



HAMPDEN TOWN COUNCIL MEETING
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

JUNE 3, 2024

6:00 P.M.

- A. PLEDGE OF ALLEGIANCE
- B. APPROVAL OF THE AGENDA
- C. CONSENT AGENDA
 - 1. SIGNATURES
 - 2. COUNCIL MINUTES
 - a.
 - 3. COMMUNICATIONS
 - a. Edythe L. Dyer Library Director's May Report.
 - b. Email correspondence from MMA confirming the approval of the Ed MacDonald Safety Scholarship.
 - c. Email correspondence from Mike Monroe sending thanks and appreciation to the Public Works Department for amazing cemetery maintenance.
 - 4. COMMITTEE MINUTES
- D. PUBLIC COMMENTS
- E. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS
 - a. Council review and discussion of FY25 budget and possible amendments
 - 2. PUBLIC HEARINGS
 - 3. NOMINATIONS – APPOINTMENTS – ELECTIONS
- F. COMMITTEE REPORTS
- G. UNFINISHED BUSINESS
- H. NEW BUSINESS
 - a. Council award of the FY25 Paving Bid to Wellman Paving, Inc., *requested by Jonathan Clements, PWD.*

Note: Council will take a five-minute recess at 8:00 p.m.

MONDAY

JUNE 3, 2024

6:00 P.M.

AGENDA

- b. Council consideration of a proposed land swap of Town owned open space property on Sunrise Lane with property owned by Rod Lane, *referred from workshop*
- c. Council consideration of a proposed gift of a portion of Town owned property identified as Map 36 Lot 038, *referred from workshop*
- d. Council referral of the proposed FY25 Budget, Capital Plan, and Sewer Budget to Public Hearing to be scheduled for June 17th

- I. MANAGER'S REPORT
- J. COUNCILOR'S COMMENTS
- K. ADJOURNMENT

Note: Council will take a five-minute recess at 8:00 p.m.

FOR THOSE THAT WISH TO JOIN IN THE
REMOTE HAMPDEN TOWN COUNCIL
MEETING ON JUNE 3, 2024 AT 6:00
PM YOU MAY PHONE IN USING THE
FOLLOWING NUMBER
(FOLLOWED BY THE PIN #)

1-561-614-0875 PIN 971 725 552#

OR-

FROM A LAPTOP OR A DESKTOP, YOU MAY GO
TO THIS URL: [https://meet.google.com/fef-
xttm-hbd?hs=122&authuser=0](https://meet.google.com/fef-xttm-hbd?hs=122&authuser=0) AND JOIN
US THAT WAY

**INSTRUCTIONS ARE POSTED WITH THE AGENDA
AND SEPARATELY ON THE TOWN CALENDAR AT
WWW.HAMPDENMAINE.GOV**

Using Google Meet to Participate in Hampden Town Council Remote Meetings

How to join:

1. Town Council members will receive an email or a Google Calendar Invite with a link to join the meeting.
2. People interested in joining will need to go to the link posted on the town events calendar at www.hampdenmaine.gov.
3. Anyone can also join for audio-only participation by calling the number provided on the town events calendar and then entering the PIN provided followed by the # symbol.

Protocols for Remote Meetings:

1. Log in or call in at least 5 minutes before scheduled start of meeting.
2. For the audio portion, use either your phone or your computer microphone, not both.
3. Mute your phone or computer mic unless speaking. Remember to un-mute if you want to speak. To mute or unmute in Google Meet, click on the little microphone icon at the bottom of the screen; note you may need to move your mouse pointer around the bottom of your screen to get the bottom bar to appear.
4. Speak up if using a computer microphone or if using the speaker function on your telephone.
5. Do not rustle papers in front of your mic unless it's muted. Please minimize background noise.
6. If you're referring to a document, identify it including page or sheet number.
7. If using the video function, have a light source in front of you if possible. Try to avoid backlighting.
8. If you want to look good, have your camera mounted at eye level or above. Look at yourself on screen to check the lighting, camera position, what's in the background, etc. In Google Meet, you can do this "video check" when you open the program before you join the meeting.
9. If you are participating by audio only, identify yourself when speaking.
10. ALL votes will be by roll call.
11. After the meeting is adjourned, click on the red phone icon on the bottom bar to leave the meeting, or (obviously) just hang up the phone if that is how you are participating.

For detailed instructions on using Google Meet, please refer to their website:

support.google.com/a/users/answer/9282720?hl=en

MAR/APR 2024 AT THE EDL

Director's Report May 2024

PROGRAMS FOR KIDS

Baby Storytime 4 programs 19 kids 18 adults

The Baby Storytime focuses on the early developmental stages of babies up to 18 months through books, songs, rhymes and bounces.

Toddler Storytime 25 programs 265 kids 189 adults

Toddler Storytime introduces children to storybooks and fun sing-a-long songs.

After-School Chess 5 programs 49 kids

Kids bring their own boards or use ours and play against their peers.

After-School Art 6 programs 112 kids

A drop-in art program for school aged children.

Take & Make Kits 4 programs 120 kids

A craft kit that includes materials and instructions for a preschool level craft.

