

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

April 5, 2010

7:00 P.M.

♦ 5:45 pm – Finance Committee Meeting

A. CONSENT AGENDA

1. SIGNATURES

- a. Treasurer's Warrants

2. SECRETARY'S REPORTS

- a. November 9, 2009
b. November 16, 2009
c. January 19, 2010
d. March 1, 2010
e. March 15, 2010

3. COMMUNICATIONS

- a. United Way Thank You Letter – 3/25/2010

4. REPORTS

- a. Economic Development Director Report – 3/16/10
b. 2008 Geotechnical Monitoring Report – Pine Tree Landfill
c. Infrastructure Committee Meeting Minutes – 3/22/2010
d. Finance Committee Meeting Minutes – 3/15/2010

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Renewal of Victualers License received from Laurie Lee d/b/a Coffee Break Café, 75 Main Road North

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

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

3. UNFINISHED BUSINESS

- a. 2010 Paving Bid Award – Infrastructure Committee Recommendation
- b. Public Works Truck Bid Award – Infrastructure Committee Recommendation
- c. DEP Shoreland Zoning Approval – Required Changes
- d. Water District Minutes/Response – 3/23/2010
- e. Zoning Ordinance Text Amendment – Section 7.2 re Animal Definitions – Introduction for Public Hearing

4. NEW BUSINESS

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

TOWN COUNCIL MINUTES**November 9, 2009**

The regularly scheduled meeting of the Hampden Town Council was held on Monday, November 9, 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, Andre Cushing, Thomas Brann, William Shakespeare, Jean Lawlis, Janet Hughes and Shannon Cox

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne

A. CONSENT AGENDA

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

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA**1. PUBLIC HEARINGS**

There were none.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS**a. ELECTION RESULTS – NOVEMBER 3, 2009**

Town Clerk Denise Hodsdon reported the results of the Municipal Election and the Official Return of Votes was circulated for signatures of the Council.

3. UNFINISHED BUSINESS**a. REAL HEROES BREAKFAST – RED CROSS**

Councilor Cox, who is the Executive Director of the Red Cross, informed the Council that this is an annual fundraising event for the Red Cross and will be held on November 19th. Hampden resident Brooke Staton is one of the hero reward recipients this year. The Red Cross is requesting that the

Town become a sponsor of this event and Manager Lessard suggested that the Council could sponsor a table at a cost of \$500.00.

Motion by Councilor Lawlis, seconded by Councilor Shakespeare to sponsor a table – Vote: 6-0 in favor; Councilor Cox abstained.

b. SHORELAND ZONING UPDATE – TOWN PLANNER

Town Planner Bob Osborne explained the purpose of the ordinance and updated the Council on the status of the draft Shoreland Zoning Ordinance. The Planning Board will hold a public hearing on the draft ordinance and map on November 18, 2009 and then it will be sent back to the Council with a recommendation.

c. SEWER COMMITMENT – 3RD QUARTER 2009

Motion by Councilor Cushing, seconded by Councilor Hughes to commit sewer user rates for the 3rd quarter – unanimous vote in favor.

4. NEW BUSINESS

a. LIQUOR LICENSE RENEWAL – COUNTRYMEADOW, INC. d/b/a PIZZA GOURMET

Motion by Councilor Cox, seconded by Councilor Hughes to approve the application – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Cox reported that the Services Committee met to interview various applicants for Town committees. The Committee will have recommendations for appointment at the next Council meeting. The Services Committee will meet again tomorrow night at 6:00 pm.

Councilor Cushing reported that the Committee on Committees met last week and is focusing on preparing orientation materials for the advisory boards and committees.

Councilor Cushing further reported that the Planning & Development Committee also met last week and discussed several topics including shoreland zoning. The next meeting will be at 6:00 pm on December 2nd.

Councilor Brann reported that the Infrastructure Committee had its semi-annual meeting with the Hampden Water District on September 28th and at the request of the Water District, the Town has agreed to make a loader available to the Water District to help clear bulk snow around fire hydrants. The District will compensate the Town at the hourly rental rate the Town pays for the loader. Water District Trustees also informed the Committee that Bangor Water District is anticipating up to a 15% rate increase, which will trickle down to Hampden.

Manager Lessard reported that at its meeting earlier in the evening, the Finance Committee signed the Treasurer's Warrants and reviewed financial reports. She reported that tax collection is at 49.66% and revenues are doing very well. The

Committee also recommended that the Council have another goals and objectives session before the end of the year and that meeting was scheduled for 6:00 pm on November 30th.

E. MANAGER'S REPORT

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

F. COUNCILOR'S COMMENTS

Councilor Hughes commended Town Staff for its work on the Draft Shoreland Zoning Ordinance and because this is such an important item she encouraged anyone with questions to go to the Town Office to talk with staff. She congratulated Councilors Cushing, Cox and Arnett on their re-election to the Council.

Councilor Shakespeare said that several residents have asked what the Town is going to do with our trash when the landfill closes. Manager Lessard explained that our trash goes to PERC and our construction and demolition debris goes to another facility, not the landfill, so the closure will have no impact.

Councilor Lawlis informed everyone that the exploratory dog park committee will be meeting at 6:00 pm this Thursday in the Community Room.

Councilor Brann said he has heard from some residents asking if they need to wait for the special waste collection weekends to dispose of bagged leaves at the Transfer Station. He wanted everyone to know that they can bring them any time and put them in the compactor. Councilor Brann further commented that while at a meeting recently, he heard some positive comments relative to Hampden's Development Team and people are saying that Hampden is now a business-friendly community. He thanked the Staff for developing this new team and plan.

G. ADJOURNMENT

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



Denise Hodsdon
Town Clerk

MANAGER'S REPORT
November 9, 2009

Halloween – The Public Safety department and Edward's Shop n' Save did a great job again this year on the Halloween party for local children. It was a very well-attended event!

PUC Grant – We are preparing an application for grant funding through the PUC for replacement of the boilers at the Town Office and the Library. There are monies available for energy efficiency and given our success with the change-out at the pool, we could do equally well at this facility. If the grant is successful, we would need to provide a 10% match, which in this case would be \$8,500.

December 7th meeting – I will be having surgery on Monday, December 7th but will be back to work within two weeks, in time for the meeting on the 21st. Does the Council want to hold the December 7th meeting without me or just hold one regular meeting in December, and one special meeting for the Goals and Objectives session?

Newsletter – The deadline for the next edition of the newsletter is December 14th to editor Annie O'Reilly.

Landfill Closure Update – According to landfill personnel, the current waste stream at Pine Tree is the 'soft layer' required for shaping for final closure. The soft layer may include ash or FEPR or contaminated soils and fines. The landfill has therefore curtailed acceptance of construction and demolition debris and the overall traffic to the landfill itself has been reduced as a result. A limited amount of additional c & d may be required prior to final waste delivery, which can be no later than 12/31/09.

Assessor Applications – We have received a number of good prospects for the assessor position thus far. I will be setting up initial interviews for the week of the 17th and 2nd interviews with a panel including some councilors for the period from 11/30 – 12/3. One councilor has indicated an interest in participating, if there are one or two more – please let me know.

TOWN COUNCIL MINUTES**November 16, 2009**

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

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne

Bradley Wiseman and representatives of Wiseman Spaulding Designs

A. CONSENT AGENDA

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

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA**1. PUBLIC HEARINGS**

There were none.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS**a. SERVICES COMMITTEE RECOMMENDATIONS:**

1. JOHN WEINMANN – POOL BOARD OF TRUSTEES
2. PATRICK FOLEY – POOL BOARD OF TRUSTEES
3. GREG HAWKINS – POOL BOARD OF TRUSTEES
4. WENDY FLANNERY – RECREATION COMMITTEE
5. LARRY BRUEN – TREE BOARD

The Services Committee interviewed the applicants and unanimously recommends appointment of all.

Motion by Councilor Cox, seconded by Councilor Cushing to accept the recommendation of the Services Committee and appoint all applicants as listed.

3. UNFINISHED BUSINESS

a. MRC BOARD OF DIRECTORS BALLOT

Upon the recommendation of Manager Lessard, Councilor Cushing moved and Councilor Brann seconded to cast a vote for Robert Farrar of Bangor – unanimous vote in favor.

b. BRADLEY WISEMAN APPLICATION FOR ADDITION TO HISTORIC LANDMARK DESIGNATION

Town Planner Bob Osborne explained that this application is to modify the basis under which Mr. Wiseman's property, the Thomas Penneman Stetson House, was adopted as a historic landmark. The nature of the amendment is to include a somewhat larger land area to the landmark and to add a new barn-like structure that will replace a building that had been on the property until it collapsed and was removed in the 1970's. Mr. Wiseman hopes to expand his antiquity tile business into the new building.

Bob reported that the Planning & Development Committee has reviewed the application and has no reservation about its review and potential acceptance by committees of oversight. The Historic Preservation Commission has reviewed the application and granted the Certificate of Appropriateness for the proposed new barn building and recommended that the Town Council approve the amendment to the historic landmark designation with regard to the land area and the construction of a barn as described in the application materials.

Motion by Councilor Cushing, seconded by Councilor Shakespeare to accept of the proposal of the Historic Preservation Commission in regard to this application – unanimous vote in favor.

c. NEXT COUNCIL MEETING DATE DISCUSSION

Manager Lessard is having surgery on December 7th and asked whether the Council wanted to hold their regular meeting scheduled for that same date without her. Following brief discussion, motion by Councilor Brann, seconded by Councilor Cushing to hold the meeting on December 7th – unanimous vote in favor.

d. INSTITUTIONAL BUILDING DEFINITION – ZONING ORDINANCE AMENDMENT – REFERRAL TO PLANNING BOARD (PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATION)

Upon the recommendation of the Planning & Development Committee, motion by Councilor Cushing, seconded by Councilor Hughes to refer this to the Planning Board – unanimous vote in favor.

- e. **CONDITIONAL USES IN COMMERCIAL SERVICES DISTRICT – ZONING ORDINANCE AMENDMENT – REFERRAL TO PLANNING BOARD (PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATION)**

Town Planner Bob Osborne that this adds a conditional use to allow water dependent uses without limitation of size or height. Upon recommendation of the Planning & Development Committee, Councilor Cushing referred this item to the Planning Board.

- f. **ISSUANCE OF BUILDING PERMITS ON SUBDIVISION LOTS – ZONING ORDINANCE AMENDMENT – REFERRAL TO PLANNING BOARD (PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATION)**

Upon recommendation of the Planning & Development Committee, Councilor Cushing referred this to the Planning Board.

- g. **OUTDOOR WOODFIRED BOILER ORDINANCE AMENDMENTS – REFERRAL FOR PUBLIC HEARING (PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATION)**

Town Planner Bob Osborne noted that the purpose of these amendments is to more closely follow state regulations. He pointed out that current boilers would be grandfathered. At the recommendation of the Planning & Development Committee, Councilor Hughes introduced this item for public hearing on December 21st.

4. NEW BUSINESS

There was none.

D. COMMITTEE REPORTS

Councilor Cox reported that the Services Committee met last week and recommended further investigation into the MSAD #22 trail work. Town Staff is going to revisit the outdoor facility proposed ordinance change and bring back to the Committee. The Committee discussed a new circulation desk for the library and asked the Library Director to put together a list of needs in terms of functionality of that desk and include that in the request for bids. There was some discussion around the bylaws of the Library Board, Pool Board and Recreation Committee and it was recommended that the Committee on Committees review the bylaws of those boards. There are a number of applicants for the Friends of Dorothea Dix Park and the Services Committee will be conducting interviews on November 24th beginning at 5:00 pm.

Councilor Cushing reported that the Communications Committee will meet at 6:00 pm on December 3rd and Committee on Committees will meet at 7:00 pm that same evening. The Planning & Development Committee will meet at 6:00 pm on December 2nd.

