
Hampden Water District

C-3-e



March 5, 2009

Hampden Academy Reuse Working Group
c/o MSAD #22
24 Main Road North
Hampden, ME 04444

RE: Hampden Academy Reuse Working Group Kick-Off Meeting

Dear Committee Member:

Please join us at 5:30pm, March 24th, 2009 for an organizational meeting to begin development of a continuing reuse plan for the Hampden Academy Campus. The meeting will take place in the First Floor Conference Center at WBRC Architects/Engineers in Bangor.

Attached, please find some informational materials that we will consider at this first meeting. They include:

- **Preliminary Agenda:** A proposed agenda for the first meeting of the Hampden Academy Reuse Working Group.
- **Private Parties Meeting:** Minutes of a private parties meeting to discuss ideas for the HA Campus held on 01/16/08.
- **Public Forum Brainstorming Results:** Comments and ideas gathered at a community-wide idea generation meeting held on 01/29/08.
- **Task List:** Potential tasks required to develop a report on the potential reuse of the HA Campus.
- **Aerial Views:** Four aerial views of a three-dimensional computer model of the HA Campus.
- **Directions:** Directions to the offices of WBRC Architects/Engineers, site of our first meeting.

Thanks in advance for your interest and attendance. We look forward to working with you on this exciting development opportunity for the Town of Hampden.

Sincerely,

Mike Pullen, AIA, LEED^{AP}
Principal Architect

pc: MGC, Emil Genest

www.wbrcae.com

BANGOR
44 Central Street
Bangor, Maine 04401-5116
207.947.4511 voice 207.947.4628 fax

PORTLAND
141 Preble Street
Portland, Maine 04101
207.828.4511 voice 207.828.4515 fax

VARANOTA
8130 Lakewood Main Street, Suite 210
Lakewood Ranch, Florida 34202
941.556.0757 voice 941.556.0759 fax
PL COAFAA260001395 & 27389

Superintendent of Schools
M.S.A.D. No. 22
24 Main Road North
Hampden, ME 04444

Telephone (207) 862-3255

Fax (207) 862-2789

TO: HA Re-Use Committee

FROM: Matthew Carter, Associate Architect, WBRC
Emil Genest, Assistant Superintendent

DATE: March 10, 2009

SUBJECT: HA Re-Use Committee Kick-Off Meeting
Tuesday, March 24, 2009
5:30 p.m. at WBRC in Bangor

AGENDA

- I. Review previous materials
- II. Private parties meeting (1/16/08)
- III. Public Forum brainstorming results (1/29/08)
- IV. 3-D Site Study
- V. Schedule meeting times
- VI. Identify other invitees
- VII. Collect needed contact information
- VIII. Identify and assign relevant tasks

MEMORANDUM OF MEETING

Project: 3332.00 / Hampden Academy

Private Parties Meeting

Date: January 16, 2008

ATTENDEES	Initials	Company / Affiliation	Telephone / e-mail
Rick Lyons	RL	MSAD#22 Superintendent	862-3255 rylons@sad22.us
Emil Genest	EG	MSAD#22 Assist. Superintendent	862-3255 egenest@sad22.us
Walter Cupples	WC	Hampden Economic Development	862-6136 wrcupples@aol.com
John Melrose	JM	Maine Tomorrow	623-4883 jmelrose@mainetomorrow.com
Susan Lessard	SML	Town of Hampden / Town Manager	862-3034 lightlady_1@yahoo.com
Trudy Bacon	TPB	Bacon Auto Parts (NAPA) Hampden	862-2184 trudyb@tels.net
Jeff Jeter	JSJ	Bangor Savings Bank	262-4901 jeff.jeter@bangor.com
Chris Cox	CDC	MSAD#22 School Board / BC	862-3882 loacfam@roadrunner.com
Shannon Cox	SFC	Hampden Town Council	862-3882 shannon.cox@umit.maine.edu
Robert Foster	RWF	R.H. Foster Energy	947-5336 bfoster@rhfoster.com
Brian Bouchard	BHB	H.O. Bouchard	862-4070 brianb@hobouchard.com
Andre Cushing	AEC	Cushing Family Corporation	745-6778 andre@eradawson.com
Darcy Main-Boyington	DMB	City of Brewer / Hampden Resident	989-7500 dmain-boyington@brewerme.org
Tanya Pereira	TLP	City of Brewer / Hampden Resident	989-7500 tpereira@brewerme.org
Richard Newcomb	RMN	Hampden Historian	862-3633 newcombs@roadrunner.com
Bion A. Foster	BAF	Hampden Economic Development	862-2466 bionfoster@aol.com
Richard Graves	RMG	WBRC / Principal / Project Manager	947-4511 richard.graves@wbrcae.com
Charles Earley	CE	WBRC / Asst. Project Manager	947-4511 charles.earley@wbrcae.com
Mike Pullen	RMP	WBRC / Architectural	947-4511 mike.pullen@wbrcae.com
Rob Frank	RMF	WBRC / Civil Engineer	947-4511 rob.frank@wbrcae.com
DISTRIBUTION	Initials	Company / Affiliation	Telephone / e-mail
Attendees			Via MSAD#22 website
File 02			
Richard Rollins	RLR	WBRC / MEP Engineer	947-4511 dick.rollins@wbrcae.com
Jenifer Richard	JLR	WBRC / Interior Designer	947-4511 jenifer.richard@wbrcae.com
Judy Hoskens	JH	Cunningham Group	612-379-3400 jhoskens@cunningham.com
Kathy Wallace	CW	Cunningham Group	612-379-3400 kwallace@cunningham.com
John Pfluger	JPR	Cunningham Group	612-379-3400 jpfluger@cunningham.com
Darryl Pratt	DP	Cunningham Group	612-379-3400 dpratt@cunningham.com

AGENDA:

- Introductions
- Project Background Presentation
- Open Discussion

MEMORANDUM OF MEETING

Project: 3332.00 / Hampden Academy

Private Parties Meeting

Date: January 16, 2008

Item	Item Description	Purpose / Action
1.	PROJECT BACKGROUND	
a.	WBRC presented the background to date regarding the new Hampden Academy Project, including the following highlights: <ul style="list-style-type: none">• State Application to Renovate or Build New approval in 2006• Three Town Managers Meeting• Visioning Forum• New vs. Renovation Analysis• Educational Specifications• Site Search & Selection• Traffic Study impact area• MDOE/MDOE/Town of Hampden/MSAD#22 MOU• Existing Hampden Academy Re-Use parameters• Re-Use Public Forum	
	See attached MS.ppt presentation	
2.	OPEN DISCUSSION	
a.	Based on the above, an open discussion was held in round table format, the results of which are paraphrased as follows: <ul style="list-style-type: none">• “This is an opportunity to develop the town center of Hampden, an element that is missing in our urban fabric”• “We need to develop the site as it makes best sense for Hampden & surrounding communities”• “This needs to be a diverse, but sensible development”• “This is a once in a lifetime opportunity to set an excellent regional example”• “It all relates to the comprehensive plan for Hampden”• “Hampden needs to have a self sufficient town center”• “We need a place to go for coffee in the morning”• “I see an opportunity for affordable housing for people who want/need to live in close proximity to their place of work”	INFO

MEMORANDUM OF MEETING

Project: 3332.00 / Hampden Academy

Private Parties Meeting

Date: January 16, 2008

- “Hampden has a definite shortage of space for business development, I know of 5 businesses that would locate here if space was available”
- “We also have a need for a travel sports & non-competitive recreational sports complex within walking distance of retail development”
- “We should support start-up companies with incubator business spaces and second step growth companies with a place to expand business”
- “Dyer Library is outside Hampden’s center, far beyond critical mass and needs to relocate or have an annex that increases their public offerings through technology”
- “The MSAD#22 waterfront property actually has quite a colorful history that might make a great historical trail & river view picnic area”
- “The oldest continuously operating academic facility in Maine deserves to have a museum and perhaps a supporting Hampden Alumni Association”
- “Skehan Center might make a very nice Cultural Arts Center”
- “Central Hampden lacks in amenities, but not in interested community members who would gladly support them were they available and easily accessible”
- “All of this development should be done with serious respect for the history of Hampden and strengthen the authenticity of the community”
- “Public river access in a town center is extremely rare and represents a great opportunity to be developed carefully”
- “Affordable housing is not a commodity in Hampden”
- “What we need is a town gathering space, right in the center with restaurants, shops and day to day businesses that support community needs”
- “The mixed model is a very healthy mix that supports and enhances community activity and growth”