Tea Party 1 program 17 kids 10 adults

Springtime tea party! Kids came dressed up and enjoyed tea and treats.

3 Pigs Skit 1 program 25 kids 18 adults

A partnership with the Hampden Academy Drama department. Two HA students helped with this.

PROGRAMS FOR ADULTS

Mahjongg 5 programs 27 adults

Weekly drop-in Mahjongg game playing.

Ukelele Group 2 programs 10 adults

Ukelele enthusiasts meet to play music together.

Word Games 5 programs 6 adults

Weekly drop-in games like Scrabble and Boggle.

Adult Book Discussion 2 programs 10 adults

Monthly patron led book discussion.

Around the World Book Group 1 program 11 adults

Mystery book group.

Drawing Workshop 2 programs 10 adults

Weekly drawing instruction including materials. Hosted by volunteer Tom Cavanaugh.

Homeschool programs

Library skills for K-4 1 program 29 kids 13 adults

Library skills for 5th 8th grade 1 program 18 kids 10 adults

Snapshot

Total children's programming:
38 Programs 607 kids 235 adults

Total Homeschool programming:
2 Programs 47 kids 23 adults

Total adult programming:
17 Programs 74 adults

People in the library: 4364 (2023: 3514)

Circulation: 9,447 (2023: 8,500)



Summer Reading 2024 mascot

MAR/APR 2024 AT THE EDL

Director's Report May 2024

Update on Grants

I have been collaborating with Matt Gould from Hampden Public Works on getting the work done for the King Foundation Grant. Summersweet Landscaping was scheduled to do this work last summer and they were not able to get it done. This spring Erin and I met with the owner of Summersweet to reassess the project. We got the sense that he was feeling overwhelmed with the project, he repeatedly mentioned that his business is understaffed. After this meeting I talked with Matt Gould, and he contacted Hodgdon-Tyer Family Landscaping for a quote. This quote came back for less than half the quote from Summersweet. In addition to resurfacing the patio Hodgdon-Tyer will create a path from the double doors in the "blue room" around to the patio. This would make the patio accessible from the blue room and a ramp from the audio room into the blue room to make that area accessible as well. The savings from the reduced quote on the patio will fund the building of the ramp, as well as a new front door with side lights, replacement of exterior light fixtures, a storage shed, and the rebuilding of the deck at the back of the building.

Alex Vernier, IT Director for the town, has been getting all the pieces into place for the IT infrastructure upgrade funded in large part by an ARSL grant. We now have a wi-fi access point in the blue room, and the new smart tv installed. We have the Owl, and we are in the planning stages of conducting an informational meeting that patrons could attend remotely or in person to introduce them to the Owl technology. This will be available for patrons to use here in the building. We have one catalog iPad so far and three more on the way as well as the patron laptops.

Space and collection reorganization

The reorganization of children's materials is complete, and patrons have expressed approval of the changes. Our current project is to move the 600s and 700s (crafting, cooking, gardening, sports) into the adult reading room (the green room) and moving the biographies into the blue room. The reasoning here is that the reading room will house the high interest or more "fun" materials. Adult patrons often spend time relaxing in this room and these materials work well for a quick browse. The reading room also houses the back issues of magazines and the current issues of the Bangor Daily News.

Programming

April vacation was a big programming success for Erin. WABI once again paid us a visit, this time for the children's tea party. This was an adorable event and the kids had so much fun. There's a link to the news story on our Facebook page.

Erin also fostered a partnership with the drama department at Hampden Academy to put together a fairy tale skit for children. This was highly successful and a wonderful opportunity for high school students to interact with younger students. Lots of warm fuzzy feelings with this one.

Summer Reading Planning

I have been very involved in the planning process for the annual summer reading program. By far, the summer reading program is the biggest initiative for a Youth Services Librarian and the program here at EDL is hugely successful. This is a big undertaking for somebody just coming in and especially someone who is new to the profession. I want to offer ample support to ensure Erin's success and to prevent her from feeling overwhelmed.

We have loads of wonderful things planned and patrons are already eagerly awaiting the summer program.

Building Repairs

The roof replacement on the back of the building is complete and it looks so clean and lovely. Hopefully, this will prevent future water leaking damage inside the building. Much of the exterior trim is being replaced because of extensive rot.

C-3-b

From: **RMS-LC Safety Grants** <safetygrants@memun.org>
Date: Fri, May 24, 2024 at 11:39 AM
Subject: Ed MacDonald Safety Scholarship Application – SS-24-009
To: cbailey@hampdenmaine.gov <cbailey@hampdenmaine.gov>
Cc: townmanager@hampdenmaine.gov <townmanager@hampdenmaine.gov>

Dear Chief Bailey:

Congratulations! On behalf of the MMA Workers Compensation Fund, we are pleased to advise your Safety Scholarship application has been approved for the Understanding Trauma and Building Resilience for First Responders training to take place on Octo 7 & 8, 2024. Thank you for your participation in the Ed MacDonald Safety Scholarship Program and for your dedicated efforts to improve workplace safety.

