



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY

JUNE 4<sup>th</sup>, 2018

7:00 P.M.

**6:00 p.m. – Finance & Administration Committee**

- A. PLEDGE OF ALLEGIANCE
- B. CONSENT AGENDA
  - 1. SIGNATURES
  - 2. SECRETARY'S REPORTS
    - a. May 21<sup>st</sup>, 2018
  - 3. COMMUNICATIONS
    - a. Letter from Maine DEP regarding new law, An Act Regarding Municipal Satellite Wastewater Collection Systems
    - b. Penobscot Emergency Management Agency's Summer 2018 newsletter
    - c. Letter of thanks from resident Patsy Husson for help received from Cemetery Sexton Devon Patterson and recognition of the crew
  - 4. REPORTS
    - a. Finance Committee Minutes – May 7<sup>th</sup>, 2018
    - b. Infrastructure Committee Minutes – None
    - c. Planning & Development Committee Minutes – None
    - d. Services Committee Minutes – None
    - e. Council Budget Work Session Minutes – May 16<sup>th</sup>, 2018
- C. PUBLIC COMMENTS
- D. POLICY AGENDA
  - 1. NEWS, PRESENTATIONS & AWARDS
    - a. Report on recent Good Shepherd Food Bank's Hampden expansion and Capital Campaign – *Melissa Huston, Director of Philanthropy*

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

- b. Stormwater 101 report on Town of Hampden MS4 compliance activities

## 2. PUBLIC HEARINGS

## 3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Warrant and Notice of Election for RSU-22 Budget Validation Referendum

## 4. UNFINISHED BUSINESS

## 5. NEW BUSINESS

- a. Request for authorization for the expenditure of funds from the Personnel Reserve Account (3-733-00) for the purpose of paying accrued vacation and a portion of accrued sick time to a departing employee – *referral from Finance & Administration Committee*
- b. Award of the bid for the concrete work for the DPW Salt Building to C W Martin Concrete – *referral from Finance & Administration Committee*
- c. Request for Council authorization for the expenditure of an amount not to exceed \$40,400 from the Solid Waste Reserve Account (3-777-00) for concrete work for the new DPW Salt Building – *referral from Finance & Administration Committee*
- d. Award of the bid for the carpentry work for the DPW Salt Building to Complete Construction – *referral from Finance & Administration Committee*
- e. Request for Council authorization for the expenditure of an amount not to exceed \$35,000 from the Solid Waste Reserve Account (3-777-00) for carpentry work for the new DPW Salt Building – *referral from Finance & Administration Committee*
- f. Council waiver of the residency requirement for new Town Manager James Chandler – *referral from Finance & Administration Committee*
- g. Council approval of a renewal liquor license for McLaughlin's at the Marina
- h. Council referral of proposed FY19 budget to public hearing for June 18<sup>th</sup> – *referral from Finance & Administration Committee*

- E. COMMITTEE REPORTS
- F. MANAGER'S REPORT
- G. CLERK'S COMMENTS
- H. COUNCILORS' COMMENTS
- I. ADJOURNMENT



**HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES**

.....  
**MONDAY**  
 .....

**MAY 21<sup>st</sup>, 2018**

**7:00 P.M.**  
 .....

**6:00 p.m. – Finance & Administration Committee**

*Attending:*

*Mayor McPike*

*Councilor McAvoy*

*Councilor Cormier*

*Councilor Wilde*

*Councilor Marble*

*Councilor Ryder*

*Town Manager Angus Jennings*

*Town Clerk Paula Scott*

*Town Attorney Ed Bearor*

*Resident Eric Jarvi*

*Resident Laura Peppard*

*Resident Joshua Peppard*

*Resident Cash Webb*

*Other members of the public*

*Mayor McPike called the meeting to order at 7:00 p.m.*

- A. PLEDGE OF ALLEGIANCE** – *Mayor McPike led the Pledge of Allegiance*
- B. CONSENT AGENDA** – *Councilor McAvoy made a motion, seconded by Councilor Ryder, to accept the consent agenda. Unanimous vote in favor, 6-0.*

***Resolution 2018-71***

**1. SIGNATURES**

**2. SECRETARY'S REPORTS**

- a. None

**3. COMMUNICATIONS**

- a. **Notice of the Meet the Candidates for Hampden Town Council event to be held at the Edythe Dyer Community Library on Thursday, May 24<sup>th</sup> at 6:00 p.m.**
- b. **Renewal of Victualer's license for Angler's Restaurant**
- c. **Notice and invitation to Good Shepherd Food Bank's groundbreaking event and campaign announcement on May 23<sup>rd</sup>, at 10:00 a.m.**

**4. REPORTS**

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

- a. **Finance Committee Minutes – April 17<sup>th</sup>, 2018**
- b. **Infrastructure Committee Minutes – March 26<sup>th</sup>, 2018**
- c. **Planning & Development Committee Minutes – March 21<sup>st</sup>, 2018**
- d. **Services Committee Minutes – None**
- e. **Council Budget Work Session Minutes – May 9<sup>th</sup>, 2018 and May 14<sup>th</sup>, 2018**

**C. PUBLIC COMMENTS** – *Mayor McPike recognized Laura Peppard of 927 Kennebec Rd. who addressed the Council with her concerns about the town discontinuing bus service. She stated that the bus services those that otherwise have no other options to get to work, appointments or school. She informed the Council that she has looked at our budget and feel there are other areas that are more superfluous than the Bus. She informed Council that she contacted the person in charge of the bus service at the City of Bangor and was told that she is very interested in working with Hampden to perhaps determine new neighborhoods, new ideas, and better balance. She stated anyone who wishes to cut the service should walk a mile in the shoes of someone who needs it and implored the Council to retain The Bus, then thanked them for their time. Mayor McPike next recognized Joshua Peppard of 156 Kennebec Rd. who also spoke about the numbers of people using the connector. He stated that although it doesn't make money, it is providing a service and he would like to see the Council utilize funds to keep it.*

**D. POLICY AGENDA**

**1. NEWS, PRESENTATIONS & AWARDS**

- a. **Council recognition of the Senior volunteers for trail improvement work.** – *Mayor McPike turned this over to Manager Jennings who spoke on behalf of the Council and recognized the work done by Seniors on the trails behind Skehan Center. Rec Director Shelley Abbot, whom had also recognized their efforts provided the names of the volunteers as follows:*

*Jim Folsom & Mary Folsom, Maureen Carter, Lois & Rich Cole, Steve & Storie Brown, Walt Cupples, Bill & Susan Hall, Jim & Marti McCarthy, Eric & Jane Jarvi, Patsy & Jim Husson, Lee Zoitus, and Rob Burke. Also recognized were the DPW crews that helped out with disposal.*

**2. PUBLIC HEARINGS - None**

**3. NOMINATIONS – APPOINTMENTS – ELECTIONS**

- a. **Update on status of the June 12<sup>th</sup> election, absentee ballots and ranked-choice voting** – *The Town Clerk informed the public that*

*absentee ballots are available and explained the method by which to request a ballot. She informed the public that ranked-choice voting will be implemented for this election and that there will be plurality contests on one side of the ballot and ranking contests on the reverse. She noted that election results will not be known for a couple of days after the election due to municipal tabulators only counting the first ranked choice, and that the tabulation of remaining rankings will be completed by the Secretary of State's office. She stated that local results take a back seat to State ballots but that ours will be posted to the website as soon as possible.*

#### 4. UNFINISHED BUSINESS - None

#### 5. NEW BUSINESS

- a. **Referral of proposed Zoning Ordinance amendments to Planning & Development Committee for June 6<sup>th</sup> –requested by the Planning Board** – *Manager Jennings explained that because of a policy goal of the Planning & Development Committee, the Town Planner and the Planning Board have done a comprehensive re-write of the Zoning Ordinance to address areas that have contributed to some of the flaws in permitting and development. He tipped his hat to the Planner, the P & D Committee and the Planning Board. The proposed amended version is on the Town website, along with brochures that define some of the changes. Councilor Marble made a motion, seconded by Councilor Wilde, to refer the proposed Zoning Ordinance amendments to Planning & Development Committee for June 6<sup>th</sup>. Unanimous vote in favor, 6-0.*

##### **Resolution 2018-72**

- b. **Referral of proposed Zoning Ordinance amendments to Public Hearing for June 18<sup>th</sup> – requested by the Planning Board** – *Councilor Marble made a motion, seconded by Councilor Wilde, to refer the proposed Zoning Ordinance amendments to Public Hearing. Unanimous vote in favor, 6-0.*

##### **Resolution 2018-73**

- c. **Request for authorization for the expenditure of \$490.00 from the Environmental Trust, Principal for the purpose of reimbursement of eligible landfill post-closure monitoring expenses – referral from Finance & Administration Committee** – *Councilor McAvoy made a motion, seconded by Councilor Wilde, to authorize the*

## MINUTES

*expenditure of \$490 from Environmental Trust, Principal, to reimburse for eligible landfill post-closure monitoring expenses. Unanimous vote in favor, 6-0.*

**Resolution 2018-74**

- d. **Request for authorization for the expenditure of \$34,156.24 from the Environmental Trust, Income for the purpose of reimbursement of eligible stormwater management expenses – referral from Finance & Administration Committee - Councilor McAvoy made a motion, seconded by Councilor Wilde, to authorize the expenditure of \$34,156.24 from Environmental Trust, Interest, to reimburse for eligible stormwater management expenses. Unanimous vote in favor, 6-0.**

**Resolution 2018-75**

- e. **Award of the foreclosed property bid, for property located at 114 Old County Road, furthered identified as Map 10 Lot 15 on the Town of Hampden Tax Maps - referral from Finance & Administration Committee – Councilor McAvoy made a motion, seconded by Councilor Wilde to award the bid to Cash Webb in the amount of \$82,200. Unanimous vote in favor, 6-0.**

**Resolution 2018-76**

- f. **Council endorsement of Fire Union Contract for 2018-2021- referral from Council Budget Session held on May 9<sup>th</sup> – Councilors previously accepted the Fire Union Contract for 2018-2021, this serves as notice to the public.**
- g. **Council endorsement of Police Union Contract for 2018-2021 - referral from Council Budget Session held on May 9<sup>th</sup> - Councilors previously accepted the Police Union Contract for 2018-2021, this serves as notice to the public.**
- h. **Request for Council authorization for the expenditure of an amount up to \$780.00 from the Personnel Reserve Account (3-733-00) for the purpose of offsetting costs associated with payroll expenses for a temporary part-time worker – referral from Finance & Administration Committee – Councilor McAvoy made a motion, seconded by Councilor Ryder to authorize the expenditure of \$780.00 from Personnel Reserve to offset payroll costs for a temporary part-time worker. Unanimous vote in favor, 6-0.**