MEMORANDUM OF MEETING

Project: 3332.00 / Hampden Academy

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- “Relocating Hampden Academy away from Route 1A and its heavy truck traffic will be a tremendous improvement”
- “There are development areas closer to I-95 for larger retail chains, this re-use zone of Hampden needs to respect the history, scale and proportion of a traditional town square”
- “The new Hampden Academy project is absolutely a catalyst for economic development in our town, which needs to remain viable to our communities needs”
- “The village concept is where towns are all trying to go, this is a once in a lifetime opportunity for Hampden to get there”
- “I see a town square with a green commons area and a bandstand with community cultural, indoor/outdoor activities and businesses all around the focal point of a historical building as it’s centerpiece”
- “We are looking at an incredible community asset that should serve continued educational growth... How do we hold on to the asset, without neglecting to build new opportunities for community growth?”
- “Allowing and planning this town center to produce revenue from creative endeavors should be foremost in our minds”
- “This development must avoid the creation of a costly or a dormant white elephant building complex in our town center”
- “Following nationally successful examples, the MSAD#22 School Board is considering the creation of a 501-C3 Non-Profit Foundation as a vehicle to generate funds to offset the rising costs of education, if properly implemented this would make good economic sense”
- “We need to remain aligned with the educational an community needs of all three MSAD#22 towns, Hampden, Winterport & Newburgh”
- “The existing Hampden Academy facility shall not be an economic drain for the three district towns”
- “We should consider long term leases, community income and MSAD#22 income in a fair and balanced manner that serves all”

MEMORANDUM OF MEETING

Project: 3332.00 / Hampden Academy

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- “Long term purchase options might also be an attractive incentive to potential developers”
- “The proposed new entrance to the new Hampden Academy will have an impact on Western Avenue / Route 9 traffic”
- “This is the one chance Hampden has to get a central town re-development right”
- “It is a perfect opportunity to develop a strong set of guidelines and preliminary concepts and seek interested developers through a well organized request for proposals”
- “This whole situation is beyond exciting, a great education, town & business opportunity”
- “Hampden Academy is the number one economic generator in the town of Hamden, this project represents an ideal opportunity for an exemplary collaborative effort in our state”
- “This urban opportunity is about as close as any community will ever get to a blank slate and can help make Hampden remain on the cutting edge of community development.
- “The project does not represent a standard box solution, it contains all the elements required for smart planning, MSAD#22 should be proud of their persistence in bringing this opportunity to Hampden”
- “People support what they help create, therefore building a new town center that meets community needs is bound to succeed”
- “The 1843 Hampden Academy building is an extremely important landmark, it is astounding how 2,200 SF of historic architecture can have such an impact on a community, this must be maintained for the future”
- “The idea of creating a flexible civic center with sporting, cultural, business & educational uses all in a flexible manner will work in this community”

MEMORANDUM OF MEETING

Project: 3332.00 / Hampden Academy

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- “The village commercial district of the comprehensive plan is defined by the historical context of Hampden, developers will need architectural guidelines that govern what can and cannot be built here”
- “It would be nice to see a space that permits a farmer’s market to take place”
- “Hampden Academy and MSAD#22 foster a culture of excellence and genuine connection to the community that are making this process successful”

3. NEXT MEETINGS

- a. • Legislators Meeting 01/18/2008 / 1:00 – 2:30 PM at MSAD#22
- MDOE Meeting 01/22/2008 / 9:00 – 10:30 PM at MDOE Augusta
- Re-Use Public Forum 01/29/2008 / 6:00 – 8:00 PM at HA Old Gym

INFO

Respectfully Submitted,

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Attachments:

I: WBRC MS.ppt Private Parties Presentation 01/16/2008 in .pdf format

3332.00 Hampden Academy
01/29/2008 Public Forum Brainstorming Results

“What do you think the best Re-Use for the Existing Hampden Academy could be?”

- Make office space for superintendent
- Small businesses
- Shops, food and dining, original building-museum (Penobscot River Battle)
Community events center
- Recreation facility, coffee/breakfast sit down gathering place
- Housing – Public Gathering Place, Separate offices for Town of Hampden
Recreation Office
- Rec. center w/Skehan Gym and old soccer field, commercial development on rear
section of property – not residential development. We don’t need more upscale
housing.
- Area 1 – The original historic building lends itself to a museum concept Area 2
Skehan Ctr- Cultural Center Area 3. The buildings that are useable for education a
Magnet school for the arts.
- Best reuse - facility or facilities that create a true town center i.e., where people meet
and interact –small retail businesses –parks /recreation.
- Best rescue of property: - Town Recreational/Sports Facilities
Basketball/Hockey/Soccer Outdoor walking trails/parks mixed with: Office/Retail
Space
- Create a community ‘center” with a green space, the old HA building as center
piece, and mixed retail Expand retail business space! Use of Salvageable buildings
and provide for public access to the river.
- Create a community gathering spot – the “village center” we are currently lacking.
- Shopping center with waterfront park
- A recreation center
- Re-use for HA a multi use area-perhaps affordable apartments/some retail
space/bakery/cyber café
- Community gathering spot – food, walks, enjoy the view
- Community center/gathering place- Band Stand-small shops restaurant green
- SAD 22 Endowment Foundation owned mixed –use-a blend of retail, civic use,
recreation, and arts/cultural services
- Community Center-more comprehensive sports complex – city park
- Maintain current historic building, Remove some of the “additions” to create more
open space/park and create an area where the agricultural activity in the area can be
highlighted, farmer’s market, town square Create the town center needed in
Hampden
- The best use for the Skehan center portion should be taken over by the Town of
Hampden Recreation Dept. We need and could use additional court space not only
for basketball, but for adult volleyball, co-ed volleyball, intramurals etc. The old H
A building could be called an Alumni Hall and used for archives at the school, and
reunion events. The other piece of the building should be re-developed into condo
space, perhaps a retirement home space utilizing access to town and the beauty of
this
- The Hampden Academy property should become a village center set-piece

**3332.00 Hampden Academy
01/29/2008 Public Forum Brainstorming Results**

	<p>combining shops, cultural opportunities (performance), and outdoor space. If the river property can be reused it can become a public gateway to the river as well- a recreational opportunity Hampden has neglected to date</p> <ul style="list-style-type: none"> • The old academy building should be a museum – the rest of the campus should be a community center where workshops and sports events could be held • Town Center for Hampden-1. Library/Annex 2. Recreation Center 3. Business incubation • Historic Town Center with focus on cultural background of Hampden – Old academy building – Museum, other areas-Boutiques, shops, possibly restaurant – open space to river • Re-use Gym: Recreation Center for Town rec. program including (very important) a couple of hours a day (during school hours) for free play for toddlers/preschoolers • River walk & historical museum & shops/restaurants • Gathering place for teens, young people • Magnet School for Arts • A Cultural “Center” similar to Faneuil Hall in Boston • Best reuse – Hampden Rec, Adult Ed Voc Tech • Cultural center, area for music • Elderly housing, performing arts center (Skehan Gym) • Move Weatherby & McGraw students to this facility • Providing access to river • Reuse- a “Town Square” centered around the old academy that is pedestrian friendly and allows community – that is neighbors interactive with neighbors • Open Market space • Part of the property could be used for archives for Hampden Historical society • New SAD 22 administration space, library, community open space • Hiking, walking etc • Reuse: I would like to see some form of a community center • Main old building-History of Hampden museum-Gym- Hampden Rec. facility • Commercial center, small shops, restaurants, movie theater, public square, garden • Expand public library, use for economic development and affordable housing • Museum in old HA bldg, Senior housing(affordable housing) in useable parts of old buildings, Skehan Ctr as rec area • Waterfront area is developed as a park with walking trails • Waterfront/park & recreation area with existing building as a community center • Why not keep this present site as is. Then there will never be a need for any of the schools in Hampden to be using these trailers, this would be of use to all the schools in Hampden. There may come a time when a new school may or may not be big enough • Community Center w/ library, common green, bandstand, place open to walk in winter, Senior Center & children’s programs/teen and youth etc • Historic building to be used as museum, Skehan center to be used as a community center, library as a satellite for existing libraries • Community center with a common green space available for all ages and needs • Best re-use of existing facilities would be for senior housing or low income housing
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**3332.00 Hampden Academy
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	<p>for seniors, senior center etc.</p> <ul style="list-style-type: none"> • A safe place for our children to go to whether it is to play board games, video games, exercise, or get something healthy to eat. • A hub for community activities and gatherings. A center for nurturing citizen well-being including people of all ages • River front development – condominiums or housing, some existing structures like new gym saved for children’s rec. programs • Original HA a museum surrounded by retail shops and affordable housing on lower level • Best use of existing Academy, Develop it as a community center-for classes in Art, drama, music, health clinic, house the Food Cupboard • Rec. Center for children • Low income or elderly housing • Historical /cultural center
	<p>What do you think the best Re-Use for the <u>Historic Hampden Academy</u> building is?”</p> <ul style="list-style-type: none"> • <u>Point of Pride</u> - Museum or community center for use on the achievements of citizenry • Reuse of existing gym area for rec. programs, day care use in parts of building, residential retirement or townhouse development on river • Library, SAD offices, community meeting space, arts? • Museum/administrative offices • Museum for HA Historic Site accentuating Hampden’s history etc. • Old Academy- Faneuil Hall type marker, Center Piece- get people into the building – area in front to be open space • Use to house historical items of the town • Building area 1 – School museum with any and all relics and history of Hampden schools of all levels • Building area 1, museum for HA history • Move superintendent’s offices to this location’ • Museum HA alumni offices • Museum • Historical society, Museum- and or Adult education • Museum • Museum or Historical society-info center • Museum • I would like to see a museum with pictures in it of the history of Hampden Academy past athletics and students, and also focus on the history of the 3 towns • Small cultural center, focused on Maine-Space available to community members for group an activities (home schooling groups, senior citizen interest groups etc.) • History museum – rooms for club meetings, small theater, public services, waterfront walking path that could hook into Bangor travel systems • Museum/cultural center/senior center • Building 1 – Old Academy building –reuse needs to respect the historic nature of the