The Scholarship has been approved for the maximum group amount of \$2,000.

Once the training has been completed, please send us the supporting documentation including receipts, proof of payment (cancelled check, treasurer's warrant, "paid" stamped invoice, etc.) and proof of completion of the training (copy of certificates or attendance sheet) so that reimbursement can be made. The scholarship must be used within one year from the date of this letter or it will expire without reimbursement. Awards may only be used for the training as submitted in the scholarship application.

If you have any questions, please call Jennette Holt at 624-0140 or contact me directly at 624-0153. Congratulations on your scholarship! Your interest in workplace safety is appreciated and we are glad the MMA Workers Compensation Fund could assist you with your safety efforts. Together we are building safer communities.

Sincerely,

Dan Whitter
Loss Control Manager
Maine Municipal Association
Risk Management Services
PO Box 9109
60 Community Drive
Augusta, ME 04332
(207) 624-0140
FAX (207) 624-0127
www.memun.org

Law Enforcement Grant Application DEADLINE August 1st.
Risk Reduction Grant Application DEADLINE September 15th.
Safety Schollarship (Group or Individual) Applications due 25 days before start date.

This e-mail message is intended only for the use of the individual or entity identified in the alias address of this message and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution of this e-mail message is strictly prohibited. If you have received this e-mail message in error, please notify the sender immediately by reply e-mail and delete this message from your system. Thank you.

 Please consider the environment before printing this email.

----- Forwarded message -----

From: **Mike Monroe** <mgmonroe2016@gmail.com>

Date: Fri, May 24, 2024 at 4:25 PM

Subject: Locust Grove Cemetery

To: <townmanager@hampdenmaine.gov>, <publicworks@hampdenmaine.gov>

Just came back from our annual Memorial Day planting at 7 family graves sites in the cemetery. I just wanted to pass along my thanks and appreciation to those that maintain the grounds there. It looked amazing, everything well kept, and all the markers and flags in place. Thank you to everyone involved. You should be proud of your efforts.

When we came back to my home town to plant at my parents grave I was saddened to see weeds, dandelions (in some cases a foot tall) and an unmowed shaggy lawn that looks like it hasn't been touched yet this year. I spoke with my Town Office, told them what I saw, expressed my disappointment and explained to them how wonderful Locust Grove looked today. I suggest they call you so you could explain how real pros do it!

Thank you again for all your hard work. Professionalism at it's best!!!

Mike Monroe

E-a



Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: May 29th, 2024
RE: Budget Message Addendum

Before getting into the potential cuts to the proposed FY25 budget, I need to inform you that in doing the research, and in discussions with IT, it was discovered that a critical addition of \$3,000 is needed in the IT budget for a sync tool that will configure and host the online building permit information, allowing it to translate parcel and owner information into our ArcGIS online account. Regardless of what else happens with the budget, I am requesting to add this to IT.

For the remaining budget discussion, had no request for additional staff been proposed in the FY25 budget, the overall budget request would only be \$153,180 less than the proposed budget with them included. In order to cover personnel costs for overtime staff covering for vacations, holidays, sick time, and call backs in both departments, we had to add overtime costs back into the budget like I stated at the workshop.

Option 1 (showing wage/benefit comparison)

Police savings	\$109,451.03
Fire savings	\$ 5,393.36
Assessor	<u>\$ 41,335.85</u>
	\$156,180.24
Additional for IT needed	<u>\$ 3,000.00</u>
Total savings	\$153,180.24

This reflects a 1.09% budget decrease.

	Police	Current Proposed			Police	Amended
	Reg	\$1,061,959.57			Reg	\$978,697.67
	O/T	\$81,754.30			O/T	\$95,545.48
	PT	\$10,650.00			PT	\$10,650.00
	Fica/Medi	\$88,308.84			Fica/Medi	\$82,994.33
	MSRS/ICMA	\$166,389.34			MSRS/ICMA	\$156,663.43
	Health	\$248,480.86			Health	\$223,804.01

	Life	\$1,356.48			Life	\$1,243.44
	Dental	\$1,350.00			Dental	\$1,200.00
		\$1,660,249.38				\$1,550,798.36
	Difference					\$ 109,451.03

	Fire	Current Proposed			Fire	Amended
	Reg	\$1,241,716.13			reg	\$1,158,747.53
	O/T	\$114,361.69			O/T	\$213,558.22
	PT	\$0.00			PT	\$0.00
	Fica/Medi	\$103,739.95			Fica/Medi	\$104,981.39
	MSRS/ICMA	\$185,863.73			MSRS/ICMA	\$187,940.90
	Health	\$299,546.86			Health	\$274,870.01
	Life	\$1,582.56			Life	\$1,469.52
	Dental	\$1,500.00			Dental	\$1,350.00
		\$1,948,310.92				\$1,942,917.57
	Difference					\$ 5,393.36

Assessor	Contract	Base Payroll	Delta	P/R Taxes/ Benefits	Savings
	\$72,800	\$85,212	\$12,412	\$28,923	\$41,335

Option 2

Remove the following:

