

HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY

December 6, 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. October 4, 2010  
b. October 18, 2010  
c. November 10, 2010  
d. November 15, 2010

3. COMMUNICATIONS

- a. Worker's Compensation Information – 2010

4. REPORTS

- a. Finance Committee Minutes 11-15-2010  
b. Infrastructure Committee Minutes 11-22-2010  
c. Hampden Academy Project Update  
d. Pool Trustees Minutes – 10/12/2010

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Renewal of Victualer's License received from Carroll Crew, LLC d/b/a Pat's Pizza at 662 Main Road North  
b. Application for Renewal of Victualer's License received from Kliton Xhemali d/b/a Angelo's Pizza at 102 Main Road South

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

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

3. UNFINISHED BUSINESS

- a. Sewer Easement – Elm Street West – Infrastructure Committee Recommendation
- b. Randall Arendt Workshop Update
- c. Sale of 1991 E-1 Fire Truck to Town of Detroit – Infrastructure Committee Recommendation
- d. Use of Portion of Proceeds from Sale of 1991 E-1 Fire Truck to Purchase Power Stretcher for Ambulance – Infrastructure Committee Recommendation

4. NEW BUSINESS

- a. Hampden Garden Club – Historic Preservation Grant
- b. VFW – Annual Bingo and Games of Chance Letter

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT

*Lura Hoit Pool*  
Board Meeting Minutes ~ 10/12/10

Cedena McAvoy brought the meeting to order at 7:03 pm.

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

The secretary's minutes were accepted as presented.

**The Director's Report:**

~ The number of participants in September was down 321 people and daily receipts were down \$1,381 compared to last year. Darcey feels that the participant numbers are really not that low, but patrons are not signing in for each activity. The staff is going to check numbers signed in with a head count for each activity.

~ The pool rental income was down \$355 compared to last year.

~ The monthly fuel usage went up 333 gallons compared to last year. Overall for the year, the fuel is down 251 gallons.

~ Swim lessons session I-V for the year 2010 was 1,042 group participants + 169 private lessons for a total of 1,211 participants. The income was \$41,906.25 group + \$14,664 private for a total of \$56,570. In 2009, we had 1,003 group participants + 131 private lessons for a total of 1,134 participants. The income in 2009 was \$40,055 group + \$12,910 private for a total of \$52,965. This is an increase of 77 participants and an income increase of \$3,605.

Due to Jim's absence, the treasurer's report was tabled until next month's meeting.

Cedena will be bringing the sample t-shirts to next month's meeting along with the order forms. She and Karen will display the t-shirts on the bulletin board in the lobby explaining the ordering process. Anyone who would like to order must fill out the order form, pre-pay for the shirt and then mail the order form to Cedena. The pool will not be collecting or accepting order forms or payments.

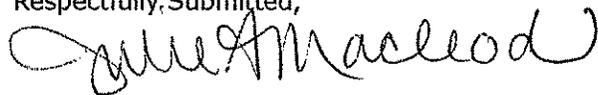
Cedena, Jim, Greg, & Darcey met two weeks ago to begin working on the fundraiser drawing that will be held in December. Cedena presented the group with a rough draft of the fact sheet. The board would like a more defined statement of cause. The title of the drawing will be "Help Lura Hoit Pool Help Yourself." Norm brought samples of handouts from a fundraiser he just supported and the board went through it to modify their handout. Cedena will re-type the handout for next month. The board members are to start gathering prizes from the organizations that they committed to and get the information to Cedena by the beginning of November so she can print up the handouts/advertisements to be dispersed at the next board meeting.

Darcey will research having the drawing as part of the town's tree lighting in December. The board also talked about having a presentation the night of the drawing if not drawn at the tree lighting. Darcey will also make sure that the fundraiser information will be on the website and on channel 7.

Darcey passed out updated board informational sheets.

Meeting adjourned at 8:02pm.

Respectfully Submitted,



Julie A. Macleod

**TOWN COUNCIL MINUTES**

**October 4, 2010**

The regularly scheduled meeting of the Hampden Town Council was held on Monday, October 4, 2010. The meeting was held at the municipal building council chambers and was called to order by Mayor Arnett at 7:00 p.m.

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

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell

**Department Heads/Staff:** None

Mayor Arnett noted that Councilor Cushing was unable to attend the meeting and asked for a motion to excuse him. Councilor Lawlis so moved; seconded by Councilor Hughes – unanimous vote

**A. CONSENT AGENDA**

Motion by Councilor Lawlis, seconded by Councilor Hughes to accept the Consent Agenda – unanimous vote in favor.

**B. PUBLIC COMMENTS**

There were none.

**C. POLICY AGENDA**

**1. PUBLIC HEARINGS**

**a. ADOPTION OF FINAL DRAFT OF 2010 COMPREHENSIVE PLAN**

As Chair of the Comprehensive Planning Committee, Councilor Brann introduced the 2010 Plan and outlined the procedure leading up to this point. Mayor Arnett explained the public hearing process and then opened the hearing. There were no proponents, opponents and no one with general questions or comments. The hearing was closed.

Motion by Councilor Brann, seconded by Councilor Shakespeare to adopt the final draft of the 2010 Comprehensive Plan as submitted to and approved by the State Planning Office – unanimous vote in favor.

**2. NOMINATIONS-APPOINTMENTS-ELECTIONS**

- a. WARRANT FOR MUNICIPAL ELECTION – 11/2/2010 – COUNCIL SIGNATURE

The Warrant was circulated for signatures of the Council.

**3. UNFINISHED BUSINESS**

- a. PENOBSHOT COUNTY MULTI-JURISDICTIONAL MITIGATION PLAN ADOPTION

At the request of Manager Lessard this item was postponed.

**4. NEW BUSINESS**

- a. MAINE MUNICIPAL ASSOCIATION ANNUAL BUSINESS MEETING VOTING DELEGATE NOMINATION

Motion by Councilor Shakespeare, seconded by Councilor Lawlis to appoint Mayor Arnett as the Town's voting delegate for the annual meeting and to authorize the Town Manager to sign the Voting Delegate form on behalf of the Council – unanimous vote in favor.

- b. APPLICATION FOR RENEWAL OF OUTDOOR WOOD-BURNING FURNACE LICENSE RECEIVED FROM PATRICK AUDET, 381 MAIN ROAD NORTH

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

- c. APPLICATION FOR RENEWAL OF OUTDOOR WOOD-BURNING FURNACE LICENSE RECEIVED FROM DOUG AND APRIL STANHOPE, 560 WESTERN AVENUE

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

- d. APPLICATION FOR RENEWAL OF LIQUOR LICENSE RECEIVED FROM WHITE HOUSE MOTEL, INC., FILIBUSTER LOUNGE, 155 LITTLEFIELD AVENUE

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

**D. COMMITTEE REPORTS**

Councilor Lawlis reported that the Services Committee will meet on October 12<sup>th</sup> at 5:30 pm

Councilor Hughes reported that the next meeting of the Planning & Development Committee will be at 6:00 pm on October 6<sup>th</sup>.

Mayor Arnett reported that a group called Sustainable Homes Hampden is working with the Maine Green Energy Alliance to help Hampden homeowners assess the energy efficiency of their homes and inform them about available energy rebates and tax credits. There will be an informational meeting on October 28<sup>th</sup> in the Community Room.

**E. MANAGER'S REPORT**

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

**F. COUNCILOR'S COMMENTS**

Councilor Hughes informed the Council that she and Councilor Cushing met with SAD #22 and representatives of Maine Department of Transportation regarding the improvements on Western Avenue and to discuss the need for sidewalks extending from the intersection of Route 202 to the Mayo Road. The Town has a grant application before MDOT for the sidewalk, but it was requested that SAD #22 consider adding sidewalk just within their project area, which would assist the Town in its plans to extend the sidewalk to the Mayo Road. SAD #22's engineers have offered to provide a conceptual plan of what a sidewalk would look like within their project area, but SAD #22 has requested that the Town provide some reasoning or need for them to provide a sidewalk on the interior of the Four-Mile Square. Councilor Hughes noted that this will be brought to the Planning & Development Committee in the next few weeks.

Councilor Lawlis informed everyone that the Dog Park group is meeting tomorrow at 6:00 pm.

**G. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:07 p.m.



Denise Hodsdon  
Town Clerk

## MANAGER'S REPORT

October 4, 2010

Groundbreaking – Katahdin Trust – The official groundbreaking for the new Katahdin Trust to be located next to Rite Aid on Western Avenue will be held at noon on Thursday, October 21<sup>st</sup>. Town Officials will receive invitations to the event and they indicated that they would be asking Mayor Arnett to say a few words at the ceremony.

Auditors – The Auditors completed their field work for our audit on Thursday, September 30<sup>th</sup>. I anticipate that we will receive the audit report within a month. At that time we will have the auditors present at a Finance Committee meeting to meet with Councilors to discuss the fiscal condition of the community. They were very pleased and very complimentary of the efforts of staff during their work here.

Maine Municipal Association Convention – The MMA Convention is being held next Tuesday and Wednesday at the Civic Center in Augusta. You all received programs for the meeting in the Maine Townsman magazine that you get monthly. If there are any of you that wish to attend – please let me know and I will make reservations.

Lot 12 Sale – I am happy to report that the sale of lot 12 in the Business Park was completed on Thursday, September 30<sup>th</sup>. This is the second lot in the park that has been purchased by Hampden Properties, LLC.

Second Candidate Forum – The second Candidate Forum involving RSU 22 School Board Candidates and State House (District 34) and Senate (District 33) Candidates will be held on Tuesday, October 12<sup>th</sup> at 6:30 p.m. in the Town Council chambers. The forum will be aired live and rebroadcast during the month before the election.

Tax Due Date – Tax due date for the first half of property taxes is Wednesday, October 6<sup>th</sup>. As of 10 a.m. today we had collected 30% of the tax commitment. By Thursday of this week we should be over 40%. Thank you to all the Hampden Taxpayers who do such a great job of meeting their property tax obligations in a timely manner!

LLBean Site Clean Up – The Public Works Department completed clean up of the LLBean site this past week. It was done separately from the Bangor Hydro and Dicenzo Lot cleanups due to the nature and size of debris deposited there. The final totals for debris removed from the LLBean Site were 71.92 tons of demolition debris. The cost of the project (demolition debris disposal, offsite containers, etc. was approximately \$6,000).