**Resolution 2018-77**

## MINUTES

- i. **Council appointment of James N. Chandler as Town Manager, effective June 7th, 2018** – *Councilor Marble made a motion, seconded by Councilor McAvoy, to appoint James N. Chandler as the new Town Manager effective June 7<sup>th</sup>, 2018. Unanimous vote in favor, 6-0.*

**Resolution 2018-78**

- j. **Council appointment of James N. Chandler as Treasurer, effective June 7th, 2018** - *Councilor Marble made a motion, seconded by Councilor McAvoy, to appoint James N. Chandler as the new Town Treasurer effective June 7<sup>th</sup>, 2018. Unanimous vote in favor, 6-0.*

**Resolution 2018-79**

- k. **Council acceptance of Manager Jennings' updated letter of resignation - referral from Finance & Administration Committee** – *Councilor McAvoy made a motion, seconded by Councilor Marble, to accept the updated letter of resignation from Manager Jennings. Unanimous vote in favor, 6-0. Councilor Marble thanked Angus for all of the detailed work and many hours put into guiding the town and wished him well into the future.*

**Resolution 2018-80**

- l. **Review of the RSU 22 proposed budget for FY19 – referral from Finance & Administration Committee** – *Manager Jennings recapped the RSU 22 Budget meeting at which he, Mayor McPike and Councilor Marble were in attendance. It appears that Hampden's share of the increase will be approximately \$571,000. Councilor Marble reported that the large increase is due in part to the change in school funding formula from a 3-year average to a 2-year average. Another change that impacts greatly is the switch from basing it on valuation rather than enrollment. Manager Jennings reminded the public that the District Budget Meeting is June 7<sup>th</sup> at 7:00 p.m. at Hampden Academy.*
- m. **Discussion regarding Councilor conduct – requested by Councilor McAvoy** – *Councilor McAvoy began to read from a prepared statement, attached as Exhibit A. Town Attorney Bearor cautioned against making statements publicly. Councilor McAvoy and Attorney Bearor debated. Councilor McAvoy made a motion to censure Mayor McPike, seconded by Councilor Cormier. A roll call vote was taken. Councilor Ryder – No, Councilor Marble – No, Councilor Wilde – No, Councilor Cormier – No, Mayor McPike – No, Councilor McAvoy – Yes. Motion fails, 5-1.*

**Resolution 2018-81**

- E. **COMMITTEE REPORTS** – *Due to budget meetings, there have been no committee meetings.*
  
- F. **MANAGER’S REPORT** – *Manager Jennings reported that he has had an opportunity to talk with James Chandler and that the transition is well under way. Mr. Chandler has been at recent budget meetings and at the Fiberight meeting and tour. Manager Jennings stated that he believes that Council has made an excellent choice.*
  
- G. **CLERK’S COMMENTS** - *None*
  
- H. **COUNCILORS’ COMMENTS**  
  - Councilor Ryder – No comment*
  - Councilor Marble – Stated that he had noticed that the local news had done a story on a local resident, Anne Sweeney, who has started a non-profit called Hope for the Homeless. This group purchases items such as sweatshirts and socks to help the homeless. He wanted to publicly commend her for her efforts.*
  - Councilor Wilde – No comment*
  - Councilor Cormier – No comment*
  - Councilor McAvoy – Reminded everyone to shop local and buy American. He wished Hampden a good night.*
  - Mayor McPike – No comment*
  
- I. **ADJOURNMENT** – *With no further business, the meeting was adjourned at 7:45 p.m.*

*Respectfully Submitted,*



Paula A. Scott, CCM  
Town Clerk

# Exhibit A

TCM 5-21-19

IN 1972 THE TOWN OF HAMPDEN ADOPTED THE COUNCIL/MANAGER FORM OF GOVERNMENT. THE MOST CRITICAL ASPECT IS THE PRINCIPLE OF SEPERATION OF FUNCTIONS. THE TOWN COUNCIL IS RESPONSIBLE FOR DEVELOPING POLICY AND THE MANAGER IS RESPONSIBLE FOR IMPLEMENTING THOSE POLICIES. AS YOU CAN SEE THIS COUNCIL VIOLATES THE SEPERATION PRINCIPLE AT LEAST TWICE A MONTH BY SEATING THE MANAGER AND TOWN CLERK WITH THE TOWN COUNCIL. BUT, THAT IS AN ISSUE FOR ANOTHER TIME.

INDIVIDUAL COUNCILOR'S PASSION AND DEDICATION, TO DO WHAT IS BEST FOR THE TOWN, CAN NOT OVERRIDE THE SEPERATION OF FUNCTIONS, NOR CAN FRUSTRATION WITH THE COMMITTEE PROCESS WHICH IS IN PLACE TO PROVIDE FOR THE INTERACTION OF COUNCILORS AND MANAGEMENT. EVEN WHEN COMMITTEES PERFORM AS INTENDED IT IS NOT UNUSUAL FOR MANAGEMENT, OR A COUNCILOR, TO TAKE AWAY SOMETHING DIFFERENT, EVEN THOUGH WE ALL HEARD AND PARTICIPATED IN THE DISCUSSION. IT IS NOT DIFFICULT TO IMAGINE THE DISRUPTION WHICH WOULD LIKELY OCCUR IF ANY COUNCILOR REPEATEDLY MET WITH MANAGEMENT, OR OTHER STAFF, TO IMPART, OR IMPOSE, THEIR POSITION.

RATHER THAN DWELL ON THE WHO, AT THIS POINT, THE FOCUS WILL BE ON THE WHAT, IN THIS INSTANCE, THE WHAT NOT TO DO.

COUNCILORS DO NOT MEET WITH DEPARTMENT HEADS ONE ON ONE.

COUNCILORS DO NOT QUESTION DEPARTMENT HEADS REGARDING ROUTINE PURCHASING OF GOODS OR SERVICES.

COUNCILORS DO NOT INQUIRE ABOUT THE DEPARTMENT MANAGER'S OPERATIONAL RELATIONSHIP WITH THE TOWN MANAGER.

COUNCILORS DO NOT PUT THEMSELVES BETWEEN A CITIZEN AND A TOWN OFFICIAL.

COUNCILORS DO NOT CREATE A SCENE IN THE TOWN MANAGER'S OFFICE WHICH IS ALSO HEARD BY OUTER OFFICE STAFF AS WELL AS CUSTOMERS AT THE SERVICE COUNTER.

OVER THE LAST 6 MONTHS OR SO, MAYOR MCPIKE HAS TAKEN A PROACTIVE INTEREST IN THE DAY TO DAY MANAGEMENT OF THE TOWN, WITH DISRUPTIVE RESULTS.

ALL OF THE ABOVE CREATE ISSUES WHICH NEGATIVELY IMPACT MANAGEMENT AND STAFF. AS UNPLEASANT AS IT MAY BE, IT IS OUR DUTY TO ACKNOWLEDGE, AND CORRECT, ANY INCIDENTS SIMILAR TO THE DO NOT DOS MENTIONED ABOVE.

IT IS INCUMBENT UPON THIS COUNCIL TO ENSURE THAT THE INCOMING TOWN MANAGER WALKS INTO AN ENVIRONMENT CONDUSIVE TO THE IMPLIMENTATION OF THEIR STYLE OF MANAGEMENT.

I MOVE THE COUNCIL CENSURE MAYOR MCPIKE IN THE FORM OF A VOTE OF NO CONFIDENCE, WITH A ROLLCALL VOTE.

## MOTION-COMMENT

THIS VOTE IS GOING TO DETERMINE WHETHER WE ARE A PUBLIC BODY THAT PLAYS BY THE RULES OR NOT.

A NO VOTE SENDS A DIRECT MESSAGE TO MR CHANDLER, AND STAFF, THAT EVERY DECISION THEY MAKE AND EVERY ACTION THEY TAKE MAY BE SUBJECT TO SCRUTINY OUTSIDE OF THE COUNCIL AND COMMITTEE STRUCTURE, AN ENVIRONMENT WHICH IS HARDLY CONDUCTIVE TO EFFICIENT MANAGEMENT, AND TO SOME, THE MAKINGS OF A HOSTILE WORK PLACE.

RATHER THAN CONSIDER THIS AS A NEGATIVE, IT SHOULD BE VIEWED AS A POSITIVE. AWARENESS OF THE PERILS OF NOT MAINTAINING SEPERATION IS A GOOD THING. THIS IS NOT A PUNATIVE PROCESS, IT IS AN INSTITUTIONAL PROCESS. MAYOR MCPIKE IS ONLY THE CATALYST, IT IS UP TO THE COUNCIL, AS A WHOLE, TO REACT. YES IS A REACTION.



PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL MERCER  
COMMISSIONER

May 25, 2018

Town of Hampden  
RECEIVED

MAY 31 2018

Office of the  
Town Manager

**RE: New Law Regarding Municipal Satellite Collection Systems**

Dear Municipal Satellite Collection System Owner:

This letter is being sent to all municipal satellite collection systems (MSCS) to notify MSCS owners of a new law that will go into effect on August 1, 2018 (see attached). The law, (P.L. 2017, ch. 353 ((formerly known as L.D. 399, *An Act Regarding Municipal Satellite Wastewater Collection Systems*)) contains new requirements for owners of MSCS.

As noted in Section 414-D of the law, a MSCS is a wastewater collection system, owned or operated by a municipality or a quasi-municipal entity, that directly or indirectly conveys wastewater to a publicly owned treatment works that is owned or operated by a separate legal entity. MSCS include gravity sewers and force mains.

**Registration:**

As noted in section 414-D.2. of the law, the owner of a MSCS shall register the system with the Department on a form prepared and furnished by the Department. The law requires the owner of a MSCS to provide the Department with the following information:

- A. Contact information for the owner and the operator of the system;
- B. Information on the publicly owned treatment works that the system discharges to;
- C. Information on the geographic areas served by the system;
- D. A basic map or schematic diagram of the system; and
- E. System specifications, including, but not limited to, the number of miles of pipe within the system, the number and location of pump stations within the system and the number of customers served by the system.