Police officer	\$109,451.03
Municipal Building Reserve (use post office revenue for roof)	\$ 50,000.00
Fire Vehicles Reserve (less of a down payment on tanker in FY29)	\$ 30,000.00
Marina Reserve	<u>\$ 30,000.00</u>
	<u>\$219,451.03</u>
Additional for IT needed	<u>\$ 3,000.00</u>

Total savings: **\$216,451.03**

This reflects a 1.54% budget decrease

Option 3

Remove the following:

Police officer \$109,451.03

Fire vehicles Reserve \$ 30,000.00

Marina Reserve \$ 30,000.00
\$169,451.00

Additional for IT needed \$ 3,000.00

Total savings: **\$166,451.03**

This reflects a 1.19% budget decrease

Option 4

Police officer funded for half a year \$ 68,115.18

Remove the following:

Municipal Building Reserve \$ 50,000.00

Fire Vehicles Reserve \$ 30,000.00

Marina Reserve \$ 30,000.00

Police vehicle Reserve (fund cruiser in FY26) \$ 65,000.00
\$243,115.18

Additional for IT needed \$ 3,000.00

Total savings: **\$243,115.18**

To reiterate the original budget message, the growth of Hampden has increased by 20% since the decennial census but our growth in personnel has lagged behind comparatively. While true that personnel costs are the largest expense in any organization, I would argue that personnel is also your greatest asset. We are trying to remedy that in the request for personnel so we can continue to move Hampden forward with all of the tasks, required projects, and initiatives before us without us falling further behind.

I also continue to maintain that having a full time Assessor and an actual Assessing department is what will help us fund the very initiatives and projects with which we are faced. Already since we have brought on our contract Assessor and moved a front office clerk into administrative support for him, we have brought back some stability to a department that has been wrought with damaging turnarounds and a borrowed Assessor to complete our commitment in 2020. Part of what they have been able to accomplish is an active inspection schedule identifying 229 properties that are currently built and or demolished or otherwise changed. From June of 2023 to June of 2024, we have gained 30 new lots for future development which is a steady increase over the past few years. We have 232 accounts in personal property that we have sent current inventory listings and declaration forms to get an accurate amount of inventory for each business in town. This has fallen through the cracks in prior years. Not only are we sending the declaration forms but are also promoting the BETE and BETR programs which help the businesses as well as the town. In doing so, we added \$14,800,000 in new BETE exemption valuation – increasing our revenue by \$204,000. Additionally, our revaluation will be starting in June of 2025 which will require oversight by the resident Assessor. We are catching up on and completing map changes and upgrades. The Assessor and his assistant has worked with Code to create a more efficient inspection system for the convenience of taxpayers by scheduling Code and Assessing inspections together and implementing a more friendly schedule for the property owner. They are collaborating with me to design informational literature for the revaluation and follow up conclusion letters, so the residents are aware of changes. Finally, and importantly, a full-time Assessor will offer more availability for any taxpayer, bank, mortgage and insurance company, and agency with needs or requests. I implore the Council to retain this position inclusion within the budget and bring it back in house.

The request for the fund balance transfer of \$400,000 to finance public works equipment is not an appropriation. This is money that we have in fund balance that we have already raised and appropriated. Although you can utilize fund balance to offset expenses in a general sense, it is recommended that fund balance transfers be used for capital items to which we can tie the expense – hence funding capital equipment, or a capital project in the case of matching grant funds. I recommend leaving the funding of the public works equipment as presented in the original proposed budget. If it is Council's desire to hold off purchasing the equipment right now, that would be your choice; however, we feel that we need to fund the reserve(s) so that the funds are there when we need them. As we have learned the hard way this year, funding our reserve requests appropriately will aide us in managing unforeseen issues like we have had to deal with this year as well as to make planned improvements.

As indicated in the original budget message, the amount of transfer this year will put us in line with our recommended percentage we should hold in fund balance. We do not feel that we would be able to pull from it next year, which would mean we would have to fund the public works equipment by appropriation instead. I do not believe that is a wise course of action; I believe we should do it this year.

It is obvious to all of us that part of the problem with our buildings is because we have not taken care of them over the years, had no reserve requests in library and pool to address issues, nor have we planned for growth in the case of the public works garage. In an effort to make some amendments to the budget, continue to fund reserves, as well as to set ourselves up for taking care of buildings that we desperately need to address, I discussed a possible bond with Dave and Tammy in the Finance Department. We all

agree that in our opinion, the best way to rectify this situation is to take out a bond for both the public works garage and the library. We would need to obtain quotes to verify the numbers, but with an estimate of \$1.5 million, Dave did a preliminary amortization schedule and the initial cost to the taxpayer would be around \$34,000 in the FY25 budget which we could fund through a reserve account. After that, it would be around \$94,000 for the next 30 years. Bonding for long-term assets makes the most sense, rather than cobbling repairs and buildings together piecemeal or stressing your reserve accounts which would put the town in a tough position in the near future. Interest rates for municipal borrowing are healthy, at around 4 – 5%. I see this as the most efficient and cost-effective solution.