Councilor Lawlis reported that she attended an informational meeting for those who are interested in the Friends of Dorothea Dix Park. They looked at the original plans and photographs of the park as it looked 200 years ago. There was also a presentation by the Historical Society. Councilor Lawlis further reported that the Dog Park Committee has had its third meeting and that committee is making a plea for donations of chain-link fencing. The group has adopted the name "HOTDOG".

Mayor Arnett reported that he will be attending the PVCOC meeting on December 8th for the purpose of assessing that group's future.

Manager Lessard reported that the Finance Committee met earlier in the evening and discussed the Town's Investment Policy and reviewed the status of various Town funds. The Committee also discussed ideas in terms of the upcoming goals and objectives session to be held on November 30th.

E. MANAGER'S REPORT

Manager Lessard reported that Economic Development Director Dean Bennett is still out and will be out for several more weeks.

She reported that a representative of Hodgdon Defense Composites visited her today with an update on their proposal. They have submitted their proposal to the US Government for the construction of high-tech watercraft for the armed forces and don't expect to hear whether they have been selected until some time after the beginning of the year.

The American Flags will be taken down next week for the winter and the holiday lights will be put up at the same time.

The PUC energy grant for the replacement of the boilers in the municipal building will be submitted on Wednesday.

Manager Lessard thanked everyone for their patience with the traffic issues resulting from the Rite-Aid and school construction projects.

She reported that SAD 22 Superintendent Lyons informed her today that Peter Huston, who was just elected to the School Board, is unable to serve on the Board because of his wife's employment with the District. The Council has the option of holding a special election or appointing someone to fill the position until the election next November.

F. COUNCILOR'S COMMENTS

Councilor Cushing commented that it is exciting to see the school progress and the economic development progress on Western Avenue. He wished everyone a Happy Thanksgiving.

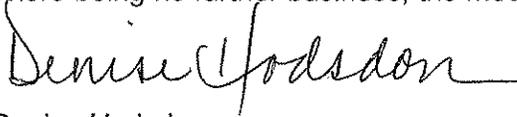
Councilor Brann moved to set aside the rules for the purpose of considering action on the School Board vacancy; Councilor Cushing seconded the motion and vote was unanimously in favor.

Motion by Councilor Brann, seconded by Councilor Cushing to direct the Town Clerk to send out public notice for applicants for appointment to the School Board until the next municipal election in November – unanimous vote in favor. Mayor Arnett designated a committee consisting of himself and Councilors Lawlis, Cox, and Cushing to interview the applicants.

Councilor Lawlis congratulated Manager Lessard on the arrival of her twin grand-daughters.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:24 p.m.

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon
Town Clerk

TOWN COUNCIL MINUTES

January 19, 2010

Due to the Martin Luther King, Jr. Day holiday, the regularly scheduled meeting of the Hampden Town Council was held on Monday, January 19, 2010. The meeting was held at the municipal building council chambers and was called to order by Mayor Arnett at 7:03 p.m.

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

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne and Library Director Debbie Lozito

Water District General Manager Cameron Torrey and Alex King

A. CONSENT AGENDA

Councilor Shakespeare requested that Item A.3.d. be set aside. Motion by Councilor Hughes, seconded by Councilor Cushing to accept the balance of the Consent Agenda – unanimous vote in favor.

A.3.d MAINE BOND BANK – SEWER NOTE REFINANCE

Councilor Shakespeare asked Manager Lessard what this means for the Town. She explained that the 1997 sewer bond with the original principal balance of \$1,500,000.00 had a refinancing through the Bond Bank resulting in a savings to the Town of \$40,476.55 in interest. That amount was refunded to the Town and has been put back into the sewer fund. Motion by Councilor Shakespeare, seconded by Councilor Hughes to accept Item A.3.d. – unanimous vote in favor.

B. PUBLIC COMMENTS

At the request of Councilor Shakespeare, Manager Lessard asked Water District General Manager Cam Torrey to update the Council and public on the issue of lead in the town's water. Mr. Torrey explained that this is really nothing new and it is not a problem with the water within the system, but with the plumbing in people's homes. For the last ten years the District has been having testing problems with lead in the drinking water. EPA requires that once you fail lead testing, it must be done semi-annually. The District takes 40 samples every six months and they have been failing for the last ten years primarily due to the solder in the older homes. They primarily test homes built prior to 1986 when there was more lead in the solder. Mr. Torrey explained that the water erodes some of the lead out of the soldered joints in the homes and shows up in the testing. It can also be caused by some faucets with higher lead compounds so when the water is initially turned on, it will have a higher sampling of lead. The District has been putting additives in the water to try to boost the

alkalinity, which should coat the pipes in the homes enough to stop the dissolving of the lead in their pipes. The District suggests running the water for a bit before drinking it.

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. APPLICATION FOR RENEWAL OF VICTUALER'S LICENSE RECEIVED FROM WANG & LO, INC. d/b/a FRESH GINGER RESTAURANT AT 64 MAIN ROAD NORTH

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

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

Motion by Councilor Cushing, seconded by Councilor Cox to approve the application – unanimous vote in favor.

- b. APPLICATION FOR RENEWAL OF LIQUOR LICENSE RECEIVED FROM WANG & LO, INC. d/b/a FRESH GINGER RESTAURANT AT 64 MAIN ROAD NORTH

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

Motion by Councilor Cox, seconded by Councilor Cushing to approve the application – unanimous vote in favor.

- c. PROPOSED AMENDMENT TO FEES ORDINANCE – ARTICLE 7.1 – LIBRARY FEES

Manager Lessard reported that the Finance Committee has discussed the proposed amendment and voted 6-1 to recommend approval.

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

Motion by Councilor Cox, seconded by Councilor Cushing to approve the amendment to library fees as proposed – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

- a. APPLICATIONS FOR REAPPOINTMENT – SERVICES COMMITTEE RECOMMENDATION:

1. Anthony Mourkas – Library Board
2. Cheri Condon – Library Board
3. Richard Jenkins – Library Board

4. Fred Jones – Library Board
5. Cedena McAvoy – Pool Board
6. Jim Feverston – Pool Board
7. John Clifford – Recreation Committee

The Services Committee has reviewed all applications and recommends reappointment of all as listed.

Motion by Councilor Lawlis, seconded by Councilor Cox to reappoint the full slate of applicants as recommended by the Services Committee – unanimous vote in favor.

b. APPLICATIONS FOR REAPPOINTMENT – PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATIONS

1. R. Mike Pullen – Historic Preservation
2. Betsy Bass – Historic Preservation

The Planning & Development Committee has reviewed both applications and recommends reappointment of both.

Motion by Councilor Cushing, seconded by Councilor Cox to reappoint both applicants as recommended – unanimous vote in favor.

c. APPLICATIONS FOR REAPPOINTMENT – FINANCE COMMITTEE RECOMMENDATIONS

1. William Devoe – Board of Appeals
2. Russell Lumley – Board of Appeals

Upon recommendation of the Finance Committee, Councilor Cushing moved and Councilor Hughes seconded to reappoint both applicants – unanimous vote in favor.

d. APPLICATION FOR REAPPOINTMENT – INFRASTRUCTURE COMMITTEE RECOMMENDATION

1. Gerry Ouellette – Personnel Appeals Board

The Infrastructure Committee has reviewed the application and recommends appointment. Motion by Councilor Shakespeare, seconded by Councilor Hughes to reappoint Gerry Ouellette to the Personnel Appeals Board – unanimous vote in favor.

3. UNFINISHED BUSINESS

- a. PUBLIC WAYS ORDINANCE TEXT AMENDMENTS – RECOMMENDATION OF PLANNING & DEVELOPMENT COMMITTEE TO INTRODUCE FOR PUBLIC HEARING

Councilor Cushing introduced this item for public hearing.

- b. ZONING ORDINANCE TEXT AMENDMENT RE ANIMAL DEFINITIONS – RECOMMENDATION OF PLANNING & DEVELOPMENT COMMITTEE TO REFER TO PLANNING BOARD

Upon recommendation of the Planning & Development Committee Councilor Cushing referred this item to the Planning Board.

- c. SCHOOL BOARD APPOINTMENT – COMMITTEE RECOMMENDATION

Councilor Cushing reported that the Committee interviewed five applicants and is recommending the appointment of Basil Closson to fill the vacancy on the School Board.

Motion by Councilor Cushing, seconded by Councilor Hughes to appoint Basil Closson to the SAD #22 Board – unanimous vote in favor.

4. NEW BUSINESS

- a. 2008 AMBULANCE FEES ABATEMENTS – FINANCE COMMITTEE RECOMMENDATION

Manager Lessard explained that these uncollected fees from 2008, totaling \$20,839.66 are no longer collectable because the patients were either self-pay or their insurance did not cover ambulance expense or there is a small balance remaining after insurance payments had been applied. Manager Lessard reported that the Finance Committee unanimously recommended abatement of \$20,839.66 of 2008 ambulance receivables.

Motion by Councilor Cushing, seconded by Councilor Cox to approve abatement as recommended – unanimous vote in favor.

- b. REQUEST TO USE TOWN WAY FOR UTILITIES – REFER TO INFRASTRUCTURE COMMITTEE

Manager Lessard received a request from Alex and Darla King for permission to utilize the unbuilt accepted town way off Ichabod Lane to access their building lot for utility service. Mr. King explained to the Council that his only alternative is to go through a resource-protection area, which would require going through the DEP permit process. Mr. King informed the Council that he has contacted Bangor Hydro and they will install and own the line. He will request that Bangor Hydro send a pole permit application to the Town.

Councilor Cox referred this item to the Infrastructure Committee.

D. COMMITTEE REPORTS

Councilor Shakespeare reported that the Infrastructure Committee will meet at 6:00 pm on Monday, January 25th.

Councilor Lawlis reported that the Services Committee met last Monday and heard updates from the Pool Board and Tree Board. The Committee discussed the library fee structure and the potential for a new circulation desk. The Friends of Dorothea Dix Park will be holding its first meeting within the next 30 days. She reported that the Dog Park group will have two meetings in January and welcomes participation of anyone who is interested. They are hoping to get approval and funding in order to have a dog park by the end of summer.

Councilor Brann said now that Economic Development Director Dean Bennett is back, the comprehensive plan process will resume.

Councilor Cushing reported that the Planning & Development Committee discussed the concerns related to the Shoreland Zoning Ordinance at its last meeting and the Committee will meet tomorrow night to resume that discussion. The BEAR program will also be on the agenda.

Councilor Cox reported that the Committee on Committees will meet at 6:30 pm on Tuesday, January 26th.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached.

F. COUNCILOR'S COMMENTS

Councilor Cushing said he had the pleasure of attending an Eagle Scout ceremony for Seth Erickson who created the enclosures for the porta-potties at the recreational fields in town. He offered congratulations and thanks to Seth for what he did for the Recreation Department.

Mayor Arnett noted that Justin Cole was honored as an Eagle Scout this past Saturday. Justin did a number of projects at the pool, including constructing a records board and an information board and he overhauled the seating/storage benches.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:16 p.m.



Denise Hodsdon
Town Clerk

MANAGER'S REPORT

1-19-2010

Newsletter – The January edition of the newsletter was delivered this past weekend. The next edition will be distributed in April 2010.

Transfer Station Decals – A reminder that the Council policy for the issuance of transfer station decals is that vehicles without current year decals will be turned away until they get a new decal as of January 31st.

School Board Meeting Cancellation – The RSU 22 School Board Meeting scheduled for this Wednesday has been cancelled.

Water District Trustees Meeting – I received a copy in the mail today of the Water District Trustees Meeting Agenda for Thursday, January 21st at 4 p.m. That agenda contains an 'action item' relative to "Meter Reading and Cost Sharing with Town". I called the District Superintendent to ask what that was in relation to and he told me that he had been instructed to put it on the agenda by the Board of Trustees along with background information. He indicated that it was related the information that had been shared with the Council in May of 2009 related to the Town picking up half the cost of the District's expense for meter reading for the district - our 'share' being in excess of \$25,000. That information was also on the agenda when the Council met with the Trustees later in 2009, but was not discussed in any detail because the issue of the Town plowing out the hydrants was before the Council. I have a call in to John Quesnel, who the superintendent indicated would likely be the Chair of the Trustees elected at the meeting on Wednesday to ask about this.