**TOWN COUNCIL MINUTES****October 18, 2010**

The regularly scheduled meeting of the Hampden Town Council was held on Monday, October 18, 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, William Shakespeare, Jean Lawlis, and Janet Hughes; Thomas Brann was excused

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell

**Department Heads/Staff:** None

Mayor Arnett noted that Councilor Brann was unable to attend the meeting and asked for a motion to excuse him. Councilor Cushing so moved; seconded by Councilor Lawlis – unanimous vote

**A. CONSENT AGENDA**

Motion by Councilor Cushing, seconded by Councilor Shakespeare to accept the Consent Agenda – unanimous vote in favor.

**B. PUBLIC COMMENTS**

There were none.

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

- a. APPLICATION FOR VICTUALERS LICENSE RECEIVED FROM HANNAFORD BROS. CO. d/b/a HANNAFORD SUPERMARKET & PHARMACY #8417 at 77 WESTERN AVENUE

Mayor Arnett explained the public hearing process and then opened the hearing. There were no proponents, opponents and no one with general questions or comments. The hearing was closed.

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

b. GENERAL ASSISTANCE ORDINANCE – ADOPTION OF  
APPENDIXES A, B & C FOR 2010/2011

Mayor Arnett opened the hearing. There were no proponents, opponents and no one with general questions or comments. The hearing was closed.

Motion by Councilor Shakespeare, seconded by Councilor Lawlis to adopt Appendixes A, B & C – unanimous vote in favor.

**2. NOMINATIONS-APPOINTMENTS-ELECTIONS**

a. APPOINTMENT OF SARAH REINHART TO HISTORIC  
PRESERVATION COMMISSION – PLANNING & DEVELOPMENT  
COMMITTEE RECOMMENDATION

Councilor Hughes reported that the Planning & Development Committee had interviewed Ms. Reinhart and recommends the appointment. She then moved to appoint Sarah Reinhart to the Historic Preservation Commission; seconded by Councilor Lawlis – unanimous vote in favor.

**3. UNFINISHED BUSINESS**

a. HAMLIN'S MARINA LEASE AMENDMENT – SECTION 4.A re  
ALCOHOLIC BEVERAGES – PLANNING & DEVELOPMENT  
COMMITTEE RECOMMENDATION

Councilor Hughes informed the Council that a full service restaurant has approached Hamlin's Marine and expressed interest in occupying the building at the marina and that they would want to serve alcohol. The current marina lease prohibits the sale of alcohol on the leased premises. The Planning & Development Committee has met with Dan Higgins of Hamlin's Marine and it is the recommendation of the Committee to remove that provision from the current lease.

Motion by Councilor Hughes, seconded by Councilor Lawlis that the line "No alcoholic beverages shall be sold, served, or consumed on the leased premises" be stricken from the lease for the purposes of developing a restaurant on the waterfront – unanimous vote in favor.

b. PENOBSOT COUNTY MULTI-JURISDICTIONAL HAZARD  
MITIGATION PLAN

Manager Lessard noted that the plan has not been published and recommended that the Council table this item.

Motion by Councilor Cushing, seconded by Councilor Hughes to table this item indefinitely – unanimous vote in favor.

**4. NEW BUSINESS**

There was none.

**D. COMMITTEE REPORTS**

Councilor Shakespeare reported that the Infrastructure Committee will meet on October 25<sup>th</sup> at 6:00 pm.

Councilor Lawlis reported that the Services Committee met on October 12<sup>th</sup> but there wasn't a quorum. The only item on the agenda had been a report from SAD #22 regarding the proposed joint trail project and it appears that in the grant process, the financial obligation has shifted to the Town. It was recommended that we wait until the next round of grants.

Councilor Cushing reported that the Communications Committee is awaiting delivery of the new digital system for use with the cable Channel 7 programming.

Councilor Hughes reported that the Planning & Development Committee is currently working on the medical marijuana ordinance and will have a recommendation for the Council in November. The next meeting of that committee is November 3<sup>rd</sup> at 6:00 pm.

Manager Lessard reported that the Finance Committee met earlier and signed the loan documents for the Mayo Road reconstruction project and reviewed the Town's compensation structure and how it compares to communities of comparable size.

**E. MANAGER'S REPORT**

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

**F. COUNCILOR'S COMMENTS**

Councilor Cushing commented that the Town has been proactive in improving the Mayo Road and adding the sidewalk, which enhances the ability of people to walk, run and recreate around the Four-mile Square. He noted that in the original discussions about the plans for the new school, there were advocacies for a sidewalk to be included in the plan and he expressed disappointment in that there was no communication with the Town when the sidewalk was removed from the plan. We are now faced with the need to play catch-up to try to get the sidewalk instituted before there is an increase in traffic.

Mayor Arnett encouraged everyone to attend the Hampden Academy Re-use Committee meeting on October 20<sup>th</sup>.

**G. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:22 p.m.

  
Denise Hodsdon  
Town Clerk

MANAGER'S REPORT  
October 18, 2010

3 Community Meeting – A reminder that the next meeting of Hampden, Winterport and Newburgh municipal officials is Tuesday, October 26, 2010 at 6:30 p.m. at the Victoria Grant Center in Winterport.

SAD #22 Ad-hoc Re-use Committee Meeting – A reminder that the Planning and Development Committee meeting for Wednesday, October 20<sup>th</sup> has been cancelled to allow Committee members and other Councilors to attend the SAD #22 Ad-hoc Re-use Committee Meeting on Wednesday, October 20<sup>th</sup> at 6:00 p.m. at Reed's Brook Middle School.

Ray Pipes Going Away Luncheon – A going away recognition luncheon was held for Ray Pipes who is leaving Hampden Public Safety to accept the position of Fire Chief with the Town of Hermon. It was well attended - Ray will be greatly missed.

Staffing – Public Safety – Firefighter/Paramedic Dan Pugsley has been hired to replace former Fire Inspector Keith Barnhard who resigned effective September 30<sup>th</sup>. Firefighter/paramedic Jared LeBarnes has been hired to fill the firefighter/paramedic post vacated by Dan Pugsley, and Public Safety is in the process of hiring a paramedic/firefighter from Hancock County to replace Ray Pipes. Applications for the lieutenant position in the department closed October 15<sup>th</sup>. Testing will be done on applicants and the Public Safety Director will make an appointment to that position following candidate interviews.

Implementation & Strategy Meeting – Councilor Brann has requested a meeting of the Comprehensive Planning Committee and councilors for Thursday, November 4<sup>th</sup> at 6 p.m. to begin discussions of the next steps for the implementation of the Comprehensive Plan.

Resignation from Conservation Commission – I am sorry to report that Donald Katnik has tendered his resignation from the Conservation Commission due to personal reasons. He has served as the Chair of this committee and his input and work will be greatly missed.

Hampden Academy Construction Report – Attached is a copy of the Hampden Academy construction report for the period covering 9/18/2010 – 10/1/2010.

Employee Handbook – The final draft of the Employee Handbook has been reviewed by Department Heads. Janie Pitcher has spearheaded the efforts on this project and done a great job. In the process of developing the book it has come to light that there are a number of policies related to employees that are outdated and which need amendment to comply with current laws. A list of the impacted policies/ordinances and suggested language changes for conformity will be provided to the Administration and Finance Committee for consideration prior to review of the Handbook by the Town Council. The book is not an ordinance in itself but a compilation of all rules, regulations, ordinances and policies regarding employees for the Town of Hampden.

Council Goals and Objectives – The Council has discussed the idea of a planning retreat for some time now and to date have made no definitive plans to hold one. I would suggest that some time after the election when the 7<sup>th</sup> council seat is filled and before the end of the calendar year that we hold a session to begin goal-setting for the 2011 year.

Tax Collections – I am pleased to report that as of one week after the due date for 50% of taxes, we have collected 48.31 % of Real Estate taxes and 45.3% of personal property taxes. This is an outstanding collection rate!

Special Council Meeting Minutes  
November 10, 2010

Attending:

Mayor Matthew Arnett	Dan Higgins
Councilor Tom Brann	Dave Hamlin
Councilor Janet Hughes	Susan Lessard, Town Manager
Councilor William Shakespeare	Dean Bennett, Economic Dev. Director
Councilor Andre Cushing	Katie Higgins
Councilor Elect Kristen Hornbrook	Chris Hamlin

The meeting was opened at 7:20 p.m. by Mayor Arnett. The late start was due to the absence of a quorum until Councilor Cushing arrived. The meeting was not held in Executive Session.

1. Negotiations – Hamlin Marine

Economic Development Director Dean Bennett gave an overview of the 2 year process that had been underway for consideration of a land exchange between Hamlin Marine and the Town of Hampden. The Town and Hamlin have had land surveys, yellow book appraisals, and environmental reviews of both involved parcels and the land valuations of each are within \$10,000 of each other. The undeveloped Turtle Head peninsula lot value exceeds the developed parcel value.

Over the course of the summer, Chevron, through its environmental consultants and attorneys, expressed interest in a project that would involve the possibility of Chevron funding the land exchange project through a grant that was part of an environmental improvement project. This project would serve as part of the requirements of compliance with a consent agreement between Chevron and the Department of Environmental Protection related to oil tanks that leaked on land in Hampden adjacent to the Penobscot River. Chevron and the DEP have been working on remediation of that site for a number of years, and remediation will continue regardless of the grant project.

The discussion among those present included how the land acquisition by both parties would be funded, what length of time might be given to the Hamlins' to pay it, and what form payment might take. As one possibility, Mr. Hamlin explained an annual boat donation/raffle that his business does with the Belgrade Lakes Association that nets that organization nearly \$25,000 per year.

The Town's Economic Development Director explained that what Chevron and its attorneys and environmental consultants would be looking for at the meeting on 11/17 was a plan between the Town of Hampden and Hamlin Marine that was

solid to move forward. Further, that the Town agreed to the land swap and that Hamlin's agreed to exercise the land purchase option and sell it to the Town.

Councilors present discussed the fact that this project had been ongoing for several years and that it was anticipated that a time would come when a decision would be made on whether or not to go forward with the swap, and on what dollar value terms and conditions. It was the consensus of the Council that the land swap should go forward regardless of whether or not the Chevron grant was received. The source of funding for the purchase of the lot, if the Chevron grant were not received, would likely be the Host Community Benefit Fund. Terms of payment from Hamlin to the Town would be worked out by the Council and Hamlin, likely through a recommendation of the Finance & Administration committee with assistance by the Town Attorney.