H-a



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-5067

May 20, 2024

To: Paula Scott
From: Jonathan Clements
Subject: FY25 Paving Bid – Bid Acceptance

We received 6 bid proposals for the paving of identified Town of Hampden roads. The BID TAB is attached. Bid prices per ton were in line with what we expected.

Wellman Paving, Inc was the low bidder for the identified roads with a bid of \$447,885.00. This number does not include shimming of the roads as needed so this is why the number is less than the FY25 Paving request value of \$512,000.

I recommend that Council accept this bid so that Wellman Paving, Inc. can proceed with this paving work as soon as the fiscal year begins.

Thank you,

A handwritten signature in cursive script that reads "Jon Clements".

Jon Clements
Public Works Director

FY25 Paving BID TAB

Town of Hampden Paving Bid

Date: May 20, 2024

Contractor	Bid Price
Wellman Paving	\$447,885.00
Blacktop Paving	\$478,550.00
B&B Paving	\$697,450.00
Hopkins Paving	\$563,280.00
Northeast Paving	\$654,140.00
Streets Landscape & Lawn Care	\$548,850.00

Bid Prices as read 5/20/2024

Contract requires formal acceptance by Town Council

H-b & c



Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: May 29th, 2024
RE: Land swap/Disposition of Town Owned Property Ordinance

Following this memo, you will find the Disposition of Town Owned Real Estate Ordinance which does have a provision for non-monetary transfers. This is captured under section 1.5 and will cover the next two agenda items; one being a potential land swap with Rod Lane, and another being a gift of land to Prentiss Swett. The gift for Mr. Swett would be to allow for future parking and outdoor space at his property originally purchased by the town. Both of these items were discussed at the workshop and will be discussed further for Council consideration. Maps will be made available on the screen for ease of viewing.

**TOWN OF HAMPDEN
DISPOSITION OF TOWN OWNED REAL ESTATE ORDINANCE**

ARTICLE I - DISPOSITION OF TOWN OWNED REAL ESTATE

1.1 AUTHORITY

In accordance with Article II, Section 212 (b) of the Town Charter the Town Council shall be authorized to convey or lease any lands of the Town within the limitations fixed by the Constitution and statutes of the State of Maine as they now or may hereafter apply to said Town of Hampden.

1.1.1 SALE BY TOWN

Real estate shall be sold by the Town only after the adoption by affirmative vote of a majority of all the members of the Town Council of a Resolution calling for the sale of real estate owned by the Town; the resolution shall contain a reasonably accurate description of the property which is proposed to be sold.

1.2 DISPOSAL

After the Town Council has voted to sell real estate, notices shall be sent to each landowner abutting the proposed parcel to be sold as well as to each landowner within three (300) feet of any property line of said parcel. Landowners shall be considered to be those to whom property taxes are assessed. Failure of any landowner to receive a notice of public sale shall not necessitate another sale or invalidate any action of the town council. In the case of tax acquired property, notices shall be sent to the previous owner, heirs, devisees, or personal representatives of the previous owner in the manner outlined in 1.4 below.

In addition, notice of the proposed sale shall be published as specified in Article II, Section 213 (d) of the Charter, such publication to be not less than seven (7) days before the Council's final action on such sale. The notice shall contain a reasonably accurate description of the property to be sold and shall provide a day and place when and where bids for said property shall be submitted to the Town Office.

1.3 BID PROCEDURE

All bids shall be submitted in writing and shall clearly identify the purchaser and the price bid for the property. Bids shall be placed in sealed envelopes and given to the Town Clerk who shall hold all such bids until the close of business on the day designated in the notice, when the bids shall be opened by the Town Clerk. The results of the bidding shall then be submitted to the Town Council at its next regular meeting; after proponents and opponents if any, to said proposed sale have been heard, the Council may by the affirmative vote of a majority of all the members of the Council vote to convey the property. Highest bid shall not be the sole consideration for awarding the bid. The Council reserves the right to reject or accept any bid; furthermore, the Council reserves the right to withdraw the offer to sell the property.

DISPOSITION OF TOWN OWNED REAL ESTATE ORDINANCE

1.3.1. DEED EXECUTION

The Town Treasurer is hereby authorized for and on behalf of the Town of Hampden to make, execute and deliver a Quitclaim Deed to convey title to the purchaser.

1.4 TAX ACQUIRED PROPERTY

The Town Treasurer shall give written notice to the prior owner of record of real estate acquired by the Town by way of foreclosure of tax lien mortgage of the Town's intent to sell said real estate at public sale. Said notice shall be given in writing and sent via U.S. first class certified mail, return receipt requested to the property owner's last known address at least 90 days before notice of public sale is given. In the event that the prior owner is deceased, incarcerated, or otherwise cannot be located, the Town Treasurer shall make reasonable attempts to contact any known heirs, devisees, or personal representatives. Failure of any prior owner to receive such notice shall not necessitate another sale or invalidate any action of the Town Council.