**Attached to this letter is the registration form that must be submitted to the Department by August 2, 2018.** This form is also available on the Department's website at the link below and may be filled out electronically and sent via email.  
[http://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](http://www.maine.gov/dep/water/wd/municipal_industrial/index.html)

**Reporting Unauthorized Discharges:**

In addition, as noted in section 414-D.3. of the law, the owner or operator of a MSCS shall report to the Department any unauthorized discharge as follows:

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

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

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143

A. An initial report of the unauthorized discharge must be provided orally to the Department by the owner or operator of the system within 24 hours of the time the owner or operator becomes aware of the discharge. (A voice mail within 24 hours is sufficient).

B. A written report of the unauthorized discharge must be provided to the Department by the owner or operator of the system within 5 days of the time the owner or operator becomes aware of the discharge. The written report must be submitted on a form prepared and furnished by the Department and must contain information on the unauthorized discharge including, but not limited to, the cause of the discharge, the date and time of the discharge, the location of the discharge, information on any water bodies that may be impacted by the discharge, the number of gallons of wastewater discharged and, if the discharge has not been corrected at the time of the written report, the anticipated amount of time that the discharge is expected to continue and the steps that the owner or operator plans to implement to reduce and eliminate the discharge and prevent a recurrence of the discharge.

As noted in section 414-D.1.B. of the law, an unauthorized discharge means a discharge of wastewater from a MSCS to any location other than the publicly owned treatment works identified by the owner of the system in the registration form.

The form that must be used to report to the Department any unauthorized discharge is attached and may also be found on the Department website at this link:  
[http://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](http://www.maine.gov/dep/water/wd/municipal_industrial/index.html)

Also attached is a list of all known MSCS, the publicly owned treatment works they discharge to, and contact information for the Department inspector that must be notified of an unauthorized discharge.

Thank you in advance for your cooperation in complying with this new law. Please contact me at 287-7700, or [brian.w.kavanah@maine.gov](mailto:brian.w.kavanah@maine.gov), if you have any comments or questions.

Sincerely,



BRIAN KAVANAH, Director  
Division of Water Quality Management  
Bureau of Water Quality

Cc: Paula Drouin, President, MeWEA  
Kirsten Hebert, Executive Director, MRWA  
Bruce Berger, Maine Water Utilities Association

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND EIGHTEEN

H.P. 290 - L.D. 399

**An Act Regarding Municipal Satellite Wastewater Collection Systems**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §361-A, sub-§3-D is enacted to read:

**3-D. Publicly owned treatment works.** "Publicly owned treatment works" means a device or system for the treatment of pollutants that is owned by the State or a political subdivision thereof, a municipality, a district, a quasi-municipal corporation or another public entity. "Publicly owned treatment works" includes sewers, pipes or other conveyances only if they convey wastewater to a publicly owned treatment works providing treatment.

Sec. 2. 38 MRSA §414-B, sub-§1, as amended by PL 2001, c. 232, §12, is repealed.

Sec. 3. 38 MRSA §414-D is enacted to read:

**§414-D. Municipal satellite collection systems**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Municipal satellite collection system" or "system" means a wastewater collection system, owned or operated by a municipality or a quasi-municipal entity, that directly or indirectly conveys wastewater to a publicly owned treatment works that is owned or operated by a separate legal entity. "Municipal satellite collection system" includes a gravity sewer and a force main.

B. "Unauthorized discharge" means a discharge of wastewater from a municipal satellite collection system to any location other than the publicly owned treatment works identified by the owner of the system pursuant to subsection 2.

**2. Registration.** The owner of a municipal satellite collection system shall register the system with the department in accordance with this subsection on a form prepared and furnished by the department. The registration process required under this subsection

must, at a minimum, require the owner of a municipal satellite collection system to provide the department with the following information:

- A. Contact information for the owner and the operator of the system;
- B. Information on the publicly owned treatment works that the system discharges to;
- C. Information on the geographic areas served by the system;
- D. A basic map or schematic diagram of the system; and
- E. System specifications, including, but not limited to, the number of miles of pipe within the system, the number and location of pump stations within the system and the number of customers served by the system.

**3. Report of unauthorized discharge.** The owner or operator of a municipal satellite collection system shall report to the department any unauthorized discharge in accordance with this subsection.

A. An initial report of the unauthorized discharge must be provided orally to the department by the owner or operator of the system within 24 hours of the time the owner or operator becomes aware of the discharge.

B. A written report of the unauthorized discharge must be provided to the department by the owner or operator of the system within 5 days of the time the owner or operator becomes aware of the discharge. The written report must be submitted on a form prepared and furnished by the department and must contain information on the unauthorized discharge including, but not limited to, the cause of the discharge, the date and time of the discharge, the location of the discharge, information on any water bodies that may be impacted by the discharge, the number of gallons of wastewater discharged and, if the discharge has not been corrected at the time of the written report, the anticipated amount of time that the discharge is expected to continue and the steps that the owner or operator plans to implement to reduce and eliminate the discharge and prevent a recurrence of the discharge.



# Penobscot EMA What's new???

Newsletter: Summer 2018

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The Penobscot County Emergency Management Agency and Penobscot Regional Communication Center have teamed up and are teaching the FEMA course Until Help Arrives. The objective of the course is to help citizens realize they can make a difference in a life or death situation Until Help Arrives.

This course teaches you basic skills to keep people with life-threatening injuries alive until professional help arrives. This is not a first aid course, it is basic skills and empowering you to make a difference.

*Below is an example slide from the course.*



**YOU MAKE A DIFFERENCE**

**If you act quickly and purposefully, you can save lives:**

- Call 9-1-1 to activate the Chain of Survival.
- Move the injured away from danger to keep them safe.
- Keep them alive until medical responders arrive:
  - Apply pressure to bleeding.
  - Help them to breathe by allowing them to sit up or lean forward, or by placing them on their side if they are unconscious.
- Talk to the injured and provide comfort.

**I'm an optimist, an optimist that carries a raincoat.**



**Harry Wilson**

If you are interested in learning more, or would like to host a FREE training session contact Michelle Tanguay, Director, at Penobscot County EMA 947-4750.





### Summer Weather Safety Tips

<https://www.weather.gov/safety/lightning-tips>

#### Lightning: What You Need to Know

- NO PLACE outside is safe when thunderstorms are in the area!!
- If you hear thunder, lightning is close enough to strike you.
- When you hear thunder, immediately move to safe shelter: a substantial building with electricity or plumbing or an enclosed, metal-topped vehicle with windows up.

**Stay in safe shelter at least 30 minutes after you hear the last sound of thunder.**

#### Indoor Lightning Safety

- Stay off corded phones, computers and other electrical equipment that put you in direct contact with electricity.
- Avoid plumbing, including sinks, baths and faucets.
- Stay away from windows and doors, and stay off porches.

**Do not lie on concrete floors, and do not lean against concrete walls.**

#### Last Resort Outdoor Risk Reduction Tips

If you are caught outside with no safe shelter anywhere nearby the following actions may reduce your risk:

- Immediately get off elevated areas such as hills, mountain ridges or peaks
- Never lie flat on the ground
- Never shelter under an isolated tree
- Never use a cliff or rocky overhang for shelter
- Immediately get out and away from ponds, lakes and other bodies of water

**Stay away from objects that conduct electricity (barbed wire fences, power lines, windmills, etc.)**

**When Thunder Roars, Go Indoors!**

**STOP** all activities.

Seek shelter in a substantial building or hard-topped vehicle.

Wait 30 minutes after the storm to resume activities.

[www.lightningsafety.noaa.gov](http://www.lightningsafety.noaa.gov)



# FEMA Emergency Management Institute

<https://training.fema.gov/is>

## INDEPENDENT STUDY COURSES –FREE!

The Emergency Management Institute (EMI) offers self-paced course designed for people who have emergency management responsibilities and the general public. All are offered free-of-charge to those who qualify for enrollment. To get a complete listing of courses go to: <https://training.fema.gov/is> . There is a total of 203 active courses listed on their Independent Study page.

The Independent Study Program General Information The Emergency Management Institute's (EMI) Curriculum Management Branch offers the Independent Study Program (ISP). This is a distance learning program which offers training, free of charge, to the nation's emergency management network and the general public. It serves as both an alternative means to deliver valuable training to the professional and volunteer emergency management community as well as an opportunity to improve public awareness and promote disaster preparedness nationally.

Students who successfully complete courses can also request student transcripts be provided to institutions to assist students in obtaining continuing education units and/or to military institutions for military personnel to earn retirement points. In addition, the program offers a customer support center to assist students.

The customer support center can be reached through email at [Independent.Study@fema.dhs.gov](mailto:Independent.Study@fema.dhs.gov). or telephone at 301-447-1200. The hours of operation are Monday through Friday 8:00am-6:00pm ET.



How to get started The fastest way to begin taking courses is to visit our website. You can learn about each course, download materials, and take courses interactively.

Just follow these easy steps:

1. Obtain a FEMA student ID number at: <https://cdp.dhs.gov/femasid>
2. Go to our website: <https://training.fema.gov/is/>
3. Click on ISP Course List
4. Select your course of interest

Once you have studied the training material, you can submit your final exam, all from the convenience of your home or office.

Upon successful exam completion, you will receive an email within one business day that confirms your transcript has been updated and a link issued to create your electronic certificate.

## Training Opportunities

### Active Shooter Workshop

**Date:** Tuesday June 5th, 2018  
**Location:** Jeff's Catering, Brewer, ME  
**Time:** 8:30 am –4:30 pm—Morning refreshments & lunch provided.  
**CLASS IS FULL – (FMI: penobscotema.squarespace.com)**

### Until Help Arrives

**Date:** Saturday June 16th, 2018  
**Time:** 9:00 am—12:00 pm  
**Location:** Penobscot Cty EMA 69 Hammond St, Bangor  
**Presented By:** Penobscot Cty EMA & PRCC  
**Register—**[mtanguay@penobscot-county.net](mailto:mtanguay@penobscot-county.net)

### Tactical Emergency Casualty Care (TECC) Course

**Date:** Tue & Wed June 12-13, 2018  
**Time:** 8:00—4:30 pm  
**Location:** Old Town Public Safety , Old Town, ME  
**CLASS IS FULL**

### ICS/EOC Interface Course (G191)

**Date:** June 21, 2018.  
**Location:** MEMA 45 Commerce Drive, Augusta, ME  
**Register: contact: Mike Grant 624-4460**  
**Email** [Michael.f.grant@maine.gov](mailto:Michael.f.grant@maine.gov)  
**Don't Forget to submit a FEMA application:**  
<https://training.fema.gov/apply/119-25-1>  
**Prerequisite:** All students will have completed up to *NIMS ICS 200 (Basic)* prior to taking the course.