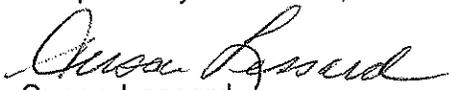
Motion by Tom Brann, seconded by William Shakespeare to purchase the Turtle Head peninsula lot for \$250,000 from Hamlin Marine and to sell the current Hamlin Marina leased lot to Hamlin Marine for \$250,000. The vote was unanimous.

Councilors were reminded of the meetings with Chevron and its associates to be held on Wednesday, November 17<sup>th</sup> beginning at 1 p.m. at Hamlin Marine.

Mayor Arnett will not be present for the Council Meeting on Monday, November 15<sup>th</sup> or the meeting on the 17<sup>th</sup> with Chevron, so he took a few minutes to update the Council on the activities of the MSAD #22 Re-use Committee. This included presentation by SAD #22 officials of a Public Relations Plan for the committee and announcement of a public forum on November 30<sup>th</sup> related to legal issues to be held by the District.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,



Susan Lessard  
Town Manager

## TOWN COUNCIL MINUTES

November 15, 2010

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

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

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell

**Department Heads/Staff:** Economic Development Director Dean Bennett; Public Works Director Galen 'Chip' Swan; and GIS/IT Specialist Gretchen Heldmann

Capt. Dan Scott of the Maine Warden Service; representatives of Maine Dept. of Conservation, Goodwill Riders Snowmobile Club and Penobscot Valley 4-Wheel Drive Club; Jim Kiser and Stan MacMillan; and citizens

The first order of business was the swearing in of Councilor At-Large Kristen Hornbrook. Deputy Mayor Cushing welcomed Councilor Hornbrook and presented her with Hampden seal and "key to the city" lapel pins and a Hampden Volunteer coffee mug.

### A. CONSENT AGENDA

Motion by Councilor Hughes, seconded by Councilor Lawlis to accept 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. OFFICIAL RETURN OF VOTES – NOVEMBER 2, 2010 MUNICIPAL ELECTION

Town Clerk Denise Hodsdon reported the results of the November 2<sup>nd</sup> Municipal Election. The Official Return of Votes was circulated for signatures of the Council.

3. UNFINISHED BUSINESS

a. MAINE WARDEN SERVICE – LANDOWNER APPRECIATION DAY REVIEW

Captain Dan Scott of the Maine Warden Service explained the history of how Landowner Appreciation Day came about. He noted that the public relies on private landowners for recreational activity and one of the things that landowners find most upsetting is the illegal dumping that takes place on their properties. Capt. Scott explained that the Warden Service identified several dumping sites, including the Dicenzo and Hydro sites in Hampden, and reached out to users to help clean them up. This also led to the cleanup of the former L.L. Bean parcel currently owned by the Town. He praised the work of GIS/IT Specialist Gretchen Heldmann who served as the local site coordinator for the project. He presented Gretchen with a certificate of appreciation and a framed wildlife print.

Captain Scott also recognized the volunteer efforts of members of the Goodwill Riders Snowmobile Club, 4-Wheel Drive Club, local Boy Scouts, the Department of Conservation and Maine Game Wardens and presented certificates of appreciation to those who were in attendance.

b. HAMLIN MARINA/TOWN – LAND DISCUSSION

Economic Development Director Dean Bennett reported that at its special meeting on November 10<sup>th</sup>, the Council voted to sell the town-owned marina parcel to Hamlin Marine and to purchase the abutting property from Hamlin once they have exercised their option to purchase that parcel. Manager Lessard reported that the Finance Committee had discussed this at its meeting earlier and recommended that it be referred to the Planning & Development Committee to work with the Town Attorney and come back to the full council with a recommendation.

Motion by Councilor Brann, seconded by Councilor Lawlis to refer negotiations of how the transfer will occur to the Planning & Development Committee – unanimous vote in favor.

c. LOADER BID RESULTS – INFRASTRUCTURE COMMITTEE RECOMMENDATION

Councilor Shakespeare reported that the Infrastructure Committee had reviewed the bid results with the Public Works Director and recommended acceptance of the bid from Nortrax (Option #1) with a total bid cost of \$55,000. The price of the new loader after the trade-in allowance will be \$72,000, with a guarantee buy back in five years of \$72,000.

Motion by Councilor Shakespeare, seconded by Councilor Brann to accept the Option #1 bid from Nortrax as recommended – unanimous vote in favor.

d. SEWER EASEMENT ACCEPTANCE – WESTERN AVENUE –  
INFRASTRUCTURE COMMITTEE RECOMMENDATION

Public Works Director Chip Swan explained that this easement is for the sewer manhole on Western Avenue that is part of the Katahdin Trust development.

Motion by Councilor Brann, seconded by Councilor Hughes to accept the sewer easement; vote was 5-0-1 (Hornbrook abstained)

**4. NEW BUSINESS**

a. SEWER COMMITMENT – 07/01/10 to 09/30/10

Motion by Councilor Brann, seconded by Councilor Shakespeare to accept and sign the commitment – unanimous vote in favor.

b. REVISED COMMITMENT – 10/1/09 to 3/31/10 – CHARLES CLARK,  
III

Motion by Councilor Brann, seconded by Councilor Hughes to accept and sign the revised commitment – unanimous vote in favor.

c. MUNICIPAL REVIEW COMMITTEE – BOARD OF DIRECTORS  
BALLOT

Upon the recommendation of Manager Lessard, motion by Councilor Brann, seconded by Councilor Lawlis to cast a vote for Dennis Cox of Millinocket; vote was 5-1 (Hornbrook)

d. PERKINS DRIVE ACCEPTANCE

Public Works Director Chip Swan informed the Council that the developer has met all the criteria for road acceptance.

Motion by Councilor Brann, seconded by Councilor Hughes to accept Perkins Drive – unanimous vote in favor.

e. RANDALL ARENDT WORKSHOP

This item was informational only relative to a workshop the Council will have with consultant Randall Arendt on December 14<sup>th</sup> regarding implementation of the newly adopted Comprehensive Plan.

- f. APPLICATION FOR RENEWAL OF LIQUOR LICENSE RECEIVED FROM COUNTRYMEADOW, INC. d/b/a PIZZA GOURMET, 60 MAIN ROAD NORTH

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

#### **D. COMMITTEE REPORTS**

Councilor Hughes reported that the Planning & Development Committee will meet on November 17<sup>th</sup> at 6:00 pm.

Councilor Lawlis reported that the Services Committee met on November 8<sup>th</sup> and heard updates from the Tree Board, Friends of Dorothea Dix Park and the dog park group. The Services Committee also reviewed a map of all town-owned property and identified some parcels as future park areas.

Councilor Shakespeare reported that in addition to the items already discussed by the Council this evening, the Infrastructure Committee discussed the condition of two properties – one at the corner of Kennebec and 1A that formerly housed the Town Office and one at the intersection of Western Avenue and 1A. Both properties are in disrepair and the Town Manager will contact the owners to find out what their plans are for the properties.

#### **E. MANAGER'S REPORT**

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

#### **F. COUNCILOR'S COMMENTS**

Councilor Shakespeare commented that speeding has been a problem with the completion of the Mayo Road reconstruction and asked if the Police have increased monitoring in that area.

Councilor Lawlis commented that she has been walking at Dorothea Dix Park as it is a safe place to walk during hunting season. She did note however, that now that the entrance to the park has been closed off, people have been parking in the grassy area. She pointed out that the town doesn't have an easement over that land for vehicles and stated that we need a recommended safe parking area.

Councilor Brann said he has heard from residents regarding the lack of streetlights at Papermill and Coldbrook Roads. He has also heard complaints that the stop line at the end of Mayo Road is too far back and is causing visibility problems.

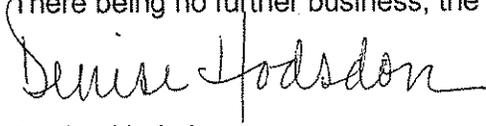
Councilor Hornbrook thanked everyone who voted for her and said she appreciated the opportunity to serve the community. She thanked the Council and Town Manager for answering all of her questions.

Councilor Hughes welcomed Councilor Hornbrook.

Deputy Mayor Cushing informed the Council that he and the Library are honored to have the Maine State Librarian attend the Library's breakfast tomorrow morning.

**G. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:25 p.m.

A handwritten signature in cursive script that reads "Denise Hodsdon". The signature is written in black ink and is positioned above the printed name and title.

Denise Hodsdon  
Town Clerk

MANAGER'S REPORT  
November 15, 2010

Municipal Review Committee – The Town received the fourth quarter distribution for the difference between the guaranteed tonnage disposal price at PERC of \$45 per ton and the current per ton price of \$73 per ton. The amount of the check was \$24,139.41.

Hampden Academy Re-use – The SAD #22 Reuse Committee is holding a workshop on November 30<sup>th</sup> at 5:30 p.m. at the Hampden Academy Library regarding current laws and regulations governing reuse options. This workshop will be conducted by School Attorney Rob Nadeau of Drummond Woodsum. RSVP's must be made to Gloria Aurelio by November 24<sup>th</sup>. Please let me know if you plan on attending and I will notify Ms. Aurelio. The District Reuse Committee has also scheduled a public forum for community members on Tuesday, January 18, 2011.

Strategic Planning Session – Mayor Arnett is hoping to get a strategic planning 'day' scheduled for the Council during the month of January. He suggested either Saturday January 8<sup>th</sup> or Saturday January 22<sup>nd</sup> as potential dates.

Bond Anticipation Note – The Town received its General Obligation Bond for the Mayo Road on October 28<sup>th</sup> and paid off the Bond Anticipation Note to Key Bank on the 29<sup>th</sup>. The Total interest on the temporary borrowing (\$1.2 million) was just a little over \$3,000. We were fortunate to obtain the 1.4% interest rate.

Flags & Decorations – The American Flags that have been up since last May will be taken down tomorrow and the Christmas decorations will be put up on the poles.

Kiwanis Christmas Party – The annual Kiwanis Christmas Party will be held on Sunday December 4<sup>th</sup> at 4 p.m. in the Community Room of the Municipal Building.