Under 36 M.R.S. § 943-C, upon notice of intent to sell tax acquired property, the former owner has the right to require that the Town of Hampden hire a real estate broker to list and sell the property via quitclaim deed and pay the former owner any proceeds in excess of:

- 1.) The sum of all taxes owed on the property;
- 2.) Property taxes that would have been assessed on the property during the period following foreclosure when the property is owned by the municipality;
- 3.) All accrued interest;
- 4.) Fees, including property listing and real estate broker's fees
- 5.) Any other expenses incurred by the municipality in selling or maintaining the property, including, but not limited to, an administrative fee equal to 10% of the property taxes owed, prorated insurance expenses for building coverage while owned by the town, and reasonable attorney's fees;
- 6.) The cost to the municipality of the lien and foreclosure process, including, but not limited to, reasonable attorney's fees; and
- 7.) Unpaid sewer, water or other utility charges, and fees imposed by the municipality.

After receiving proceeds from the sale of the tax acquired property, former owner will be required to execute a quitclaim deed conveying any interest formerly vested in the property to the Town of Hampden and shall have no further right to challenge the foreclosure by the Town.

Notice of intent to sell and former owners written demand included in this ordinance as Exhibit A.

If the prior owner of record makes full payment of all sums due on the said tax claim, including the amount of tax, interest and costs, before notice of public sale is given, the Town Treasurer shall release title to said real estate to its record owner.

1.5 CONVEYANCE BY GIFT OR NON MONETARY TRANSFER

There may be circumstances that warrant the occasional transfer of property as a gift, to dispose of an abandoned right of way, cul-de-sac, open space, or any other de minimus property for any other reason as determined by the Council in which there is limited or no benefit to the general

Disposition of Town Owned Property Ordinance

public. The Town Council is granted the authority to do so by the affirmative vote of a majority of all the members of the Council.

ADOPTED: November 19, 1979
EFFECTIVE: December 19, 1979

AMENDED: July 6, 1987
EFFECTIVE: August 4, 1987

AMENDED: November 7, 2022
EFFECTIVE: December 8, 2022

AMENDED: October 16, 2023
EFFECTIVE: November 15, 2023

EXHIBIT A

STATE OF MAINE, TOWN OF HAMPDEN
NOTICE OF INTENT TO SELL YOUR FORMER PROPERTY
(36 M.R.S. § 943-C)

IMPORTANT: DO NOT DISREGARD THIS NOTICE. YOU HAVE 90 DAYS TO RESPOND OR YOUR RIGHTS UNDER THIS ALTERNATIVE SALE PROCESS MAY BE FORFEITED

TO: _____

Date: _____

Address: _____

Notice of sale of foreclosed property

A real estate tax lien held by Town of Hampden for unpaid real estate taxes on your former property located at _____ was foreclosed on _____. The Town of Hampden now owns this property. You are receiving this notice because the municipality intends to sell this property. As the former owner of this property, you have a right to request that the municipality hire a real estate broker to sell your former property via quitclaim deed and pay to you, as the former owner, any sale proceeds in excess of:

- 1) The sum of all taxes owed on the property;
- 2) Property taxes that would have been assessed on the property during the period following foreclosure when the property is owned by the municipality;
- 3) All accrued interest;
- 4) Fees, including property listing and real estate broker's fees;
- 5) Any other expenses incurred by the municipality in selling or maintaining the property, including, but not limited to, an administrative fee equal to 10% of the property taxes owed and reasonable attorney's fees;
- 6) The cost to the municipality of the lien and foreclosure process, including, but not limited to, reasonable attorney's fees; and
- 7) Unpaid sewer, water or other utility charges and fees imposed by the municipality.

Pursuant to 36 M.R.S. § 943-C, "former owner" means the owner or owners of record at the time of foreclosure or, if deceased, the former owner's heirs, devisees or personal representatives.

YOU HAVE 90 DAYS TO RESPOND TO THIS NOTICE OR YOUR RIGHTS TO THIS ALTERNATIVE SALE PROCESS MAY BE FORFEITED.

You may respond to this notice by filing a written request to the Town of Hampden before _____.

You may file the written request by mailing it to:

Town of Hampden
106 Western Ave.
Hampden, Me. 04444

Or by delivering it in person
to: Treasurer, Town of
Hampden

If you have any questions, please contact me at 207-862-3034 or

townmanager@hampdenmaine.gov to discuss this notice.

Town Manager/Treasurer

Written Demand by Former Owner to Require the Town of Hampden to Use the Alternative Sale Process for Sale of Tax Acquired/Foreclosed Property

Property address: _____

Tax Map & Lot: _____

*PROVIDE INFORMATION FOR ALL OWNERS OF RECORD AS OF FORECLOSURE DATE
(Attach extra sheets if necessary)*

OWNER 1

Name: _____ Phone: _____ Email: _____

Current Address: _____

City: _____ State: _____ Zip: _____

OWNER 2

Name: _____ Phone: _____ Email: _____

Current Address: _____

City: _____ State: _____ Zip: _____

If the owner(s) of record is deceased, and you are filing this demand as their heir, devisee, or personal representative, check here and enter your information below.