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	<p>building and its relationship to the town. Museum? Lecture hall? Old fashion café, shop? Needs to retain period form</p> <ul style="list-style-type: none"> • Building 1- concentrate on historic value –create a park with the building as the focal point. Town “common”? Museum would be nice • New superintendents office – Historical/cultural center • Museum – HA alumni office • Old Academy- Historic Museum • Building 1 –“Leave true to history” maintain & use as Museum, art exhibits, Historical society lectures-small musical events, i.e. string quartets, poetry readings, historic book clubs etc. • Art Museum, and library, similar to the Farnsworth in Rockland • As a part of the Hampden Historical society-perhaps store archives • Community information center – museum • Museum & archives for Hampden Historical Society • Open market, museum historic library, café, pre- school • Museum • Town library, as centerpiece to new village center. Outside green space, benches. (if not town library-some other use-but still centerpiece of new village center) • The historic nature of the building lends itself to re-use at least in part for a museum. Other uses could be adult/senior community educational opportunities • Combine with Hampden Historical society to build a community wide historical entity – Historical Community center Adult Ed center • Community learning center – Adult Ed. • Historic Hampden Academy – Gallery, recital hall and center for seniors • Museum with interactive educational components that would serve community. Involve student-led projects • Re-use Ideas- bldg. 1 Historical museum/Town welcome center • Historic academy-Museum/Historical society-reading room-space for meetings-book groups, poetry readings, etc • Buldg 1 Turn it into a MSAD superintendents office & alumni center • Best re-use of 1843 Historic academy –events center for drawing people in. Historic center/cultural museum, with use for small exhibitions (arts & crafts) • Building 1, Old Hampden academy-Alumni Hall-archive for Alumni records, photos. This could be a museum of artifacts from the town and school. Reception area used for class re-unions etc. • Building Area 1-A combination of SAD 22 Administration office space and endowment foundation administration office space • Library & museum or museum alone • Make it a museum “History of Hampden” • Museum – SAD22 Admin. Office • Concept: Businesses at level with Rt 1A, including Old academy being a historical art museum (w/lower levels for other uses maybe restaurants, trails, outdoor performances) tiered use like riverfront in Savannah GA • Area #1 Part, if not all, used for a Museum and maybe a “Hall of Fame” Hampden Academy is 200 yrs old, that’s a lot of history
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**3332.00 Hampden Academy
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	<ul style="list-style-type: none"> • Museum showing the history of Hampden, the school history, etc. • Museum – cultural center • Area 1-Museum or nursery school or café – Area 2 community recreation and meeting area • 1 – 1843 building –museum-art studio/instruction • Historical society/or school administration offices • Academy building re-use – museum/historical
	<p>“What do you think the best Re-Use for the <u>Skehan Center</u> building is?”</p> <ul style="list-style-type: none"> • Keep as main gym for current sports it is used for (school use), performing arts complex, give to HA music program • Skehan – Town use for Rec. programs, intramurals for school, regional programs, i.e. basketball games –art programs • Area #2 Reuse as community center with band room, gymnasium, locker room, etc or being used for recreation activities for all residents of SAD 22 • Athletic facility for “lifelong” recreation to be used by citizens of all 3 towns from pre-school through elderly • Skehan Center – Rec. center, community day care, preschool class/after school program • Town-owned recreational center for use by senior citizens rec. teams etc • Community recreation area community meeting area commercial space • Expand the recreation programs, community fitness center, should be in new school • For town recreation, sports, fitness, etc • Town recreation facility? • A community sports center for children & senior citizen activities (dance classes, basketball leagues) • Town of Hampden recreation center-Hampden rec. department programs • Entertainment-cultural events center • Skehan Center-Performing arts center 800-1000 seats-w/theater seating and full stage facilities, home for Hampden rec. department • Performing arts center and theatre for both district and civic use • Keep it a gym. Allow community access. Fitness classes, child play time, general community recreation • Skehan Center – Atrium in center with lots of light from above-shops/restaurants-small business offices-workshop spaces-lots of possibilities for areas around sides • Leave it as gym –The size issue is important given how often it is currently filled – Rec. dept headquarters • Building 2- Community Rec. Center – Town center w/small business incubator or tear it down • Retain as a gym for use by travel teams & pre school etc • Building #2 – Community center where classes & events could be held • Recreational center or convention business – gathering center • “New Gym” renovate to be a multi purpose facility learning it intact for sports activities but adaptable to other performance possibilities

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- Keep it as a gym. Recreational facilities for the town rec. dept. needs more space
- Best re-use of Skehan Center –commerce center to allow people in-mixed retail- A service center e.g. function rooms for rent etc.
- Town recreation center for –adult ed. , physical classes, rec. opportunities for preschooler, adult basketball, etc
- Use for Rec. programs and day camps-summer programs for kids
- Gym for Rec. dept. others
- “Civic Center” for musical, art & theatre-Open hours for walking
- Place for adult ed. Classes or rec. facility
- It could be used for the Rec. departments – kids korners before/after school
- Recreation center with open gym ties during the day for 0-6 year olds, senior fitness, maybe home schooling groups, Community “health & fitness” center.
- Community center for young and old
- Leave as is to support travel and rec. sports
- A community center housing studios for art, adult ed. Classes community services health and wellness workshops, food cupboard and other services. Place for community groups to meet
- Performing Arts Center
- Cultural Center Entertainment Center
- Maintain as gym-use to allow games, community events-recreation
- Turn over to town for Rec. programs, senior fitness and special events we
- Keep for school use there are many teams vying for time in the gym
- Public fitness center keep as gym for alternate functions
- Use for extra practice gym so kids get home earlier without practice schedule conflicts and for public/recreational uses
- Take over by Hampden Rec. Dept. for court space, fitness and aerobic rooms as well as community wt. room. Band room can be an aerobic fitness area. If not used by Rec. dept, then school should keep as added court space for intramurals and other adult Ed fitness programs
- Rec. Dept. – we always need more gym space
- own recreation center
- Adult education and recreation
- Retain athletic venue-host travel teams, bring \$ to community
- Antique Mall or Home show center
- Town Auditorium
- Leave as is
- New gym-continue sports use or lease out as fitness center
- Recreation and performing arts
- Community leader / Town Hall keep it mostly open to be able to be used for a more variety of activities
- Community activities, resource center-meeting center

**3332.00 Hampden Academy
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“What do you think the best Re-Use for the Hamden Academy Library building is?”

- Sell to private party possible uses: Internet Café , Restaurant
- Tear it down
- Community center Adult education center/Children’s center
- Retail Store, Café to aid community center activities
- Cultural center, art shows, small musical performances, art classes for children @ adults, studio space
- Adult/community ed. Tech center
- Retain for school use-Alternative Ed/Adult Ed/Life skills/Pre-School
- Expand the area to include the town’s library, would like to see some of the useable old buildings as a magnet school for the arts/music
- Business library, move public library, senior center
- Café, Children’s center associated with town park, library into town center
- Café and bookstore/library w/media center attached
- Adult Ed, Senior center
- Sell it or rent out to community groups for meetings, evens, gatherings
- Library annex for Edythe Dyer Library community tech center, community
- Edythe Dyer Extension
- Café, computer access for community
- Univ. of Me system “center” to offer live and ITV or web based courses. “a higher education center”
- Make use of beautiful river setting, bring public library back, leave land open behind for access/view to river
- Edythe Dyer annex-more central & accessible
- Adult education
- Internet café, Town Library, offices, meeting space
- Move major portion of Dyer library here; use present Dyer for meetings’, community functions
- Sell it for private business use
- Internet café and bring library back to center of town. Possible senior citizen center for Internet/computer use for seniors and Adult Ed. Programs
- Edythe Dyer library annex
- Office space, parking lot
- Tear down or convert to private business use
- State of the art community based educational faculty-potential for higher ed. classes, symposiums, small conference center
- Day care center, food court, small health clinic-maybe mental health care
- Library & public lecture hall, town record storage, coffee house with “Borders” type feel
- Community Public Library (annex to Dyer) give to special education program for all of Sad 22
- Keep as library and reference center for students, and adults, with computer access
- Town/school historical archives; or to house food cupboard