Holtra Chem Clean Up Proceeding – The Board of Environmental Protection will be holding the hearing on the appeal of the DEP cleanup order issued in November of 2008 during the last week of January and the first week of February. As the Board Chair, I will be the presiding officer for the hearings, which has been in the planning process for nearly a year. I will still be available by phone for the staff and will make sure that the agenda for the first meeting in February is prepared. I will use vacation time for time taken beyond the normal monthly board meeting requirement.

Dog Park Brochure – Attached is a copy of the brochure designed by Councilor Lawlis for fund-raising for the proposed dog park in Hampden.

TOWN COUNCIL MINUTES

March 1, 2010

The regularly scheduled meeting of the Hampden Town Council was held on Monday, March 1, 2010. The meeting was held at the municipal building council chambers and was called to order by Mayor Arnett at 7:00 p.m.

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

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne, Code Enforcement Officer Ben Johnson and Public Works Director Chip Swan

Citizens

A. CONSENT AGENDA

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

B. PUBLIC COMMENTS

Manager Lessard informed the Council that several people have expressed to Town Office staff that they were upset when turned away from the Transfer Station after February 1st because they did not have their 2010 sticker. Everyone with complaints was informed that they could attend the Council meeting to express their displeasure to the Council.

Hampden resident Bill Leathem expressed his frustration with the way that the Town Council and the Town have crafted how we run the transfer station. He felt that posting a guard at the transfer station on a Saturday to turn away taxpayers without stickers was punitive because it was impossible to get a permit at that time as the Town Office was not open. He said it would seem simpler if we made it more user-friendly and suggested adding \$5.00 to tax bills when they are sent out and ask the people if they want a sticker or to allow people to purchase their stickers at the transfer station on a Saturday at the beginning of the year. He thought this would save time and aggravation on both taxpayers and on the people in the Town Office. He asked the Council to review the policies and make them more friendly at little or no expense to the Town. Mayor Arnett noted that this would be referred to the Infrastructure Committee.

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. ADOPTION OF DRAFT SHORELAND ZONING ORDINANCE AND MAP

Town Planner Bob Osborne noted that the Council held a public hearing on the proposed ordinance in January, at which time it was referred back to the Planning & Development Committee for further review of four specific areas: 1) requirement for a forester to create a plan for timber harvesting; 2) height regulation; 3) definition of "family"; and 4) discussion about what changes could or should be made to the map. After review and discussion, the Committee did not vote to make any changes to the text of the proposed Ordinance, but did recommend that the property lines should be removed from the map.

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

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

Motion by Councilor Brann, seconded by Councilor Hughes to adopt the Shoreland Zoning Ordinance and Map as submitted – unanimous vote in favor.

b. ZONING ORDINANCE TEXT AMENDMENT – ARTICLE 5.3.1 re ISSUANCE OF BUILDING PERMITS ON SUBDIVISION LOTS IN CONJUNCTION WITH PLUMBING PERMITS

Town Planner Osborne explained that these amendments clarify the criteria under which building permits can be issued for houses in new subdivisions; and following issuance of a wastewater disposal permit. The Planning Board has returned an "ought to pass" recommendation.

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

Motion by Councilor Hughes, seconded by Councilor Brann to approve the amendments as presented – unanimous vote in favor.

c. ZONING ORDINANCE TEXT AMENDMENT – ARTICLE 3.3 re CONDITIONAL USES IN COMMERCIAL SERVICES DISTRICT

Town Planner Osborne explained that this amendment would allow buildings in excess of 35 feet under certain criteria and would exempt functionally water-dependent uses along the Penobscot River from the district building height criteria. The Planning Board has returned an "ought to pass" recommendation.

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

Motion by Councilor Cushing, seconded by Councilor Cox to accept the text amendment as presented – Vote: 6-0 in favor; Hughes abstained.

**d. ZONING ORDINANCE TEXT AMENDMENT – ARTICLE 7.2 re
INSTITUTIONAL BUILDING DEFINITION**

The amendment adds a definition for “institutional building” to the ordinance. The Planning Board has returned an “ought to pass” recommendation.

Mayor Arnett opened the hearing. Proponents – none; Opponents – none; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Brann, seconded by Councilor Shakespeare to approve the amendment as proposed – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

**a. Aimee Smith Application for Reappointment to Board of Appeals –
Finance Committee Recommendation:**

Upon recommendation of the Finance Committee, Councilor Cox moved and Councilor Lawlis seconded to reappoint Aimee Smith to the Board of Appeals – unanimous vote in favor.

3. UNFINISHED BUSINESS

**a. PLANNING & DEVELOPMENT RECOMMENDATION TO APPROVE
RENAISSANCE PLANNING ASSOCIATES AS BEAR CONSULTANT**

Manager Lessard explained that this is a Business Expansion and Retention program and is an important tool in engaging existing businesses in the community to determine how the Town can be a resource for them in their continued location in Hampden. She noted that the funding for this program would come from the Economic Development reserve account. Planning & Development Committee Chair Hughes reported that the Committee interviewed three of the firms who submitted bids and felt that the proposal by Renaissance Planning Associates would best match our needs.

Motion by Councilor Hughes, seconded by Councilor Brann to authorize the Town Manager to enter into a contract with Renaissance Planning Associates based on their proposal dated October 1, 2009 in the amount of \$18,500.00 – unanimous vote in favor.

**b. COMPREHENSIVE PLAN PUBLIC PROCESS – SCHEDULE
DEVELOPMENT – COUNCILOR BRANN**

Councilor Brann has discussed with Economic Development Director Dean Bennett how to proceed with the public process of adopting the proposed Comp Plan. They are proposing holding four public meetings with each meeting focusing on an individual district. Following public comment and final draft of the plan, it will need to be returned to the State

Planning Office for review and comment and then the Council will hold a final public hearing for approval. Councilor Brann suggested that these public meetings be considered special council meetings and that we open the public hearing at the first meeting and keep it open through all of the meetings until the final public hearing for adoption.

Following discussion, it was decided that the Council will hold a workshop on March 29th for the purpose of a final review before the public meetings. The public meetings were scheduled for Monday April 26th, Tuesday May 4th, Thursday May 13th and Thursday May 20th, with all meetings starting at 6:00 pm.

c. INFRASTRUCTURE COMMITTEE RECOMMENDATION TO
AUTHORIZE MUNICIPAL BOILER REPLACEMENT PROJECT TO
BE PUT OUT FOR BID

Manager Lessard informed the Council that the Town has received a grant through the Maine Public Utilities Commission in the amount of \$94,350.00 for replacement of the boiler in the municipal building. She pointed out that a similar project at the pool has resulted in a substantial savings in oil consumption. This would be a 33-week project that would take place over the spring and summer once a bid has been awarded. Infrastructure Committee Chair Shakespeare reported that the Committee recommends going out to bid for the project.

Motion by Councilor Shakespeare, seconded by Councilor Lawlis to put the boiler replacement project out to bid – unanimous vote in favor.

d. INFRASTRUCTURE COMMITTEE RECOMMENDATION TO
APPROVE BANGOR HYDRO POLE LOCATION PERMITS – OFF
ICHABOD LANE

Committee Chair Shakespeare reported that the Committee has reviewed the request from a resident for authorization to place utility poles within the unbuilt accepted town way off Ichabod Lane to the home he is building in that area. The Town has received a pole permit application from Bangor Hydro and it is the recommendation of the Public Works Director and the Infrastructure Committee to grant approval of that application.

Motion by Councilor Shakespeare, seconded by Councilor Hughes to approve the application – unanimous vote in favor.

e. INFRASTRUCTURE COMMITTEE RECOMMENDATION TO
PROCEED TO BID FOR MAYO ROAD PROJECT

Infrastructure Committee Chair Shakespeare reported that following two public meetings and discussion of the concerns raised by residents of the Mayo Road, the Committee recommends approval of the revised plan presented by the Public Works Director; i.e. not to have calming islands nor speed bumps, but to have a 4-foot shoulder to allow vehicles to pull over and back into their driveways and to line the lanes at a 10-foot width as a calming measure.

Motion by Councilor Shakespeare, seconded by Councilor Cushing to proceed to bid for the Mayo Road project and for the Town Manager and Mayor to send a letter to Mayo Road residents explaining the Council's decision. – unanimous vote in favor.

f. **INFRASTRUCTURE COMMITTEE RECOMMENDATION TO AUTHORIZE PUBLIC WORKS DIRECTOR TO USE SRF FUNDS FOR CSO MANHOLE REPAIR PROJECT**

Public Works Director Chip Swan explained that the manhole adjacent to the combined sewer overflow (CSO) tanks has a broken line and needs replacement. The Town can use existing State Revolving Loan Fund (SRF) monies that remain from the Route 1A Sewer Project to do the work from the same contractor that did the 1A project.

Councilor Shakespeare reported that the Infrastructure Committee recommends authorization to use the SRF funds. Motion by Councilor Shakespeare, seconded by Councilor Cushing to authorize the Public Works Director and Town Manager to use these funds to repair the CSO manhole problem – unanimous vote in favor.

4. NEW BUSINESS

a. **MONUMENT FUND – REQUEST TO TURN OVER TO TOWN – FINANCE COMMITTEE RECOMMENDATION**

Manager Lessard reported that the Finance Committee has discussed a request by the monument committee to turn over to the Town the fund that is used to add names to the Veterans Memorial and to plant flowers around the memorial. It was the consensus of the Finance Committee that the Town Manager work with the monument committee to draft an agreement for the Town to hold and administer the fund and bring the proposal back to the Finance Committee for review and recommendation to the Council.

b. **SENIOR CITIZENS CLUB – REQUEST FOR CHANGE IN USE OF APPROPRIATION – FINANCE COMMITTEE RECOMMENDATION**

Manager Lessard reported that the Town received a request from the Hampden Senior Citizens Club that monies appropriated annually from the Recreation's Enterprise account in the amount of \$2,000 be turned directly over to the club for their use rather than distributed by Recreation on a per request basis. She reported that the Finance Committee discussed the request and recommends that the budget funding and operation of this item remain the same.

c. **MDOT – REQUEST FOR OVERLIMIT TRANSPORT**

Manager Lessard explained that the Maine Department of Transportation is doing a construction project on I-95 Northbound in the Towns of Carmel, Newburgh, Hermon and Hampden and has requested a permit

for a stated period of time to transport construction equipment that exceeds the legal weight limits, over our roads.

Motion by Councilor Cushing, seconded by Councilor Brann to approve the request for overlimit transport – unanimous vote in favor. The agreement was circulated for signatures of the Council.

d. ARBOR DAY PROCLAMATION

A copy of the proposed proclamation is attached.

Motion by Councilor Brann, seconded by Councilor Cushing to approve the Arbor Day Proclamation – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Shakespeare reported that in addition to the items already reported this evening, the Infrastructure Committee discussed whether or not the Town should explore extending the sewer line the rest of the way across Mayo Road and it was the Committee's recommendation to not go forward with further exploration at this time. There was also discussion about problems with the pitched portion of the pool roof. The Committee directed the Public Works Director to meet with the Town's engineering consultant and bring back a recommended course of action. He further reported that the Committee and Public Safety Director Rogers met with representatives of the Town of Hermon this evening to discuss the possibility of combining some public safety services. The Public Safety Director and staff will meet with Hermon's Town Manager and representatives to come up with some possible proposals to bring back to the Committee.

Councilor Lawlis reported that the Services Committee met on February 8th and heard reports from some of the sub-committees. The Friends of Dorothea Dix Park has had its first meeting and she will have a report of that meeting for the Council at the next meeting. The next meeting of the Services Committee is at 6:00 pm on March 8th.