State Senator and State Representative – Congratulations to Representative Cushing and Senator Plowman for being selected by their Caucus for the position of Assistant Majority Leader in both chambers of the Maine Legislature. It is an honor for them and for their constituents to have been selected for these leadership positions.

# The value of Membership...



Maine Municipal Association  
Risk Management Services

## 2010 Workers Compensation Fund

### Town of Hampden

During the 2010 Workers Compensation Fund coverage year, the Town of Hampden received the **benefits** identified below:

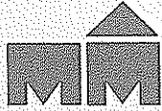
<b>DIVIDENDS</b>	The governing board of the Workers Compensation Fund voted dividends to be distributed in 2010. Dividends are not guaranteed year-to-year.  <b>Dividends PAID to the Town of Hampden: ..... \$5,931</b>
<b>SAFETY GRANTS &amp; SCHOLARSHIPS</b>	The Safety Enhancement Grant and Scholarship Grant program offers financial incentives to your Entity as a member of the Workers Compensation Fund. Grants are awarded to assist in reducing the frequency and severity of your workplace injuries.  <b>Grants and Scholarships Awarded: ..... \$1,340</b>
<b>LOSS CONTROL</b>	In the last year, Loss Control staff visited your entity and provided services which may include training, consultation & safety surveys resulting in <u>0.70</u> service hours.  <b>The estimated value of this service is:..... \$67</b>

### THE TOTAL VALUE OF BENEFITS FOR THE 2010 YEAR:

# \$7,338\*

\*This is NOT a bill.

*The Maine Municipal Association Workers Compensation Fund appreciates your participation.*



## **WORKERS COMPENSATION FUND**

**MMA Risk Management Services**

**MAINE PEOPLE WORKING FOR MAINE COMMUNITIES**

*Membership is the difference*

### **ADVANTAGES:**

- A Partnership of Maine Communities grouping together to fund The Workers Compensation Fund
- Public Entity risk management is what we do and all we do
- Specialized comprehensive coverage designed for Maine Communities
- Providing rate stability for our members

### **Loss Control:**

- Experienced, designated Loss Control Consultants
- MMA staff provides all services with no additional fees
- Partnering with you to provide inspections, training and consultation, specific to municipal exposures that prevent injuries and accidents and help you control your costs
- Safety Committee Assistance
- Safety grants and scholarships
- Online training and website resources
- Provide guidance establishing safety programs, policies and procedures

### **Claims Management:**

- In State claims handlers
- Online, fax or paper claims reporting
- Direct access to your assigned Claims Handler
- Claims review meetings are encouraged and available at your request/location

### **Member Services/Underwriting:**

- On-site visits at your convenience
- Direct access to your underwriter to answer coverage questions
- New and renewal application assistance
- Itemized breakdowns of contributions available
- We offer Transitional Return To Work and Preferred Provider assistance

*The Maine Municipal Association Workers Compensation Fund appreciates your participation.*

FINANCE COMMITTEE MEETING  
Monday, November 15, 2010  
Minutes

Attending:

- Councilor Jean Lawlis
- Councilor Janet Hughes
- Councilor Tom Brann
- Community & Economic Development Director Dean Bennett
- Councilor-Elect Kristen Hornbrook
- Councilor William Shakespeare
- Town Manager Susan Lessard

The meeting was opened at 5:55 p.m. by Councilor Lawlis.

1. Minutes of 10/18/2010 – There were no corrections or additions made to the minutes and no objections to their adoption as written.
2. Review of Warrants – Councilor Shakespeare signed the warrants, Mayor Arnett will do so upon his return from California, and Councilor Lawlis had not yet reviewed them so wished to wait until after she had done so.
3. Financial Statements – 10/31/2010 – The Town Manager presented the Financial Statements for 10/31/2010. There were no questions from the Committee Members regarding the statements.
4. Old Business
  - a. Hampden Academy Reuse – The Town Manager informed the Committee that a meeting was scheduled for November 30<sup>th</sup> at 5 p.m. at the Library at Hampden Academy for the purpose of a presentation/answer session with Rob Nadeau, School Board Attorney, related to the options that the District has with regard to the reuse of Hampden Academy. The invitation asked that questions be forwarded to the District by the 24<sup>th</sup> of November.
  - b. Hamlin Marine/Town Land Discussion – Those present discussed the ‘next step’ in the process for the land exchange between the Town of Hampden and Hamlin Marine. The decision to acquire one property and sell the other to Hamlin was made on the 10<sup>th</sup>. The details of the transaction related to payment to the Town by Hampden needs to be worked out by either Planning and Development and Hamlins or Finance & Administration and Hamlins, or some combination of both committees with a recommendation going to the full council for action.
  - c. Perkins Drive Acceptance – The Town Manager informed those present that the developer and engineer for the subdivision had been consulted and wished to have the acceptance done now instead of in the Spring. As a result of the Infrastructure Committee review of the project, they had been asked if it were possible to wait so that plowing would not need to be done in an empty subdivision for the coming season. All required actions

*have been completed by the developer and the Infrastructure Committee no deficiencies that needed attention prior to acceptance.*

5. New Business

- a. *Randall Arendt Workshop – The Randall Arendt workshop related to conservation development is scheduled for December 14<sup>th</sup>. Economic Development Director Dean Bennett is coordinating this event. Other Town committee members, school administration officials, and town department heads will be invited as will members of the Hampden Business Association who are interested.*
- b. *Date for Strategic Planning Meeting – The Town Manager presented two dates for the proposed Strategic Planning Meeting – January 8<sup>th</sup> and January 22<sup>nd</sup>. Those attending were asked to check their calendars and let the Town Manager know prior to the December 6<sup>th</sup> Council meeting which date worked the best.*

6. Public Comments - *None*

7. Committee Member Comments – *None*

*The meeting was adjourned at 6:55 p.m.*

*Respectfully submitted –*

*Susan Lessard  
Town Manager*

INFRASTRUCTURE COMMITTEE MEETING MINUTES  
Monday, November 22, 2010

Attending:

Chairman William Shakespeare  
Councilor Jean Lawlis  
Councilor Kristen Hornbrook  
Mayor Matthew Arnett  
Town Manager Susan Lessard  
Public Works Director Chip Swan

FF/PM Jason Lundstrom  
Fire Inspector Dan Pugsley  
Public Safety Director Joe Rogers  
Gary Mock

1. Minutes of 10/25/2010 Meeting – Motion by Mayor Arnett to approve the minutes as written. There were no objections.
2. Old Business
  - a. Randall Arendt Workshop – The Town Manager presented information about the upcoming workshop to be held on December 14<sup>th</sup>. A noon session has been added to the program to be held as part of the Hampden Business Association meeting. It is slated to be held at Angler's restaurant in the new addition. The Mayor explained the background for the upcoming sessions and encouraged all Councilors to make an effort to attend at least part of the day's events.
  - b. MSAD #22 – Sidewalk Response – The Town Manager presented the SAD #22 response to a request from the Town to participate financially in a sidewalk extension from the intersection of 202 (the new school entrance) and Roe Village in order to lessen the pedestrian volume crossing at the 202/Western Avenue/School Entrance intersection. SAD #22 indicated that the Department of Education had turned down their request to use funds from the school project in that manner. Committee members were also given information by Public Works Director Swan on the sidewalk grant applications that had been filed with MDOT for a full sidewalk from 202/Western Avenue to Mayo Road or from the end of the current Western Avenue sidewalk to Mayo Road. Decisions on those applications will be made in the Spring of 2011.
  - c. Mayo Road Update – Public Works Director Swan reported that the Mayo Road Project was complete with the exception of some plantings that will need to be done in the Spring.
  - d. Fire Truck Sale Offer – Use of Proceeds – Public Safety Director Joe Rogers informed the Committee that the Town of Detroit, Maine had called and offered \$20,000 for the 199 E-1 Truck that the Town had advertised for sale earlier this year. The bids were rejected at that time because none were in the \$20,000+ range expected from the sale. It was the recommendation of

*the Public Safety Director that that Council sell the truck to the Town of Detroit, Maine. Motion by Mayor Arnett, seconded by Councilor Lawlis to recommend to the Council that the 1991 E-1 Fire Truck be sold to the Town of Detroit for \$20,000. Vote 4-0.*

*Public Safety Director Rogers introduced a proposal to the Committee to use some of the proceeds from the sale of the 1991 E-1 truck to purchase a power lift stretcher for the front line ambulance. This item would make loading and unloading of patients to and from the ambulance a safer act for both the ambulance personnel and the patients. Fire Inspector Dan Pugsley and FF/PM Jason Lundstrom gave information related to the positive impacts to the department and to patients if the Town acquired such a stretcher.*

*Staff discussed the difficulty in loading patients into the ambulance, in particular those that were extremely heavy. Recent ambulance activity has required call-back of personnel to help lift for such calls.*

*Mayor Arnett expressed concern that this item was not being discussed as part of the regular budget process and wanted more information regarding the use of this type of stretcher in other ambulance services, as well as information related to worker's compensation injuries that have occurred from lift-related calls.*

*Councilors Hornbrook, Lawlis, and Shakespeare indicated that they felt that this piece of equipment would be a positive addition to the equipment owned by the Town and would provide greater safety for both patients and ambulance personnel. Councilor Lawlis expressed support for using part of the proceeds from the sale of the Fire Truck to pay for the acquisition, therefore not impacting the budget.*

*Motion by Councilor Lawlis, seconded by Councilor Hornbrook to recommend to the Council that they use part of the proceeds from the sale of the 1991 E-1 Fire Truck to purchase a power stretcher for the front line ambulance. Vote 3 – 1 (Arnett)*

*Other Old Business:*

*Councilor Shakespeare asked about the following topics:*

- 1. Alewives – The Town Manager reported that Mr. Faulkingham was working with Marine Resources to improve the ability of alewives to move up the Souadabscook.*
- 2. Cancer Cell – The Town Manager reported that she had talked with Mr. Barrows and that he had requested that additional information be obtained from the Maine Cancer Registry in regard to cancer diagnoses in areas adjacent to Coldbrook Road.*

3. *Flags- The Public Works Director reported that a local group was going to fundraise for new flags for next year and that a local Boy Scout troop would be assuming responsibility for getting the flags put up and maintained.*
4. *Streetlight at entrance to Town Office – The Public Works Director reported that he had reported the outage to Bangor Hydro and that they would be fixing it.*