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	<ul style="list-style-type: none"> • Community Room • Use as an extension of the Dyer Library • Probably the most expandable building, ESP if the properties are to be joined as a village center • After school programs, senior meeting center, all purpose for use by citizens • Make into Main Library for Hampden or Tri-Town area. Keep Dyer as specialty library/department • Tea room for older folks • Cultural after school art programs, senior programs • Adult education/community education/senior education • Café/restaurant space-retail-office space • Cyber café • Library • Adult ed., café (decent coffee please), adult literacy • Internet café or book store • Annex to Edythe dyer library, Technology center • Business, restaurant • Dunkin donuts • Community Library • More “ town” library in Town
	<p>“What do you think the best Re-Use for <u>Land Area A</u> (remaining HA upper property) is?”</p> <ul style="list-style-type: none"> • Remove unwanted structures, make sure you have infrastructure for the 3 remaining buildings – put on hold until new school is complete money known before spending more money • Community base-somewhere with a library, café, bookstore, adult ed., and athletics (for all ages)... • Keep parking areas, over flow parking, develop area behind Rite Aid for shopping • Mixed use with expanded recreational facilities/hockey rink/more parking/restaurants/shops • Community Center Complex-HA -Annex • A “Sturbridge Village” area • Magnet school for the Arts/museum/administrative offices • Zone A – Center Town Park Square w/Historic school Library & small boutiques • Develop a village center around and behind existing academy buildings. Have parking out of sight of IA. Mix of green space, walk areas, retail and eatery • Town park & outdoor cultural meetings • Zone A – retail/business & downtown/little shop feel • The existing site uses should discourage further commercialization of the main road from the lower to upper Hampden corner. Perhaps: shops and village center facilities could be developed on site, with adjacent affordable housing • Town center, retail office space, parking

**3332.00 Hampden Academy
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- Town square, village green, small shops
- Mixed use retail-intense residential w/a mix of high end and affordable
- Shops, retail, small business, restaurants & café's
- Unique shopping & town center area with focus on local products-farmer's market, artisans, outdoor musical events, etc.
- Boutique retail and professional office space to spur economic development
- Open space
- Turn into Business suites
- Retail, Boutique, smaller stores behind Schwart's/ Rite-Aid with parking park, walkways between 3 remaining buildings –some parking (library building)
- Retail and community services incubation space
- Small village style – retail area –restaurant, book stores, drug stores, clothing, service shops, antique shop-Not large scale type stores –incorporate park setting outside, bandstand, music venue
- Keeping the 3 – “reuse buildings” create a real town green – open center walk through parks and “village green” –maybe retail space near Rite –aid “business park”
- Town Square – open space (farmer's market, playground, picnic area, walking trails into other areas)
- Elderly housing (need for and only going to increase)
- Permanent “Farmer's Market” offering Maine produce, crafts, products, etc. along with educational offerings, on sustainable living
- Reuse as Magnet school for arts/music-coordinate with development of Areas 1,2 & 3 to form a cultural, educational, commercial space
- Community center w/park/gazebo (!), HA – old building, gym, library, shops, coffee shop
- Shops or arts & crafts center, also could be affordable housing if current structures are torn down
- Retail/ boutique, shopping, café, shops
- Small business village, café's, boutiques, etc.
- Site A – create a town common, work existing buildings into that, but no more
- Commercial district
- Land area A – shops, small business, senior housing and related services, office space for enterprising development
- Zone A- retail space or elderly retirement area (assorted living) –tear down old gym or other areas and build a village green area w/bandstand, outdoor fountain, picnic area, with small shops promoting Maine culture
- Affordable housing community, town square w/ small businesses
- Small retail space
- Expandable retail, built to complement “village feel” (and professional office) and village common/green
- Try to see to a private developer – similar to Avalon Village
- Parking lot or small business facility
- Retail shops –restaurant
- Create some kind of town center-green space pedestrian friendly. Space for small businesses...

**3332.00 Hampden Academy
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	<ul style="list-style-type: none"> • Faneuil Hall of Boston model –museum with HA –shops, cyber-café, Skehan gym • Retail • Village theme, shops, small restaurants, green spaces • Small business-pre-school, walking trails • Zone A Combination community and business “campus” development, services may compliment each other • Sell for retail business • Additional village businesses, eateries, book store, other shops and offices
	<p>“What do you think the best Re-Use for <u>Land Area B</u> (middle HA practice field property) is?”</p> <ul style="list-style-type: none"> • Public Garden, picnic area, business-sponsored park • Community organic garden plots for community members • Natural ground cover with winding trails to lower area (and elevator for handicapped access) interspaced with picnic table (like Two Light State Park in southern Maine • Park space – playground, picnic area, bandstand, etc. maintain fields • Townhouses or retirement community housing • Affordable housing , well-connected retail area and shops above • Affordable housing • A large commercial area under one roof. Flea market, antique mall. Other retail space • Green space, Community garden, Community sports field • Outdoor park, trails/outdoor amphitheater or performance space • Outdoor amphitheater or sell for housing development –workforce • Parking w/rest area middle of retail space (lot A) a park/river space (trails) lot C w/picnic areas • Zone B- walking trails into Zone C park Open space for outdoor performance • Area B –Create open green space-band area, gathering area, farmer’s market, some parking • Any project that would help relieve the tax burden • Senior and low income housing • Sell to private developer as a prime site with potential view of the river • Use as extra playing fields for both school & town programs • Business, commercial and small shops • Keep as soccer field for travel/rec. use • Current soccer field ...outdoor center/park • Use as additional soccer fields, hosting travel tournaments. We need to keep the soccer fields. • Keep soccer field! Too much competition for practice time • Community center & recreation facility combined with partial C to build city park – Winter sports complex • Housing units • Elderly housing • Affordable housing, development apartments & houses

**3332.00 Hampden Academy
01/29/2008 Public Forum Brainstorming Results**

	<ul style="list-style-type: none"> • Affordable housing, both apartments & houses • Affordable housing, Town houses and or cottages • Senior housing/small retail or business spaces • Incorporate into a setting that takes advantage of the park –extend retail operations w/ a waterfront park • Outdoor community, tennis courts. We need one in this community – possibly condo’s or affordable housing – possible marine incorporated with the village green, shop ideas • Green space – community gardens • Community gardens, plots available to town members 1st come, 1st serve – Organic pleas • Access to river-pedestrian only – for recreation • Middle property- keep as green space w/trails & picnic area – At very least maintain access to waterfront are area • B Land Use – Outdoor, environmental center with trails and links to river features and opportunities. Educational components to involve students & community in environmental initiatives • Land use B – Green park area, open area w/flower gardens-Garden Club- Restaurant w/ high –end Coffee shop leading down to water • Park – green space • Area B- State of the art public park-picnic area-small pond (skating in winter) – dedicated area for small children (fenced) – dedicated area for dogs (fenced) • Town Green for concerts in the summer • Soccer field, Town houses, develop river front- hiking and walking trail for use by elderly • Zone B – perhaps a complex of outdoor fields, walking/trails and running trails – a garden area with a produce stand • Area B – Potential parking for town common above and untouched green below – Not Housing • Residential housing – or Village green • Area B- Town park for running, Jogging, walking • Housing, green space, recreation • Not any more housing. (affordable or not) Recreation area w/access to water • Area B – outdoor ice skating rink & park • Area B – old soccer field residential senior citizen condos
	<p>“What do you think the best Re-Use for <u>Land Area C</u> (lower waterfront HA property) is?”</p> <ul style="list-style-type: none"> • Recreational area “waterfront” development (perhaps some small shops/cafes) • Youth Center • “Wilderness “ Park, low impact trails, sitting areas, water access, etc • Use for walking, picnic area, access to river • High end, multi-story condo’s • Keep natural – 10-3 acres of pristine land for walking -800 ft Marina – wooded park –

**3332.00 Hampden Academy
01/29/2008 Public Forum Brainstorming Results**

	<p>Keep standing trees (as required by law)</p> <ul style="list-style-type: none">• Sell – or – Town funded property to help off set any town costs for new High school• Picnic area or just leave as is• Marina – develop shore line for sightseeing along Penobscot possibly trips to Fort Knox and new Prospect Bridge tower or sell it to Granite development for upper land• Open –air amphitheater for high-end summer program-including arts• A large park to preserve original –trees – including picnic areas, children’s playground, walking trails, ice skating in winter• Area C – Open area in summer for multiple uses, like farmer’s market, outdoor performance, Children’s Day booths & activities – flood in winter for ice skating – condos, restaurant w/riverfront access-trails long river• Marina• Town Marina & public wharf w/walking and picnic trails – sell off parcels above for high-end condos• Public walking trails – preserve open space• Due to set backs and steepness of property, suited to picnic area, outdoor recreation area• Picnic area & boat launches into the river• Hiking trails, access to the river• Area C Running/walking/biking/x-country ski trails and a park w/ a pond for skating in winter and swimming summer• Walking trails, picnic benches, bandstand, etc.• “Hampden Town Forest” - paths for running, biking and cross country skiing• Green space and river access• Maine/Tidal Ecology Science Research Center• City Park- winter sports complex (sledding hill) – Jogging, .running trails around entire area with workout stations (Portland Back Bay)• “Developed” woods, i.e., w/some walkways and access to rive (example of small state parks) – create a “beach” by the river to enhance the water experience.• Green space – community park area• Undeveloped• Leave it alone• Town or district owned recreation areas. Save river access for citizens• Leave it alone- Don’t touch it – It is spectacular!• Nature trails, x-country ski trails, walking paths and picnic areas with outdoor/environmental education program – maybe run or led by students and community members.• Walking trails, scenic lookouts, access to land from water –moorings/docking• Walking trails, picnic areas, play areas• Hiking, walking, picnic areas• Use as a park with walking trails, area for snowshoeing. Access to river• Open spaces – not much left along Penobscot• Walking trails, campsites, river access• Walking trails
--	--