Councilor Cox reported that the Committee on Committees met last week with the Recreation Director, Pool Director and Library Director and continues work on developing an advisory board handbook. The next meeting is scheduled for 6:00 pm on March 9th.

Councilor Hughes reported that the Planning & Development Committee met two weeks ago and devoted its time to meeting with consultants for the BEAR program. The meeting for this week has been cancelled and the Committee will meet next at 6:00 pm on March 17th.

Manager Lessard reported that the Finance Committee met earlier this evening and reviewed and approved the Treasurer's Warrants in addition to items already discussed by the Council this evening.

E. MANAGER'S REPORT

A copy of Manager's Report is attached hereto.

ARBOR DAY PROCLAMATION

WHEREAS, In 1872, Sterling Morton proposed that a special day be set aside for the planting of trees, and

WHEREAS, the holiday called Arbor Day, was first observed with the planting of more than a million trees in a single state, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in Hampden increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

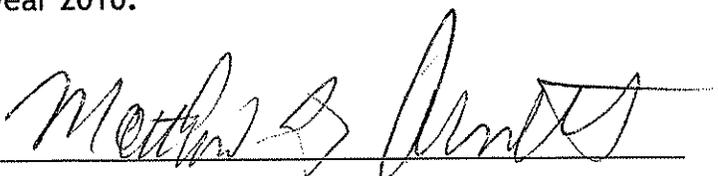
THEREFORE, I MATTHEW ARNETT, MAYOR OF THE TOWN OF HAMPDEN, TOGETHER WITH THE HAMPDEN TOWN COUNCIL, DO HEREBY PROCLAIM MAY 20, 2010 AS

ARBOR DAY

IN THE TOWN OF HAMPDEN, AND WE URGE ALL CITIZENS TO SUPPORT THE EFFORTS TO PROTECT OUR TREES AND WOODLANDS, and

FURTHER, We urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

DATED this 1st day of March in the year 2010.

Mayor 

MANAGER'S REPORT
March 1, 2010

Tax Due Date – A reminder that the second half of property taxes are due by Wednesday, April 7th in order to avoid interest.

HBA – Economic and Community Development Director Dean Bennett and representatives from the firm that will be doing the BEAR program are the featured speakers at the next meeting of the Hampden Business Association at noon on Tuesday, March 2nd at the Angler's Restaurant here in Hampden.

Budget – Department budgets are due the beginning of next week. I will have some preliminary information for the Council by the second meeting in March.

Assessor – Our new assessor fell and injured her shoulder over the past weekend at home but plans on returning to the office for work tomorrow.

F. COUNCILOR'S COMMENTS

There were none.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:52 p.m.

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon
Town Clerk

TOWN COUNCIL MINUTES**March 15, 2010**

The regularly scheduled meeting of the Hampden Town Council was held on Monday, March 15, 2010. The meeting was held at the municipal building council chambers and was called to order by Deputy Mayor Cushing at 7:00 p.m.

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

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: None

Will Dacey

A. CONSENT AGENDA

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

B. PUBLIC COMMENTS

Will Dacey of 849 Kennebec Road informed the Council that he has called the Maine Department of Transportation about the poor condition of the Kennebec Road, but has not received a return call. He asked if there is anything the Town can do to influence the State to look at it. Manager Lessard said there have been several people who have called about the Kennebec Road and we have talked with DOT. According to them, it is on their plans for paving in 2011, but she said she would contact them again to inquire whether there are any updates to their plan.

C. POLICY AGENDA**1. PUBLIC HEARINGS**

- a. There were none.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

- a. Trisha Bruen – Application for Appointment to Friends of Dorothea Dix Park – Services Committee Recommendation

Services Committee Chair Lawlis reported that the Committee unanimously endorsed the appointment. She then moved to appoint

Trisha Bruen to the Friends of Dorothea Dix Park. Councilor Cox seconded the motion and vote was unanimously in favor.

3. UNFINISHED BUSINESS

a. POLICE UTILITY VEHICLE – BID AWARD

Manager Lessard reported that the Finance Committee met with Public Safety Director Joe Rogers to discuss the six bids for replacement of a police utility vehicle. There were bids for several different vehicles, and after some research, the Public Safety Director felt that a 2010 Chevrolet Tahoe would be the best buy for the community and he requested that the Council accept the low bid for a Tahoe from Pratt Chevrolet in the amount of \$29,260.75. The Finance Committee's recommendation was to endorse the Public Safety Director's request.

Motion by Councilor Shakespeare, seconded by Councilor Brann to accept the lowest bid for a Chevrolet Tahoe in the amount of \$29,260.75 from Pratt Chevrolet – unanimous vote in favor.

4. NEW BUSINESS

a. DOG PARK – COUNCILOR LAWLIS

This item was not yet ready for discussion and was postponed until the April 20th meeting.

b. FIRE DEPARTMENT REQUEST – LIFPAK CARDIAC MONITOR – USE OF RESERVE FUNDS

Lt. Coombs of the Fire Department has requested authorization to utilize funds in reserve account #3-747-00 in the amount of \$5,416.64 to upgrade the LifPak 12 Cardiac Monitor on one of our ambulances to match the capabilities of the monitor on the other ambulance. Motion by Councilor Brann, seconded by Councilor Cox to authorize the request – unanimous vote in favor.

c. PERSONAL PROPERTY ABATEMENTS

1. G.R. ADAMS - \$491.27 PRINCIPAL; \$215.90 INTEREST
2. PUBLIC WORKS SUPPLY - \$125.60 PRINCIPAL; \$32.38 INTEREST

Manager Lessard explained that both of these entities are no longer in business and there is no hope of collecting the outstanding personal property taxes.

Motion by Councilor Cox, seconded by Councilor Shakespeare to approve the abatements for G.R. Adams and Public Works Supply – unanimous vote in favor.

d. REQUEST FROM ACANE TO HOLD 2010 SOUADABSCOOK
STREAM CANOE RACE

This is the annual request for authorization for American Canoe Association of New England to hold the Souadabscook Stream Race in the Town of Hampden.

Motion by Councilor Shakespeare, seconded by Councilor Cox to approve the request – unanimous vote in favor.

e. APPLICATIONS FOR RENEWAL OF VICTUALER'S LICENSES

1. BANGOR TENNIS & RECREATION CLUB, 60 MECAW ROAD

Motion by Councilor Brann, seconded by Councilor Cox to approve the application – unanimous vote in favor.

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

Motion by Councilor Shakespeare, seconded by Councilor Hughes to approve the application – unanimous vote in favor.

3. DYSART'S SERVICE D/B/A DYSART'S TRAVEL STOP, 366
COLDBROOK ROAD

Motion by Councilor Brann, seconded by Councilor Hughes to approve the application – unanimous vote in favor.

4. RONALD & BARBARA MCKINNON D/B/A MCK'S VARIETY,
995 WESTERN AVENUE

Motion by Councilor Shakespeare, seconded by Councilor Cox to approve the application – unanimous vote in favor.

5. BRIAN & CINDY CARLISLE D/B/A PIZZA GOURMET, 60
MAIN ROAD NORTH, SUITE A

Motion by Councilor Brann, seconded by Councilor Hughes to approve the application – unanimous vote in favor.

6. KATHY SMITH D/B/A R & K VARIETY, 573 MAIN ROAD
NORTH

Motion by Councilor Brann, seconded by Councilor Hughes to approve the application – unanimous vote in favor.

7. DLLS, INC. D/B/A SUBWAY OF HAMPDEN, 7 WESTERN
AVENUE

Motion by Councilor Hughes, seconded by Councilor Brann to approve the application

D. COMMITTEE REPORTS

Councilor Hughes reported that the next meeting of the Planning & Development Committee will be at 6:00 pm on March 17th.

Councilor Cox reported that the Committee on Committees will meet at 6:00 pm on March 23rd.

Councilor Lawlis reported that the Services Committee met last week and heard a report of the first meeting of the Friends of Dorothea Dix Park. The group is planning its first fundraiser with the goal of restoring water service to the park. The Committee also met with the Trail Master of Goodwill Riders Snowmobile Club regarding the network of trail systems and she noted that it is remarkable that the arrangement with all of the landowners is an at-will arrangement. She expressed gratitude to all of those landowners for allowing this network of trails to cross their land. She also encouraged anyone who uses the trails for any recreational activity to join Goodwill Riders, even if they aren't using them for snowmobiling.

Councilor Shakespeare reported that the Infrastructure Committee will meet next Monday, March 23rd at 6:00 pm.

Manager Lessard reported that the Finance Committee reviewed the current financial statements. She noted that the Town is very healthy fiscally. She reported that she has received budgets from all departments and noted that everyone has held the line or brought their budgets in slightly under last year's budget.

E. MANAGER'S REPORT

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

F. COUNCILOR'S COMMENTS

Councilor Hughes commented that she took a drive out Kennebec Road before the meeting to verify the condition as reported by Mr. Dacey. She agrees that it is in very poor condition and hoped that we could get the Maine DOT to address the safety of the road at the posted speed.

Deputy Mayor Cushing commented that Newsletter Editor Annie O'Reilly is looking for material for the upcoming newsletter and if anyone has an interesting article to submit for consideration, they should contact Annie or drop it off at the Town Office.

Deputy Mayor Cushing then closed Councilor Comments. He noted that Mayor Arnett was unable to attend the meeting and said he would entertain a motion to excuse him. Councilor Hughes so moved; motion seconded by Councilor Cox – unanimous vote in favor.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:34 p.m.

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon
Town Clerk



March 25, 2010

Susan Lessard
c/o Hampden Municipal
106 Western Ave
Hampden, ME 04444-1428

A-3-a

Dear Susan:

Thank you very much for your participation as an Employee Campaign Manager in the 2009 United Way of Eastern Maine Annual Campaign. Without committed volunteers like you, a successful campaign simply would not be possible.

Your help with our efforts this year is very much appreciated, and we are grateful for the remarkable generosity of the organizations and people that share the towns and neighborhoods of those in need.

Earlier this season, I announced that we will have raised \$2,330,000 during this year's campaign. That means that more than 45,000 Eastern Maine people's lives will be improved thanks to generous people like you. By partnering with United Way you are delivering lasting positive change to all of these families and individuals. That makes our whole community a stronger, better place to live for all people.

I hope that you will extend my appreciation throughout your entire organization. On behalf of all of United Way's volunteers and staff, thank you so much for joining so many others in creating sustained change in our communities.

Sincerely,

A handwritten signature in black ink, reading "John Kuropchak". The signature is fluid and cursive, with a long horizontal stroke at the end.

John Kuropchak
President, United Way of Eastern Maine

Enclosure

A-4-a

To: Manager Lessard and Town Council
From: Dean L. Bennett
Director of Community and Economic Development
Subject: March Report
Date: March 16, 2010

I wanted to bring you up to date on the status of various initiatives and activities since my return after surgery. I am pleased to say, it was simply a matter of restarting the engines.

BEAR INITIATIVE:

The Business Expansion and Retention Initiative moves forward at a rapid pace. Our progress/status below:

Completed

- Interviews Completed - completed
- Consultant Selected - completed
- Intro of Consultant to Hampden Business Association – completed

Tentative

- Filming of Newsmagazine Show featuring BEAR Program – 3/16
- Develop Survey with Planning and Development Committee -3/17
- Interviews with 100 businesses/Analysis of Survey – April/May
- Develop Short and Long Term Strategies with P& D – June/July
- Presentation of Findings/Strategies to Businesses – August
- Presentation of Final Product to Council – September

Once adopted, I will begin implementing the short and long term strategies over the next 2-5 years in support of our local and future businesses.

COMPREHENSIVE PLAN:

The Comprehensive Planning Process, which began prior to my arrival here, was rescued, put on track and I am pleased to say has on its final road to adoption. Thanks to the efforts of a dedicated group of volunteers and staff, I am confident

in an eventual consistency finding by the State Planning Office and as equally important, a solid foundation to guide the community over the next 5-10 years.

Completed:

- Plan Drafted by Committee
- Plan Presented to Council
- Council to Implement Public Process
 - Newsmagazine Show on Comp Plan
 - Special Edition of Newsletter

Tentative:

- Completion of Public Process
- Final Council Approval of Plan
- Submission of Plan to State Planning Office for Approval
- Review of State Findings of Inconsistencies/if any
- Revision to Plan to Address Inconsistencies
- Public Hearing on Plan
- Adoption of Hampden Comprehensive Plan
- Implementation of Plan*

*In my opinion, the Council should seriously consider professional assistance in the review of existing land use regulations and the drafting of new land use ordinances to achieve consistency with adopted plan, based on my lengthy experience with these matters.

WATERFRONT DEVELOPMENT:

What will one day be recognized as the beginning of a new Hampden waterfront, the Marina project continues to move forward as both town and business work together toward a mutually beneficial conversion.

Hampden/Hamlin Marine Collaboration

Completed

- Concept of Conversion – business/town
- Determination of Possibility-town
- Determination of Requirements-town
- Benefits and Opportunities Explored – town/business
- Steps to Conversion Application Determined (Four Steps) - town
- Memorandum of Understanding on Approach – town/business
- Step One: Survey of Properties – town/business
- Step Two: Appraisal of Properties – town/business

Decision to Move Forward Based on Results – town/business
Research of Application Process – town
Drafting Outline of Conversion Permit Application – town

Tentative

Step Three: Environmental Assessment of Both Properties – tentative
Determination of Value of Marina Parcel as Reconfigured - tentative
Determination of Terms of Purchase/Sale – tentative
Decision to Move Forward with Application –tentative
Implement Terms/Conditions of Purchase - tentative
Submission of Conversion Application – tentative
Application Approved
Implement Terms/Conditions of Sale
Construction of Parking Area
Development of Site

DEVELOPMENT REVIEW TEAM

The Development Review Process as created and implemented has been under continuing review to ensure the most efficient, effective and timely development review process possible. The team will be meeting this month to evaluate and adjust accordingly. This process will also be the focus of a documentary that Melissa Antononi and I are creating which will feature Anglers Restaurant and their experience in developing in Hampden. I intend to use this as a promo to those businesses interested in locating in Hampden.

COMMITTEE ON COMMITTEE PROJECT:

The Committee on Committee asked me to assist in the development of a process by which the primarily volunteer and Council appointed committees can utilize as an orientation, rules, objectives, short and long term goals, roles and relationships tool to guide their direction and activities. I have provided them with the tool which I feel is most effective in accomplishing that objective. I met with department heads and assisted in the development of their individual "handbook/work-plans*", in order to ensure consistency within in hopes of ultimately developing a model which can be utilized by a diversity of special interests. One primary objective is to ensure consistency with the overall policy direction of the comprehensive plan.

March 25, 2010

Cyndi Darling
Maine Dept. of Environmental Protection
Bureau of Remediation & Waste Management
106 Hogan Road
Bangor, Maine 04401

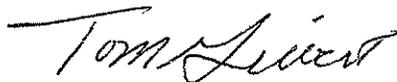
RE: Pine Tree Landfill (PTL)
Response to MDEP Comments – 2008 Geotechnical Monitoring Report

Dear Cyndi:

Please find enclosed, a memo from PTL's Geotechnical Consultant responding to MDEP's comments pertaining to the facility's 2008 Geotechnical Monitoring Report.

If you should require additional information regarding this submission, please feel free to contact me at 862-4200, extension 245.

Sincerely,



Tom Gilbert
Environmental Compliance Manager
Pine Tree Landfill

Enclosures

CC: Toni King, Casella Waste Systems, Inc.
Wayne Boyd, NEWSME Landfill Operations, LLC
Susan Lessard, Town of Hampden
Mike Booth, SME



RICHARD E. WARDWELL, P.E., Ph.D.
Geotechnical and Groundwater Engineer
11710 Old Georgetown Road, Apt. 1605, North Bethesda, MD 20852

(518) 222-5786 office
(518) 222-5786 mobile
arrew1@gmail.com

To: Tom Gilbert, Casella Waste Systems, Inc.

From: Richard E. Wardwell 

Date: March 25, 2009

Re: MDEP Comments – 2008 Geotechnical Monitoring Report (3/1/2010)

In response to your email request dated 3/7/10, I have reviewed MDEP's comments (dated 3/1/2010) on the annual Geotechnical Monitoring Report for 2008 (dated April 2009) and offer the following response to their questions and concerns as stated therein.

Settlement Monitoring

MDEP requested clarification of the calculations performed to estimate liner strain in Phase VIII-A. This analysis was performed using data from a complex spreadsheet calculation that is based on updated, site specific geotechnical parameters measured in the field over the past few years. Specifically, the geotechnical characteristics for the two wastes at the site were derived from instrumentation placed in Phase VIII-A with the following results:

Waste	density γ_w (pcf)	Primary Compression, E_p (psf/ ϵ)	Secondary Compression, α_s (ϵ /day)
Conventional Waste	63.8	42,900	0.000059
Secure III Waste	63.8	55,463	0.000077

source: 2008 GMR (REW 2009)

Using a finite difference analysis with time, the primary compression of the Conventional waste and the existing Secure III waste at each instrument cluster was calculated from the applied load and added to the secondary compression of both waste streams up to that point in time. At each time step, additional waste was continually added to compensate for the primary settlement that occurs from the ongoing waste load. This iterative process continued until incremental difference was negligible. At the end of the year, the liner strain was estimated by calculating the increased liner length due to the differential settlement between the instrument clusters. As expected, the differential settlement between IC-2 and IC-4 is relatively large due to difference in Conventional waste thickness across the short spacing between the ICs.

While other methods could have been used to estimate strain, I believe that this approach, using the updated geotechnical parameters (based on recent field measurements) and the actual waste thicknesses for each location, provides the most accurate method for estimating the unmitigated strain that might be occurring at each location.

It should be noted that the derived value is not to be confused with the actual liner strain since the beneficial effects of bridging, as enhanced by the use of the geogrid placed beneath the liner system, helps to spread out the load and reduce differential settlements - thereby reducing the liner strains and helping to assure the integrity of the retention system. Rather than directly using the magnitude of the liner strains, it is more reasonable to review the change in these values to assess what additional actions, if any, should be taken to mitigate potentially excessive liner strains.

To date, the calculated strains are well within the limits of the synthetic membrane, and, with the support of the geogrid, very likely not adverse to the performance of the clay or GCL components of the liner system. Furthermore, while MDEP was reviewing the 2008 Annual Report, final grades in Phase VIII-A were achieved. By the end of 2009, the estimate liner strain at closure approaches 7% due to the additional loading placed in Phase VIII-A over the past year. This value is not unexpected given the relative difference in Conventional waste thickness in the short span between IC-2 and IC-4 and the relatively thick layer of Secure III waste placed over the original MSW landfill in this area. While this estimated value is still below allowable membrane strains, this issue is somewhat moot at this time since final grades have been reached and this phase will be capped in 2010 - the most reasonable action that could be taken if it was determined that there was a need to mitigate potential liner degradation.

It is anticipated that cover strains during the post-closure period will be much less than those experienced during operations since cover settlements will not be impacted by the large differences in primary settlement that occur during waste placement. Rather, the strain will be predicated only on the secondary compression of the entire waste mass, which is much more consistent between points on the landfill. For instance, it is estimated that only 1.4% cover strain will occur between IC-2 and IC-4 over the first 10 years of the post-closure period. Based on site monitoring to date, it is anticipated the linear rate of secondary compression will have dropped to an exponential decay rate by that time and that further differential settlements will be minimal.

To verify this, post-closure monitoring will be performed to measure actual cover strains. Contrary to the recent department comments, MDEP agreed in its 10/26/09 letter that the Post-Closure Monitoring Plan need not be submitted until this spring to allow for the 2009 data to be evaluated and incorporated into the updated program.

Stability Monitoring

The increased slope stability monitoring performed at SI-3 in 2009 verified the unrealistic values that were obtained from the 2008 survey readings. For the other instruments, while a few erratic readings were recorded in isolated instances, the general pattern, as further confirmed by the VDM readings, indicate that the slope is stable at these locations.

For SI-3, nothing has changed in 2009 from the readings first detected in April 2008. Specifically, the indicated deflections at depth continued to exceed 8-inches in the uphill direction. These observations are counter-intuitive for what might be expected with slope instabilities. Furthermore, additional physical inspections of the slope surface and surrounding area confirmed the readings from the VDMs surrounding this instrument (i.e. VDM-SE5R and -6BR) and indicate that the slope is stable with no discernable movements.

To better reflect the actual movements from this instrument, the readings were re-plotted using the 4/30/08 reading as the baseline value against which future relative movements were determined. While some erratic readings are still detected, most of the measurements indicate a constant position with no apparent trends indicating any instability. Additional details will be provided in the 2009 Geotechnical Monitoring Report and future readings in 2010 will be evaluated using both of these data plots.

I hope this helps you in addressing the recent MDEP comments. If you have any additional questions or issues, please do not hesitate to contact me.

cc: Michael Booth, SME

MEMORANDUM

TO: Cynthia W. Darling; Project Manager - Eastern Maine Regional Office
FROM: Stephen E. Farrar, P.E.; Environmental Engineer Specialist - Technical Services
DATE: March 1, 2010
SUBJ: Pine Tree Landfill
2008 Annual Operations Report
File No. 2103.4037

In accordance with your request we have completed an engineering review of the following document:

2008 Annual Report - Pine Tree Landfill - 358 Emerson Mill Road - Hampden, Maine prepared by Pine Tree Landfill and dated April 30, 2009

The Pine Tree Landfill (PTL) facility is a commercial solid waste landfill located on a 160 acre site adjacent to Interstate 95 in Hampden. It has been in operation since 1975 and is scheduled to be permanently closed by December 31, 2010, with two of three phases of closure already completed. The waste stream received at the facility during 2008 consisted primarily of construction and demolition debris. Lesser amounts of other waste streams including wood fines, ash, contaminated soils, oil spill debris, non-friable asbestos, and other special wastes were also accepted. Approximately 439,315 tons of waste, an average of about 1200 tons per day, is reported to have been landfilled during the year. The active operational landfill units during the period included Secure III Phases VI, VII and VIII-B. PTL pumped 16,474,363 gallons of leachate, or approximately 45,135 gallons per day, from their leachate storage tank to the City of Bangor Wastewater Treatment Facility. All leachate analytical results are reported to be well below discharge permit pretreatment standards. The gas-to-energy facility and flare at the facility processed 564,042,079 cubic feet of landfill gas, equating to an average flow rate of 1,073 standard cubic feet per minute.

Appended to the 2008 Annual Report are a Compliance Self-Audit¹, a Water Quality Monitoring Report², and a Geotechnical Monitoring Report³.

¹ *Pine Tree Landfill Compliance Self-Audit Checklist - Report Year 2008* Pine Tree Landfill, December 22, 2008

² *2008 Water Quality Report - Pine Tree Landfill - Hampden, Maine* Sevee & Maher Engineers, Inc., April 2009

³ *2008 Geotechnical Monitoring Report - Pine Tree Landfill Facility - Hampden, Maine* Richard E. Wardwell, P.E., Ph.D., April 2009

We offer the following recommendations and comments:

A. 2008 Annual Report

1. Documentation of operator training received/provided during 2008 should be included.

B. Compliance Self Audit

We have no comments or recommendations regarding the Compliance Self Audit.

C. Water Quality Report

1. We recommend that PTL begins monthly reporting to the Department of leachate flow rates from the individual pump stations and leak detection flow rates from each sump location in the established electronic data deliverable (EDD) format. A copy of the EDD form is attached.

Please note that our review of this document encompassed only the leak detection and leachate collection system flow rates. Our Geology Unit has provided a more detailed assessment (see memorandum prepared by Richard Heath, C.G. dated June 29, 2009).