### DHS: AWR-232 Mass Fatalities Planning & Response for Rural Communities.

**Date:** Monday, October 1, 2018  
**Time:** 8:00-5:00 pm  
**Location:** Jeff's Catering, 15 Littlefield Rd, Brewer, ME  
**Registration Deadline: Sept. 17, 2018**  
**NO COST to Register at: [www.RuralTraining.org](http://www.RuralTraining.org)**  
**\*\*You must have a FEMA SID number for class registration.\*\***

Register for your FEMA Student Identification number (SID) at:  
<https://cdp.dhs.gov/femasid>

## Exercise Schedule

### Table Top: Mattagamon Dam

**Date:** June 21, 2018  
**Time:** 8:30 a.m.—12:30 p.m.  
**Location:** Mattagamon Town Office  
**FMI:** Michelle Tanguay at [mtanguay@penobscot-county.net](mailto:mtanguay@penobscot-county.net)

### Base Camp Field Exercise

**Date:** June 6 - June 7, 2018  
**Time:** 8:00 AM - 4:00 PM  
**Location:** Camp Roosevelt  
 45 Camp Roosevelt Road, Eddington, ME  
**FMI:** Dale Rowley 338-3870  
**Email:** [emadirector@waldocountyme.gov](mailto:emadirector@waldocountyme.gov)

Resource Rodeo

MEANG

July 19th 0900—1200

FMI Contact:

Michelle Tanguay at 945-4750 or

Email: [mtanguay@penobscot-county.net](mailto:mtanguay@penobscot-county.net)



**SOMETIMES YOU NEED MORE THAN AN INTERNET SEARCH. YOU NEED A CONVERSATION.**

Certain issues are hard to navigate. You're not alone. 211 Maine can help.

**Online:** [211maine.org](http://211maine.org)

**Email:** [info@211maine.org](mailto:info@211maine.org)

**Phone:** Dial 211



*Look for Penobscot County EMA*



[www.penobscotema.squarespace.com](http://www.penobscotema.squarespace.com)

**Patsy L. Husson**

Personal  
Information  
Re-dacted

Town of Hampden  
RECEIVED

MAY 29 2018

Office of the  
Town Manager

May 24, 2018

Town of Hampden  
Attn: Angus Jennings, Town Manager  
106 Western Ave.  
Hampden, ME 04444

RE: Cemetery Crew

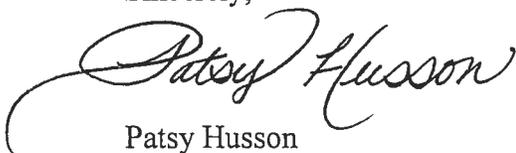
Dear Mr. Jennings:

I am writing to express my appreciation for your fine cemetery crew. [I volunteer to take photos of gravestones on a website (Findagrave) for people who live far away].

I recently had to enlist the assistance of your cemetery sexton, Devon Patterson, who helped me to locate a gravestone in the Lakeview Cemetery. Devon was very professional and prompt in answering my phone message. He even took the extra step to mark the location of the gravestone with an orange flag, making it easy for me to find the gravestone. I have since cleaned the gravestone and the recipient of the photo was very grateful for the efforts of all involved. Without the help of your cemetery sexton, finding the gravestone would not have been possible.

Additionally, I want to say what an outstanding job your cemetery crew does on the cemeteries in Hampden. Genealogy is one of my big hobbies, and my research often involves visiting many cemeteries. The Lakeview Cemetery is one of the best-kept cemeteries, and you should be proud of your crew. They are an asset to our community. Please convey my thanks to Devon and his crew.

Sincerely,



Patsy Husson

## FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, May 7th, 2018

### MINUTES

Hampden Town Office

*Attending:*

*Councilor Terry McAvoy, Chair  
Councilor Mark Cormier  
Councilor Dennis Marble  
Councilor David Ryder  
Councilor Stephen Wilde*

*Town Manager Angus Jennings  
Town Clerk Paula Scott  
Myles Block, CEO  
Resident Eric Jarvi  
Resident Greg Dresser  
Resident James Larson*

*Chairman McAvoy called the meeting to order at 6:00 p.m.*

#### **1. Meeting Minutes**

- a. **April 17th, 2018** – *There was a motion and a second to approve the minutes. Approved 5-0.*

#### **2. Review & Sign Warrants** – *Warrants were reviewed and signed.*

#### **3. Old Business** – *None.*

#### **4. New Business**

- a. **Recommend Council authorization for the expenditure of \$600 from IT Reserve (3-711-00) for paying for the Payport interface for credit cards** – *Chairman McAvoy introduced the topic, and noted that it seems like a lot of money for fees. Manager Jennings clarified that the request is for hardware that will allow the credit card acceptance to interface with the TRIO accounting system, and will provide this interface for multiple work stations. There was a motion by Councilor Ryder seconded by Councilor Wilde to recommend Council authorization for the expenditure of \$600 from IT Reserve for paying for the Payport interface for credit cards. Motion passed 5-0.*
- b. **Recommend Council award of the Coldbrook Storm Drain Project contract to Eastwood Contractors in the amount of \$27,000 – referral from Infrastructure Committee** – *There was a motion by Councilor Marble seconded by Councilor Ryder to recommend Council award of the Coldbrook Storm Drain Project contract to Eastwood Contractors in the amount of \$27,000. Motion*

*passed 5-0.*

- c. Recommend Council award of the Mold Remediation and Restoration bid to Eastern Mold Remediation, Inc., and request for authorization for the expenditure of \$5,000 from Municipal Building Reserve (3-702-00) for the purpose of paying for mold remediation and related expenses – referral from Infrastructure Committee** – *There was a motion by Councilor Marble seconded by Councilor Ryder to recommend Council award of the Mold Remediation and Restoration bid to Eastern Mold Remediation, Inc., and request for authorization for the expenditure of \$5,000 from Municipal Building Reserve for the purpose of paying for mold remediation and related expenses. Chairman McAvoy said that he believes these two actions should be taken up as separate motions, and Manager Jennings agreed this would be in order. The original motion was withdrawn, and there was a new motion by Councilor Marble seconded by Councilor Ryder to recommend Council award of the Mold Remediation and Restoration bid to Eastern Mold Remediation, Inc., in the amount of \$72,176. Councilor Wilde asked about the wash bay and Manager Jennings said that was an add/alternate to the bid and was not recommended at this time due to lack of available funding. The motion passed 5-0. There was a motion by Councilor Marble seconded by Councilor Wilde to recommend Council authorization for the expenditure of \$5,000 from Municipal Building Reserve for the purpose of paying for mold remediation and related expenses. The motion passed 5-0.*
- d. Petition to authorize an additional agency liquor store in Hampden** – *Manager Jennings provided background on the initiative to request State authorization for an additional liquor store in Hampden. Members of the Committee expressed support for this effort. There was a motion by Councilor Cormier seconded by Councilor McAvoy to send a letter/petition to the State to make this request. The motion passed 5-0.*
- e. Town Manager’s presentation of proposed FY2019 Budget** – *Manager Jennings presented a summary of the proposed budget included in the meeting packet and posted to the Town website, and circulated a list of both expense and revenue items with the largest proposed changes (up or down) from the current FY18 budget. It was noted that the size of the proposed school funding increase was stunning. There was discussion of several items of the proposed budget.*

*Resident Greg Dresser of 11 Schoolhouse Lane expressed concern about the condition of Schoolhouse Lane, noting that stormwater*

*erosion is tunneling out beneath the road surface on the south side of the road. He said he thinks the whole road should be reconstructed. During discussion, Councilor Ryder said that the majority position in last week's Infrastructure Committee meeting was to do ½ the road, then look at the other side next year. Manager Jennings noted that this item would be a topic of discussion at upcoming budget meetings. Councilor Wilde said he supported reconstructing the whole road. Resident James Larson of 26 Schoolhouse Lane said he lives on the north side of Schoolhouse and that if the water is not captured it will continue to cause damage during heavy rain.*

**5. Public Comment – None.**

**6. Committee Member Comments – None.**

**7. Adjournment**

*There being no further business, the meeting was adjourned at 6:59 PM.*

Respectfully submitted –  
Angus Jennings, Town Manager



HAMPDEN TOWN COUNCIL  
FY19 BUDGET WORK SESSION  
HAMPDEN MUNICIPAL BUILDING

AGENDA

MINUTES - DRAFT

WEDNESDAY, MAY 16, 2018

6:00 PM

TOWN COUNCIL CHAMBERS

*Attending:*

*Mayor McPike*

*Councilor McAvoy*

*Councilor Cormier*

*Councilor Ryder*

*Councilor Marble*

*Councilor Wilde*

*Town Manager Angus Jennings*

*Town Clerk Paula Scott*

*DPW Director Sean Currier*

*Admin. Assist. Rosemary Bezanson*

*CEO Myles Block*

*Dudley Patterson*

*James Chandler*

*Eric Jarvi*

**1. Call to Order** – *Mayor McPike called the meeting to order at 6:00 p.m.*

**2. Review of Proposed Town Manager FY19 Budget**

**a. Public Works** – *The proposed position of Town Engineer/Assistant DPW Director was discussed. Manager Jennings handed out a task list of duties currently under Director Currier that would be handled by the Engineer/Assistant Director, allowing the Director to focus on other duties. Discussed tree removal, discussed possible increase in price of fuel. Discussed the resurfacing of roads and the 10-year rotation. Director Currier passed out the scenario sheet comparing an 8 v 11-year rotation. Discussed use of GPS for data, vehicle replacement and capital program, advertising and contracted services. Councilors discussed construction of School House Lane and whether to repair both sides or one. Discussed possible funding scenarios with Environmental Trust. CEO Block spoke in support of the engineer for benefit in other departments. Eric Jarvi spoke urging Councilors to not have differing wage scales between union and non- union employees. A motion was made and*