**3332.00 Hampden Academy
01/29/2008 Public Forum Brainstorming Results**

- | |
|---|
| <ul style="list-style-type: none">• Nature trails 7 walking paths• Green space with trails for walking, etc. make it handicapped accessible• If can't develop use for park, etc• Maintain in its natural state-declare forever wild with heritage trust. Footpaths• River walk & small vendors/farmer's market• Park with trails• River front access walking trails/park• Green space, walking trails & access to the river• Green space walking trails and access to the river• Park for families access to water walking paths• Other site areas - park |
|---|

**A/E Work Scope
 Re-Use Planning
 Hampden Academy Campus
 Hampden, Maine
 October 14, 2008**

TASK	
1.	Organize input from recent private parties and public forum meetings.
2.	Develop site base drawings;
2.1	Buildings
2.2	Paved Areas
2.3	Major Utilities (approx.)
2.4	Property Lines
2.5	Access & Circulation
2.6	Right of Ways & Easements
2.7	Zoning and Setbacks
	Subtotal
3.	Constraints and Opportunities Graphics
3.1	Scenic / Views
3.2	Access / Circulation
3.3	Site Infrastructure
3.4	Natural Determinants
3.5	Topographic
3.6	Regulatory
3.7	Linkage Trails / Recreational
3.8	Historic Features
3.9	Building Conditions (poor-good)
	Subtotal
4.0	Functional Models (3D SketchUp)
4.1	Development Models:
	- Mixed Use Scheme
	- Tiered Layout Scheme
	- Village Layout Scheme
	- Civic Center Model
	Subtotal
5.0	Economic Considerations
5.1	Re-use Priorities
5.2	Ownership / Beneficiaries
5.3	Property Transfer Issues
5.4	Funding / Financing Options
5.5	Phasing / Schedule
5.6	Implementation Plan
5.7	Developer Solicitation Process
	Subtotal
6.0	Meetings w/Committee
	Meeting #1
	Meeting #2
	Meeting #3
7.0	Report Preparation
7.1	Graphics Components
7.2	Written Components
	SUBTOTAL (Hours)

SITE SELECTION / Overall Development Opportunities Plan



Hampden Academy

WBRC
ARCHITECTS • ENGINEERS

CUNNINGHAM
G R O U P

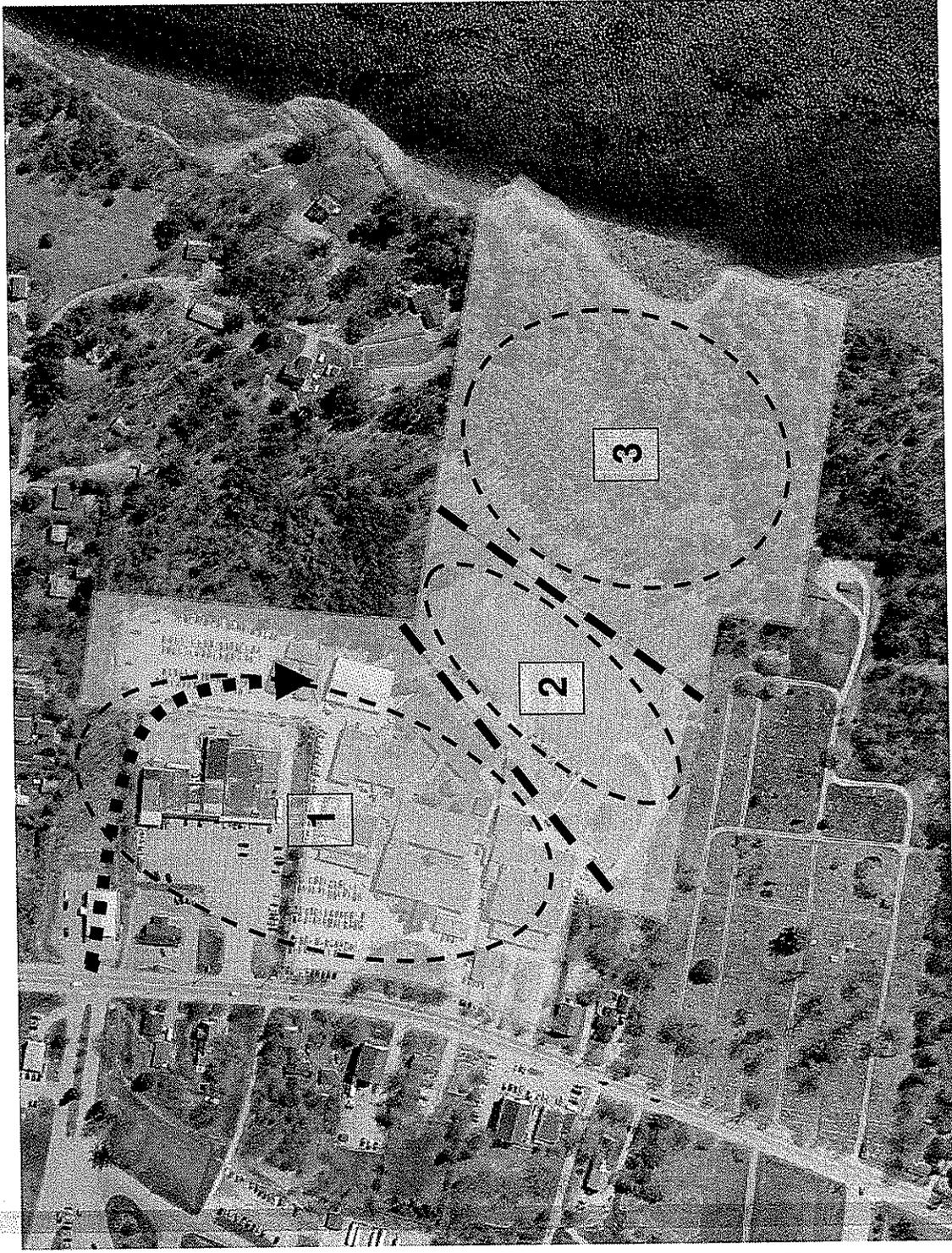
SITE RE-USE / HA Development Opportunities Plan