### 3. New Business

a. *Sewer Easement – Elm Street West – Mock – Property owner Gary Mock attended the meeting to present a request that the Town grant him an easement for a private sewer line over a portion of the Town right of way on Elm Street West. Public Works Director Chip Swan reviewed a proposed easement prepared by the Town Attorney and a drawing of the location of the proposed line. Mr. Mock indicated that his options were to get an easement from the Town or to apply to locate a septic system on the property in question, even though the lot lacks sufficient size and frontage to conform to the Town Zoning Ordinance. In that case, he would need to be granted a variance by the Appeals Board for the location of a septic system.*

*The easement in question only gives Town permission for the location of the line in the Town right of way, and Mr. Mock would be responsible for gaining any approvals necessary from other landowners whose property he has to cross with the private sewer line.*

*Motion by Mayor Arnett, seconded by Councilor Lawlis to recommend to the full Council that an easement be granted to Gary Mock for the location of a private sewer line according to the terms outlined in the easement prepared by the Town Attorney, Vote 4-0.*

### 4. Public Comments - None

### 5. Committee Member Comments

a. *The Public Works Director reported that the Town Office parking lot would be repaved next year and that at that time the walks around the building would be adjusted to avoid the current 'ponding' that occurs after any rainstorm.*

b. *Councilor Lawlis indicated that she would take time away from her job to attend Compost School if there was a realistic possibility that the Town would actually take steps to construct a yard waste area. Public Works Director Swan indicated that it could be done but he had concerns over contamination of a compost area with other materials.*

c. *Mayor Arnett told the Committee that he had read information that indicated that the City of Portland was looking to reduce street lighting both for budget and environmental reasons.*

*Motion by Mayor Arnett to adjourn at 7:30 p.m. There were no objections.*

*Respectfully submitted,*

*Susan Lessard  
Town Manager*

Current Folder: **INBOX**

4-4-Sign Out

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**Subject:** HA project status report

**From:** "Marie McCaw" <mmccaw@sad22.us>

**Date:** Mon, November 29, 2010 1:20 pm

**To:** aarbo8@aol.com ([more](#))

**Priority:** Normal

**Options:** [View Full Header](#) | [View Printable Version](#) | [Download this as a file](#)

Attached is a recent Hampden Academy project status report.

Thank you,

Marie McCaw  
Secretary  
MSAD #22  
Superintendent's Office  
Phone: 862-3255  
Fax: 862-2789

**Attachments:**

[untitled-\[1.1\]](#)

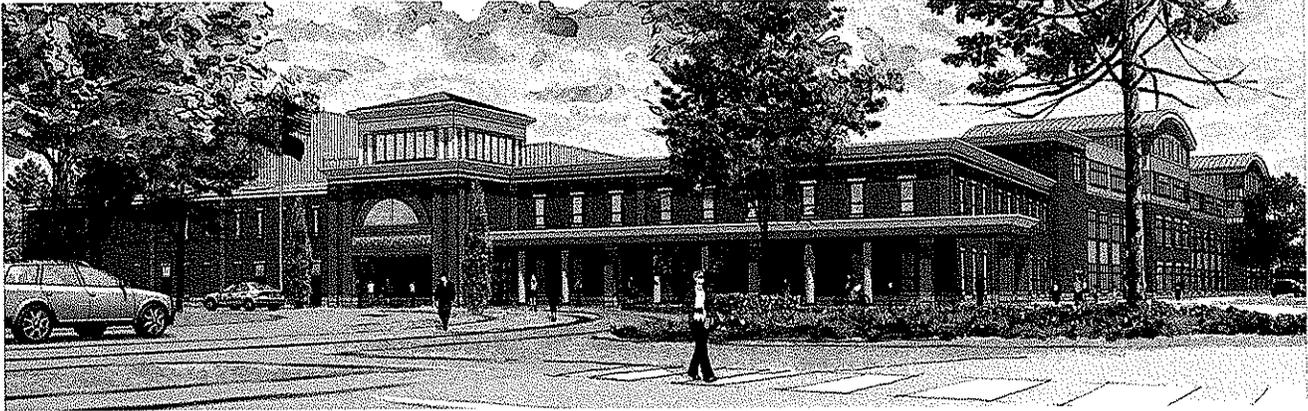
0.1 k [ text/plain ]

[Download](#) | [View](#)

[3332.22-apr bi-weekly report 11 10-29-2010.pdf](#)

1.9 M [ application/pdf ]

[Download](#)



**October 16, 2010 through October 29, 2010.**

- Grading and compacting continues to prepare the site roads and parking lots for pavement (Photo #1).
- The binder course of paving is installed on the student parking lot (Photo #2).
- Road and filter bed embankments continue to be graded, shaped and to have top soil installed.
- Work is resumed on retaining walls #3 and #5 (Photo #3).
- Curb installation at the Reeds Brook School is completed (Photo #4).
- Areas about the site are seeded and mulched as they become ready (Photo #5).
- The new 12" water line loop from Rt. 1A to Rt. 202 is completed.
- The installation of pre-cast concrete site light bases continues.
- New sanitary sewer manholes and pipelines are tested.
- The final concrete for exterior foundation walls (Photo #6), column footings and piers is placed.
- Concrete slabs are placed in the basement, the 2<sup>nd</sup> floor of segment C, and on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of segment F (Photo #7).
- Concrete work starts on the loading dock exterior retaining wall.
- Concrete work for the Athletic Storage Building #1 foundation is completed.
- The Gym structural steel erection starts (Photo #8) and metal deck installation continues.
- Spray applied fire proofing starts on the structural steel columns and beams.
- Light gage metal (LGM) framing continues on exterior walls (Photo #9).
- Excavation and backfill for interior underground plumbing is ongoing.
- Interior fill, grading and the installation of under slab crushed stone continues.
- Interior underground sanitary sewer and roof drain piping continues to be installed (Photo #10).
- Masonry work starts on the Gym east wall and continues on the segment F east stairwell (Photo #11).
- The installation of under slab electrical conduit continues.
- Work to provide temporary electrical power and lighting in the building continues.
- The 62<sup>nd</sup> geothermal well is drilled and piped (Photo #12).
- The grouting of the geothermal wells on resumes.

**PROGRESS PHOTOS:**



Photo #1: View west of the student parking lot.  
October 25, 2010.



Photo #2: View west of the student parking lot.  
October 26, 2010.



Photo #3: View west of retaining wall #3.  
October 28, 2010.



Photo #4: View southeast along retaining wall #1.  
October 29, 2010.



Photo #5: View southeast toward the south property line. October 29, 2010.



Photo #6: View southwest in building segment D. October 22, 2010.

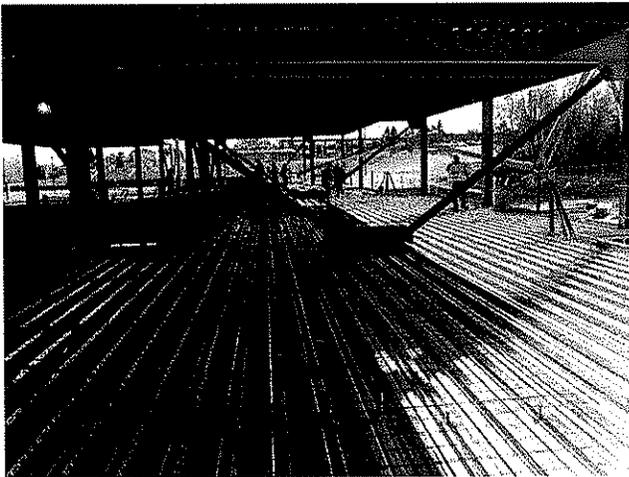


Photo #7: View east on the 2<sup>nd</sup> floor of segment F. October 20, 2010.

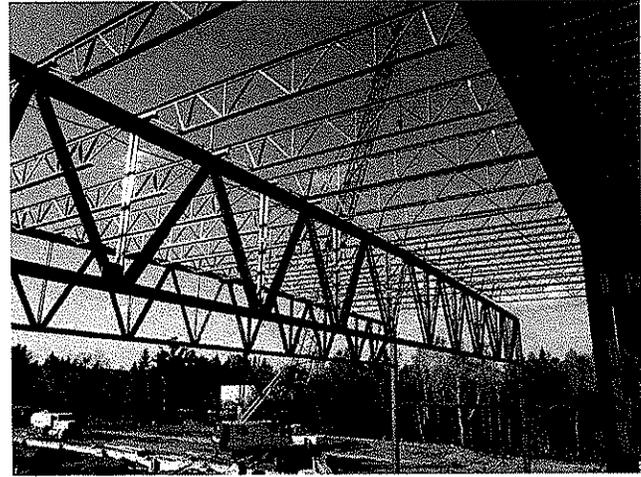


Photo #8: View northwest into the Gym. October 20, 2010.



Photo #9: View northeast of building segment F.  
October 26, 2010.

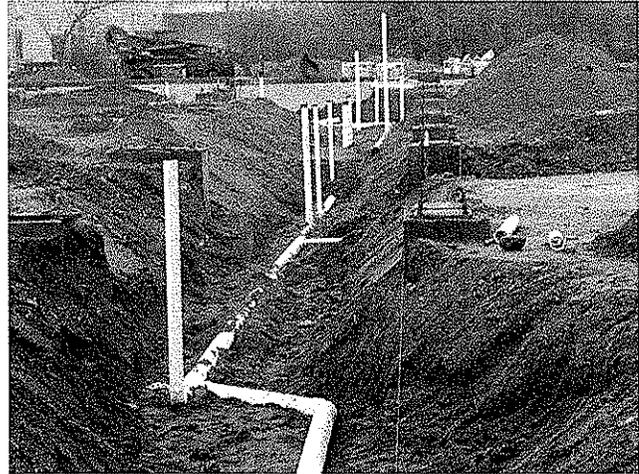


Photo #10: View north in building segment A.  
October 27, 2010.

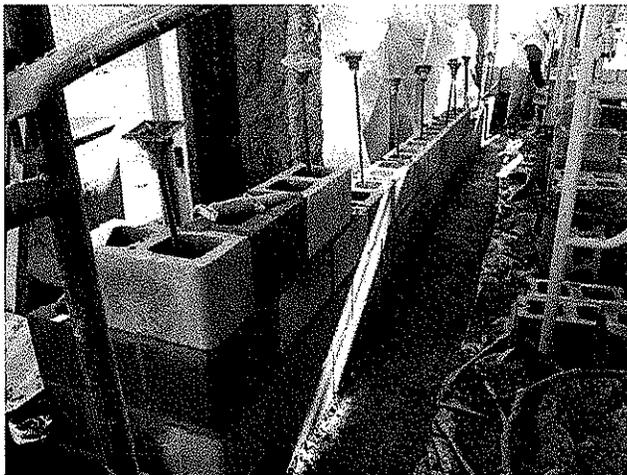


Photo #11: View south inside Stair 1650.  
October 28, 2010.



Photo #12: View northwest on the geothermal bore field.  
October 28, 2010.

Prepared by: Bruck Wilder – Architects Project Representative

**WBRC ARCHITECTS • ENGINEERS**  
44 Central Street  
Bangor, ME 04401-5116  
(207) 947-4511 phone (207) 947-4628 fax  
[www.wbrcae.com](http://www.wbrcae.com)

cc: File 16

3332.22-apr bi-weekly report 11 10-29-2010.docx

C-1-a



TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 12/6/10  
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: Carroll Crew, LLC  
d/b/a Pat's Pizza Business Name Tina Carroll Individual

ADDRESS: 662 Main Rd. North PHONE: 947-6488

MAP/LOT: Map 20, Lot 31 DATE: 10/19/2010

DEPARTMENT REPORT:

Staff inspected November 8, 2010, Appears to be  
in compliance with the Town of Hampden Victualer's  
Ordinance

DATE: 11/8/10

BY: [Signature]  
Title: Code Enforcement Officer

BY: [Signature]  
Title: Fire/Building Inspector

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 10-18-10 PHONE NUMBER: 947-6488

NAME(S): Carroll Crew LLC

ADDRESS: 209 Lower River Rd. Greenbush, ME 0448

NAME OF BUSINESS: Pat's Pizza

LOCATION OF BUSINESS: 662 Main Rd N Hampden ME 0444

SIGNATURE: Tina Carroll

\*\*\*\*\*

(FOR TOWN USE ONLY)

\*This facility has been inspected and meets ordinance criteria.

Ben Jb  
Code Enforcement Officer

Daniel A. Pugsley  
Fire Inspector/Building Inspector

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

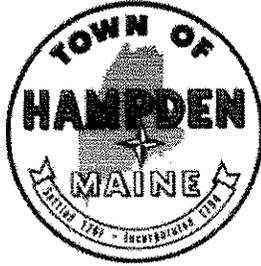
Cheryl M Johnson  
Tax Collector

Steve W. Howard  
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: OCT 19 2010 / \$ 125.00  
(Fee Includes Notice of Public Hearing)

**Memorandum**

TO: Town Council, Manager Lessard and  
Attorney Russell  
FROM: Denise Hodsdon, Town Clerk *dh*  
DATE: December 1, 2010  
RE: Victualer's License Application from  
Angelo's Pizza

---

Kliton Xhemali d/b/a Angelo's Pizza has submitted an application for renewal of his victualer's license. The Code Enforcement Officer and Fire/Building Inspector have done the initial inspection and reported to me that the shop's fire extinguishers have expired.

Mr. Xhemali's current victualer's license expires on December 15<sup>th</sup> and this has been advertised for public hearing on December 6<sup>th</sup> so it is included in the packet without a completed Department Report. Code Enforcement Officer Ben Johnson has been in contact with Mr. Xhemali and he hopes to have the inspection done by Thursday, December 2<sup>nd</sup> or at least before the Council meeting on December 6<sup>th</sup>. I hope to have the completed Department Report for you at that time.



TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 12/6/2010  
Public Hearing: Yes  No

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

NAME: Angelo's Pizza Klinton Xhemali  
Business Name Individual

ADDRESS: 102 Main Rd. South PHONE: 862-2224

MAP/LOT: Map 43, Lot 36 DATE: 11/15/2010

DEPARTMENT REPORT:

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DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Title:

BY: \_\_\_\_\_  
Title:

**TOWN OF HAMPDEN, MAINE**  
**APPLICATION FOR VICTUALER'S LICENSE**

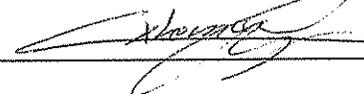
DATE: Nov 15/10      PHONE NUMBER: 207 862 2224

NAME(S): Bliton Khemeli

ADDRESS: 102 Main Rd South, Hampden, 04444

NAME OF BUSINESS: Angelo's Pizza of Hampden

LOCATION OF BUSINESS: 102 Main Rd South Hampden

SIGNATURE: 

\*\*\*\*\*

(FOR TOWN USE ONLY)

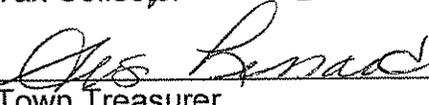
\*This facility has been inspected and meets ordinance criteria.

\_\_\_\_\_  
Code Enforcement Officer

\_\_\_\_\_  
Fire Inspector/Building Inspector

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

  
Tax Collector

  
Town Treasurer

\*\*\*\*\*

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

**LICENSE FEE: \$125.00**    Date Received/Fee Paid: 11/15/2010    1 \$125.00  
(Fee Includes Notice of Public Hearing)

C-4-a



**TO:** Mayor Arnett and Hampden Town Council  
**FROM:** Robert Osborne, Town Planner *RO*  
**SUBJECT:** Historic Preservation Grant Application  
**DATE:** November 23, 2010

The Hampden Garden Club is seeking a grant from Maine Historic Preservation Commission to make needed repairs to the foundation and wall of the building know as Harmony Hall. The project is estimated to cost \$14,220 and they are seeking \$7,110 from MHPC and have in-hand \$7,110 for the local match. The Town of Hampden is a "Certified Local Government" and is eligible to apply for this grant for the Hampden Garden Club.

Some on the Council may recall that several years ago the Town applied for a MHPC grant for the Hampden Historical Society.



Hampden Garden Club

November 22, 2010

To: Members of the Hampden Town Council

From: Hampden Garden Club

Dear Council Members,

For about two years, members of the Hampden Garden Club have been actively raising funds for needed repairs to Harmony Hall, 24 Kennebec Road, a building which is on the National Register of Historic Places. Our efforts have included fund-raising events, personal donations by our members, and a community-wide plea for donations.

The first two necessary repairs are to stabilize the building's deteriorated foundation and to repair a structural abnormality on the exterior left side of the building. We have engaged Bob Kelly of House Revivers, a Bangor-based company specializing in historic renovation, to oversee this project. The estimated cost of this first phase of repairs is \$14,220 (See the attached estimate). It will be done between May 1, 2011, and July 1, 2011.

We are seeking a grant of 50% of this amount from the Maine Historic Preservation Commission (\$7,110). We have the other 50% of funds in our own renovation account at Maine Savings.

We are aware that if we receive this grant, there will be a need for some expenditure of time and effort on the part of town office staff in the disbursement of grant funds. We are, therefore, requesting the support of the Town in this endeavor. Our application will be submitted to the Maine Historic Preservation Commission shortly.

The Hampden Garden Club members are proud of this historic building which we have owned since 1966. We are the only garden club in the State to own a building, and our goal is to make it stable, handicapped accessible, and more useful to the community as a whole.

Sincerely,

Anne Bennett  
President, Hampden Garden Club

# House Revivers

73 Pine St.  
Bangor, Maine 04401  
207-947-3863 Off  
207-942-0850 Fax  
bkellyhr@aol.com

November 10, 2010

Filename: HampdenGarden Club  
Job Site Information:

Estimate For:  
Hampden Garden Club  
Ann Bennett  
8 Dewey St.  
Hampden, Maine 04444

Harmony Hall

Description	Quantity	Units	Unit Cost	Total Cost
<b>1. Foundation</b>				
Reset granite foundation blocks & repoint. Level base for blocks. Create access hatch. It may be necessary to pour a new footing for the granite- this is not included.	1.00	Ea	9,600.00	9,600.00
Total of: Foundation				9,600.00
<b>2. Frame wall repair.</b>				
Remove siding, sheathing, repair or replace wall framing, resheath, and replace clapboards. Prime & paint.	1.00	Ea	2,250.00	2,250.00
Total of: Frame wall repair.				2,250.00
<b>3. Contingency</b>				
Contingency	20.00%	%T	(of: 11,850.00)	2,370.00
Total of: Contingency				2,370.00
<b>Estimate Grand Total:</b>				<b>14,220.00</b>

<b>Estimate Cost Breakdown:</b>	<b>Amount</b>
Labor:	11,100.00
Materials:	750.00
Subcontractor:	0.00
Equipment Rental:	0.00
Percent Items:	2,370.00
Tax:	0.00

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



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

November 19, 2010

Hampden Garden Club  
Ms. Anne Bennett, Pres.  
8 Dewey Street  
Hampden, ME 04444

Dear Anne,

Thank you for updating Hampden's Historic Preservation Commission on your plans to repair and stabilize the foundations at the Hampden Garden Club (HGC) on the Kennebec Road. As you know, this is one of Hampden's few historic properties listed on the National Register of Historic Places.

As we understand it, the HGC plans to utilize the skills of Bob Kelly, House Revivers, for the necessary stabilization work. Bob does excellent work and comes highly recommended from me and others lucky enough to have worked with him.

The Hampden Historic Preservation Commission supports your endeavor to pursue this grant and is hopeful that you have a successful result.

Sincerely,

Mike Pullen, Chair  
Hampden HPC

MAINE HISTORIC PRESERVATION  
COMMISSION

Survey & Planning, Development, Public Education, and Acquisition  
Projects

**Grant Application**

October 2010

Submission Deadline: December 17, 2010

# APPLICATION FORM

## HISTORIC PRESERVATION FUND GRANTS

Applications must be postmarked no later than December 17, 2010

Project Name: Harmony Hall Preservation Project

Location: 24 Kennebec Rd.

Hampden, ME 04444

Applicant Organization: Hampden Garden Club

Contact Person: Anne Bennett

Mailing Address: 8 Dewey St.

Hampden, ME 04444

Telephone Number: 862-3467

E-mail Address: pbkerfoot@yahoo.com

Refer to the Historic Preservation Grants Manual when completing this application.

Project Type:  Survey & Planning  Development

Public Education  Acquisition

Certified Local Government:  Yes  No

Grant Amount Requested: \$7,110

Match Amount: \$7,110

Match Source: Proceeds on hand accumulated from Club fund-raising events  
and donations by members and the public

Total Project Cost: \$14,220

# APPLICATION FORM

## HISTORIC PRESERVATION FUND GRANTS

- 1) Is this a continuing project that the Commission has previously funded?  Yes  No
- 2) Focus and Products: See attachment page 1; photos attached pg 2 & 3  
Describe the project focus on attached pages (this is the "for whom," the "what" and the "where" of the project). For more information, refer to the Focus and Products description for the applicable grant type in Section V of the Grants Manual.
- 3) Methodology: See attachment page 1 and page 4  
Describe the project methodology on attached pages (this is the "why" and "how" of the project). This narrative should be specifically related to the focus and products outlined in number 2. It should discuss the goals of the project in terms of additional information that will be gained, and how the resources will be surveyed or recorded, etc.
- 4) Project Personnel: See resume, attachment page 5  
Attach resumes and a description of professional expertise relative to the methodology of the project for all professionals known at the time of the application who would be conducting the project. Professionals must meet the minimum qualifications as set forth in Appendix C.
- 5) Public Benefit: See attachment page 1  
Provide a summary statement for publicity purposes that describes the public benefit this HPF grant would make possible.
- 6) Estimated Project Schedule:  
In the space below, provide an estimated project schedule based on an August 1, 2011, completion date.

May 1, 2011 - July 1, 2011

## **2. Focus and Products:**

Harmony Hall, 24 Kennebec Rd., Hampden, ME, is an historic building which was constructed in 1828 and is on the National Register of Historic Places. The Hampden Garden Club has cared for this building since 1937 and owned it since 1966. Although there has been constant routine maintenance, it has been apparent in recent years that major structural preservation needs to be done. Two major problems involve the shifting of the foundation's granite blocks and an exterior side wall bulge of uncertain cause. (See photos, attachment pgs. 2 & 3). We have engaged Bob Kelly of House Revivers of Bangor to do this work.

## **3. Methodology:**

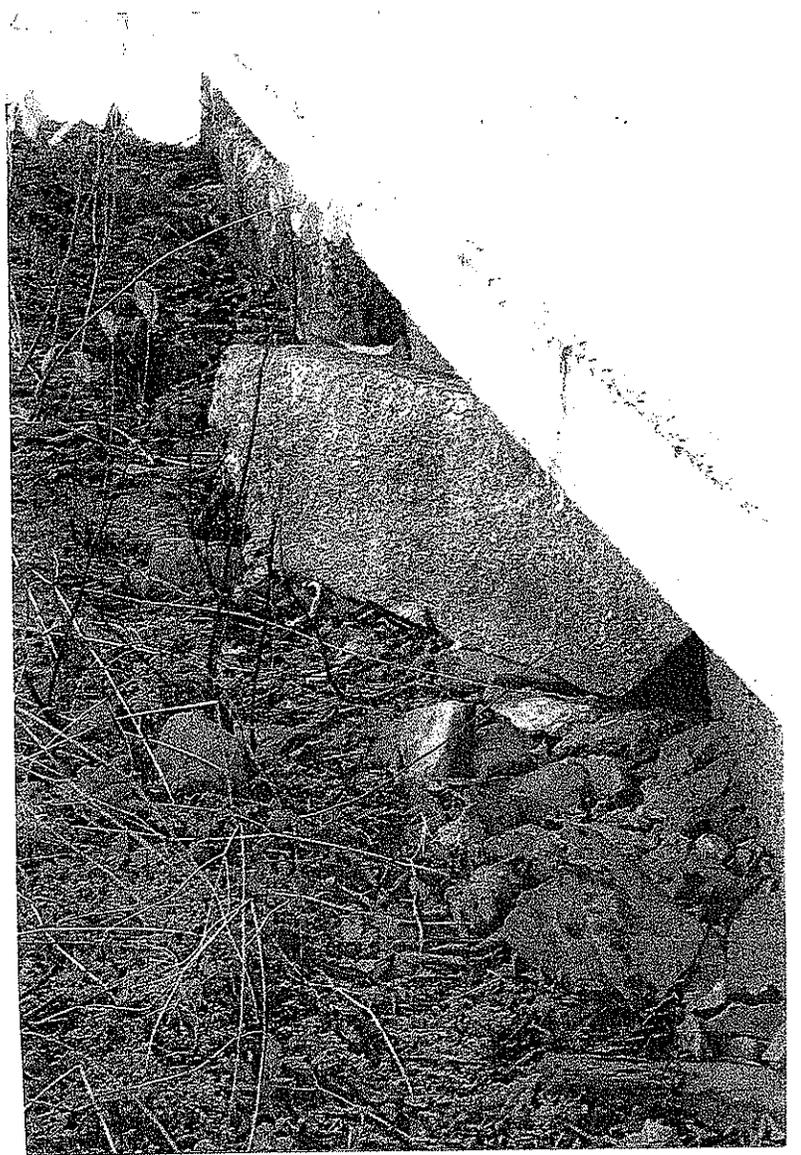
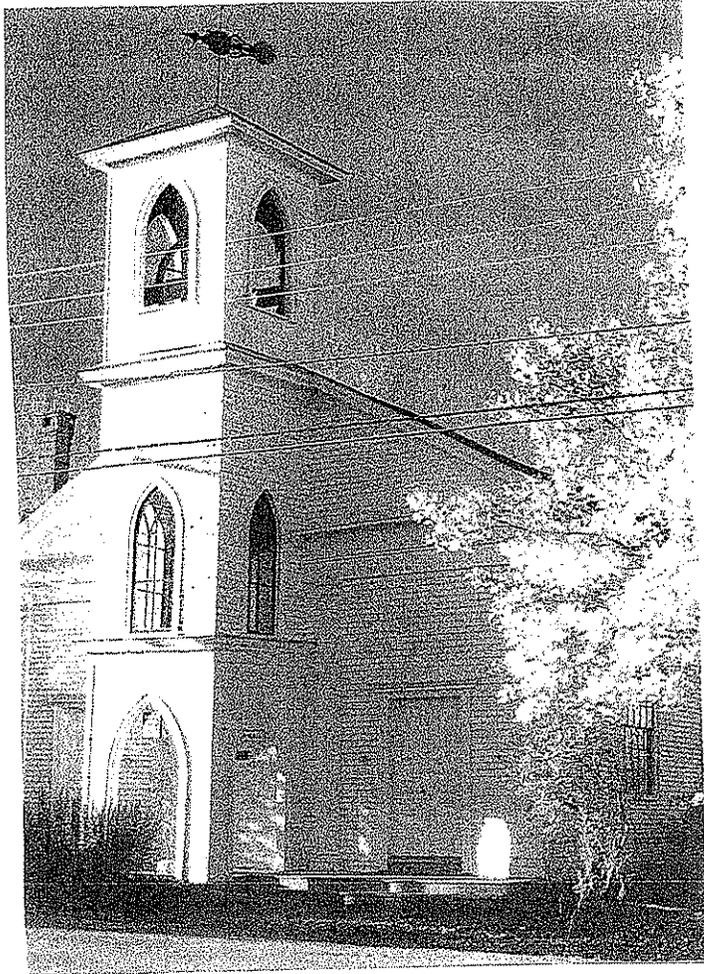
Foundation repair: As on Mr. Kelly's estimate (attachment pg. 4): He proposes to reset granite foundation blocks & repoint. Level base for blocks. Create access hatch.

Frame wall repair: Mr. Kelly proposes to remove siding, sheathing; repair or replace wall framing, resheath, and replace clapboards. Prime & paint.

## **5. Public Benefit:**

Current public usage of the building includes an annual field trip for over 100 fourth grade students which teaches them about gardening, conservation, and the history of the hall. Other events which the public enjoys include farmer's markets, plant sales, scout meetings, private parties, and a recent community theater production. Garden Club meetings are open to the public and offer guest speakers on a wide range of gardening topics.

Harmony Hall is an important part of the historical and cultural heritage of the Town of Hampden, and we feel that there is an obligation to preserve this historic treasure and enhance its usefulness to the community. Receipt of an HPF grant will provide for the first phase of this preservation.



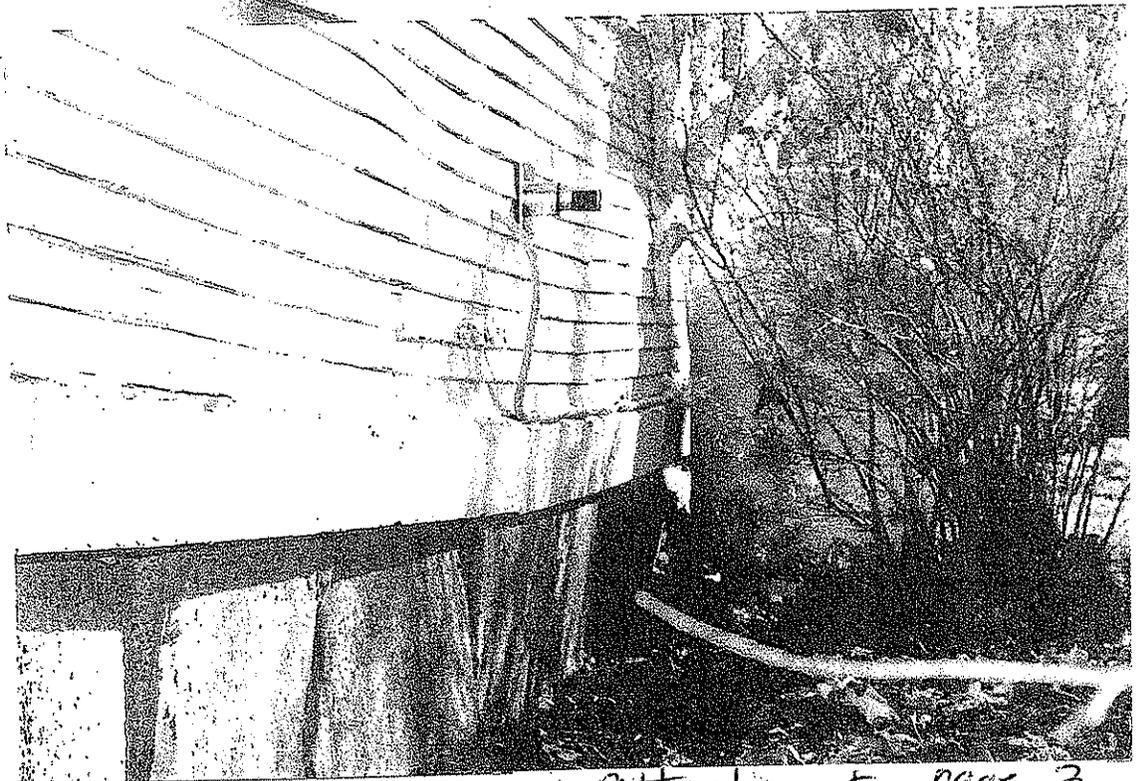
Shift in foundation of building needs repair



Attachment  
page 2



Bulge in side wall needs investigation and repair



**House Revivers**

73 Pine St.  
Bangor, Maine 04401  
207-947-3863 Off  
207-942-0850 Fax  
bkellyhr@aol.com

November 10, 2010

Estimate For:  
Hampden Garden Club  
Ann Bennett  
8 Dewey St.  
Hampden, Maine 04444

Filename: HampdenGarden Club  
Job Site Information:

Harmony Hall

Description	Quantity	Units	Unit Cost	Total Cost
<b>1. Foundation</b>				
Reset granite foundation blocks & repoint. Level base for blocks. Create access hatch. It may be necessary to pour a new footing for the granite- this is not included.	1.00	Ea	9,600.00	9,600.00
Total of: Foundation				9,600.00
<b>2. Frame wall repair.</b>				
Remove siding, sheathing, repair or replace wall framing, resheath, and replace clapboards. Prime & paint.	1.00	Ea	2,250.00	2,250.00
Total of: Frame wall repair.				2,250.00
<b>3. Contingency</b>				
Contingency	20.00%	%T	(of: 11,850.00)	2,370.00
Total of: Contingency				2,370.00
<b>Estimate Grand Total:</b>				<b>14,220.00</b>

<b>Estimate Cost Breakdown:</b>	<b>Amount</b>
Labor:	11,100.00
Materials:	750.00
Subcontractor:	0.00
Equipment Rental:	0.00
Percent Items:	2,370.00
Tax:	0.00

Attachment page 4

## Bob Kelly

Bob Kelly is considered an expert, statewide, on the rehabilitation of historic buildings. As residents of Bangor, Bob and his wife, Suzanne, have owned and operated House Revivers since 1986. Its primary focus is the restoration and renovation of historic properties of all kinds. Bob is especially experienced at the restoration and redevelopment of distressed downtown historic buildings. In his efforts to restore Bangor's historic landmarks, Bob has made use of or helped other owners make use of federal historic rehabilitation tax credits in over nine major projects in the last fifteen years. In all projects, Bob carefully followed stringent city, state, and federal guidelines, particularly the Secretary of State's Standards for the Rehabilitation of Historic Buildings, to ensure that the projects were completed appropriately and that they were certified rehabilitations of certified historic buildings by the National Park Service.

In recognition for these accomplishments, in 1996 and again in 2007, Bob received awards given by Maine Preservation for his dedication and excellence in preserving historic landmarks. Also in 1996, the Kellys received an award from the Bangor City Council for their efforts to rehabilitate and restore several significant downtown Bangor properties. He currently serves as an advisor to the Bangor Historic Preservation Commission. Bob Kelly and his company, House Revivers, are now working on a number of projects in the Bangor area.

### *References:*

Charles Boothby  
Chair, Bangor Historic Preservation Commission  
249 Kenduskeag Avenue, Bangor, ME 04401  
207-942-5984  
Charlesboothby35@msn.com

*In his position as chair of the Bangor Historic Preservation Commission, Mr. Boothby has reviewed many of the projects that House Revivers has worked on in Bangor.*

Edwin Clift  
Chairman, Merrill Bank  
201 Main Street, Bangor, ME 04401  
207-942-4800  
eclift@merrillmerchants.com

*House Revivers rehabilitated the former Unitarian Church vestry into offices for Merrill Merchants Bank.*

Ellen Angel, AIA  
Senior Architect, Ames A/E  
115 Main Street, Bangor, ME 04401  
207-947-0153, ext. 359  
eangel@amesae.com

*House Revivers rehabilitated the façade of the Bangor Opera House. Ms. Angel was the architect on that project.*

# APPLICATION FORM

## HISTORIC PRESERVATION FUND GRANTS

7)

Estimated Project Budget:

Provide an estimated project budget based on the grant amount requested on the cover page of the application. The budget should include each major work element. Work elements may include items such as: personnel, supplies, equipment, travel, printing, administration, support services, indirect cost (if applicable), etc. If the budget includes "contractual services," indicate what the contract is for in parenthesis: e.g. Contractual (professional archaeological consultant).

Labor	\$ 11,100.00	\$
Materials	\$ 750.00	\$
Contingency	\$ 2,370.00	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$

Grant Request: \$7,110 Match Amount: \$7,110 Total Project Cost: \$14,220

8)

Non-Federal Matching Share:

List donor, source, kind, and amount of non-federal matching funds (if any) to be applied to this activity. Attach resumes for all persons to be valued for match purposes at more than the federal minimum wage.

- a. donor: indicate "subgrantee" if donor, and /or list name(s) of other donor(s);
- b. source: indicate where the funds are coming from (e.g., "private donation"). The Commission will review source to ensure that it is eligible for non-federal match.
- c. kind: indicate the type of match (i.e., "cash," "in-kind services," "in-kind equipment," "indirect costs," "volunteer services"). Please note that each kind of match requires a separate breakout.

Donor: Hampden Garden Club Donor: \_\_\_\_\_ Donor: \_\_\_\_\_  
 Source: Fundraising events and donations Source: \_\_\_\_\_ Source: \_\_\_\_\_  
 Kind: Cash Kind: \_\_\_\_\_ Kind: \_\_\_\_\_  
 Amount: \$7,110 Amount: \_\_\_\_\_ Amount: \_\_\_\_\_

Note: Attached to the application form is a copy of the federal "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion" which must be signed, dated, and returned along with the application form. This certifies that the agency/institution applying for the grant has not been penalized by the Federal Government for irregularities under other federal contracts. Also attached is a copy of the federal "Civil Rights Assurance." This must be signed, dated, and returned along with the application form.

# APPLICATION FORM

## HISTORIC PRESERVATION FUND GRANTS

In making this application for Federal assistance under the provisions of the National Historic Preservation Act of 1966, I hereby acknowledge my familiarity with the requirements listed in the Maine Historic Preservation Commission *Grants Manual*. I agree that should I receive the Federal assistance herein requested, I will carry out the project according to Federal and State requirements. I certify that I am authorized to submit this application.

---

Signature

Date

---

Name & Title (Typed or Printed)  
Applicant Organization

In Witness Whereof

---

Notary Public

**Reminder: Signed debarment certification and equal opportunity statement must accompany this application when it is mailed to the Commission**

CERTIFICATION (if principal personnel are not yet selected [i.e., consultants]):

This is to certify that the applicant understands that, if funded, this project will be directed by personnel meeting the minimum professional credentials for the relevant disciplines stipulated in 36 CFR Part 61, Appendix A.

---

Signature

Date

**U.S. Department of the Interior**  
**Certifications Regarding Debarment, Suspension and**  
**Other Responsibility Matters, Drug-Free Workplace**  
**Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used or use this form for certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12.)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement, or loan.

---

**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions**

---

*CHECK \_\_\_ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.*

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

---

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier covered Transactions**

---

*CHECK \_\_\_ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.*

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

---

**PART C: Certification Regarding Drug-Free Workplace Requirements**

---

CHECK  IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

- A. The grantee certifies that it will or continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (b) Establishing an ongoing drug-free awareness program to inform employees about --
    - (1) The dangers of drug abuse in the workplace;
    - (2) The grantee's policy of maintaining a drug-free workplace;
    - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
    - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
    - (1) Abide by the terms of the statement; and
    - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
    - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
  - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
- B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:  
Place of Performance (Street address; city, county, state, zip code)
- 
- 
- 

Check  if there are workplaces on file that are not identified here.

---

**PART D: Certification Regarding Drug-Free Workplace Requirements**

---

CHECK  IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

---

**PART E: Certification Regarding Lobbying  
Certification for Contracts, Grants, Loans, and Cooperative Agreements**

---

*CHECK \_\_\_ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.*

*CHECK \_\_\_ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.*

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

---

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

---

TYPED NAME AND TITLE

---

DATE

## ASSURANCES – CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capabilities (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a and 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the

National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuming compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1966 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

**ASSURANCES – NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capabilities (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) which, prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-554, as amended, 7 U.S.C. §§2132 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) Which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1966 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

C-4-b

**WHITCOMB-BAKER POST 4633  
VETERANS OF FOREIGN WARS OF THE UNITED STATES  
41 CANOE CLUB ROAD  
P. O. BOX 555  
HAMPDEN, ME 04444-0555**

*Raymond R. Lupo  
Commander*

November 12, 2010

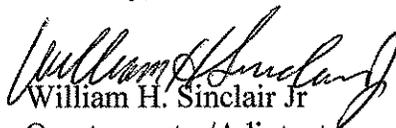
Susan Lessard  
Town Manager  
106 Western Avenue  
Hampden, ME 04444

Dear Ms. Lessard;

The Whitcomb-Baker Post 4633, Veterans of Foreign Wars, will be applying for a license renewal with the Maine State Police to operate bingo and games of chance for the year 2011 in early December.

We are asking the Town Council to once again be so kind as to authorize our Post to operate bingo and games of chance at the VFW Hall on Friday evenings.

Sincerely,

  
William H. Sinclair Jr  
Quartermaster/Adjutant

December 7, 2010

Lt. Patrick Fleming  
Gaming and Weapons Section  
Maine State Police  
State House Station 164  
Augusta, ME 04333-0164

Dear Lt. Fleming,

The purpose of this letter is to serve as authorization from the Hampden Town Council to allow the Whitcomb-Baker VFW Post 4633 to obtain their annual license for bingo and games of chance. This license is to run from January 1, 2011 through December 31, 2011. The authorization was formally approved by the Town Council at the December 6, 2010 regular council meeting.

If you have questions or require further information, please call.

Sincerely,

Susan Lessard  
Town Manager