D. Geotechnical Monitoring Report

1. Settlement Monitoring

Settlement monitoring indicates that differential strains continue (with one possible exception) to be below limits that would pose a threat to the secure III liner systems. The data and derived primary and secondary settlement properties are generally consistent with values presented in previous evaluation reports. The non-load settlement of the Conventional Landfill waste appears, especially beneath Phase VI and Phase VIII-C Stage 1, to be slowing from the linear rate that had been seen since monitoring began. We recommend continuation of the settlement monitoring program.

The possible exception noted above involves a reported calculated liner strain of 4.1% between Instrument Clusters IC-2 (IC-8a2) and IC-4 (IC-8a4). These instruments were established to monitor part of the Phase VIII-A liner that spans the area where the crack developed in the Conventional Landfill cover system during 1997. It is in the transition zone between the relatively incompressible asbestos disposal area and the compressible municipal solid waste in the Conventional Landfill and, therefore, is a prime location for differential settlement concerns.

While we concur that a strain of 4.1% is not necessarily a problem for the HDPE geomembrane it would have an adverse impact on the underlying compacted clay, and potentially the geosynthetic clay liner, components of the Phase VIII-A liner system. The 2007 Geotechnical Monitoring Report⁴ reported a calculated liner strain of 1.4% for the same span. The rate of increase from 1.4% to 4.1% would, if confirmed, also be a cause for concern.

While the strain calculation was not included with the 2008 Report, and thus we can not confirm it, it appears that the loading data used to calculate the elevations for IC-2 and IC-4 may have been taken from two different points in time. In looking at Fig. No. 3-7, the total pressure cell (TPC) at IC-4 ceased functioning in September of 2007 while the TPC at IC-2 recorded data until September of 2008 when it too ceased functioning. During that time period approximately 40 to 50 feet of waste was placed in Phase VIII-B above the monitoring locations. If the two TPC data end points were being compared the resulting 4.1% strain would actually not exist. A clarification of the calculation should be provided.

2. Slope Stability Monitoring

The three slope inclinometers (SIs), although there were some obviously anomalous quarterly readings during 2008, continue to show no trend towards acceleration in the rate of lateral movement and cumulative displacements remain low. The four vertical displacement monitors (VDMs) have indicated no consistent or significant vertical heave or lateral movement since they were installed in 2003. We recommend continuation of the slope stability monitoring program.

The anomalous readings noted above were recorded in a very random pattern at SI-1 (April in the +B direction and June in the +A direction), SI-3 (April, June, and December in the -A direction and December in the -B direction), and SI-4 (June in the +A direction). All other readings were well within historical measurements thus, along with visual observations and VDM measurements, supporting the observation that the anomalous measurements are not an indication of slope instability. Monthly SI readings were to be taken during the second quarter of 2009 to further evaluate conditions. We have not been informed of any irregularities and expect that the additional readings will be addressed in the 2009 annual geotechnical monitoring report.

⁴ 2007 Geotechnical Monitoring Report - Pine Tree Landfill Facility - Hampden, Maine Richard E. Wardwell, P.E., Ph.D., April 2008

3. Summary

The summary section notes that the existing Geotechnical Monitoring Plan⁵ was to be modified to address post-closure monitoring and provided with the design of the last phase of closure. The modified plan was not included with the design documents⁶ and we have not received it subsequently.

Also included with the Annual report, in Attachment C, is an Opinion of Post-Closure Monitoring and Maintenance Costs for the post-closure period. There are several post-closure tasks and contingencies not covered by the opinion and we will address those during our evaluation of the Post-Closure Operations Manual⁷

Please let me know if there are any questions or if you require additional assistance at this time.

cc: Richard Heath, C.G.

⁵ *2008-2010 Geotechnical Monitoring Plan - Pine Tree Landfill Facility - Hampden, Maine* Richard E. Wardwell, P.E., Ph.D., October 2008

⁶ *Application for Order of Compliance - Phase VIII-C Stage 1 and 2 Final Cover - Pine Tree Landfill - Hampden, Maine* (two volumes) Sevee & Maher Engineers, Inc., October 2009

⁷ *Pine Tree Landfill - Post-Closure Operations Manual* Pine Tree Landfill, February 2010

INFRASTRUCTURE COMMITTEE MEETING MINUTES

March 22, 2010

Attending:

Chair William Shakespeare
 Councilor Shannon Flavin Cox
 Mayor Matthew Arnett
 Councilor Janet Hughes
 Councilor Jean Lawlis

Councilor Andre Cushing
 Councilor Thomas Brann
 Public Works Director Chip Swan
 Town Manager Sue Lessard

1. Old Business

a. Water District Proposal

The Committee discussed the proposal by the Water District that the Town pay nearly 50% of the cost of meter reading for sewer readings. It was the consensus of the committee that the Town wanted to maintain a positive working relationship with the Water District but that this proposal was not in line with payments for readings by other communities of our size. The Town Manager was directed to write a letter to the Water District offering to change the rate 'per reading' to .50 per quarter, which would more than double our annual contribution for readings. The Manager also was directed to get a copy of the minutes from the last Town/Water District meeting.

b. Dunton Drive – 2 Remaining Street Light Requests

1. Policy for Street Light Consideration

It was the consensus of the committee that the Council should adopt a policy by which it considers street light requests be processed. The Town Manager was directed to work with Public Safety to prepare a draft policy for consideration by the Committee.

c. Transfer Station Decals

1. Updated Guidelines

The Committee reviewed the updated guidelines. Chairman Shakespeare suggested that the February 1st deadline for getting stickers be put in the guidelines to alert residents of the need to get a sticker before that date to avoid being turned away at the gate. The Committee also suggested posting large signs at the Transfer Station reminding people that February 1st is the cut-off date.

d. Annual Road Striping Quotes

The Committee reviewed the striping quotes obtained by Public Works Director Chip Swan. The low bidder had successfully done work for the town previously. The Committee endorsed the selection of the apparent low quote.

e. Paving Bid Results

The Committee reviewed the paving bids received. The apparent low bidder was Ginese Paving at a cost of \$77.70 per ton. The Public Works Director indicated that he still had checking to do on references and equipment for the low bidder but was recommending that the bid be awarded to the low bidder if all things checked out. Motion by Matt

Arnett, seconded by Janet Hughes to award the bid to the low bidder if all the references and equipment checking were acceptable. Vote 7 – 0.

f. Diesel Truck Bid Results

The Committee reviewed the three bids received. Motion by Matthew Arnett, seconded by Shannon Flavin Cox to accept the low bid of Daigle and Houghton for a 2011 International at a cost of \$118,717.92. Vote 7 - 0.

2. New Business

a. Employee Handbook

It was the consensus of the Committee that this was a good project but that it should be reviewed by the Finance Committee.

3. Public Comments

4. Committee Member Comments

Councilor Hughes – Questioned whether the Town was reimbursed for the cost of staff and supplies when it went as backup to other communities for ambulance services. The Town Manager indicated that if we were requested as backup by a Town, we received payment from that municipality for the costs incurred.

Councilor Cushing – Discussed his concern over the deterioration of the Kennebec Road, and several other state roads in town. Public Works Director Chip Swan informed the Committee that he was part of a working group of MDOT and Town representatives looking at alternate ways to get work done on roadways. Councilor Cushing was interested in attending a few of the working group meetings to see if there is a way to get work done on some of the worst roads. It was the consensus of the Committee to support Councilor Cushing's efforts to find creative ways for the state and town to work together to get the roads improved.

Mayor Arnett questioned whether it was possible to get a guarantee on road work done in terms of cracking. Public Works Director Chip Swan responded that the only guarantee of workmanship was during construction that projects be built to specifications. Poor road base and water are two of the main causes of surface failures. Mayor Arnett indicated that he wanted to be sure that the standards that the Town used for road construction were the best they could be in order to extend paving and road life.

Councilor Lawlis reminded the Committee and the Town Manager that it is time to start discussing Municipal Composting options again.

Motion by Shannon Flavin Cox, seconded by Janet Hughes to adjourn at 7:20 p.m. Vote 7 – 0.

Respectfully submitted,

*Susan Lessard
Town Manager*

TOWN OF HAMPDEN
SOLID WASTE TRANSFER STATION RULES & REGULATIONS

The Town of Hampden has a Solid Waste Transfer Station located at the Public Works Facility on the Canaan Road. This facility is for disposal of Hampden residential trash only.

- No Commercial Haulers allowed
- No Contractor vehicles allowed

PERMITS

A permit on the vehicle is required for access to the facility. Permits are available at the Town Office at a cost of \$5 per sticker per vehicle per calendar year. **A current vehicle registration must be presented annually in order to obtain a sticker.** Only year round residents or seasonal residents who do not use their property for rental purposes are eligible to purchase stickers. Businesses and residents of apartment or private complexes with more than four units are not eligible to purchase stickers or utilize the Transfer Station.

A one-day permit is available for a resident to obtain in order to use a borrowed vehicle. To acquire this, bring the number of your existing permit to the Town Office and ask for a Temporary Vehicle Permit. The permit is available at no charge and is valid for one day only. You must accompany the vehicle for which you obtained the permit and the vehicle cannot be a commercial or contractor vehicle or larger than a full-sized pick up.

<u>HOURS OF OPERATION</u>	<u>CLOSED ALL LEGAL HOLIDAYS</u>	
MONDAY - CLOSED	New Year's Day	
TUESDAY - CLOSED	Martin Luther King Day	
WEDNESDAY - 10 A.M. - 6 P.M.	President's Day	Columbus Day
THURSDAY - 10 A.M. - 6 P.M.	Patriot's Day	Veteran's Day
FRIDAY - 10 A.M. - 6 P.M.	Memorial Day	Thanksgiving Day
SATURDAY - 8 A.M. - 4 P.M.	4 th of July	Day after Thanksgiving
SUNDAY - 8 A.M. - 4 P.M.	Labor Day	Christmas Day

DISPOSAL SCHEDULE

SOLID WASTE -

ACCEPTED ON ANY DAY THAT THE TRANSFER STATION IS OPEN.

SWAP SHOP ITEMS -

ARE ACCEPTED AT THE 'SWAP SHOP' ON ANY DAY THAT THE TRANSFER STATION IS OPEN, AND MAY BE TAKEN FROM THE 'SWAP SHOP' ON ANY DAY THAT THE TRANSFER STATION IS OPEN.

RECYCLABLES -

ACCEPTED ON ANY DAY THAT THE TRANSFER STATION IS OPEN.

CONSTRUCTION & DEMOLITION DEBRIS, WOOD, METAL, TELEVISIONS, COMPUTER PARTS, AND APPLIANCES -

THESE ITEMS ARE ACCEPTED ON THE 2ND AND 4TH WEEKEND OF EACH MONTH **ONLY.**

REFRIGERANT DISPOSAL FEE –

There is a \$15 fee for the disposal of any appliance with refrigerant (refrigerators, freezers, some air conditioners). A permit for the disposal of such items must be picked up at the Town Office prior to disposal, and these items can only be taken to the transfer station on the second and fourth weekends of each month.

BEFORE YOU GO TO THE TRANSFER STATION DISPOSAL TIPS...

REFRIGERATOR/FREEZERS must have all doors removed prior to being brought to the Transfer Station.

TIRES all must have rims removed.

PAINT CANS must be empty and rinsed out with lids removed.

METAL BARRELS, 5, 30, AND 55 GALLON DRUMS must have at least one end removed and they must be washed out,

LEAVES, GRASS, AND YARD AND GARDEN CLIPPINGS must be bagged and disposed of in the trash compactors along with solid waste

TREE LIMBS AND BRANCHES – Must not exceed 6" in diameter and 10' in length and are acceptable only on the 2nd and 4th weekends of each month.

RECYCLING

The Town has an active recycling program. The following items are currently recycled at the Transfer Station. Separate, marked areas are located at the Transfer Station for each type:

- Newspapers/Magazines – Please do not bundle newspapers with string or twine, and newspaper inserts are acceptable as recyclables as well as telephone books.
- Corrugated Cardboard – Please flatten cardboard boxes, remove excess tape, and do not deposit wet cardboard in the cardboard area.
- Tin Cans – Please rinse cans before depositing them at the Transfer Station and if possible, flatten them prior to disposal to save space. Cans are easier to flatten if both ends are removed.
- Glass Jars and Bottles – Please do not include window glass, mirrors, or light bulbs in the glass disposal area. Lids should be removed, and the glass containers should be rinsed, but labels do not have to be removed.
- #2 Plastic (milk & water jugs, detergent bottles, etc.) – These items should be flattened and placed in the labeled bin(s) at the Transfer Station.

UNACCEPTABLE WASTES

- AUTOMOTIVE PARTS include batteries, fenders, doors, body and frame parts, engines, transmissions, etc. These items should be disposed of in a salvage yard.
- STUMPS will not be accepted.
- HAZARDOUS WASTE will not be accepted. This includes paint thinners, cleaners, poisons, asbestos, chemicals, and petroleum products such as gas, oil and kerosene.

COMPOSTING

The Town of Hampden is making every effort to protect our environment and to keep waste disposal costs as low as possible. In addition to observing the guidelines above, you can help reduce the amount of waste that you produce in your home. Home composting, for example, is easy to do and not only reduces the waste stream, but produces usable garden fertilizer. The Town participates annually in the State Planning Office Home Composter Program by subsidizing the cost of home composters for interested Hampden residents. To find out more about home composting and when the next composter order will be placed - call Rosemary at 862-3337.

QUESTIONS? CALL ROSEMARY AT 862-3337.



WOOD & CONSTRUCTION & DEMOLITION DEBRIS COLLECTION WEEKENDS

JULY 2009 – JUNE 2010

MONTH	2ND WEEKEND DATES	4TH WEEKEND DATES
JULY 2009	11 TH -12 TH	25 TH -26 TH
AUGUST 2009	8 TH -9 TH	22 ND -23 RD
SEPTEMBER 2009	12 TH -13 TH	26 TH -27 TH
OCTOBER 2009	10 TH -11 TH	24 TH -25 TH
NOVEMBER 2009	14 TH -15 TH	28 TH -29 TH
DECEMBER 2009	12 TH -13 TH	26 TH -27 TH
JANUARY 2010	9 TH -10 TH	23 RD -24 TH
FEBRUARY 2010	13 TH -14 TH	27 TH -28 TH
MARCH 2010	13 TH -14 TH	27 TH -28 TH
APRIL 2010	10 TH -11 TH	24 TH -25 TH
MAY 2010	8 TH -9 TH	22 ND -23 RD
JUNE 2010	12 TH -13 TH	26 TH -27 TH

**CURRENT TRANSFER STATION DECAL REQUIRED
FOR ADMISSION TO THE FACILITY**

*****REMINDER – IF YOU WISH TO DISPOSE OF AN APPLIANCE CONTAINING A REFRIGERANT, YOU HAVE TO FIRST OBTAIN A STICKER FROM THE TOWN OFFICE. STICKERS ARE \$15 PER APPLIANCE.**

COPIES OF THIS SCHEDULE ARE ALSO POSTED ON THE TOWN WEBSITE AT www.hampdenmaine.com



WOOD & CONSTRUCTION & DEMOLITION DEBRIS COLLECTION WEEKENDS

JULY 2010 – JUNE 2011

MONTH	2 ND WEEKEND DATES	4 TH WEEKEND DATES
JULY 2010	10 TH -11 TH	24 TH -25 TH
AUGUST 2010	14 TH -15 TH	28 th -29 th
SEPTEMBER 2010	11 TH -12 TH	25 TH -26 TH
OCTOBER 2010	9 TH -10 TH	23 rd -24 TH
NOVEMBER 2010	13 TH -14 TH	27 TH -28 TH
DECEMBER 2010	11 TH -12 TH	26 TH -27 TH
JANUARY 2011	8 TH -9 TH	22 nd -23 rd
FEBRUARY 2011	12 TH -13 TH	26 TH -27 TH
MARCH 2011	12 TH -13 TH	26TH-27TH**
APRIL 2011	09 TH -10 TH	23 rd -24 TH
MAY 2011	14 TH -15 TH	28 th -29 th
JUNE 2011	11 TH -12 TH	25 TH -26 TH

**CURRENT TRANSFER STATION DECAL REQUIRED
FOR ADMISSION TO THE FACILITY**

**** DUE TO THE CHRISTMAS HOLIDAY, THE TRANSFER STATION WILL BE OPEN FOR WOOD AND CONSTRUCTION AND DEMOLITION DEBRIS ON SUNDAY, DECEMBER 26TH AND MONDAY, DECEMBER 27TH.**

*****REMINDER – IF YOU WISH TO DISPOSE OF AN APPLIANCE CONTAINING A REFRIGERANT, YOU HAVE TO FIRST OBTAIN A STICKER FROM THE TOWN OFFICE. STICKERS ARE \$15 PER APPLIANCE.**

COPIES OF THIS SCHEDULE ARE ALSO POSTED ON THE TOWN WEBSITE AT www.hampdenmaine.com

FINANCE COMMITTEE MEETING MINUTES
March 15, 2010

Attending:

Councilor Shannon Cox	Sue Lessard, Town Manager
Councilor William Shakespeare	Joe Rogers, Public Safety Director
Councilor Jean Lawlis	
Councilor Tom Brann	
Councilor Andre Cushing (6:05 p.m.)	
Councilor Janet Hughes (6:15 p.m.)	

The meeting was opened at 6 p.m. by Councilor Cox.

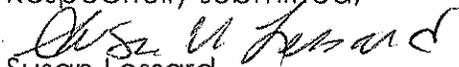
1. The minutes of the 3/1/2010 meeting were reviewed. Motion by Jean Lawlis to approve – unanimous vote.
2. Treasurer's Warrants were reviewed and signed by the two committee members present with signature authority. Motion by William Shakespeare, seconded by Shannon Cox to approve as presented. Vote 2-0.
3. The financial statements for February 2010 were presented by the Town Manager. These included a review of Revenues, Expenses, tax collections, reserves, and the cash position of all town bank accounts. Motion by Andre Cushing, seconded by Jean Lawlis to accept the financial statements as presented. Unanimous vote.
4. Old Business
 - a. Police Cruiser Bid Results
The Public Safety Director presented the bid results for the replacement SUV for the Police Department. The vehicle with the best rating for safety, mileage, and warranty was the Chevy Tahoe. Pratt Chevrolet was the low bid for that make and model at \$29,260.75. Other vehicles bid were the Ford Expedition and Ford Explorer. Although prices on some of these were lower than the Tahoe, the recommendation from the Police Department was the Tahoe due to ratings, the experience of other departments, and the challenges Hampden's department has had with the current Ford models of SUV. Motion by William Shakespeare, seconded by Andre Cushing to recommend to the full council that the cruiser bid be awarded to Pratt Chevrolet in the amount of \$29,260.75. Unanimous vote.
5. New Business
 - a. Personal Property Abatements
Motion by Andre Cushing, seconded by William Shakespeare to recommend to the full Council that personal property taxes and interest for G. R. Adams for the years 2005 through 2008 and for Public Works Supply for the year 2008. Unanimous vote.

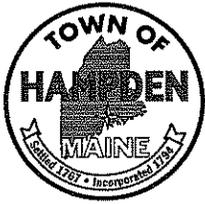
6. Public Comment - None
7. Committee Member Comments

Councilor Shakespeare asked about the Fire Department request that is listed on the 3/15/2010 Council agenda. The Manager explained that the Fire Department was requesting the use of Reserve monies for upgrades to the LifPak 12 Cardiac Monitor on the second ambulance. The Department is requesting to use \$5,416.64 from Fire Dept. reserves toward the purchase of the upgrade to this unit, and \$920.86 from the Public Safety Donations account. Use of any Reserve funds requires authorization of the Council. These Reserve funds were public donations to the department. The amount for the upgrade of the equipment is below the required bid amount.

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

Respectfully submitted,


Susan Lessard
Town Manager



C-1-a

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON: Date of Council Action: 4/5/2010
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: Laurie Lee
d/b/a Coffee Break Cafe Laurie Lee
Business Name Individual

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

MAP/LOT: Map 36, Lot 32 DATE: 3/11/2010

DEPARTMENT REPORT:

Inspected on March 25, 2010 and found
all proper safety requirements to be in
Place.

DATE: 3-25-10

BY: [Signature]
Title: CEO

BY: Keith Barnhart
Title: Fire/Building Inspector

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 3/10/10 PHONE NUMBER: 862-6000

NAME(S): Laurie Lee

ADDRESS: 15 Kendall Rd Winterport 04496

NAME OF BUSINESS: Coffee Break Cafe

LOCATION OF BUSINESS: 75 Maine Rd North

SIGNATURE: Gawrie Bee

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Bonif
Code Enforcement Officer

Keith Bombard
Fire Inspector/Building Inspector

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

Cheryl Johnson
Tax Collector

Chris M. Leland
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: 3/10/2010 / \$125.00
(Fee Includes Notice of Public Hearing)

C-3a



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

March 22, 2010

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

Below are the results of the recent paving bid opened on March 22nd, 2010.

	<u>PRICE /TON / HAND PLACED /</u>	<u>TOTAL</u>
	(4522/Tons)	(100/Tons)
T.R. GINISE PAVING	\$77.70	\$150.00
B&B PAVING	\$82.90	\$135.00
LANE CONSTRUCTION	\$86.50	\$158.70
THIBODEAU	\$96.00	\$168.00
Annual Line Striping	\$6075.30.00	TOTAL \$357434.70
Amount budgeted		\$150,000.00
Additional amount needed for contract is		\$207434.70

These bids represent a \$4113.55 increase over last year. The estimated cost of the low bidder is \$207434.70 more than was budgeted. I would request an additional \$207434.70 from the reserve account.

I would recommend accepting the bid from Ginise Paving for \$77.70 per ton for street paving, \$150.00 per ton for hand placed mix.

Yours truly,

Chip Swan, PWD



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

March 22, 2010

To: Sue Lessard
From: Chip Swan
Subject: 2011 DIESEL TRUCK BID RESULTS

Bids were publicly opened on MARCH 22nd at 10:00am for one 2011 DIESEL TRUCK. The bid results are as follows:

	<u>BID AMOUNT</u>
DAIGLE & HOUGHTON	\$118,717.92
FREIGHTLINER OF MAINE	\$121,184.00
WHITED PETERBILT OF MAINE	\$125,999.00

As you can see the bidding was competitive and I was happy to receive 3 bids. I would recommend acceptance of the bid from Daigle & Houghton for the final amount of \$118,717.92.

Chip Swan, PWD

**TOWN OF HAMPDEN
PUBLIC WORKS DEPARTMENT
2011 DIESEL TRUCK
BID SHEET**

MARCH 22, 2010
10:00 AM

BIDDER	NEW TRUCK PRICE	ADD'L PLOW EQUIPMENT	EXTENDED WARRANTY	TRADE IN VALUE	TOTAL PRICE
Whited Peterbilt of Maine (2011 Peterbilt)	79,996.00	61,732.00	3,550.00 (Engine) 425.00 (Trans)	19,704.00	125,999.00
Daigle & Houghton (2011 International)	76,765.92	61,732.00	720.00 (Trans) 500.00 (Rear) 3,000.00 (Engine)	24,000.00	118,717.92
Freightliner of Maine (2011 Freightliner)	71,977.00	61,732.00	425.00 (Trans) 2,050.00 (Engine)	15,000.00	121,184.00



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

C-3-C

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

26 March 2010

Town of Hampden
Attn: Town Clerk and Town Officials

Subject: Approval of Shoreland Zoning Ordinance and Map, Map Amendment Required

Dear Ms. Hodsdon and Town Officials:

The Department of Environmental Protection (Department) has reviewed the Town of Hampden, Maine, Shoreland Zoning Ordinance (Ordinance) and the Officials Shoreland Zoning Map (Map) as enacted by the Town of Hampden (Municipality) on 1 March 2010, and received by the Department on 24 March 2010. We appreciate the hard work that went into updating the Ordinance and Map.

The Department finds the Ordinance and Map to be consistent with the requirements of the *Mandatory Shoreland Zoning Act* and the *State of Maine Guidelines for Municipal Shoreland Zoning Ordinances*, as amended 1 May 2006 (Guidelines). Therefore, the Department approves the Ordinance and Map as adopted by the Municipality on 1 March 2010.

Notwithstanding the Department's approval of the Ordinance and Map, the Department has the following comments regarding the Ordinance and Map, and strongly recommends that these changes be enacted at the next appropriate Town Council Meeting:

- The Map needs to be amended to be consistent with the Ordinance Section 13.A.4 requiring that wetland vegetation areas within the shoreland zone be designated Resource Protection. A portion of the shoreland zone of wetland #144 meets this criterion.
- Section 14, Table 1, Line 15.C, under SP and LSP should include footnote 10 so that these do not conflict with Line 29; and Line 21 under all districts should be black so that these do not conflict with the sub-lines A through D.
- Sections 15.A.1.a.i and ii, should state "not on municipal sewer and water" instead of "on well and septic", because there may exist dwelling units as defined that do not have well and/or septic but are required to meet the lot standards.
- Section 17, definition of "shoreland zone" is intended to refer to "specified local streams" not "specified tributary streams" to be consistent with Section 3; and definition of "tributary stream" is intended to exclude the term "local stream" as well as "stream", so that the shoreline setback is applied to the portion of the waterway that exists within a shoreland zone of another water body or wetland (Section 13).

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

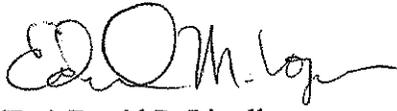
BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-6477 FAX: (207) 764-1507

If you or any other municipal officials have questions relating to the shoreland zoning, you may reach Stephenie MacLagan at 941-4116 or by e-mail at stephenie.maclagan@maine.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "D. P. Littell", written in a cursive style.

(For) David P. Littell
Commissioner
Department of Environmental Protection

Hampden Water District



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

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

March 23, 2010

C-3-d

Ms. Sue Lessard
Town of Hampden
106 Western Ave
Hampden, ME 04444

Dear Sue,

Please review the enclosed approved Minutes for the February 2010 Bi-Annual Joint Meeting with the Town Council. We are also interested in hearing any feedback about the discussion of the "Water District's Proposals" which was on the agenda for the March 22, 2010 Infrastructure Meeting.

The Trustees would like to schedule a time in May of 2010 to hold another Joint Meeting. At this time, various issues will be discussed contingent to the upcoming rate increase with the Town Council, along with responding to any questions or concerns the Council may have before the public hearing.

Thanks and we look forward to hearing from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Cam", written over a large, sweeping flourish that starts from the left and curves upwards and to the right.

Cam Torrey
General Manager
Hampden Water District

COPY

Bi-Annual Joint Meeting Minutes

Hampden Town Council & Hampden Water District Board of Directors February 11, 2010

Pursuant to due notice, a meeting of the Board of Trustees of the Hampden Water District and the Hampden Town Council was held in Council Chambers at the Town Office the meeting was held on Thursday, February 11, 2010 at 6:00 pm.

Present on behalf of the Hampden Water District: Trustees John Quesnel, Mark Beauregard, Dana Skinner, Don Darling, Shane Sargent, G.M. / Treasurer - Cam Torrey, Service Manager - Jamie Holyoke, Becky Chase, George Sibley, Michelle Gushue, and HWD Accountant -Keith Bourgoin - Haverlock Estey & Curran

Members Absent: None

Present on behalf of the Hampden Town Council: Mayor Matthew Arnett, Councilman Tom Brann, Councilman William Shakespeare , and Public Works Director Galen Swan

Members Absent : Councilman Andre Cushing, Councilwomen Shannon Cox Councilwomen Janet Hughes, Councilwomen Jean Lawlis, Town Manager Susan Lessard,

Guests: None

Meeting was brought to order at 6:00 pm.

Cam handed out a detailed agenda, along with a cost-sharing breakdown. John commented on each topic.

For Discussion :

Contributing Factors to a Rate Increase in 2010 –

- ◆ Bangor Water District increased the cost of water 15% in 2009, and is expected to increase their rates another 15% due to upgrading their system to maintain compliance with EPA regulations and the continued increase in chemical costs. This increase cost HWD approximately \$18,000.00 through December 31, 2009. Bangor Water District is projected to continue its rate increase schedule every two years.
- ◆ 2009 & 2010 Infrastructure enhancements- garage and treatment plant / pump station built in 2009, along with the potential to proceed with the Rt. 1A Project in 2010, due to low SRF rates available.

- ◆ Need to fill position which has been vacant for two years – due to the new treatment / pump station coming on line, more frequent and continuous sampling is required. In addition, Cam plans on retiring at the end of 2012, which enforces the need to add an employee and begin the training processes to uphold a smooth transition.
- ◆ Keith Bourgoin w/ Haverlock Estey & Curran informed the Council how the contributing factors would effect the proposed rate increase for 2010:
 - Hiring new employee, along with the construction of the Rt.1A will mean an increase of approximately 20.44 % overall, with an increase of 17.19% to the town.
 - Not hiring a new employee, but going ahead with the construction of the Rt. 1A project will be an increase of 16% overall, with an increase of 13.2% to the town.
 - Rt. 1A project will contribute 4% to the overall rate increase.
- ◆ 2010 projects such as the new Hampden Academy, Dance Hall Subdivision, Rite Aid, and the Rt. 1A project will absorb many hours of an employees time, consulting with the various contractors and engineers, as well as inspecting water line, hydrants, etc. during these projects and others.
- ◆ The Hampden Water District has secured an interest in the PMD land and has set aside \$15, 000 for well development with the option to purchase the land in twenty-four months. Several thousand dollars has been spent already on legal fees and geological exploration. The HWD Board of Trustees believes farther investigation into potential development of these wells is in its best interest, as a potential long-term cost saving, as well as the conservation of an aquifer of good quality.
- ◆ According to the 2009 financial figures, water sales have decreased approximately 2% according to Keith Bourgoin. Cam stated that people are trying to be more conscientious about their water usage, in addition to a very rainy year overall.
- ◆ Fixed costs are also continuing to increasing, as much as forty percent on some chemicals alone.
- ◆ Legal fees incurred from the last rate increase have not been recovered at the current time.

Cost Saving Measures to reduce the rate increase:

- ◆ HWD is looking into refinancing some long-term debt.
- ◆ HWD is also looking to take advantage of some low interest SRF money that is available along with a competitive market to go ahead with the Rt. 1A project. Cam explained HWD can not raise the current rates to cover the cost of future projects. The cost of the project must be incurred before it can be applied to a rate increase.
- ◆ HWD has held off hiring for the vacant full time position for as long as possible (over 2 years).
- ◆ HWD and the Town have been discussing a cost sharing of the meter reading process and related expenses. Matt questioned why the need to

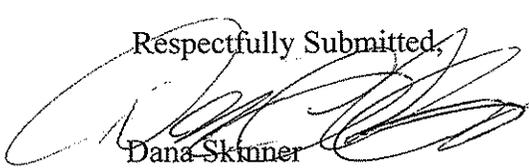
increase the current rate of about twenty-five cents per reading. John explained splitting the cost more evenly would benefit the water users who do not have sewer service (1783-water / 1400-sewer). The town would not actually burden the expense, because the cost would be passed along to sewer users directly. Matt stated he had talked to Sue and felt some compensation was possible, but not \$18,000, that cost is too much.

- Breakdown of annual expense for 2009 was approximately \$45,968. Therefore, the towns share would be approximately \$18,820, which is approximately 43 % of the total cost.
- Cam conducted a survey and found that Augusta, Brewer, Bath, and Kennebec municipalities shared meter-reading expenses on a 50/50 basis.
- After the completion of installing radio reads and the reading process has been fine-tuned, this expense should begin to decrease.
- John requested forming a sub-committee, or at least have someone from the town and someone from the water district meet regularly to maintain the flowing of communication between both parties.

Other Notes:

Mark Beauregard felt the council should be aware that the HWD Board of Trustees looks at and approves each months transactions carefully. The Board of Trustees focuses its long range plans to replace ancient / antiquated infrastructure, which affects it operating budget greatly. This is important to ensure adequate and safe delivery of water to our customers.

Respectfully Submitted,



Dana Skinner

Clerk

Hampden Water District

(notes taken by Becky Chase & typed by Michelle Gushue)

C-3-e



TO: Mayor Arnett and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Planning Board Recommendation on Draft Zoning Ordinance Text
Amendment Definition of Usual Pets/Other Than Usual Pets
DATE: March 31, 2009

Please be advised that at their March 10, 2010 meeting the Hampden Planning Board voted unanimously that the subject zoning ordinance text amendment "ought-to-pass". This language differs slightly from the text that the Town Council referred to the Board at your January 19, 2010 for a public hearing. The number of chickens was adjusted because there are state regulations that require chicks be sold in lots of six or more for the wellbeing of the chicks. The language was also clarified to avoid conflicts between the two definitions (animals as usual pets/animals other than usual pets).

Town Attorney Tom Russell has reviewed this document and his comments were incorporated into this draft.

The Zoning Ordinance as a Conditional Use regulates "animals other than usual pets". The Zoning Ordinance is silent on usual pets providing no definition of either the "usual" or the "other than usual". The term pet suggests that the animal is tame and treated with affection.

The Zoning Ordinance sets out "animals other than usual pets" as a Conditional Uses because of the specific needs of certain barnyard animals for grazing and because of their waste byproducts. Birds generally and hens specifically, in limited quantities, are quite benign presenting very little threat or nuisance to surrounding properties.

This proposed text amendment grew out of both a request for hens in a residential district and the concern that the terms contained in the ordinance are not defined and give neither the Code Enforcement Officer or citizens any guidance. (We are not recommending consideration of an animal husbandry ordinance).

TOWN OF HAMPDEN
Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

ARTICLE 7
DEFINITIONS

7.1. Construction Language - In this Ordinance, certain terms or words shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular; the word "shall" is mandatory, and the word "may" is permissive; the words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied", the word "building" includes the word "structure" and the word "dwelling" includes the word "residence", the word "lot" includes the words "plot" or "parcel". In case of any difference of meaning or implication between the text of this Ordinance and any map or illustration, the text shall control.

Terms not defined shall have the customary dictionary meaning.

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:

Animals as usual pets: Those animals which by their type, behavior and quantity are suited to be pets in an urban neighborhood and which would not generally be disruptive to neighboring properties. Quantities are limited, with the exception of fish, to no more than five animals of one species or ten animals overall. Such animals would include or be similar to dogs, cats, small mammals such as hamsters and rabbits, hen chickens, pigeons and game hens but not roosters. Such animals would not include wild animals such as raccoons, turkeys and deer. Notwithstanding the foregoing limitation on maximum quantity no more than six hen chickens are permitted because hen chicks as governed by state agricultural regulation are sold in quantities of no less than six.

Animals other than usual pets: Those animals which by their type, behavior and quantity are not generally suited to be pets in an urban neighborhood and which could be disruptive to neighboring properties but are more suitable on larger lots with buffers from those neighboring property lines. Such animals would include or be similar to horses and ponies and would also include types of animals described in animals as usual pets but in excess of 10 animals up to 15 animals overall. Quantities (like the animals as usual pets) are limited to no more than five animals of one species. Such animals would not include wild animals such as raccoons, turkeys and deer. Notwithstanding the foregoing limitation on maximum quantity no more than six hen chickens are permitted because hen chicks as governed by state agricultural regulation are sold in quantities of no less than six.