Hampden Academy

WBRC ARCHITECTS • ENGINEERS
CUNNINGHAM GROUP

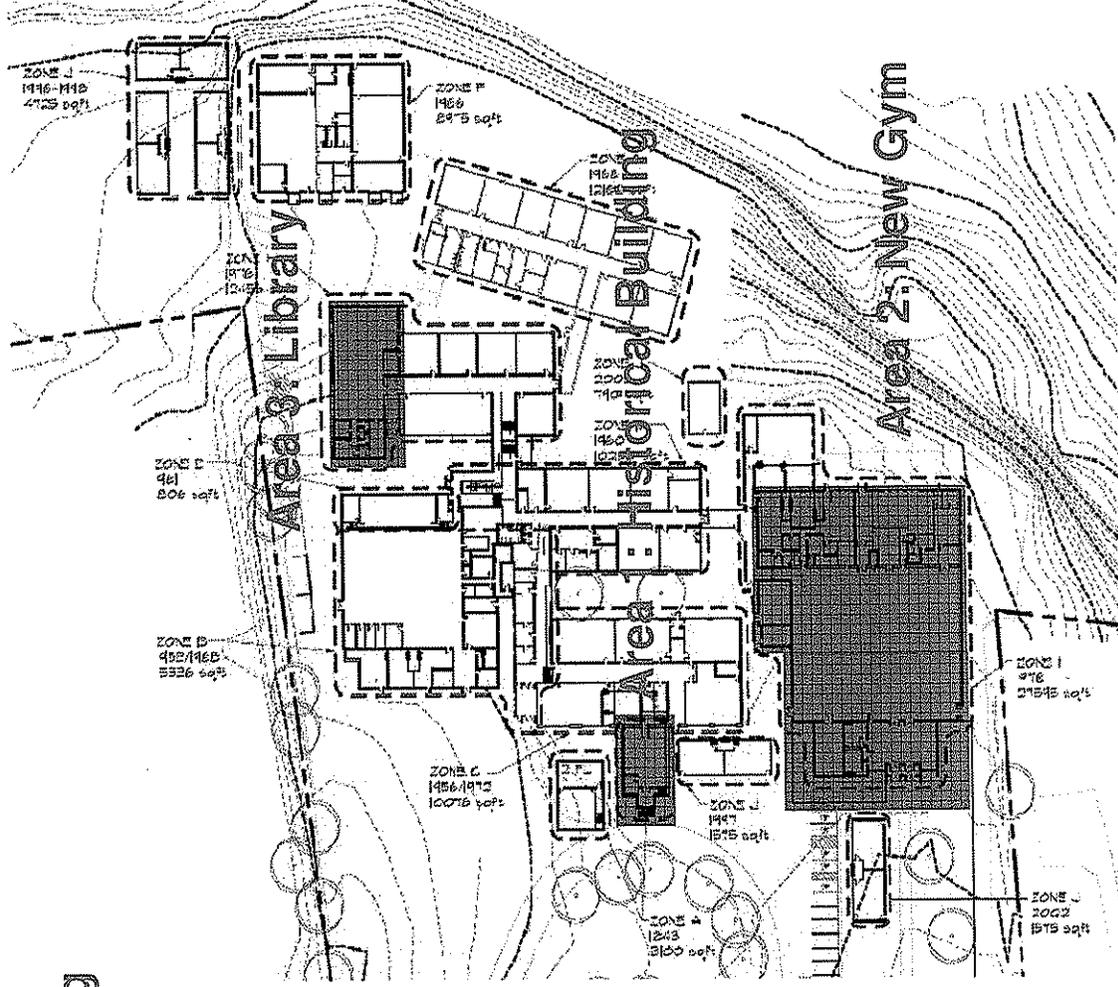
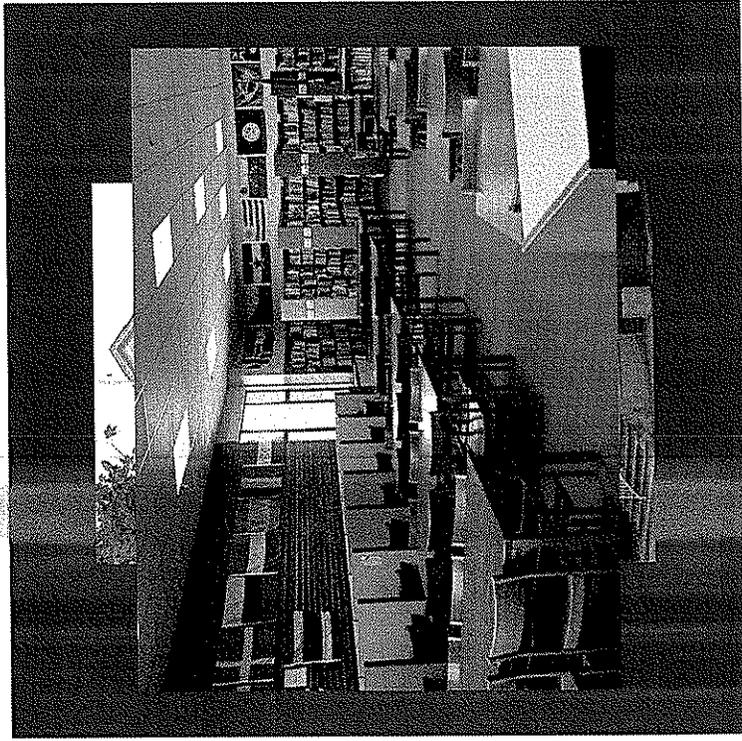
SITE RE-USE / HA Existing Property & Facilities Aerial



Hampden Academy

SITE RE-USE / HA Existing Facilities Plan

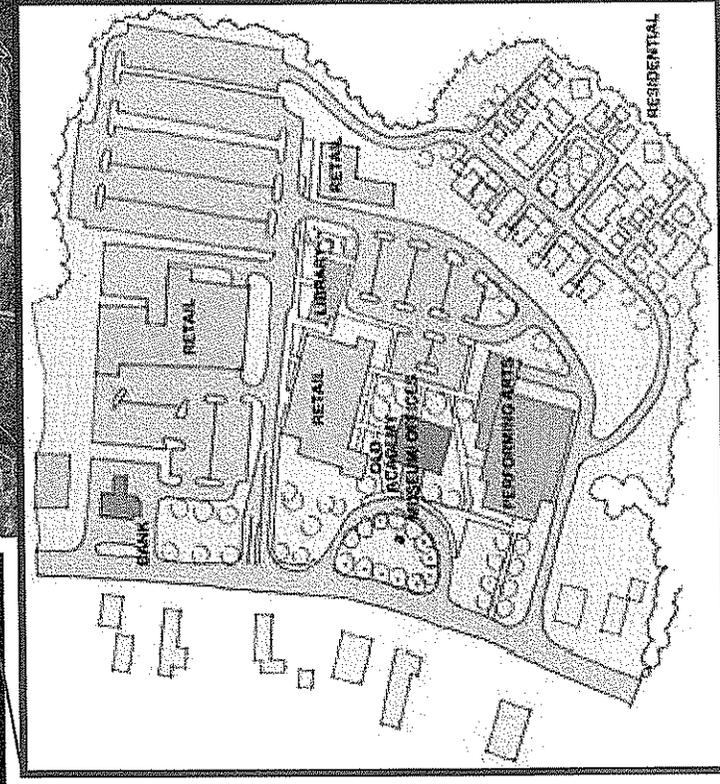
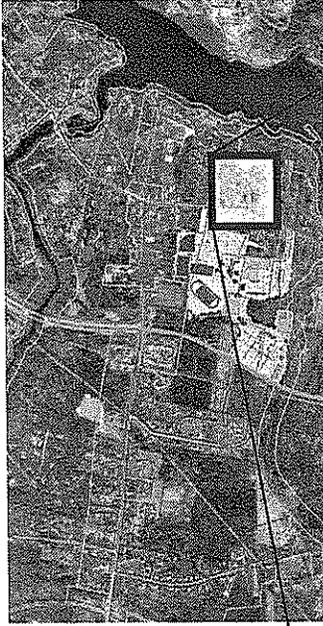
Areas worth renovating



Hampden Academy

SITE SELECTION / Potential Re-Use of Existing HA Property & Facilities

- Museum
- Offices
- Expanded & Upgraded Retail
- Banking
- Indoor / Outdoor Recreation
- Town Square / Green Commons
- Performing Arts Center
- Restaurants
- Residential
- Other uses



Hampden Academy

WBRC
ARCHITECTS • ENGINEERS

CUNNINGHAM
G R O U P

DrummondWoodsum

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ADMITTED IN ME ONLY

December 12, 2007

Emil Genest
Asst. Superintendent of Schools
M.S.A.D. No. 22
24 Main Road, North
Hampden, ME 04444

RE: Sale or Lease of Hampden Academy

Dear Emil:

I am writing in response to two questions you raised concerning M.S.A.D. No. 22's ability to sell or lease Hampden Academy. It is our understanding that the District is currently planning to undertake a school construction project, and as a part of the project, Hampden Academy will be closed and replaced with a new school building. The District would like to know what options it has with regard to the sale or other disposition of the Academy and the surrounding property, and what statutory restrictions, if any, apply to any sale or transfer.

Factual Summary.

The District is undertaking a high school construction project. If the project is approved, it will replace the Academy, which the District would then close. The project will go to referendum at some point next year.

The Hampden Academy property is comprised of school buildings as well as some undeveloped land adjacent to the property on which the buildings are situated. The Academy property was transferred to the District by deeds from the Trustees of Hampden Academy to the District dated December 31, 1969 and October 1, 1975. You have asked if the property may be sold or leased pursuant to state law. I understand you have received a letter from Rudman and Winchell wherein they conclude that the property may be sold by the District. We have not reviewed the legal conclusions drawn in that letter.

1. If the District Sells the Property, it must Offer the Property to the Town.

As part of its school construction project, the District has decided to close the Academy and replace it with a newly constructed school building. Because it will be replaced, the District is considering selling or leasing the Academy and surrounding real estate and would like to know what, if any, restrictions apply to any sale. In order to make a determination regarding this issue, we must analyze the State law concerning the closing

Daniel Amory*
Harry R. Pngle*
Richard A. Spencer*
Gerald M. Zelint
Ronald N. Ward*
David J. Becker*
John S. Kaminski*
William L. Plouffe*
Jerrold A. Crouter*
Michael E. High*
Richard A. Shmsay*
Bruce W. Smith*
E. William Stockmeyer*
Benjamin E. Marcus*
Melissa A. Howay*†
Eric R. Harlan*†
Joanne M. Kincaid*†
Gregory W. Sample*
Daniel J. Rose*†
Keighn Smith, Jr.*
Daina J. Nathanson*
Edward J. Kelleher*
S. Campbell Badger*
Amy K. Tchao*†
David S. Sherman, Jr.*
Robert P. Nadeau*
Stephen C. Jordan*†
Catherine D. Alexander*
Katherine W. Bubar*†
Brian D. Wiling*
John Lusk, Jr.*†
Aaron M. Pratt*†
James C. Schwehenbach*†
Elizabeth D. McEvoy*
Jeffrey T. Piampiano*
P. Cetry*
A. Emmons*
J. M. Goodman*
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Governmental Affairs

Michael J. Opuda Ph.D.
Special Education

Of Counsel

Harold E. Woodsum, Jr.*
Hugh G. E. MacMahon*
Joseph L. DeLafeld III*
Robert L. Gips*
Donald A. Kopp*

* Admitted in Maine
† Admitted in New Hampshire

and disposition of school buildings which is codified at 20-A M.R.S.A. §§ 4101-4104. (the "School Closing Law"). The School Closing Law broadly defines a "school building" as follows: "School building" means, but is not limited to, any real property or structure used or useful for schools and playgrounds, including facilities for physical education." 20-A M.R.S.A. §4101(2).¹ Under Maine's School Closing Law, before the District may sell a school building that has been replaced by a school construction project, it must determine that the District has no future use for the property and must offer to transfer ownership of the building to the town in which the building is located. 20-A M.R.S.A. § 4103(4). This statute reads: "The school board of the school administrative unit may sell the school building on the open market if it determines that it will have no future use for the building and they have offered to transfer control or ownership to the municipal officers of the town or towns in which the building is located." 20-A M.R.S.A. §4103(4).²

Assuming the town accepts the transfer of ownership, the town must assume liability for any outstanding indebtedness for the building, if any. 20-A M.R.S.A. §4103(3)(A). Presumably, this requirement includes both school construction and renovation debt that is outstanding. In addition to assuming existing debt, the town may also be required to pay the District for the building. The price the town may be required to pay depends on how the District originally obtained the property.