By signing this form, I declare under penalties of perjury that I was the owner of record of the property described above at the time of the foreclosure (or I am the heir, devisee, or personal representative of the owner of record) and am demanding that the Town of Hampden use the alternative sale process under 36 M.R.S. § 943-C. I understand that I may be asked to verify my ownership or status, and my signature on this application shall serve as authorization for the Tax Collector or their designee(s) to investigate and verify any information contained herein.

Dated: _____

Printed Name: _____ Signed: _____

Town of Hampden: _____, Treasurer

H-6



Town of Hampden
Economic Development

MEMORANDUM

To: Town Council

From: Amy Ryder, Economic Development Director

Date: May 30, 2024

RE: Rod Lane Land Swap

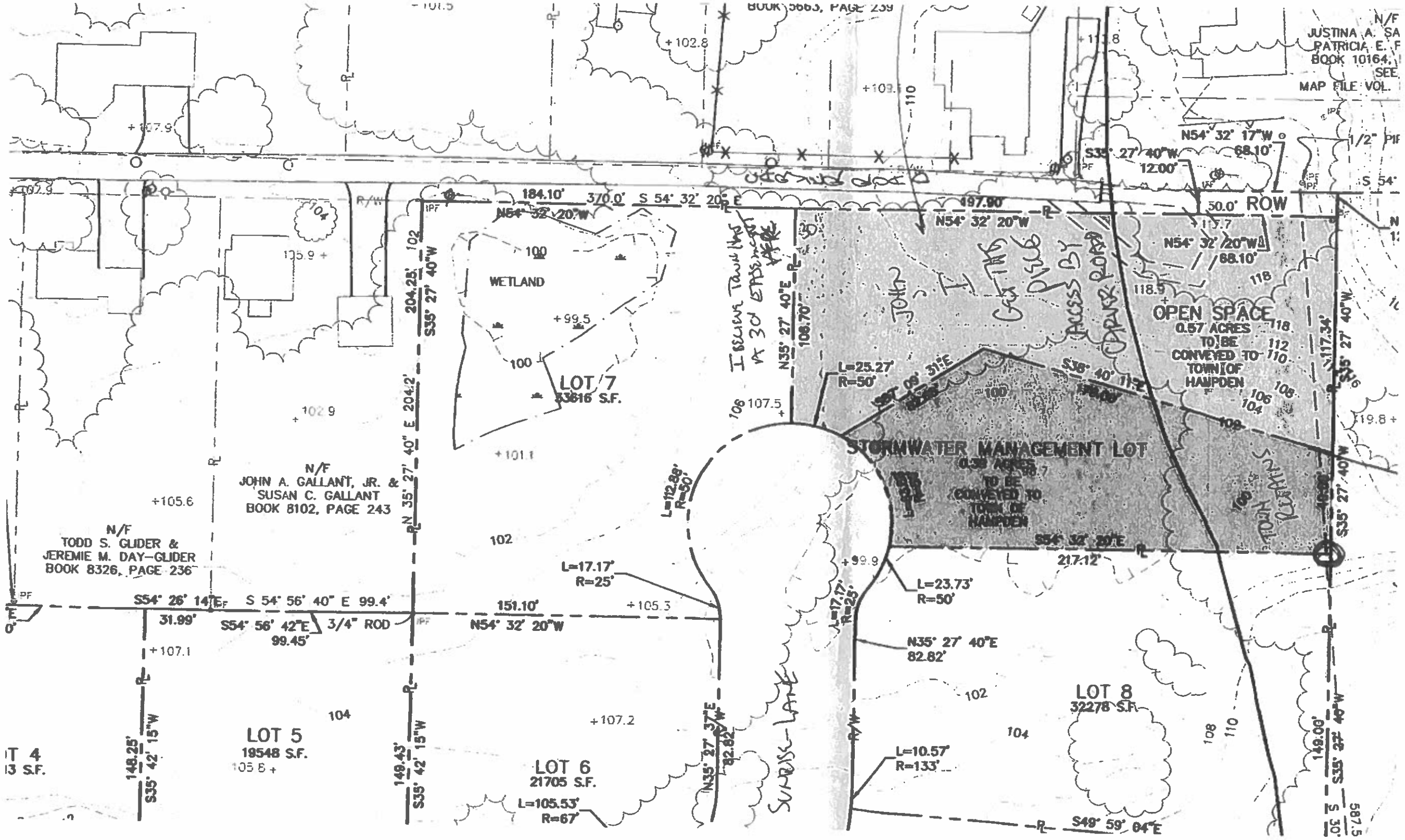
On May 28th we discussed Rod Lane proposing to swap some land with the Town on Sunrise Lane with engineering costs to fall on him.

I am proposing we consider the swap if any land survey, engineering, subdivision amendments and planning board fees do not become the Town's responsibility. If voted yes, the Planning board would then assess any changes to the existing subdivision and new lot/house creation.

I look forward to answering any questions and discussing further.

Thank you,

Amy Ryder



H-C



Town of Hampden
Economic Development

MEMORANDUM

To: Town Council

From: Amy Ryder, Economic Development Director

Date: May 30, 2024

RE: Extension of Land to Bid Award Winner, Swett's Tire

Prentiss Swett and Swett's Tire were awarded the bid for the Kiwanis building last month and have requested to see if the Council would be willing to gift a small piece of land behind the existing lot for parking expansion, and/or outdoor seating.

The Town council discussed it at the May 28th workshop, and it was brought up that we wished we had done this prior to the Bid, and staff agrees. The Swett's have shown a great desire to do business in Hampden and are making that apparent based on their bid and desire to make the space work for a restaurant/brewery.

The Swett's bid was far higher than the other bids, (\$200,000 more), and interested parties didn't put in a bid because they would only have bid \$50,000 is what they told staff. With the Swett's total purchase price of the Kiwanis, their intentions, excitement, and desire to make this happen, the staff would like to request council gifts approximately 18,700 square feet of land to Swett's Tire to help develop their intended use of the building with the understanding that the expense of the land survey work would fall on them.

I think it is important to recognize that we are allowed to gift land per our Disposition of Town Owned Real Estate ordinance, and this would be a perfect opportunity to do so.

Thank you,

Amy Ryder

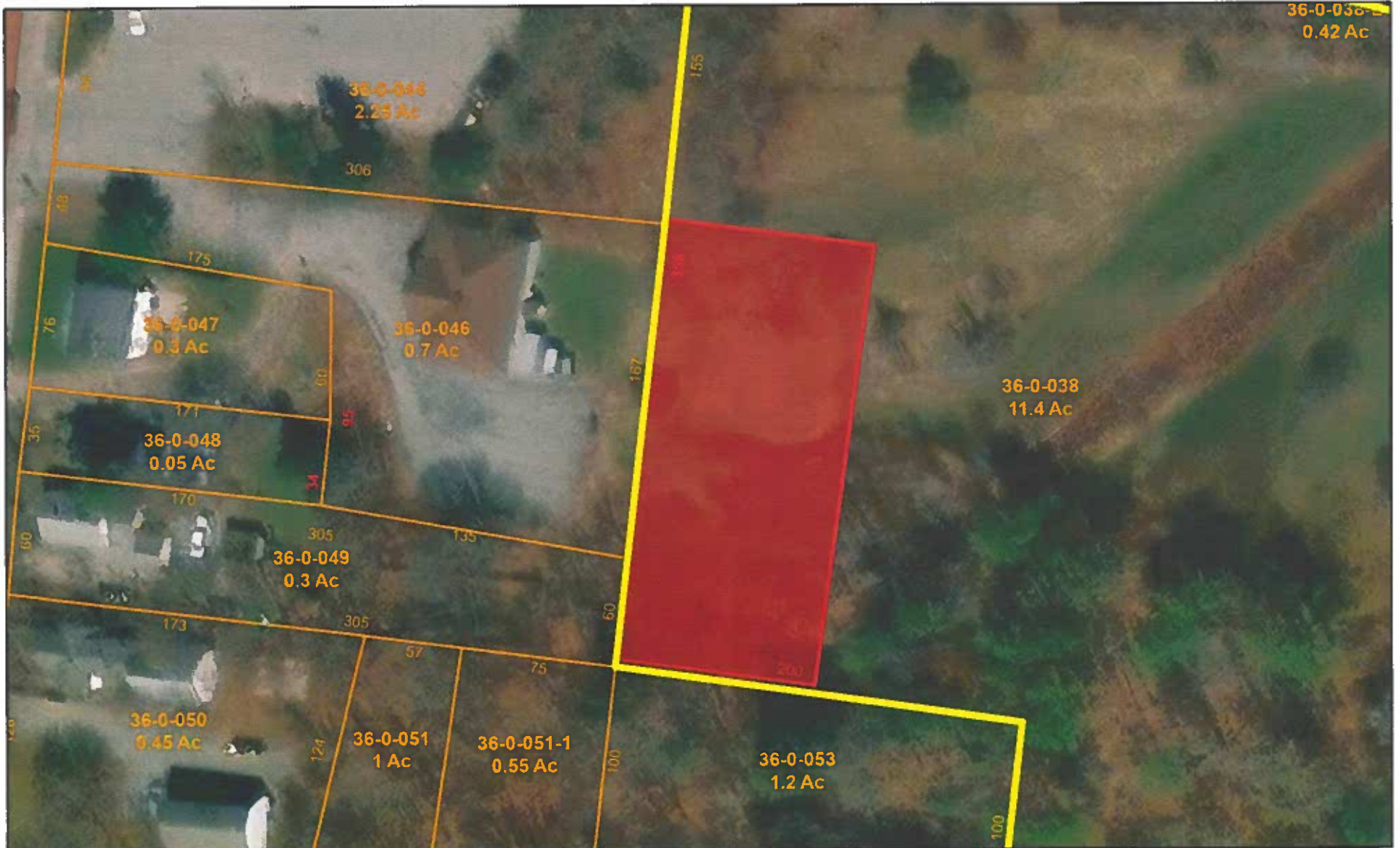


Hampden, ME

1 inch = 67 Feet

May 30, 2024

www.cai-tech.com



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