

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

June 21, 2010

7:00 P.M.

• 5:45 pm – Finance Committee Meeting

A. CONSENT AGENDA

1. SIGNATURES

- a. Treasurer's Warrants

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. MMA – Safety Grant Received – May 2010
b. Pine Tree Landfill – Schedule of Compliance
c. Time Warner Programming Update
d. TR Ginise Paving – Thank you

4. REPORTS

- a. Pool Trustees Annual Board Meeting Minutes – 5/11/2010
b. Finance Committee Meeting Minutes – 6/7/2010
c. Pine Tree Landfill Complaint Report – May 2010

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. 2010/2011 Budget Adoption
b. Adoption of Ordinance Enacting a Moratorium on Medical Marijuana Dispensaries and Sites of Marijuana Cultivation
c. Application for Renewal of Victualer's License received from Mac's Convenience Stores, LLC d/b/a Circle K #7057 at 63 Main Road North

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

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

3. UNFINISHED BUSINESS

- a. Goodwill Riders Snowmobile Club – Request for Funds
- b. Zoning Text Amendments for Rural District Uses – Planning Board Recommendation – Referral for Public Hearing

4. NEW BUSINESS

- a. Legislative Policy Committee Ballot

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT



MAINE MUNICIPAL ASSOCIATION

Risk Management Services

60 Community Drive
PO Box 9109
Augusta, Maine 04332-9109

A-3-A

Telephone No.
(207) 626-5583
(800) 590-5583 Maine Only
RMS Fax (207) 626-0513
Fax (207) 624-0127

June 8, 2010

Sergeant Christian Bailey
Hampden Police Dept.
106 Western Ave
Hampden, ME 04444

RE: Safety Enhancement Grant Program Application for May 2010

Dear Sergeant Bailey:

The selection committee has reviewed your application and is pleased to approve your request. This grant is to be used exclusively for purchasing the 3 extender kits, radios, and repeaters for the public safety vehicles, as stated in your application.

The grant is intended to cover two-thirds of your cost up to, but not exceeding \$1,340.00. When your project is complete, please send us proof of payment (cancelled check, treasurer's warrant, "paid" stamped invoice, etc.) so that reimbursement can be made. The grant must be used within one year from the date of this letter or it will be withdrawn.

We have enclosed a press release that may be used to announce your Safety Enhancement Grant to your community. If you have any questions, please call Debbie Balmer at 624-0140 or contact me directly at 624-0138. Congratulations on your grant! We appreciate your interest in workplace safety.

Sincerely,

Edward MacDonald
Loss Control Manager

cc: Susan Lessard, Town Manager

App: 2149

PRESS RELEASE

For Immediate Release

Municipal Officials are pleased to announce that the Town of Hampden has received a Safety Enhancement Grant awarded by the Maine Municipal Association in the amount of **\$1,340.00**.

The Safety Enhancement Grant and Scholarship Grant programs offer financial incentives to members of the Maine Municipal Association Workers Compensation Fund. These grants are used to purchase safety equipment or services that assist in reducing the frequency and severity of workplace injuries. Improving workplace safety for municipal employees saves taxpayers money by reducing lost hours at work, cost of insurance claims and overtime expenses for employees who might have to fill in for injured co-workers.

The Maine Municipal Association has been awarding safety grants to Members of their Workers Compensation Fund since 1999. The Grant program has assisted municipalities by bestowing more than **\$2 million** through funding of **1632** Safety Enhancement Grants and **329** Scholarship Grants.

Ed MacDonald, Loss Control Manager for Maine Municipal Association, advises the program received **176** applications for this grant period and **\$150,274** was awarded. Grants are awarded in May and October each year.

For more information about any of the Maine Municipal Association Risk Management Service programs, including Safety Enhancement Grants eligibility and applications, please visit their website at www.memun.org and click on the Risk Management Services link, or call at 1-800-590-5583.