If the town originally had transferred the building to the District, the District may require the town to pay an amount equal to any debt service the District paid during the five school years prior to the transfer by the District to the town, minus the town's apportionment of that debt service. 20-A M.R.S.A. § 4103(3)(B)(1). If, however, the building was constructed by the District, the District may require the town to pay an amount equal to the building's fair market value, minus the town's apportioned share in the building, which is determined in accordance with the cost-sharing formula in effect at the time of the transfer. 20-A M.R.S.A. §4103(3)(B)(2). Finally, the statute does not expressly address the situation if the town originally transferred the building to the District, and the District subsequently completed a school construction project, such as an addition. Presumably in such case, the amount the town would pay would be blended based upon the fair market value of the original school building and the subsequent addition.

In this case, it was the Trustees of Hampden Academy, and not the town, that originally transferred the building to the District. Also, although the Legislature did not define the phrase "constructed by the district" in the School Closing Law, it has elsewhere in Title 20-A defined a

¹ Although it may be possible to argue that the undeveloped land adjacent to the Academy improvements is not a "school building," even the undeveloped property is potentially useful for schools or playgrounds. As such, it is prudent to assume that the undeveloped land also falls within the broad ambit of the statutory definition of a "school building."

² Please note that although the matter is not free from doubt, since the new school will not be completed prior to the date a new RSU is formed, the RSU school closing statutes will have to be followed. These would appear to require that a referendum question to close the school be submitted to the voters, probably in conjunction with the school construction referendum. We can assist you with this process. See 20-A M.R.S.A. §§1511 &1512.

“school construction project,” broadly so as to include not only the “on-site additions to existing schools” and “new schools,” but also the “acquisition of buildings related to the operation of a school.” 20-A M.R.S.A. § 15901(4)(A)-(F). Although this is a different statute, it suggests that the Academy property that the District acquired might be considered “constructed” by the District for purposes of the School Closing Law. Finally, we assume that the District has constructed additions since the original acquisition of the Academy. For these reasons we think that it is likely that the District may require the town to pay the building’s fair market value minus the town’s apportioned share.³

If the town decides not to accept the property, the District may sell the property on the open market to any purchaser. 20-A M.R.S.A. §4104(4).

Finally, if the building is transferred to the town, the District arguably may use the proceeds of the building for any educational purpose. In doing so, however, it should be noted that Hampden would effectively receive “double credit.” This is because in statute requires that Hampden be credited with its apportioned share of amounts the District may charge. There is another interpretation that avoids this result, which is to credit the remaining towns with their shares of the proceeds. It should be noted that the statute is silent in this situation as to how the proceeds are to be used and/or credited, other than the credit against the cost to the receiving town for its apportioned share.

If the town does not accept the transfer and the District sells the building on the open market the proceeds from the sale must be used to retire debt service on the new project. 20-A M.R.S.A. §4104(4). The establishment of a fund for such purpose raises certain issues affecting the tax exempt status of the bonds issued for the new building, and further analysis is needed to resolve those issues.

2. The District may lease Hampden Academy and use the Proceeds to retire the Debt Service on the New Building.

If there is a reasonable likelihood the Academy will be needed for educational purposes in the future, it may lease the Academy for fair rental value for a term of up to four years. 20-A M.R.S.A. § 4103(2). We note that the four-year term may be seen as a potential hindrance to a lessee looking for a long-term lease. In some cases, the statute allows the school board to renew repeatedly the lease term at the end of each four-year period provided the school board determines that it is reasonably likely that the Academy will be needed for educational purposes in the future. 20-A M.R.S.A. § 4103(2)(A). In order to appease a lessee looking for a longer term lease, an automatic renewal may be built into the lease provided the board makes a determination that there continues to be a reasonable likelihood that the property will be used at some point for educational purposes prior to each renewal. Because the lease is only permitted

³ According to cost-sharing data provided to us by the District last summer, Hampden’s share of District costs appears to be 63.52% and any fair market price for the property paid by Hampden would be reduced by this percentage.

December 4, 2007

Page 4

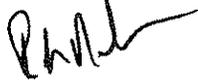
if a determination is made that the building will be used for educational purposes in the future, the law requires that any renovations to the Academy be compatible with such future educational use. 20-A M.R.S.A. § 4103(3).

Finally, Maine law specifies how the proceeds from the lease of school property may be used. See 20-A M.R.S.A. §§ 4103(2) and 4104. Where the school building has been replaced pursuant to a school construction project, "the proceeds from the sale *or lease*" must be used to "retire the debt service on the new building, unless the property was transferred by the town to the school district." 20-A M.R.S.A. § 4104(4)(emphasis added). Because the Academy will be replaced by a new building as a part of a school construction project and was not transferred to the District from the town, the District must use the proceeds from any lease to "retire the debt service on the new building."

In summary, it is our conclusion that the District may sell the Academy but must first offer to transfer the building to the town. The town may be required to pay the fair market value minus the town's share of District costs under the cost-sharing formula. The District may also lease the Academy if a determination is made that it is reasonably likely that the property will be used again for educational purposes.

I trust that this is responsive to your inquiry. Please do not hesitate to call if I may be of any further assistance.

Sincerely,



Robert P. Nadeau

RPN/

C-4-A

PROCLAMATION
Hampden Hikes for the Homeless Day

Whereas the Bangor Area Homeless Shelter has been serving the needs of the homeless population in the greater Bangor area for over 20 years and

Whereas the Bangor Area Homeless Shelter relies on the compassion and generosity of area citizens for over 70% of its funding, and

Whereas the Shelter anticipates a \$20,000 decrease in State and Federal support due to the current recession, and

Whereas many citizens of Hampden have expressed concern and support for the Bangor Area Homeless Shelter and, in particular, students, teachers, and administrators of the Hampden Academy have enthusiastically participated in previous hikes,

Therefore the Town Council of Hampden proclaims April 18, 2009, to be Hampden Hikes for the Homeless Day and encourages all citizens to register and Hike that day starting from the Hampden Academy at 10 AM, and to buy raffle tickets from local merchants or at Hampden Academy on the day of the hike.

Date: April 6, 2009

Matthew D. Arnett, Mayor

C-4-b



UNITED TECHNOLOGIES CENTER
REGION #4
COOPERATIVE BOARD FOR VOCATIONAL EDUCATION

Fred Woodman, Director

Thursday, March 17, 2009

Dear Supporter of Technical Education:

I am the SkillsUSA club Advisor. This year over 680 students competed in the State SkillsUSA Olympics at United Technologies Center in Bangor. There were 62 different skills areas such as Autobody, Carpentry, Plumbing, and Computer Repair to name a few. At this competition UTC students won 9 first place medals. This means that they will attend the National Skills Competitions in Kansas City, Missouri in June. In order for this to happen we need support from businesses like you. It costs approximately \$1350.00 for each student that competes. As in the past we are looking for donations to help raise money. If you could sponsor a medal winner, it would be greatly appreciated. Sponsorship levels are as follows:

- Gold Medal Winners: \$150.00 +
- Silver Medal Winners: \$100.00
- Bronze Medal Winners: \$ 75.00

I have enclosed a list of winners from the State competition this year from UTC. Thank you for your support in the past; any contribution will be greatly appreciated.