*seconded to support the engineer/assistant DPW Director position. Councilors Marble and McPike voted in favor, Councilors McAvoy, Ryder, Wilde and Cormier voted in opposition. Motion fails, 2-4. Manager Jennings stated that items reduced due to the possibility of the position will need to be adjusted, such as increasing contract services. Councilors voted to refer the departmental budget with amendment, to the June 4<sup>th</sup> Council meeting for further referral to public hearing, 4-2.*

**b. Municipal Garage** – *Councilors reviewed budget as presented. Adjustment was made in the price of fuel and the gallons. Councilors voted to refer the departmental budget with amendment, to the June 4<sup>th</sup> Council meeting for further referral to public hearing, 5-1.*

**c. Buildings & Grounds** - *Councilors reviewed budget as presented. Councilors voted to refer the departmental budget, to the June 4<sup>th</sup> Council meeting for further referral to public hearing, 6-0.*

**d. Solid Waste** - *Councilors reviewed budget as presented. Councilors voted to refer the departmental budget, to the June 4<sup>th</sup> Council meeting for further referral to public hearing, 6-0.*

**e. Stormwater Management** - *Councilors reviewed budget as presented. Councilors voted to refer the departmental budget, to the June 4<sup>th</sup> Council meeting for further referral to public hearing, 6-0.*

**f. Non-departmental utilities** - *Councilors reviewed budget as presented. Councilors voted to refer the departmental budget, to the June 4<sup>th</sup> Council meeting for further referral to public hearing, 6-0.*

**g. Marina** - *Councilors reviewed budget as presented. Councilors voted to refer the departmental budget, to the June 4<sup>th</sup> Council meeting for further referral to public hearing, 6-0.*

**3. Adjourn** – *With no further business, the meeting adjourned at 8:10 p.m.*

The next budget meeting will be held on Wednesday, May 23<sup>rd</sup> at 6:00 p.m. at the Town Office, Town Council Chambers

*Respectfully Submitted,*



Paula A. Scott, CCM  
Town Clerk



D-1-a

**Good Shepherd**

**FOOD BANK OF MAINE**

**Hampden Distribution Center  
Groundbreaking Ceremony  
& Campaign Announcement**

**May 23, 2018**



**Speaking Program**

Kristen Miale, President  
Good Shepherd Food Bank

Jenny Jones, Executive Director  
Bar Harbor Food Pantry

Jason Kafka, Owner  
Checkerberry Farm

**Congratulatory Sentiments**

Carol Woodcock, Office of U.S. Senator Susan Collins  
Edie Smith, Office of U.S. Senator Angus King  
Emily Horton, Office of Congresswoman Chellie Pingree  
Brandi Leathers, Office of Congressman Bruce Poliquin  
Dennis Marble, Hampden Town Councilor

**Food for All: A Campaign to Nourish Maine  
Campaign Announcements**

Kristen Miale  
Denis St. Peter, President & CEO  
CES, Inc.

**Groundbreaking Ceremony**

**Closing Remarks**  
Kristen Miale

# FOOD FOR ALL *A Campaign to Nourish Maine*



## Leadership Donors

**\$1,000,000**

Next Generation Foundation

**\$300,000+**

Elmina B. Sewall Foundation  
Hannaford Charitable Foundation

**\$100,000+**

Avangrid Foundation / Central Maine Power  
CES, Inc.  
Doree Taylor Charitable Foundation, Bank of America, N.A., Trustee  
General Mills/Walt Disney Company  
Jane's Trust  
Maine Credit Union League's Campaign for Ending Hunger  
Frank and Debbie Pecoraro  
Estate of Robert and Marjory Ramsdell  
Stephen and Tabitha King Foundation

**\$50,000+**

Bangor Savings Bank Foundation  
Darling's  
First National Bank  
Oakhurst Dairy  
Tramuto Foundation  
The Windover Foundation

**\$20,000+**

Bangor Federal Credit Union  
Bar Harbor Bank & Trust  
John and Deborah Darling  
Dead River Company  
The Grainger Foundation  
Libra Foundation  
Machias Savings Bank  
NRF Distributors, Inc.  
Pine State Trading  
David Sherman, Jr. & Martha Burchenal

**\$10,000+**

C & L Aviation Group  
Kristen and Drew Miale  
Frank Pergolizzi and Mary Hollister  
Paulette Tidd

**\$5,000+**

Susan Sargent Gallant  
Paul and Melissa Huston  
Ethan and Amy Minton  
Stephen Peck  
Seaboard Federal Credit Union



Town of Hampden  
Land & Building Services

## Memorandum

To: Town Council  
From: Karen M. Cullen, AICP, Town Planner *KMC*  
Date: May 29, 2018  
RE: Stormwater 101

Since the Councilors have all seen the Stormwater 101 presentation several times before, the attached report has been prepared as a substitution this year. If you have any questions on it, please let me know.

# STORMWATER 101

## MS4 Program Updates

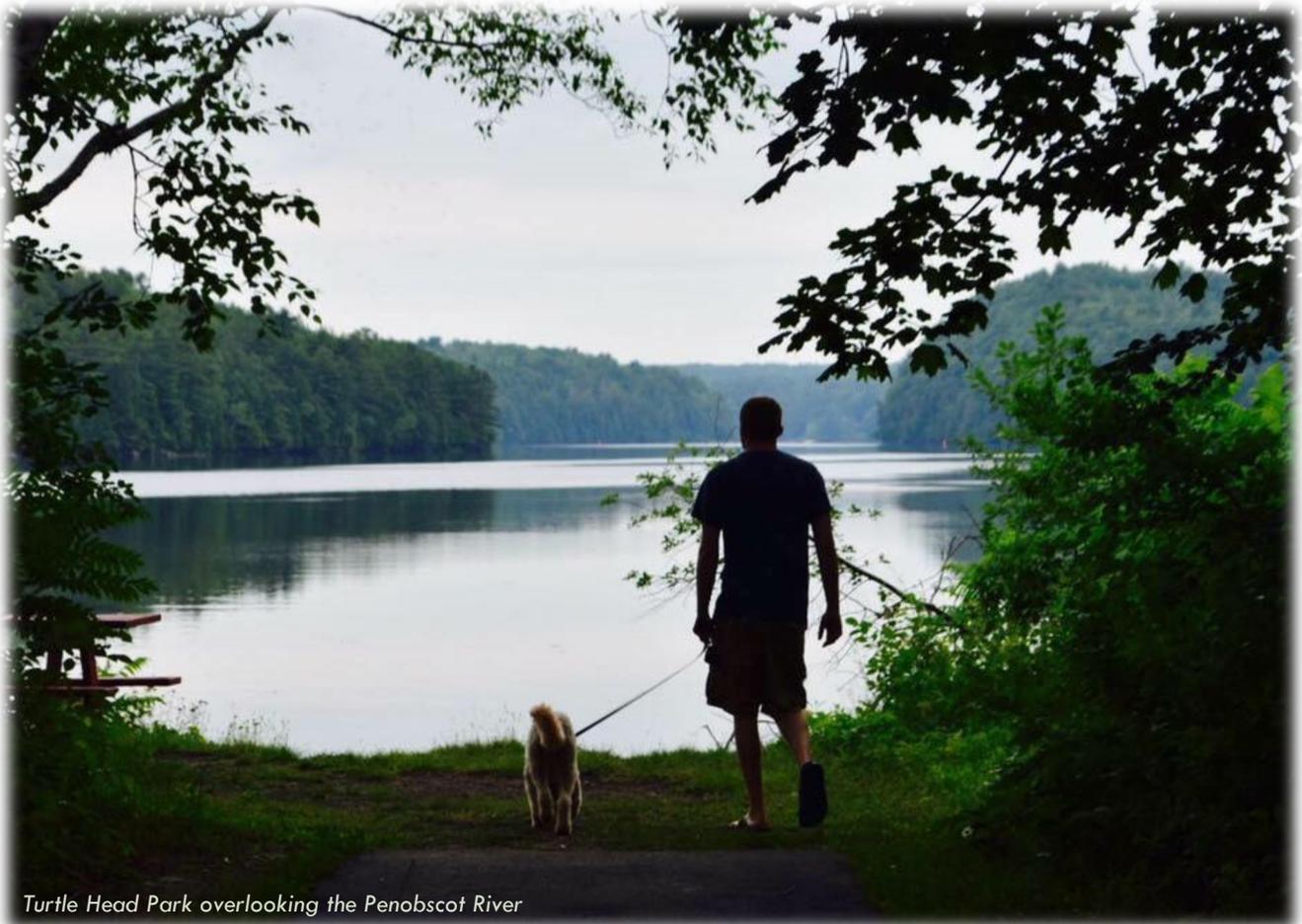
### **M**unicipal **S**eparate **S**torm **S**ewer **S**ystems

Report on the status of the MS4 Program in Hampden Maine

Permit Year 5 - July 1, 2017 to June 30, 2018

Prepared by Karen Cullen, AICP, Town Planner

May 29, 2018



*Turtle Head Park overlooking the Penobscot River*

*Keeping our waterways clean for everyone's enjoyment*

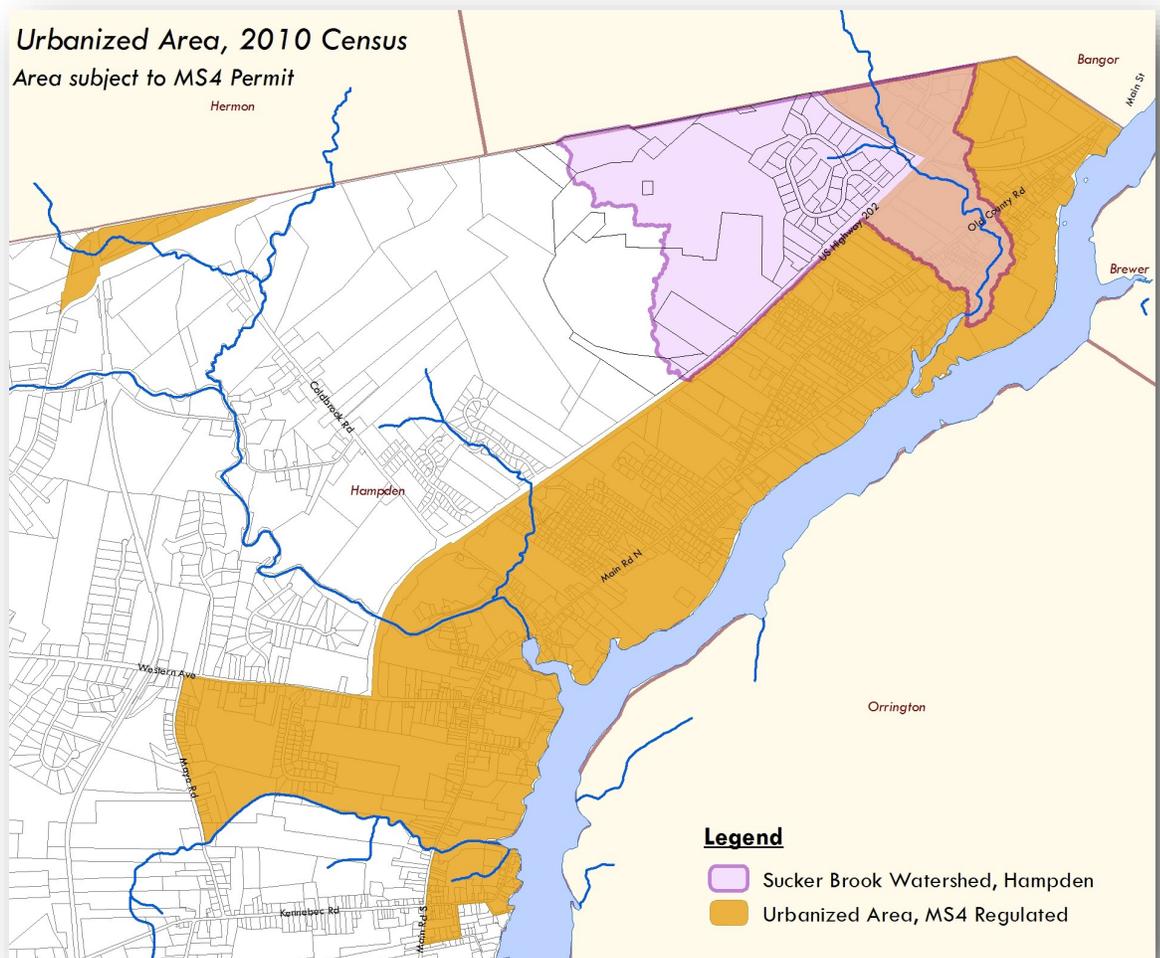
## Introduction

## MDEP/EPA Stormwater Program

Under delegated authority from the EPA, the permit is issued by Maine DEP to meet the requirements of the Federal Clean Water Act.

Bottom Line: Hampden is responsible for any pollutants entering our stormwater drainage system, even from the MEDOT system.

- ◆ Hampden is one of 30 regulated municipalities in Maine.
- ◆ All regulated municipalities operate under a statewide General Permit, which has a five year cycle; the current one expires June 30, 2018.
- ◆ The provisions of the permit are applicable only within the urbanized area as defined by the census bureau; based on population (gold areas in map below).
- ◆ Hampden prepared a stormwater management plan most recently revised in 2014. It will need to be updated in 2018/19, for the new permit cycle.
- ◆ Hampden has identified the Sucker Brook watershed as our priority watershed, meaning this is where we focus our stormwater management plan implementation. Sucker Brook will also be listed this year as an “urban impaired stream” which may add additional requirements for the town, but at this time we don’t know what those might be (waiting for the new General Permit).



Permit Year 5

Required Activities

Accomplishments

**Minimum Control Measure 1: Education and Outreach**

BMP 1A: Municipal Outreach

Staff will be providing training to the Planning Board in June, and this report serves as outreach to the Town Council for this permit year. Our annual stream cleanup event was held on May 5, 2018 when 66 volunteers collected 40 bags of trash.

BMP 1B: Municipal Media Resources

Staff continues to use Hampden Highlights as well as our Facebook Page and town website to communicate about stormwater with our residents.

BMP 1C: Pool Owner Outreach

Staff has prepared a brochure that will be sent out to the owners of pools (over 200) before the end of June; this brochure provides information on how to handle the water when the pool is drained.

**Minimum Control Measure 2: Public Involvement and Participation**

BMP 2A: Household Hazardous Waste

Information on how residents can dispose of household hazardous waste and electronic waste is provided on the town's web site, and items such as batteries, monitors, and fluorescent bulbs are collected at the public works facility.



Snapshots from the stream cleanup event

Permit Year 5

Required Activities

Accomplishments

**Minimum Control Measure 3: Illicit Discharge Detection and Elimination (IDDE)**

BMP 3A: Stormwater Infrastructure Map

Our GIS data includes information and locations of catch basins and outfalls, and as new ones are added in new development, they are added to the database.

BMP 3B: Non-stormwater Discharge

Staff evaluates all identified discharges that are potentially illicit discharge incidents, and reports any that occur as required. So far this permit year there has been one spill, 20gallons of heating fuel oil on Western Ave. between Sawyer Road and the town line, about 4.5 miles outside of the urbanized area.

BMP 3C: Dry Weather Outfall Inspections

Stillwater Environmental Engineering (SEE), our consultant on the MS4 Program, is currently performing the annual inspections, which are done within the Sucker Brook watershed. This year any flows found during dry weather will be tested for E-coli to determine if sewage is a potential contaminant.

BMP 3D: Open Ditch Inspections

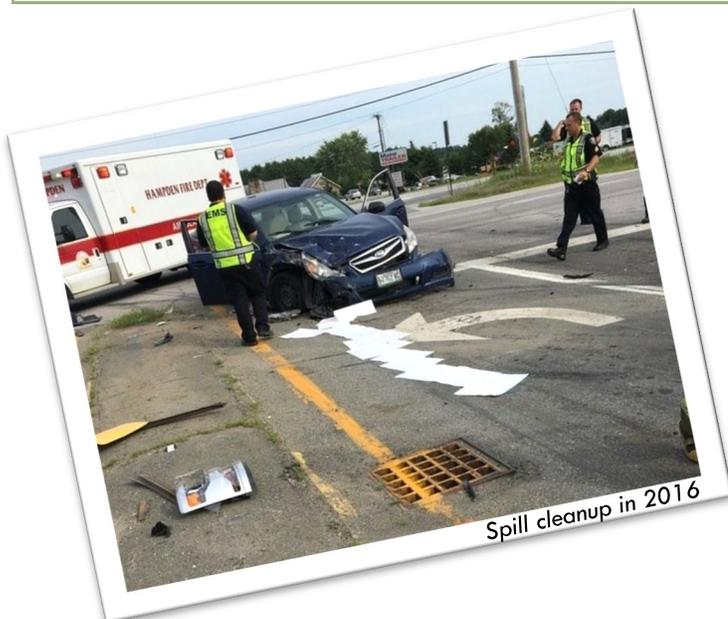
See BMP 3C. SEE is conducting the inspections concurrently.

BMP 3E: Failing Septic Systems

Staff has identified 18 septic systems within the Urbanized Area (most of this area is served by public sewer). Staff will perform “drive-by” inspections of these properties for evidence of failing septic systems before the end of June.

BMP 3F: Hydrant Flushing

Staff works with the Hampden Water District to document best management practices being implemented for flushing activity as well as testing results for total residual chlorine for the discharges, which is less than .01 ppm chlorine.



Permit Year 5

Required Activities

Accomplishments

**Minimum Control Measure 4: Construction Site Stormwater Runoff Control**

BMP 4A: Notification	Staff utilizes the subdivision, site plan, and building permit applications to notify applicants of the requirement for contractors to register under the Maine Construction General Permit or Chapter 500. This applies to sites with 1+ acre land disturbance within the urbanized area.
BMP 4B: Regulatory Mechanism and Documentation	Staff tracks the sites that disturb 1+ acres of land within the urbanized area.
BMP 4C: Construction Site Inspections	Staff performs inspections of sites with 1+ acre of land disturbance for compliance with the Maine Construction General Permit or Chapter 500. Two sites were inspected this year, Dennis Paper and Tradewinds.

**Minimum Control Measure 5: Post Construction Stormwater Management in New Development and Redevelopment**

BMP 5A: Post Construction Discharge Ordinance	Staff continues to enforce the town's Post Construction Stormwater Management Ordinance. This permit year one additional site was required to comply with this ordinance (Dennis Paper). Tradewinds will be added to this list next year since they will complete construction after July 1, 2018.
BMP 5B: Post Construction Inspections	Staff ensures that owners or operators of post construction BMP's within the urbanized area provide certification of proper function of the BMP's.



Permit Year 5

Required Activities

Accomplishments

Minimum Control Measure 6: Pollution Prevention/Good Housekeeping for Municipal Operations	
BMP 6A: Grounds and Facilities	Staff reviews the Operations & Maintenance plan to ensure its effectiveness is maintained.
BMP 6B: Employee Training	Staff has received training on O&M activities to ensure municipal operations do not contribute to stormwater pollution.
BMP 6C: Street Sweeping	Street sweeping is conducted on all town owned and some state owned roads within the urbanized area each spring.
BMP 6D: Storm Drain System Cleaning	Each spring during May and June, the storm drains in the urbanized area are inspected and those that require it are cleaned. When illicit discharges are suspected, they are investigated and appropriate action taken when such discharges are verified.
BMP 6E: Maintenance and Upgrades	A couple of culverts on Old County Road were replaced to prevent erosion and sedimentation of the streams, based on the PY4 inspections.
BMP 6F: Trash Management	Staff is awaiting completion of the Fiberight project before completing an evaluation of the municipal trash management program.
BMP 6G: Municipal Pool Discharge	Staff discharges the pool water to the sanitary sewer system when necessary for pool maintenance.
BMP 6H: Road Salt	Staff applied 1,858 tons of salt on the roadways during the winter of 2017/18, which is an increase from the previous winter. This increase was caused by significantly more snow or ice events. A new salt shed has been designed and approved and will be constructed during the summer of 2018.
BMP 6I: Used Oil Recycling	Staff has collected about 220 gallons of used oil this year for recycling.

## Looking Ahead

Hampden is committed to continuing to deal with stormwater management in compliance with the Clean Water Act to ensure our future generations have a safe environment to live in.

- ◆ The statewide General Permit for the MS4 program has a five year lifespan and the current permit expires June 30, 2018.
- ◆ DEP has been working with stakeholders throughout the state for nearly a year now to write the new general permit, but we have yet to see the final version.
- ◆ The new general permit will become effective 90 days after it is signed by the Commissioner of the Maine Department of Environmental Protection, which DEP expects will be September 1, 2018, making the permit effective December 1 or thereabouts. (These dates could change.)
- ◆ Until the new general permit becomes effective, the current one will remain in effect, presumably we will continue to follow the Permit Year 5 requirements.
- ◆ The town will need to file a new Notice of Intent (NOI) no later than 30 days prior to the effective date of the new general permit (i.e. 60 days after that permit is signed by DEP). This will require a public notice in the newspaper sometime during the month prior to the submission of the NOI.
- ◆ The town will need to submit a new Stormwater Management Plan (SWMP) to DEP no later than December 31, 2019. This is the primary document we use in our day to day management of the stormwater system within the urbanized area.
- ◆ Note that the urbanized area is based on the US Census, and is subject to change after the 2020 decennial census is completed and analyzed. The current map of the urbanized area will apply for the duration of the new general permit (expected to be Dec. 1, 2018 through Nov. 30, 2023).
- ◆ For the near term, staff continues to monitor the drafts from DEP for the next general permit, and we submit comments regarding the impact to our town when appropriate.

**Memorandum**

TO: Town Council  
CC: Angus Jennings, Town Manager  
FROM: Paula Scott, Town Clerk  
DATE: May 31, 2018  
RE: Countersigning of the RSU 22  
Warrant and Notice of Election

---

The question often comes up, when a Regional School Unit Warrant and Notice of Election is brought forth to the municipal officers for counter-signing, whether or not they may refuse to sign. The short answer is no.

By law, an RSU referendum is initiated by a warrant prepared and signed by the RSU Directors. The warrant must also be countersigned by the municipal officers in the municipality where the warrant is to be posted. The Warrant and Notice of Election directs the municipal clerk, or a resident assigned by the clerk, to "notify and warn" the inhabitants of the town that there is an election being called, for what purpose, and the date and time of the election.

By virtue of the fact that you are elected officials, you have a ministerial duty to act as directed by the law, and *must* act, regardless of whether or not you believe the subject matter to be in the best interest of the town.

**WARRANT AND NOTICE OF ELECTION  
CALLING REGIONAL SCHOOL UNIT NO. 22  
BUDGET VALIDATION REFERENDUM  
(20-A M.R.S. § 1486)**

TO: David Greenier, a resident Regional School Unit No. 22 (the “Regional School Unit”) composed of the Towns of Hampden, Newburgh, Winterport, and Frankfort, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within the Regional School Unit, namely, the Towns of Hampden, Newburgh, Winterport, and Frankfort, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective Municipal Officers. The Municipal Officers shall meet forthwith and countersign this warrant and notice of election. The Municipal Officers shall provide below for the respective municipal clerks to post or have posted this warrant and notice of election.

**TOWN OF HAMPDEN  
REGIONAL SCHOOL UNIT BUDGET VALIDATION REFERENDUM  
WARRANT AND NOTICE OF ELECTION**

Penobscot County, ss.

State of Maine

TO: Devon Patterson, Resident of Hampden: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

**TO THE VOTERS OF HAMPDEN:** You are hereby notified that a Regional School Unit budget validation referendum election will be held at Hampden Municipal Building, 106 Western Avenue in the Town of Hampden on Tuesday, June 12, 2018 for the purpose of determining the following Articles:

Article 1: Do you favor approving the Regional School Unit No. 22 budget for the upcoming school year that was adopted at the latest Regional School Unit budget meeting?

Article 2: NON-BINDING ADVISORY QUESTION

The following is a non-binding expression of opinion for the consideration of the School Board.

I find the school budget for the upcoming school year that was adopted at the latest RSU budget meeting to be:

Too High            Acceptable            Too Low

The polls must be opened at 8:00 a.m. and closed at 8:00 p.m.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May 16, 2018 at Hampden, Maine.

*Robert M. Furbush*  
*[Signature]*  
*[Signature]*  
Allan J. Moadin, Jr.  
Jim D. Zick  
Jessica King

*Jayne H. Dyer*  
*Wally [Signature]*  
*[Signature]*  
Ann M. Dell  
*[Signature]*  
*[Signature]*

A majority of the School Board of Regional School Unit No. 22

A true copy of the Warrant and Notice of Election, attest:

*David Greenier*  
David Greenier  
Resident of  
Regional School Unit No. 22

Countersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2018 at Hampden, Maine.

COPY

A majority of the Municipal Officers of Hampden, Maine

A true copy of the Warrant and Notice of Election, attest:

Paula Scott, Municipal Clerk  
Hampden, Maine

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone: (207) 862-3034  
Fax: (207) 862-5067  
Email:  
townmanager@hampdenmaine.gov

TO: Finance Committee and Town Council  
FROM: Angus Jennings, Town Manager  
DATE: May 31, 2018  
RE: Request for Authorization from Personnel Reserve Account

---

The Hampden Personnel Rules and Policies Ordinance provides that an employee, upon separation of service from the Town in good standing, is entitled to compensation for 100% of accrued vacation time, 25% of accrued sick time and 100% of accrued comp time.

I request Council authorization for expenditure of \$8,735.21 from the Personnel Reserve Account (3-733-00) for payment to a departing employee for unused vacation time and 25% of unused sick time.

Taking into account authorized but as-yet unspent funds, the unencumbered account balance in the Personnel Reserve Account is \$12,794.



**TOWN OF HAMPDEN**  
**DEPARTMENT OF PUBLIC WORKS**

106 WESTERN AVE.  
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-5067

May 23, 2018

To: Angus Jennings  
From: Sean Currier  
Subject: Salt Building Quotes – Recommendation of Contractors for award

On October, 16 2017, the Council voted to waive the RFP process to allow the solicitation of quotes for constructing a new salt building at the existing Public Works facility. Multiple contractors bid on concrete and carpentry work associated to construct the building. The bids for concrete work ranged from \$40,400 to 56,000.00 with CW Martin Concrete being the lowest bidder. The carpentry ranged from \$35,000.00 to over \$60,000.00 with Complete Construction being the lowest bidder.

I would like to recommend the acceptance of the two contractors for the work associated with the construction of the new salt building. We plan to work with CW Martin and Calderwood Engineering to reduce the scope of the potential over conservative nature of the concrete as designed. Any new plans for the foundation will be reviewed with Code for acceptance prior to starting work.

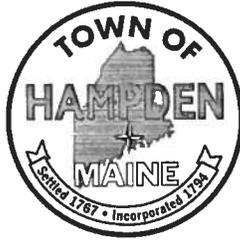
Again, I would like to recommend the award to Complete Construction, not to exceed \$35,000.00 and CW Martin Concrete not to exceed \$40,400.00 (minus any savings from reduced concrete scope by engineer). Funding for this project is proposed from Solid Waste Reserve 3-777-00.

Respectfully,

A handwritten signature in black ink, appearing to read "S. Currier", is written over a light blue horizontal line.

Sean Currier

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone: (207) 862-3034  
Fax: (207) 862-5067  
Email:  
townmanager@hampdenmaine.gov

TO: Finance Committee and Town Council  
FROM: Angus Jennings, Town Manager  
DATE: May 31, 2018  
RE: Request for approval of Manager residency

---

The Town Charter Sec. 401 provides that the Town Manager “may reside outside the town while in office only with approval of the Council.”

The incoming Town Manager Jim Chandler will continue to reside in Dexter for the next several months or more. Within its agreement to his employment contract terms, the Council has previously agreed to his residency outside of Hampden, but this request is now brought forward for a formal vote to ensure conformance with the Town Charter.

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT  
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008  
10 WATER STREET, HALLOWELL, ME 04347  
TEL: (207) 624-7220 FAX: (207) 287-3434  
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application:  Yes  No

PRESENT LICENSE EXPIRES June 12, 2018

INDICATE TYPE OF PRIVILEGE:  MALT  VINOUS  SPIRITUOUS

INDICATE TYPE OF LICENSE:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)     | <input type="checkbox"/> CLASS A LOUNGE (Class X)        |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV)                 | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V)       |
| <input type="checkbox"/> CLUB w/o Catering (Class V)               | <input type="checkbox"/> CLUB with CATERING (Class I)     | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV)                         | <input type="checkbox"/> QUALIFIED CATERING               | <input type="checkbox"/> OTHER: _____                    |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Kimberly's Marina, LLC</u>	Business Name (D/B/A) <u>McLaughlin's @ the Marina</u>
APPLICANT(S) - (Sole Proprietor) <u>Kimberly McLaughlin</u> DOB: <u>1/16/62</u>	Physical Location: <u>108 A Marina Rd</u>
<u>108 A Marina Road</u> DOB: _____	City/Town State Zip Code <u>Hampden, ME 04444</u>
Address <u>Hampden, Maine 04444</u>	Mailing Address <u>108 A MARINA ROAD</u>
City/Town State Zip Code <u>207-990-1111</u> <u>n/a</u>	City/Town State Zip Code <u>Hampden, ME 04444</u>
Telephone Number Fax Number	Business Telephone Number Fax Number <u>207-990-1111</u>
Federal I.D. # <u>550914914</u>	Seller Certificate #: or Sales Tax #: <u>1150464</u>
Email Address: Please Print <u>Kimberly/mc2@gmail.com</u>	Website: <u>McLAUGHLINSMARINARESTaurant.com</u>

If business is NEW or under new ownership, indicate starting date: n/a  
Requested inspection date: 5/30/18 Business hours: 11:30 - 8:00 PM

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: \_\_\_\_\_
2. State amount of gross income from period of last license: ROOMS \$ n/a FOOD \$ 738,000 LIQUOR \$ 140,000
3. Is applicant a corporation, limited liability company or limited partnership? YES  NO   
If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you own or have any interest in any another Maine Liquor License?  Yes  No  
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

2022 McLaughlin's @ THE MARINA (Use an additional sheet(s) if necessary.)  
 License # Name of Business  
108 A MARINA ROAD Hampden, Maine 04444  
 Physical Location City / Town



Division of Alcoholic Beverages and Lottery  
Operations  
Division of Liquor Licensing and Enforcement

**Corporate Information Required for  
Business Entities Who Are Licensees**

<b>For Office Use Only:</b>	
License #:	_____
SOS Checked:	_____
100%	Yes <input type="checkbox"/> No <input type="checkbox"/>

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: Kimberly's Marina, LLC
- Doing Business As, if any: McLaughlin's AT THE MARINA
- Date of filing with Secretary of State: 2011 State in which you are formed: MAINE
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: n/a
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Kimberly McLaughlin	299 SOUTH RD, Holden, ME 308A Marina Rd, Hampden, ME	1-16-62	Owner	100%

(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: \_\_\_\_\_ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes  No  If Yes, Name: n/a Agency: n/a

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes  No

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: n/a

Date of Conviction: n/a

Offense: n/a

Location of Conviction: n/a

Disposition: n/a

Signature:

Kimberly McLaughlin 5/27/18  
Signature of Duly Authorized Person      Date

Kimberly McLaughlin  
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages  
Division of Liquor Licensing and Enforcement  
8 State House Station, Augusta, Me 04333-0008 (Regular address)  
10 Water Street, Hallowell, ME 04347 (Overnight address)  
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@Maine.gov](mailto:MaineLiquor@Maine.gov)

5. Do you permit dancing or entertainment on the licensed premises? YES  NO
6. If manager is to be employed, give name: n/a
7. Business records are located at: 108 A MARINA RD, Hampden, Maine 04444
8. Is/are applicants(s) citizens of the United States? YES  NO
9. Is/are applicant(s) residents of the State of Maine? YES  NO
10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:  
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Kimberly Howe McLaughlin	1-16-69	Presque Isle, ME
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
108 A Marina Rd Hampden ME 04444		
299 South Rd, Holden, ME 04429		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES  NO
- Name: n/a Date of Conviction: n/a
- Offense: n/a Location: n/a
- Disposition: n/a (use additional sheet(s) if necessary)
12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?  
Yes  No  If Yes, give name: n/a
13. Has/have applicant(s) formerly held a Maine liquor license? YES  NO
14. Does/do applicant(s) own the premises? Yes  No  If No give name and address of owner: \_\_\_\_\_
15. Describe in detail the premises to be licensed: (On Premise Diagram Required) INSIDE DINING ROOM  
28 SEATS PATIO, 60 SEATS, UPPER DECK 48 SEATS
16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?  
YES  NO  Applied for: \_\_\_\_\_
17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 miles church  
Which of the above is nearest? church, 5 miles school
18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES  NO
- If YES, give details: n/a

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: May 27 Hampton ME on May 27, 2018  
Town/City, State , Date

Kimberly McLaughlin  
 Signature of Applicant or Corporate Officer(s)

**Please sign in blue ink**

\_\_\_\_\_  
 Signature of Applicant or Corporate Officer(s)

Kimberly McLaughlin  
 Print Name

\_\_\_\_\_  
 Print Name

**FEE SCHEDULE**

<b>FILING FEE: (must be included on all applications)</b> .....	\$ 10.00
<b>Class I</b> Spirituous, Vinous and Malt .....	\$ 900.00
<b>CLASS I:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
<b>Class I-A</b> Spirituous, Vinous and Malt, Optional Food (Hotels Only) .....	\$1,100.00
<b>CLASS I-A:</b> Hotels only that do not serve three meals a day.	
<b>Class II</b> Spirituous Only .....	\$ 550.00
<b>CLASS II:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
<b>Class III</b> Vinous Only .....	\$ 220.00
<b>CLASS III:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class IV</b> Malt Liquor Only .....	\$ 220.00
<b>CLASS IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
<b>Class V</b> Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) .....	\$ 495.00
<b>CLASS V:</b> Clubs without catering privileges.	
<b>Class X</b> Spirituous, Vinous and Malt – Class A Lounge .....	\$2,200.00
<b>CLASS X:</b> Class A Lounge	
<b>Class XI</b> Spirituous, Vinous and Malt – Restaurant Lounge .....	\$1,500.00
<b>CLASS XI:</b> Restaurant/Lounge; and OTB.	

**UNORGANIZED TERRITORIES** \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008.

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

**TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:**

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: Hampden, Maine Penobscot  
City/Town (County)

On: June 4, 2018  
Date

The undersigned being:  Municipal Officers  County Commissioners of the  
 City  Town  Plantation  Unincorporated Place of: Hampden, Maine

COPY

**THIS APPROVAL EXPIRES IN 60 DAYS**

**NOTICE -- SPECIAL ATTENTION**

**§653. Hearings; bureau review; appeal**

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

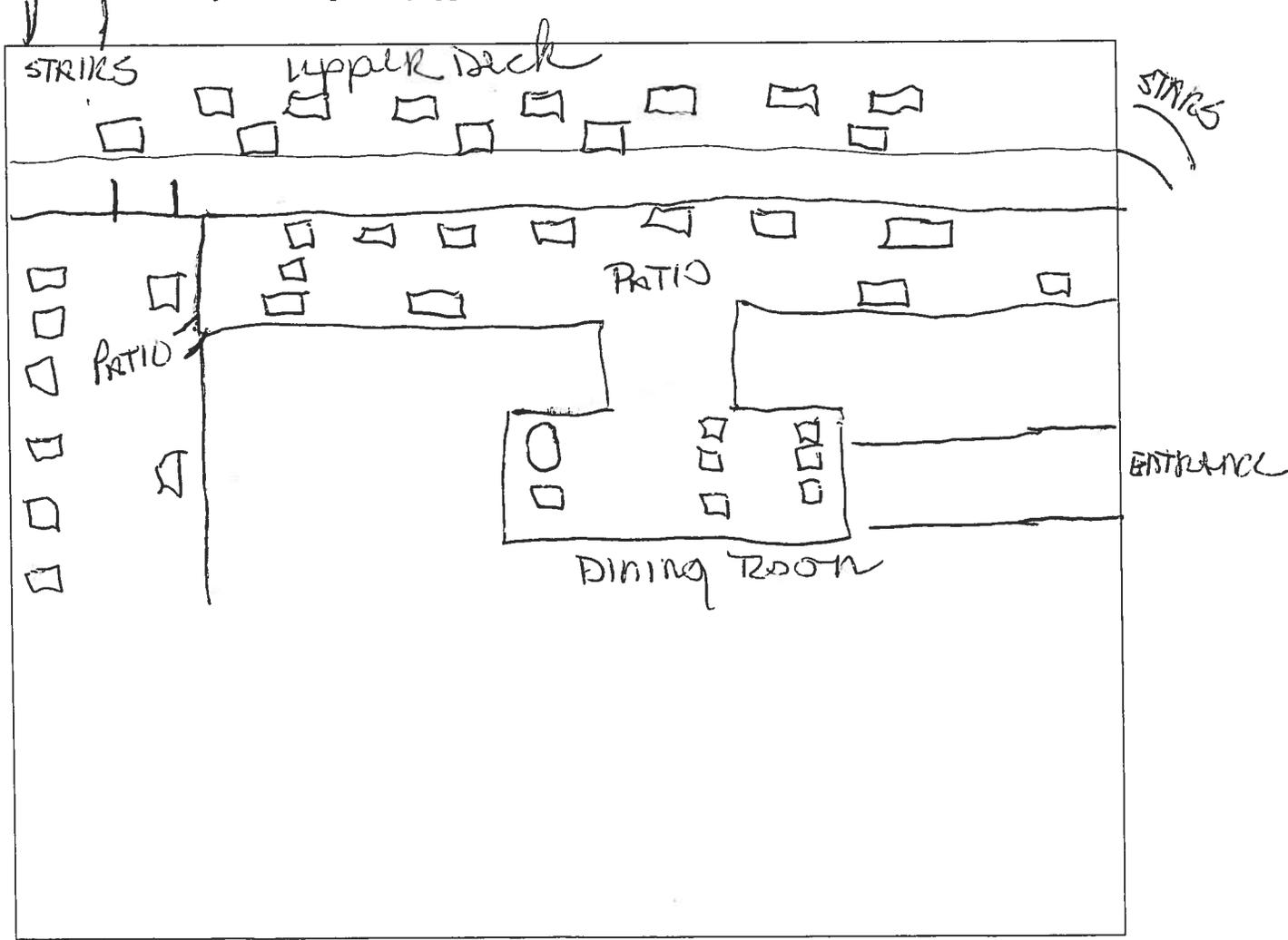
Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing & Enforcement  
8 State House Station, Augusta, ME 04333-0008  
10 Water Street, Hallowell, ME 04347  
Tel: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@maine.gov](mailto:MaineLiquor@maine.gov)

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

### ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT  
8 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0008  
TELEPHONE: (207) 624-7220  
FAX: (207) 287-3434  
EMAIL INQUIRIES: [MAINELIQUOR@MAINE.GOV](mailto:MAINELIQUOR@MAINE.GOV)

## NOTICE

To avoid any delay in the processing of your application and issuance of your liquor license, please make sure that:

1. You completed the application in full. (Please allow us 30 days to process)
2. Application is signed by the owner(s), corporate officer(s).
3. The application is signed by the Town or City Municipal Officers or County Commissioners.
4. The license fee is correct, you have included the \$10.00 filing fee and the check is made out to Treasurer, State of Maine.
5. Your room, food and liquor gross income for the year is filled in (if applicable).
6. A diagram of the premises to be licensed accompanies the application.
7. If business is located in an unorganized township, the application must be approved by the County Commissioners and the \$10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
8. Corporations, limited liability companies, partnerships must complete and submit the Corporate Information Required for Business Entities who are Licensees.
9. If not a publicly traded entity, ownership must add up to 100%.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][ 2003, c. 213, §1 (AMD) .]

**2. Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW) .]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW) .]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD) .]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD) .]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD) .]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD) .]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW) .]  
[ 2009, c. 81, §§1-3 (AMD) .]

**3. Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP) .]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]  
[1995, c. 140, §6 (AMD) .]

**4. No license to person who moved to obtain a license.** [ 1987, c. 342, §32 (RP) .]

**5. Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[ 1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

### **Please be sure to include the following with your application:**

**Completed the application and sign the form.**

**Signed check with correct license fee and filing fee.**

**Your local City or Towns signature(s) are on the forms.**

**Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).**

**Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.**

**Complete the Corporate Information sheet for all ownerships except sole proprietorships.**

**If you have any questions regarding your application, please contact us at (207) 624-7220.**