IN THE MATTER OF

NEW ENGLAND WASTE SERVICES OF)	SCHEDULE OF
ME, INC. d/b/a/ PINE TREE LANDFILL)	COMPLIANCE
358 EMERSON MILL ROAD, HAMPDEN)	
PENOBSCOT COUNTY, MAINE)	(38 M.R.S.A. § 1310-N(6))
SPECIAL WASTE LANDFILL)	
#S-01987-WD-GZ-N)	AMENDMENT #2

The Department of Environmental Protection (“DEP”) has established this amendment to the Schedule of Compliance (“SOC”) dated October 26, 2006 for New England Waste Services of ME, Inc. d/b/a Pine Tree Landfill (“PTL”) pursuant to authority codified in the *Maine Hazardous Waste, Septage, and Solid Waste Management Act*, 38 M.R.S.A. §1310-N(6), and promulgated in the Maine Solid Waste Management Regulations (“Rules”), 06-096 CMR 400 and 401, and after consultation with the Town of Hampden (“Hampden”). In support of this amendment to the SOC, the DEP finds the following facts:

1. PTL is organized under the laws of the State of Maine. PTL is listed as being in good standing by the State of Maine Bureau of Corporations, Elections and Commissions.
2. On October 26, 2006, PTL, the DEP and the Town of Hampden finalized a SOC (“the existing SOC”) intended to facilitate the orderly closure of the Secure III Landfill Expansion and to document the understandings between the 3 parties concerning the phased closure of the landfill and the operation of the landfill throughout the phased closure process. This amendment to the existing SOC is intended as a vehicle to complete the orderly closure of the Secure III Landfill Expansion through documentation of the understandings set forth herein.
3. In accordance with paragraph 12.L of the existing SOC, PTL submitted a phased closure plan for the Secure III Landfill Expansion on March 30, 2007. The DEP approved the phased closure plan on June 23, 2008 (DEP license #S-001987-WN-HC-N).
4. On June 5, 2009, PTL, the DEP and the Town of Hampden finalized an amendment to the SOC authorizing PTL to dispose a limited amount of front-end processing residue from Maine incinerators in the landfill between June 4, 2009 and December 31, 2009 to ensure PTL could meet the pre-closure grades approved in the closure plan for the landfill and to provide organic matter in an effort to increase landfill gas production delivered to PTL’s landfill-gas-to-energy plant.

NEW ENGLAND WASTE SERVICES OF	2	SCHEDULE OF
ME, INC. d/b/a/ PINE TREE LANDFILL)	COMPLIANCE
358 EMERSON MILL ROAD, HAMPDEN)	
PENOBSCOT COUNTY, MAINE)	(38 M.R.S.A. § 1310-N(6))
SPECIAL WASTE LANDFILL)	
#S-01987-WD-GZ-N)	AMENDMENT #2

5. PTL has now complied with the agreements specified in paragraphs 12.A through P of the existing SOC; the actions in paragraphs 12.Q and R are specified to occur at future dates.
6. Paragraph 12.J of the SOC reads as follows: "No later than December 31, 2009, PTL shall permanently cease the acceptance of all solid waste at the landfill." As noted in paragraph 5 of this amendment, PTL ceased the acceptance of waste on or before December 31, 2009, as specified in paragraph 12.J of the SOC. In accordance with paragraph Q of the SOC, PTL is currently placing the final cover system on the last phase of the landfill closure. As part of the closure of the last phase, PTL must remove the existing access road for the landfill, and place fill to bring the road area to the final base grades. PTL requests approval to use approximately 2,500 cubic yards of construction and demolition debris processing fines, or equivalent non-putrescible wastes, as construction fill for this purpose, in place of native materials.
7. Based on the findings of fact in this amendment, paragraph 12.J of the existing SOC is hereby amended to allow PTL to bring in approximately 2,500 cubic yards of construction and demolition debris processing fines, or equivalent non-putrescible wastes, for use as construction fill during the closure of the final phase of the Secure III Landfill Expansion. The wastes used as construction fill will meet the project specifications, and the quantity of wastes brought in will be limited to the amount needed to meet the approved design grades.
8. All other facts and requirements of the SOC remain as stated and agreed to in the existing SOC dated October 26, 2006.

IN WITNESS WHEREOF the three parties hereto have executed this second amendment to the existing SOC consisting of three (3) pages.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  FOR DATE: 0/15/10
 David P. Littell, Commissioner

NEW ENGLAND WASTE SERVICES OF ME, INC. d/b/a/ PINE TREE LANDFILL 3 SCHEDULE OF
358 EMERSON MILL ROAD, HAMPDEN) COMPLIANCE
PENOBSCOT COUNTY, MAINE) (38 M.R.S.A. § 1310-N(6))
SPECIAL WASTE LANDFILL)
#S-01987-WD-GZ-N) AMENDMENT #2

NEW ENGLAND WASTE SERVICES OF ME, INC. d/b/a PINE TREE LANDFILL

BY:  DATE: 5/25/10
Brian Oliver, Region Vice President

TOWN OF HAMPDEN

BY:  DATE: 6-2-2010
Susan Lessard, Town Manager

PTL SOC amendment May 2010/ cwd



PO Box 8180
Portland, ME 04104

A-3-C

Dear Town/City Manager,

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

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

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

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

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

Sincerely,

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

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

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



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

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

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

The following programming changes are scheduled to take place:

HBO West HD and Showtime West HD will be removed from our channel line ups on or after July 2, 2010

Fox Movie Channel will move from our Digital Tier to our Movie Tier effective June 30.

FUEL will be removed from our Digital Plus line up on/after June 5.

We will be adding the following programming to the Movie Tier:

Vutopia On-Demand.

New & World On-Demand will change its name to History & Nature On-Demand.

Fox Soccer Plus will be added across our service area by June 30, 2010.

In Brownville area, TV 5 will be relocated from Standard to Premium Tier effective on or after July 2, 2010.



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

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

TR GINISE PAVING
268 CURTIS ROAD
MONROE ME 04951

A-3-d

June 15, 2010

Ms Susan Lessard
Mr Galen Swan
106 Western Ave
Hampden ME 04444

Dear Ms Lessard and Mr Swan:

It has been a pleasure working with you this year. Thank you for your time and effort with this job. We hope the experience was as enjoyable for you as it was for us. We sincerely hope to have the pleasure again in the near future.

Sincerely yours,



Kathy Urquhart
Office Manager

LURA HOIT POOL

A-4-a

Annual Board Meeting Minutes ~ 5/11/10

Cedena McAvoy brought the meeting to order at 7:02 pm.

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

The secretary's minutes were accepted as presented.

The Director's Report:

- ~ The number of participants in April was down 557 people and daily receipts were up \$1,793 compared to last year.
- ~ The pool rental income was up \$60 compared to last year.
- ~ The monthly fuel usage went up by 54 gallons compared to last year.
- ~ Swim lessons for session III had 247 participants, which is up 6 students and an increase of \$248 compared to last year. Private lessons had 33 people enrolled for a total of 280 participants. The private lessons were up \$120 compared to session III last year.

The treasurer's report was accepted as presented.

The elections for the 2010-2011, one-year officer positions were held. Cedena McAvoy and Greg Hawkins will be co-chairpersons, Mary Ellen Conner will serve as secretary and Jim Feverston will serve as treasurer. The slate of officers was passed 7-0. See attachment.

The by-laws were reviewed and discussed by the board.

The investment policy discussion was tabled until next month due to John's absence.

The board will be designing and ordering Lura Hoit Pool t-shirts to sell as a fundraiser. They will be using Brandywine Graphics in Winterport. Karen and Cedena will oversee the process.

Darcey had Efficiency of Maine do an energy audit on the pool. They sent a 57-page email with the results, which Darcey and Greg will review and give a quick report at the next board meeting.

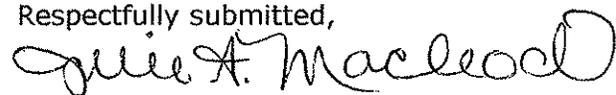
Darcey and Kurt made a deal that his crew will maintain the landscaping around the building in return for use of power and water for the park.

Darcey discussed with the board what she added to the town's comprehensive plan about the pool. She also passed out a rough draft of the Lura Hoit Memorial Pool Advisory Board Handbook. The board members are to read the packet by next months meeting and have ideas prepared for section 3.3 (short and long term goals.)

The board meeting in July will be on July 6th instead of July 13th due to Darcey being on vacation.

Meeting adjourned at 8:10pm.

Respectfully submitted,


Julie A. Macleod

FINANCE COMMITTEE MEETING

MINUTES

June 7, 2010

Hampden Town Office

1. Minutes of 5-17-2010 Meeting – *The minutes of the 5/17/2010 meeting were reviewed. No changes or modifications were made.*
2. Review and Signature of Warrants – *Warrants were reviewed and signed by Finance Committee members with no objections.*
3. Old Business
 - a. Water District – Sewer Reading Update – *The Town Manager updated the Committee on the ongoing discussion with the Water District regarding the cost of quarterly readings. In response to the Town's most recent letter offering to pay \$3600 per year, the District sent a letter requesting backup information that the Town Manager used to arrive at that amount based on amounts charged to other communities.*
 - b. Councilor Internet Payments – Councilor Cushing – *The Committee discussed the current system by which each Councilor is paid up to \$50 per month as a subsidy to offset the cost of home internet that can be used to communicate with constituents. Councilor Cushing stated that he believed that it would be a good faith gesture to the residents on the part of the Council to eliminate that subsidy. That move was not supported by other members in attendance who indicated that the subsidy had value to them in staying in touch with constituents and in helping to offset some of the unpaid time that the Councilors spend working on Town issues at home.*
 - c. State Reduction in Homestead Exemption – Councilor Brann – *Councilor Brann reopened the subject of the Town Council starting a tax exemption system that would allow the Town to award a \$3000 valuation*

exemption to all residents who qualified for the Homestead Exemption in order to prevent the \$47.70 increase that these residents will otherwise see in their tax bills. Although other Committee members indicated support for the idea of exemption – there was considerable concern that such programs place an additional burden on other tax payers.

4. New Business

- a. Tax Refund Request – Walter Cupples – Motion by Andre Cushing, seconded by Janet Hughes to recommend to the full council that Walter and Deborah Cupples receive reimbursement in the amount of \$162.18 for 2009, and \$160.14 for 2008 taxes that were incorrectly assessed. Vote 6-0.

5. Public Comments - None

6. Councilor Comments

- Councilor Cushing wishes to see Planning and Development work on ordinance language that would encourage sharing of entrances on major roadways by commercial/business development.
- Councilor Shakespeare would like to see a Town Emblem on the podium in the Council Chambers so that viewers watching from home can see it when people are speaking from the podium
- Mayor Arnett requested that the Town Manager provide a session for the Finance Committee on the Town's current Personnel Policy and its administration and a session on the Town's compensation policy and its administration at upcoming meetings.

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,
Susan Lessard
Town Manager

June 2, 2010

Susan Lessard
Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

**RE: Pine Tree Landfill
Monthly Report of Landfill Complaints**

Dear Susan:

During the Month of May 2010, no complaints were received pertaining to Pine Tree Landfill.

If you should require any additional information, please feel free to contact me at 862-4200, ext. 245.

Sincerely,



Tom Gilbert
Environmental Compliance Manager
Pine Tree Landfill

CC: Cyndi Darling, MDEP
Wayne Boyd, Casella Waste Systems, Inc.
Don Meagher, Casella Waste Systems, Inc.
Toni King, Casella Waste Systems, Inc.

C-1-a

**TOWN OF HAMPDEN
PUBLIC NOTICE**

Notice is hereby given that the Hampden Town Council will hold a public hearing at 7:00 pm on Monday, June 21, 2010 at the Hampden Municipal Building for consideration of the entire FY 2011 proposed town budget.

**PROPOSED 2010
HAMPDEN TOWN BUDGET**

ACCOUNT NUMBER	ACCOUNT NAME	PROPOSED BUDGET 2010
01-01	ADMINISTRATION	\$548,984.00
01-02	GIS/IT	\$101,962.00
01-03	COMMUNICATIONS	\$28,148.00
01-05	TOWN COUNCIL	\$36,588.00
01-10	MUNICIPAL BUILDING	\$107,907.00
01-15	TAX COLLECTOR	\$6,000.00
01-20	ELECTIONS	\$12,963.00
01-25	PLANNING/ASSESSING	\$246,836.00
01-30	ECONOMIC DEVELOPMENT	\$86,734.00
05-03	NON-DEPT. UTILITIES	\$426,172.00
05-01	POLICE	\$958,309.00
05-05	FIRE DEPARTMENT	\$895,030.00
05-10	PUBLIC SAFETY	\$171,933.00
10-01	PUBLIC WORKS	\$1,280,237.00
10-05	MUNICIPAL GARAGE	\$28,740.00
15-10	SOLID WASTE	\$381,915.00
20-01	RECREATION	\$132,530.00
20-10	DYER LIBRARY	\$232,421.00
20-20	LURA HOIT POOL	\$324,469.00
20-25	MARINA	\$500.00
25-10	THE BUS	\$52,000.00
30-10	BUILDINGS & GROUNDS	\$85,475.00
38-00	OUTSIDE AGENCY REQUESTS	\$22,241.00
40-10	GENERAL ASSISTANCE	\$10,000.00
50-10	DEBT SERVICE	\$469,721.00
55-00	RESERVES	\$291,300.00
67-10	TIF	\$50,000.00
GROSS	MUNICIPAL BUDGET TOTAL	\$6,989,115.00
LESS	MUNICIPAL REVENUES -	\$3,624,618.00

= NET	MUNICIPAL BUDGET TOTAL	\$3,364,497.00
	SAD #22 TAXATION AMOUNT	\$5,145,805.88
	COUNTY TAXATION AMOUNT	\$633,244.00

ESTIMATED TOTAL TAXATION REQUIREMENT \$9,143,546.88

As proposed, the 2011 Budget should result in a tax rate of \$15.90 per thousand, the same as 2010.

Proposed FY 2011 budget figures are as of 6/7/10.

Copies of the proposed FY 2011 Budget are available for public inspection at the Hampden Town Office.

TOWN OF HAMPDEN

PUBLIC NOTICE

Notice is hereby given that the Hampden Town Council will conduct a public hearing at 7:00 p.m. on Monday, June 21, 2010 at the Hampden Municipal Building Council Chambers, 106 Western Ave. to hear the following:

1. Adoption of proposed Ordinance Enacting a Moratorium on Medical Marijuana Dispensaries and Sites of Marijuana Cultivation – This ordinance would establish a 180 day moratorium to allow for the study, review, and development of recommendations for changes to the Zoning Ordinance and other applicable laws and regulations because the Town's existing ordinances are not adequate to prevent any serious public harm and/or overburdening of public facilities that may be the result of the location of Marijuana Dispensaries and Sites of Marijuana Cultivation in the Town of Hampden.

Copies of the proposed Ordinance Enacting a Moratorium on Medical Marijuana Dispensaries and Sites of Marijuana Cultivation are available for review at the Town Office or online at www.hampdenmaine.com.

Denise R. Hodsdon
Town Clerk

Medical Marijuana Moratorium

Ordinance, Enacting a Moratorium on Medical Marijuana Dispensaries and Sites of Marijuana Cultivation

WHEREAS, a referendum was passed by the Maine voters liberalizing the laws relating to Marijuana Dispensaries; and

WHEREAS, the State of Maine Department of Health and Human Services adopted emergency Rules Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 122), effective May 5, 2010; and

WHEREAS, the Maine Department of Health and Human Services, Division of Licensing and Regulatory Services, has issued a Request for Applications for non-profit corporations to become dispensaries for growing and dispensing marijuana to registered patients under the Maine Medical Use of Marijuana Act (Title 22 M.R.S. §§2421-2430-A); and

WHEREAS, the potential location of Marijuana Dispensaries and Sites of Marijuana Cultivation in the Town of Hampden raises legitimate and substantial questions and concerns about the impact of such facilities on the Town of Hampden, including questions of the adequacy of streets for additional traffic; the compatibility of Marijuana Dispensaries and Sites of Marijuana Cultivation within existing residential and commercial zones; the potential adverse health and safety effects of the Marijuana Dispensaries and Sites of Marijuana Cultivation on the community; the possibility of illicit sale and use of illegal drugs, misuse of prescribed marijuana, associated criminal activity, and drug related deaths; and the increased burden on the Hampden Police Department; and

WHEREAS, marijuana is illegal to possess under federal law; and

WHEREAS, the State of Maine allows the possession of certain amounts of marijuana, and

WHEREAS, the current Hampden Zoning Ordinance and Comprehensive Plan do not adequately address the concerns listed above; and

WHEREAS, the possible effects of the location of Marijuana Dispensaries and Sites of Marijuana Cultivation has implications for the health, safety and welfare of the Town of Hampden and its citizens; such implications include, but are not limited to, the location of such Marijuana Dispensaries and Sites of Marijuana Cultivation proximate to schools, residential areas, and public ways; and

WHEREAS, the Town of Hampden needs a reasonable amount of time to study the Zoning Ordinance and Comprehensive Plan to determine the implications of future proposed Marijuana Dispensaries and Sites of Marijuana Cultivation and to develop reasonable regulations governing the location and operations of such treatment facilities; and

WHEREAS, the Town of Hampden, under its home rule authority and its police power, has the authority to impose reasonable restrictions, conditions, and limitations on such a facility; and

WHEREAS, the Council members for the Town of Hampden, through the advice of the Hampden Planning Board and staff, shall study the Hampden Zoning Ordinance to determine the land use implications of Marijuana Dispensaries and Sites of Marijuana Cultivation and consider what locations and conditions of approval might be appropriate for such facilities and such cultivation; and

WHEREAS, the existing Comprehensive Plan, Zoning Ordinance, and other applicable laws and regulations, if any, are not adequate to prevent serious public harm by the development of Marijuana Dispensaries and Sites of Marijuana Cultivation in the Town of Hampden; and

WHEREAS, the Moratorium is necessary to prevent an overburdening of public facilities that is reasonably foreseeable as the result of Marijuana Dispensaries and Sites of Marijuana Cultivation being located in the Town of Hampden; and

WHEREAS, it is anticipated that such a study, review, and development of recommendations will take at least one hundred eighty (180) days;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMPDEN THAT THE FOLLOWING ORDINANCE ENACTING A MORATORIUM ON MARIJUANA DISPENSARIES AND SITES OF MARIJUANA CULTIVATION BE ENACTED:

1. Applicability and Purpose: This moratorium shall apply to Marijuana Dispensaries and Sites of Marijuana Cultivation, as defined below, that may be proposed to be located within the Town of Hampden.
2. Prohibition: During the time this Ordinance is applicable, no officer, official, employee, office, board, or agency of the Town of Hampden shall accept, process, approve, deny, or in any other way act upon any application for a building permit, certificate of occupancy, site plan review, conditional use plan review and/or any other permits or approvals related to such use. No person or organization shall develop or operate Marijuana Dispensaries or Sites of Marijuana Cultivation within the Town of Hampden on or after June 7, 2010.
3. Enforcement, violation, and penalties: If Marijuana Dispensaries or Sites Marijuana Cultivation are established in violation of this Ordinance, each day of any continuing violation shall constitute a separate offense for this purpose. The Town shall be entitled to all rights available to it in law and equity, including its reasonable attorney fees and costs in prosecuting any violations.
4. Definitions: As used in this Ordinance, the following terms have the following meanings:
 - a. "Marijuana" shall have the definition set forth in Title 17-A M.R.S.A. Section 1101 (1) and 10-144 CMR Chapter 122, Section 1.15.
 - b. "Marijuana Dispensaries" means one or more marijuana dispensary, facility or location, whether fixed or mobile, where marijuana is made available to or distributed to any person or entity authorized to receive it under Maine Law.
 - c. "Sites of Marijuana Cultivation" means one or more sites at which marijuana may be cultivated for the specific purpose of making marijuana available to or distributed to any person or entity authorized to receive it under Maine Law.
5. Date: This Ordinance shall apply retroactively to June 7, 2010 and shall remain in effect for a period of one hundred eighty (180) days after said date, unless extended, repealed, or modified by the Hampden Town Council.



C-1-c

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 6/21/2010

Public Hearing: Yes X No

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

NAME: Mae's Convenience Stores, LLC
d/b/a Circle K #7057
Business Name Individual

ADDRESS: 63 Main Rd. North PHONE: 862-4499

MAP/LOT: Map 36, Lots 42-45 DATE: 5/25/2010

DEPARTMENT REPORT:

Inspected on June 14, 2010 and found all
Proper safety requirements to be in
Place.

DATE: 6-14-10

BY: [Signature]
Title: CODE ENFORCEMENT OFFICER

BY: [Signature]
Title: Fire/Building Inspector

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 5.20.10 PHONE NUMBER: 812379.9227X 1347

NAME(S): Maio's Convenience Stores LLC

ADDRESS: Po Box 347 Columbus IN 47202

NAME OF BUSINESS: Circle K #7057

LOCATION OF BUSINESS: 63 Main Rd North

SIGNATURE: Betty Watts

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Ben [Signature]
Code Enforcement Officer

Keith Bamhart
Fire Inspector/Building Inspector

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

Mary Johnson
Tax Collector

Chisa M Leonard
Town Treasurer

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

LICENSE FEE: \$125.00 Date Received/Fee Paid: 5/25/10 \$125.00
(Fee Includes Notice of Public Hearing)

C-3-a

E. Stephen Eyles

June 2, 2010

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

Goodwill Riders Snowmobile Club is in the process of renovating the club snowmobile storage garage (Old Fire Stations) on Western Ave.

This project includes new vinyl siding and steel roofing.
Total cost of these much needed upgrades will likely exceed \$4,500.00

Goodwill Riders would like to ask for a donation from the Town Of Hampden in the amount of \$1,000 toward this project.

Should the town council have any questions or desire any additional information on this subject, please do not hesitate to contact me and I would be pleased to attend the next meeting.

Goodwill Riders Snowmobile Club would also like to thank the Town of Hampden for its continuing participation and support.

Sincerely



Steve Eyles
Trail Master
Goodwill Riders Snowmobile Club



TO: Mayor Arnett and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendments for Rural District Uses
DATE: June 15, 2010

Please be advised that at the June 9, 2010 Planning Board meeting the Board voted unanimously to return the subject amendment to the Council with an "ought-to-pass" recommendation.

This amendment would increase the types and size of buildings that could be considered accessory in this district. Attorney Russell reviewed the draft and made minor changes prior to the referral vote.

TOWN OF HAMPDEN
Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

3.9. Rural District

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

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

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

3.9.4. Lot Dimensions

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

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

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

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

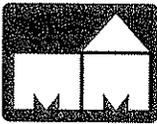
3.9.5. Special District Requirements

1. All buildings for the commercial raising or keeping of animals shall be set back a minimum of fifty (50') feet from side and rear property line. *(Amended: 10-3-94, 12-18-95)*
2. Kennels for the commercial boarding, raising, and training of six or more dogs shall be kept fifty (50') feet from side and rear property lines. *(Amended: 12-18-95)*
3. Accessory structures or buildings associated with single family residences may be larger than the principal building (single family residence) in both building height and total floor area provided that: The accessory building shall function as an accessory use to the residential use and not as a second primary use. The accessory building shall not exceed 5,000 sq. ft. in floor area. The accessory building shall be constructed on a lot of at least 3 acres in size. Accessory buildings that meet these requirements do not require site plan approval.

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

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

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



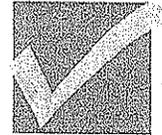
Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

C-4-a

Memorandum

To: Key Municipal Officials of MMA's Member Municipalities
From: John Sylvester, President, Maine Municipal Association
Date: June 8, 2010
Re: Ballots for Election to MMA'S Legislative Policy Committee



MMA's member municipalities have made their nominations for the 2010-2012 Legislative Policy Committee (LPC). It is now time to elect your representatives to serve on the Committee. The election ballot is enclosed. The ballot must be completed by the Board of Selectmen or Town or City Council of your municipality.

Number of votes

Most municipalities are asked to vote for two candidates, because there are two elected LPC members for most districts. Some municipalities only vote for one candidate, because the other LPC member in that district is appointed. *You are instructed on the ballot (above the list of candidates) whether to vote for two candidates or just one.*

Candidate profiles

If you are not familiar with any of the candidates, please review the Candidate Profiles on the back of the ballot. Feel free, also, to contact the candidates directly.

Write-in candidates

In addition to the candidates listed on the ballot, you may vote for a candidate whose name you write in. The write-in candidate need not be from your municipality, but must be an elected or appointed official from a municipality in your Senate/LPC district. *Check to be sure the write-in candidate is willing to serve if elected!* Write-in candidates should be communicating their interest in serving among the municipal officers within their district.

If you are instructed to vote for two candidates and only one candidate is on the ballot, please use the "write-in" line for your second vote, if you know of someone who is willing to serve.

Deadline for returning ballot

Return ballot by 5:00 p.m. on **July 20, 2010** to:

State and Federal Relations Dept.
Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Your participation is important - Thank You!

OFFICIAL BALLOT – District 33

Maine Municipal Association's Legislative Policy Committee
July 1, 2010 – June 30, 2012

VOTE FOR TWO:

- Michael Crooker, Manager, Town of Glenburn**
- Don Carroll, Selectman, Town of Stetson**
- Julia Pike, Assistant Manager, Town of Carmel**
- _____ (name) _____ (position) _____ (municipality)  write in

Candidate Profiles Are On Reverse Side

MUNICIPALITY: _____ DATE: _____

 **BY SELECTMEN/COUNCILORS:**

signature

signature

signature

signature

signature

print name

Return by 5:00 p.m., July 20, 2010, to:

Laura Veilleux, Maine Municipal Association
60 Community Drive, Augusta, ME 04330
Fax: 624-0129

(over)

LPC Senate District 33

Carmel	Etna	Levant
Charleston	Exeter	Newburgh
Corinna	Garland	Newport
Corinth	Glenburn	Plymouth
Dexter	Hampden	Stetson
Dixmont	Kenduskeag	

Candidate Profile:

Michael Crooker has served as Manager for the Town of Glenburn for the past five years. He has also served as Manager in the Town of Bradley and also held the titles of Tax Collector, Treasurer, Clerk, General Assistance Administrator, Registrar of Voters, Personnel Director, Animal Control Officer and Road Commissioner. Prior to that he worked in education. Michael's public service includes nomination by MMA as Member of the Maine Animal Welfare Advisory Council, Member of Governor's Interagency Task Force, Board of Directors of Penquis CAP, Board of Directors Maine Resource Recovery Association, Board Member Penobscot River Tourism Association, President of Graduate Association of Public Administrators and Notary Public. Mr. Crooker has served on the LPC in the past and would like to serve again to work on such issues as taxation, cost shifting and unfunded mandates.

Donald Carroll has served as Selectman in the Town of Stetson for the past twenty years. He has also served as Assessor and Overseer of the Poor. He has previously served on the LPC from 2002-2006 and 2008-2010. He would like to serve again because he likes to represent small towns that have a more difficult task of making up revenue cuts from the state than the larger municipalities do.

Julia Pike is the Assistant Town Manager in Carmel and has worked at the town office since 1996, covering such positions as Clerk, Registrar of Voters, Municipal Agent, Deputy Treasurer and E-911 Director. She also oversees the office and helps out on the counter and serves as Sexton of the Cemetery. She has also served as Vice President and President of the Penobscot Clerks Association. Julia has served this past term on the LPC and would like to serve again because she finds that by attending the meetings she gets a better overview of the proposed legislation and what effect it would have on the state as a whole.