Sincerely,

Wayne Jackson
SkillsUSA Advisor

*Proudly
Serving the
High Schools
in Region #4*

*Bangor High
School*

*Brewer High
School*

*Central High
School*

*Hampden
Academy*

*Hermon High
School*

*Old Town
High School*

*Orono High
School*

also serving:

*Bangor
Christian*

*John Bapst
High School*

2009 SkillsUSA Contest Participants by Contest

3/17/2009

Contest	Name	UTC Program	Award
3D Visualization & Animation - 1	Eli Simonds	Information Technology - PM	Silver
3D Visualization & Animation - 1	Kyle Clukey	Information Technology - PM	Silver
3D Visualization & Animation - 2	Kurston Kelley	Information Technology - PM	Gold
3D Visualization & Animation - 2	Matthew Collamore	Information Technology - PM	Gold
Action Skills	Karianne Rogerson	Welding - PM	Gold
Architectural Drafting	Kristen Quill	Building Construction - AM	
Automotive Service Technology	Michael Miller	Auto Diagnostics - PM	
Basic Health Care	Dezare Rush	Health Occupations - PM	
Cabinet Making	Jonathan Daniel	Building Construction - PM	
Carpentry	Cody McAllister	Building Construction - PM	
Collision Refinishing Technology	Bryce Jones	Auto Collision Repair - PM	
Collision Repair Technology	Anthony Bernatche	Auto Collision Repair - PM	Silver
Commercial Baking	Ali Hoy	Culinary Arts/Hospitality - PM	
Computer Maintenance Technology	Justin Whittington	Electronics/Robotics - AM	
Crime Scene Investigation	Dan Kazdoy	Public Safety - PM	Bronze
Crime Scene Investigation	Brittney Burby	Public Safety - AM	
Crime Scene Investigation	Tabitha Chambers	Public Safety - PM	
Culinary Arts	Jean Gamperle	Culinary Arts/Hospitality - AM	Bronze
Customer Service	Kendra Wilder	Culinary Arts/Hospitality - PM	Gold
Diesel Equipment	True Hesseltine	Heavy Equipment Maint. - AM	Bronze
Diesel Equipment	Bruce Henderson, Jr	Heavy Equipment Oper. - PM	Bronze
Extemporaneous Speech	Zachary Austin	Heavy Equipment Oper. - PM	
Firefighting Demo	Andy Rios	Public Safety - AM	
First Aid/CPR	Tyler Nadeau	Public Safety - PM	Gold
Food & Beverage Service	Ashley Schmidt	Culinary Arts/Hospitality - AM	
Health Knowledge Bowl	Kate Small	Health Occupations - AM	
Health Knowledge Bowl	Kathleen McRae	Health Occupations - AM	
Health Knowledge Bowl	Melinda Bonney	Health Occupations - AM	

2009 SkillsUSA Contest Participants by Contest

3/17/2009

Contest	Name	UTTC Program	Award
Health Knowledge Bowl	Ashley Hope	Health Occupations - AM	
Heating Vent AC & Ref	Tyler Michaud	Plumbing & Heating - AM	Silver
Heating Vent AC & Ref	Taylor McGraw	Plumbing & Heating - AM	Gold
Job Interview	Olivia Madore	Health Occupations - PM	
Nursing Assisting/C.N.A.	Maegan Carle	Health Occupations - PM	Gold
Plumbing	Gracen Malave	Plumbing & Heating - AM	Silver
Plumbing	Brandon Rossignol	Plumbing & Heating - AM	
Plumbing	Seth Hopkins	Plumbing & Heating - AM	Bronze
Power Equipment Technology	James Walsh	Outdoor Power - PM	
Power Equipment Technology	Chris Quirk	Outdoor Power - AM	Bronze
Power Equipment Technology	Jordan Seymour	Outdoor Power - AM	
Prepared Speech	Ivan Fianzala	Information Technology - AM	Gold
Related Technical Math	Tyler Desjardins	Electronics/Robotics - AM	
Related Technical Math	Donald Arsenault	Building Construction - AM	
Residential Wiring	Colby Mallman	Electrical Connectivity - PM	
Residential Wiring	Keith Larby	Electrical Connectivity - AM	
Residential Wiring	Garrett Johnson	Electrical Connectivity - AM	
Technical Computer Applications	Joseph Busque	Information Technology - PM	Bronze
TV Video Production	Sean Porter	Comm. Video Communication - PM	Bronze
TV Video Production	Ryan Smart	Comm. Video Communication - PM	Bronze
Web Design	Tyler Grindle	Information Technology - PM	Silver
Web Design	Luke Thomas	Information Technology - PM	Silver
Welding	Benjamin Doucette	Welding - PM	

TO: Hampden Town Council
FROM: Sue Lessard, Town Manager
DATE: 04/02/09
RE: Proposed Protocol for Council District Specific Agenda Items

Councilor Cushing requested that this item be put on the agenda for discussion. It relates to the motion/second process for items that have a district specific connection. The example used by Councilor Cushing was victualer's licenses. He indicated that if an entity applying for a new or renewed license was in a particular district, that councilor would be the one to make the motion to approve or deny the license. The purpose was so that the process of motions and seconds gets distributed among the councilors. Councilor Cushing will explain this concept more fully at the meeting. I just wanted to give you an idea of what it was before the meeting.

C-4-d



March 24, 2009

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

Re: Provision of Time Warner Cable Digital Phone and Business Class Phone Service to the Town of Hampden, Maine.

Dear Ms. Lessard:

As you may be aware, Time Warner Cable, through a subsidiary, provides Digital Phone service to residential and business customers in Maine. The service is provided using Time Warner Cable's facilities located in many Maine communities. Many of our Digital Phone customers find it convenient to obtain their cable television, high speed Internet and phone services from the same provider, and also enjoy the many unique service offerings that this package makes possible.

To date, Time Warner Cable has been prevented from providing Digital Phone and Business Class Phone service in all or a portion of Hampden. The reason for this is that federal law allows certain rural incumbent local exchange carriers to block competitors from entering its service territory unless the state public utilities commission overrides this so-called "rural exemption." Hampden Telephone (TDS of Maine) provides local exchange service in Hampden and has refused to permit competitive entry into its protected monopoly market.

The Maine Public Utilities Commission currently has under consideration a request to lift Hampden Telephone's (TDS of Maine) rural exemption, which would permit Time Warner Cable to provide Digital Phone and Business Class Phone service in Hampden. The purpose of this letter is to make you aware of this case and to offer to work with Hampden should it decide to seek input in the case.

Should the Town wish to obtain additional information regarding this matter, please contact me to arrange a follow-up.

Sincerely,

Shelley Winchenbach
Government Affairs Manager ME/NH

From: "Joanna Wyman" <JWyman@curtisthaxter.com>
Subject: Town Resolution - Time Warner
Date: Thu, April 2, 2009 12:52 pm
To: "hampden@midmaine.com" <hampden@midmaine.com>

Susan:

Attached is a resolution for consideration by the Hampden Town Council. Please let me know if you have any questions or would like me to make changes to the resolution. Thanks so much for bringing this to the Council's attention.

Best Regards,
Joanna

Joanna C. Wyman, Esq.
jwyman@curtisthaxter.com

CURTIS THAXTER
ATTORNEYS AT LAW

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TOWN OF HAMPDEN

RESOLUTION TO THE MAINE PUBLIC UTILITIES COMMISSION SUPPORTING THE PROVISION OF TIME WARNER DIGITAL PHONE AND BUSINESS CLASS PHONE SERVICE

WHEREAS, Time Warner Cable currently provides cable television and high-speed Internet service in Hampden, Maine; and

WHEREAS, Unitel, Inc. currently has a monopoly for the provision of landline telephone service in Hampden; and

WHEREAS, Time Warner Cable seeks to use its existing facilities in Hampden to provide its Digital Phone and Business Class Phone service to residences and businesses in Hampden in competition with the landline telephone service provided by Unitel, Inc.; and

WHEREAS, Unitel, Inc., exercising its so-called "rural exemption" from competition granted to it under federal law, has blocked Time Warner Cable from providing its Digital Phone and Business Class Phone service in Hampden by refusing to provide interconnection that would permit Time Warner Cable to provide its services; and

WHEREAS, the Public Utilities Commission of the State of Maine (PUC) now has before it a case (Maine PUC Docket 2009-40) in which it has been asked to lift the rural exemption and thus permit Time Warner Cable to provide its Digital Phone and Business Class Phone service in Hampden; and

WHEREAS, the provision of Time Warner Cable Digital Phone and Business Class Phone service to Hampden would introduce greater competition in the telephone market in Hampden, which would benefit the residents and businesses in Hampden.

NOW, THEREFORE, the Town Council of the Town of Hampden hereby adopts the following Resolution:

Resolved, that the Town Council of the Town of Hampden finds and declares that the provision of Time Warner Cable Digital Phone and Business Class Phone service in the Town of Hampden would serve the interests of the residents and businesses of the Town. The availability of Time Warner Cable Digital Phone and Business Class Phone service would:

- (1) enhance competition for local telephone service in the Town of Hampden, which would promote improvement of service and lowering of prices;
- (2) give residential consumers in Hampden a wider choice in selecting their phone service provider; and

- (3) give Hampden businesses a wider choice in selecting their phone service provider, thus making Hampden a more attractive place to locate a business.

Susan Lessard, Town Manager, is hereby authorized to deliver this Resolution to the Public Utilities Commission in support of the provision of Time Warner Cable's Digital Phone and Business Class Phone service in Hampden and to testify before the Commission on behalf of the Town at any proceeding held by the Commission in Docket 2009-40.

Town Council, Town of Hampden

Name:

Name:

Name:

Name:

Name:

Name:

Name: