



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

APRIL 6, 2015

7:00 P.M.

• **6:00 pm – Finance & Administration Committee Meeting**

- A. PLEDGE OF ALLEGIANCE
- B. CONSENT AGENDA
 - 1. SIGNATURES
 - 2. SECRETARY'S REPORTS
 - a. March 16, 2015 Minutes
 - 3. COMMUNICATIONS
 - a. Victualers License Renewals:
 - 1. Dysart's Service
 - 2. R & K Variety
 - 3. Pizza Gourmet
 - 4. Best Western White House Inn Filibuster Lounge
 - 5. Armstrong Tennis Center
 - 4. REPORTS
 - a. Infrastructure Committee Minutes – 2/23/2015
 - b. Finance Committee Minutes – 3/2/2015
 - c. Monthly Department Reports – January & February 2015
 - d. Pool Board Minutes – 2/10/2015
- C. PUBLIC COMMENTS
- D. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS
 - a. Council Recognition – Hampden Academy Unified Basketball Team – State Championship
 - b. State Budget – Commissioner Rosen – Councilor McAvoy
 - 2. PUBLIC HEARINGS
 - a. Application for Victualers License received from John & Corinne Lanpher d/b/a JC's Variety
 - b. Amendments to Life Safety Code Ordinance
 - c. Amendments to Fire Prevention Code Ordinance

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

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

4. UNFINISHED BUSINESS

- a. Update – Disposition of Tax-Acquired Property at 106 Manning Mill Rd.

5. NEW BUSINESS

- a. Children’s Day Update – Councilor Shakespeare
- b. Alewives Fishing Rights
- c. Water District – Drill Test Wells on Library Property – Infrastructure Committee Recommendation
- d. Sewer Line Replacement – Route 1A/Old County Road – Planning & Development Committee Recommendation
- e. Zoning Ordinance Map Amendment – Main Road North – Planning & Development Committee Recommendation & Referral to Planning Board
- f. Zoning Ordinance Text Amendment – Article 3.9 Rural District Frontage Exception for Cul-de-sac Lots – Planning & Development Committee Recommendation & Referral to Planning Board
- g. Proposed Amendments to Sale of Town Owned Real Estate Ordinance – Finance & Administration Committee Recommendation and Introduction for Public Hearing

E. COMMITTEE REPORTS

F. MANAGER’S REPORT

G. COUNCILORS’ COMMENTS

H. ADJOURNMENT

B-2-a



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

MARCH 16, 2015

7:00 P.M.

Attending:

*Mayor David Ryder
Councilor William Shakespeare
Councilor Greg Sirois
Councilor Stephen Wilde
Councilor Dennis Marble
Councilor Carol Duprey
Councilor Terry McAvoy*

*Town Manager Susan Lessard
Town Clerk Denise Hodsdon
Public Safety Director Joe Rogers
Public Safety Personnel
Al Nygren
Members of the Media
Citizens*

The meeting was called to order by Mayor Ryder at 7:00 pm.

• **COUNCIL RECOGNITION – PUBLIC SAFETY PERSONNEL & AL NYGREN**

Mayor Ryder recognized Hampden resident Al Nygren and Hampden Public Safety personnel for their actions during the multi-car pileup on I-95 on February 25th. He presented letters of commendation from the Council to Hampden Police Sgt. Dan Stewart, Hampden Fire Lt. Jason Lundstrom, Hampden Firefighter/Paramedics Matt Thomas and Matthew Roope, Hampden Firefighter Aaron Jellison and Firefighter Chelsea Young. Mayor Ryder also presented a letter of commendation to Al Nygren, a Hampden resident who came upon the accident while on his way home from his shift as an EMT for the Waterville Fire Department.

A. PLEDGE OF ALLEGIANCE – *Mayor Ryder led the Pledge of Allegiance*

B. CONSENT AGENDA – *Motion by Councilor Shakespeare, seconded by Councilor McAvoy to accept the Consent Agenda. Unanimous vote in favor.*

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. February 7, 2015 Goals & Objectives Minutes
- b. March 2, 2015 Minutes

3. COMMUNICATIONS

- a. David Barrett – Application for Re-appointment to Library Board – Referral to Services Committee
- b. Municipal Review Committee – Correcting the Record – Solid Waste Legislation

4. REPORTS

- a. Recreation Committee Minutes – 9/30/2014 and 12/2/2014
- b. Library Board Minutes – 1/13/2015

- c. **Library Director's Report – 3/10/2015**
- d. **Services Committee Minutes – 2/10/2015**
- e. **Finance Committee Minutes – 2/9/2015**

C. PUBLIC COMMENTS – *There were none.*

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS – *There were no additional news items, presentations or awards.*

2. PUBLIC HEARINGS

- a. **Repeal of Town of Hampden “Building Code Ordinance” adopted on September 16, 2002, as amended on March 27, 2006 and June 19, 2006** – *Fire Inspector/Building Inspector Jason Lundstrom explained that the current Building Code Ordinance is obsolete with the State's adoption of the Maine Uniform Building and Energy Code (MUBEC). Mayor Ryder opened the hearing and no one spoke in favor or in opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Shakespeare, seconded by Councilor Sirois to repeal the Town of Hampden Building Code Ordinance adopted on September 16, 2002, as amended on March 27, 2006 and June 19, 2006. Unanimous vote in favor.*
- b. **Repeal of Town of Hampden “Residential Building Code Ordinance” adopted on March 27, 2006, as amended on June 19, 2006** – *Fire Inspector/Building Inspector Lundstrom explained that the current Residential Building Code Ordinance is also obsolete with the State's adoption of MUBEC. Mayor Ryder opened the hearing and no one spoke in favor or in opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Shakespeare, seconded by Councilor Sirois to repeal the Town of Hampden Residential Building Code Ordinance adopted on March 27, 2006, as amended on June 19, 2006. Unanimous vote in favor.*
- c. **Adoption of Maine Uniform Building and Energy Code Ordinance** *Fire Inspector/Building Inspector Lundstrom explained that this ordinance adopts the Maine Uniform Building and Energy Code Ordinance (MUBEC) and establishes administration and enforcement provisions in relation to MUBEC. Mayor Ryder opened the hearing and no one spoke in favor or in opposition and there were no general questions or comments. The hearing was closed. Councilor Duprey noted that the ordinance does not allow the option for property owners to hire a third-party inspector and she believes that option should be available should a property owner so choose. Inspector Lundstrom explained that the third-party inspector would only be able to inspect under the MUBEC code. Third-party inspectors are not authorized to inspect under the Life Safety Code so Town officials are tasked with enforcing that code. The issue is when a project is inspected by a third-party, the Town doesn't access the property until the project is complete so any issues or violations found at that time will have to be corrected at the end of the process. If the Town was*

inspecting all along, any issues or violations could be addressed earlier on in the process.

Motion by Councilor Shakespeare, seconded by Councilor Sirois to adopt the Maine Uniform Building and Energy Code Ordinance.

During discussion Mayor Ryder said he did not feel comfortable taking away the right for a property owner to hire a third-party inspector.

Motion by Councilor Duprey, seconded by Councilor McAvoy to amend the ordinance by striking the second sentence in Section 2.3 which reads "This option shall not be available for one-family or two-family dwellings or townhouses." Vote on the motion was 4 in favor (Duprey, McAvoy, Ryder and Wilde) and 3 opposed (Marble, Shakespeare and Sirois); motion carried.

Vote on the motion to adopt the Maine Uniform Building and Energy Code as amended was 5 in favor (McAvoy, Marble, Duprey, Ryder and Wilde) and 2 opposed (Shakespeare and Sirois); motion carried.

3. NOMINATIONS – APPOINTMENTS – ELECTIONS – *There were none.*

4. UNFINISHED BUSINESS

- a. **Video Taping of Committee Meetings – Further Discussion re Cost – Finance Committee Recommendation – Councilor Wilde** – *Mayor Ryder noted that this had been discussed earlier at the Finance Committee meeting and the Committee voted to put it on hold at this time.*

5. NEW BUSINESS

- a. **Direct Economic Development Director to Apply for "Certified Business Friendly" Designation by April 15, 2015 – Councilor Duprey** – *Councilor Duprey reported that she has learned that the Certified Business Friendly program is currently being re-written. She requested that this item be tabled until such time as the new program comes out and a new deadline is established.*
- b. **Disposition of Tax-Acquired Property – Map 8, Lot 47 – 106 Manning Mill Road** – *Manager Lessard reported that the total unpaid tax amount for this property is \$4,693.93. She noted that this property is not occupied by the owner. Under the Sale of Town-Owned Property Ordinance, the owner will be given 30 days in which to pay all outstanding taxes on the property. If they fail to pay the entire outstanding amount within 30 days, the property would be put out to bid. Motion by Councilor Marble, seconded by Councilor Sirois to begin the foreclosure process for property located at 106 Manning Mill Road. Unanimous vote in favor.*
- c. **Manager Contract – Non-renewal** – *Manager Lessard notified the Council that due to family health issues and the desire to simplify her life, she was not requesting a renewal or extension of her current contract which expires at the end of June. She read her letter into the record and Councilor Shakespeare moved to accept Manager Lessard's letter*

regarding the term of her contract. Councilor McAvoy seconded the motion and vote was 6 in favor and 1 opposed (Sirois).

- 1. Set Date for Council Workshop to Begin Manager Search Process** – *Mayor Ryder reported that at its meeting earlier in the evening the Finance Committee voted to hire Eaton Peabody Consulting Group to assist in the search for a new manager. The process will begin with a workshop to discuss the roles and responsibilities of the Council and the Manager. The workshop was scheduled for 6:00 pm on Tuesday, April 7th in the Council Chambers.*

- d. Discussion of Expansion of Town Office Hours – Councilor Wilde** – *Councilor Wilde noted that he has heard from a number of residents that they would like to see the Town Office open on Fridays. Councilor Marble recommended that this discussion be put off until a new Manager is hired and has a chance to assess the need for expanding the hours. Motion by Councilor Shakespeare, seconded by Councilor Sirois to table this until such time as a new Manager is hired. Unanimous vote in favor. Mayor Ryder noted that if this brought up again, discussion should begin with the Finance Committee.*
- e. Flag Project – Services Committee Recommendation** – *Services Committee Chair McAvoy reported that the Committee had discussed a request for the Town to take over the flag project. The veterans' group that started the project currently has \$1491.36 in its treasury and would turn that over to the Town. It was the recommendation of the Committee to take over the project until the existing funds run out. Motion by Councilor McAvoy, seconded by Councilor Marble to accept the veterans group's donation, which will defray the cost of the flag project until the funds are depleted. Unanimous vote in favor.*
Tom Brann of 262 Western Avenue informed the Council that this was mentioned at the last Hampden Business Association meeting and several people commented that they would really like to see the project continue. It was suggested that perhaps donation boxes could be set up at the Town Office or that individual businesses could adopt a flag. Councilor Shakespeare said he and resident Jeremy Jones would volunteer their services in putting the flags up. Councilor Sirois noted that members of the Hampden VFW could possibly help as well.
- f. Police Vehicle Bid Results – Finance Committee Recommendation** – *Mayor Ryder reported that the Finance Committee reviewed the bids with Public Safety Director Rogers and it was the recommendation of the committee to accept the bid from O'Connor GMC for a 2015 Chevrolet Tahoe in the amount of \$33,335.45. Motion by Councilor Marble, seconded by Councilor Sirois to accept the recommendation of the Finance Committee to purchase a 2015 Chevrolet Tahoe from O'Connor GMC. Unanimous vote in favor.*

E. COMMITTEE REPORTS

Infrastructure Committee – *The next meeting will be at 6:00 pm on Monday, March 23rd.*

Services Committee – Councilor McAvoy reported that the same group that had requested that the Town take over the flag project also requested that the Town take over the responsibility of caring for and periodically adding names to the veterans memorial. The committee has requested additional information before making a decision regarding this request. There was also discussion regarding the future of the Hampden Children's Day event. Due to a lack of volunteers, the event may have to be cancelled this year. Councilor McAvoy encouraged anybody who wished to help out to contact Recreation Director Shelley Abbott.

Planning & Development Committee – Councilor Shakespeare reported that the committee met on March 4th and discussed proposed amendments to the Subdivision Ordinance, private ways and a proposed re-zoning of a portion of Main Road North.

Finance & Administration Committee – Mayor Ryder reported that at its meeting earlier in the evening, the committee discussed councilor compensation for attending workshops, reviewed the police vehicle bids, and discussed the manager search process. The committee also discussed videotaping committee meetings and a request for the Town to issue license plates. Both of these items were put on hold until a new manager has been hired.

- F. **MANAGER'S REPORT** – A copy of the Manager's Report is attached and made a part of the minutes. Manager Lessard added that the roads have been posted for heavy load limits and that she met with the Department of Labor regarding fines they had assessed following their latest inspection. She reported that all the deficiencies found during the inspection have been taken care of and the Department has waived the fines.

G. **COUNCILORS' COMMENTS**

Councilor Sirois commented that he has had conversations with some town employees and there is some apprehension about Manager Lessard's leaving. He said we have a good team and he would hate to see us lose individuals because of this change. He assured everyone that the Council would do everything it could to bring in someone of Manager Lessard's caliber and he asked Manager Lessard to rally the troops.

Councilor Wilde commented that he has been here for 2½ months and has observed some behavior that he is not pleased with. He said he has seen citizens come to Council and committee meetings to speak about items on the agendas and some of the Councilors are less than receptive when they do speak. He has heard other Councilors during Councilors' Comments talk about people coming here and they have a certain agenda. Councilor Wilde said he thinks we can agree that everybody should have a voice in this process and that some of us need to be more open on this. He has been told that it's not the Council's job to oversee budgets, but rather to set policy, and then he hears over and over about how hard the Council works on the budget. He said he hears opposing views everywhere. He said saying there is no need to micro-manage is a politically correct way to say "I don't want to look at this". He said in his opinion, it is our job to trust, but it is also our job to verify that what we vote here on the Council is carried out accordingly. He went on to say that "I've been told over and over that we do the things we do to protect the citizens and that's why we have to change this or add that. Every time I have heard that, it results in one of two things...either more regulation or more spending, which then leads to the need for more government employees and higher taxation." After deciding to run for a seat on the Council, he went door-to-door, mostly listening to the people of this town. One thing he heard over and over was they do not believe the Council listened to them. They don't want their taxes going up, they want the over-reaching regulations to stop, they

want the Council to stop the embarrassing behavior, and they want to know that we're listening to them and reacting accordingly to what they're telling us that they want us to do. He said "I along with a few other others up here know who we represent; it's the residents of Hampden; it's not the special interests of a few that want to see us just trust our government. To the Hampden residents that do come here, and who watch from home, please continue. Come to the meetings, speak up and don't let the behavior of a few deter you from coming and speaking your mind." He said the last time he checked this was still a democratic process; all opinions are valued. On a lighter note, he commented that St. Patrick's Day is coming up and after this long winter, we all need an excuse to celebrate a little bit.

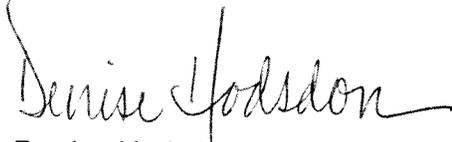
Councilor Shakespeare commented that he attended the last Planning Board meeting at which Town Planner Bob Osborne gave a presentation on stormwater. He noted that it was very informative and said he would like to see it presented at a Council meeting so that it could be broadcast and taped and the public would be able to watch it. He commented that the library's electric costs will be substantially reduced with the award of the grant to upgrade to LED lighting. He also thanked Manager Lessard for her 14 ½ years of service and appreciates her working with the Council through the acquisition of a new Town Manager.

Councilor Duprey agreed with some of Councilor Wilde's comments. She said we are here to serve the people and I wish we could get more people to come to the Council meetings; but if you can't make the meetings, please call us and let us know what your thoughts are and what you would like to see us do.

Councilor Marble said he thinks it's easy for us to all slightly misspeak at times, especially publicly or when we get nervous, but he doesn't know of anyone sitting up here who is not intent on serving the citizens of this town. He wanted to remind everyone that he is holding a District 2 Hot Stove session on the third Saturday of every month. There has been a small loyal group who has come every time and the intention is to have one more way to have an informal conversation that's not constrained by trappings like this. He said it is currently called District 2, but it could be expanded to all of Hampden if any of the Councilors would like to talk about that.

Councilor McAvoy commented that Spring is on the way and he reminded everyone to shop local and buy American.

H. **ADJOURNMENT** – There being no further business, the meeting adjourned at 8:32 pm.



Denise Hodsdon
Town Clerk

MANAGER'S REPORT
Monday, March 16, 2015

Tax Due Date –

A reminder that the second half of the 2014/15 property taxes is due by Wednesday, April 1, 2015 to avoid interest charges.

Sewer Lien – 30 Day notices –

30 day notices for unpaid sewer bills will be going in the mail on Tuesday, March 17th. Those remaining unpaid 30 days later will have a lien field on the property.

Hampden Unified Basketball Team –

The Hampden Unified Basketball team will be playing for the Eastern Maine Championship on Tuesday, March 17, 2015 at 4:30 at Hampden Academy. Our Finance/HR officer Tammy Ewing's son Zachary plays on the Unified team and I would encourage anyone who can make it to attend the game to show support for the team. Hampden's Boys Varsity Basketball Team brought home the Gold this year – and we are hoping that the Unified Team can do so as well!

Public Works Director Applications –

A reminder that applications for the Public Works Director position close on Wednesday, March 25th. Anyone interested in the position should submit a current resume and letter of interest to the Town Manager no later than 6 p.m. on 3/25/15. Thus far we have 7 applicants.

Stormwater 101 –

In order to fulfill part of the requirements of our 5 year stormwater license, we have to do annual training of elected/appointed officials in regard to the program. It is my intent to have this training on the agenda of the Infrastructure Committee meeting on Monday, March 23, 2015. The Planning Board had this presentation at their meeting on March 11th.

Tree City USA –

The Town of Hampden has been a Tree City USA community for the past seven years. Gretchen Heldmann was the point person for this for the Town of Hampden. Planner Bob Osborne has agreed to take this project over on behalf of the Town.

Library Grant Application-

I am pleased to inform you that Librarian Debbie Lozito was successful in obtaining a grant from the Stephen King Foundation which includes funding for replacing the lighting at the library with LED fixtures. The total grant is \$50,000.

B-3-a-1

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: info@hampdenmaine.gov

March 12, 2015

Dysart's Service
P O Box 1689
Bangor, ME 04402-1689

Your application for renewal of your Victualer's License for Dysart's Travel Stop has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

Denise Hodsdon, CMC
Town Clerk

Enclos

VICTUALER'S LICENSE CERTIFICATE

No. 4

MUNICIPALITY OF HAMPDEN, MAINE

To all whom these presents may concern: Date: March 12, 2015

KNOW YE, that Dysart's Service

doing business as Dysart's Travel Stop

has been duly licensed as a Victualer at Coldbrook Road

in the Municipality of Hampden by said Municipality until March 31, 2016,

and has paid to the Municipal Treasurer the fee of Fifty Dollars (\$50.00).

Authorized Municipal Officer **MYLES M. BLOCK**
CODE ENFORCEMENT OFFICER

B-3-a-2

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: info@hampdenmaine.gov

March 12, 2015

Kathy Smith
R&K Variety
573 Main Rd. North
Hampden, ME 04444

Dear Kathy;

Your application for renewal of your Victualer's License has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

Denise Hodsdon, CMC
Town (

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VICTUALER'S LICENSE CERTIFICATE

No. 7 **MUNICIPALITY OF HAMPDEN, MAINE**

To all whom these presents may concern: Date: March 12, 2015

KNOW YE, that Kathy Smith,

doing business as R & K Variety

has been duly licensed as a Victualer at 573 Main Road North

in the Municipality of Hampden by said Municipality until March 31, 2016,

and has paid to the Municipal Treasurer the fee of Fifty Dollars (\$50.00).

MYLES M. BLOCK
Authorized Municipal Officer CODE ENFORCEMENT OFFICER

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: info@hampdenmaine.gov

March 12, 2015

Brian Carlisle
Pizza Gourmet
60 Main Rd. North, Ste. A
Hampden, ME 04444

Dear Brian:

Your application for renewal of your Victualer's License has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

Denise
Town

Enclos

VICTUALER'S LICENSE CERTIFICATE

No. 6

MUNICIPALITY OF HAMPDEN, MAINE

To all whom these presents may concern: Date: March 12, 2015

KNOW YE, that Brian and Cindy Carlisle

doing business as Pizza Gourmet

has been duly licensed as a Victualer at 60 Main Road North Suite A

in the Municipality of Hampden by said Municipality until March 31, 2016,

and has paid to the Municipal Treasurer the fee of Fifty Dollars (\$50.00).

Myles M. Block
Authorized Municipal Officer CODE ENFORCEMENT OFFICER

B-3-a-4

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: info@hampdenmaine.gov

March 12, 2015

Peggy Brown
Best Western White House Inn
Filibuster Lounge
155 Littlefield Ave.
Bangor, ME 04401

Dear Peggy:

Your application for renewal of your Victualer's License has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

Denise Hodsdon, CMC
Town C

Enclos:

VICTUALER'S LICENSE CERTIFICATE

No. 5

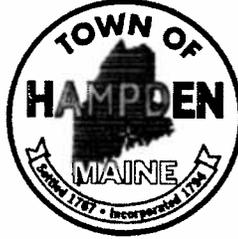
MUNICIPALITY OF HAMPDEN, MAINE

To all whom these presents may concern: Date: March 12, 2015

KNOW YE, that Best Western White House Inn,
doing business as Filibuster Lounge
has been duly licensed as a Victualer at 155 Littlefield Avenue
in the Municipality of Hampden by said Municipality until March 31, 2016,
and has paid to the Municipal Treasurer the fee of Fifty Dollars (\$50.00).

Authorized Municipal Officer MYLES M. BLOCK
CODE ENFORCEMENT OFFICER

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: info@hampdenmaine.gov

March 31, 2015

Dean Armstrong
Armstrong Tennis Center
60 Mecaw Rd
Hampden, ME 04444

Dear Dean:

Your application for renewal of your Victualer's License has been approved. Accordingly, I am enclosing the license, which under Section 5.A of the Town of Hampden Victualer's Ordinance, must be displayed in a place within the establishment where it can be readily viewed by any member of the public.

Please call if you have any questions.

Sincerely,

Denise Hodsdon, CMC
Town

Encl

VICTUALER'S LICENSE CERTIFICATE

No. 8

MUNICIPALITY OF HAMPDEN, MAINE

To all whom these presents may concern: Date: March 31, 2015

KNOW YE, that Dean Armstrong

doing business as Armstrong Tennis Center

has been duly licensed as a Victualer at 60 Mecaw Road

in the Municipality of Hampden by said Municipality until March 31, 2016,

and has paid to the Municipal Treasurer the fee of Fifty Dollars (\$50.00).

Authorized Municipal Officer / CODE ENFORCEMENT OFFICER

INFRASTRUCTURE COMMITTEE MEETING MINUTES

6:00 P.M.

Monday, February 23, 2015

Attending:

Councilor Dennis Marble
Mayor David Ryder
Councilor Terry McAvoy
Councilor Greg Sirois

Councilor William Shakespeare
Councilor Stephen Wilde
Councilor Carol Duprey
Alex & Darla King

The meeting was opened at 6 p.m. by Chairman Marble.

1. MINUTES – 01/26/2015 Meeting – The minutes of the 1/26/15 meeting were reviewed and approved as presented.
2. OLD BUSINESS
 - a. Continued Public Works Discussion – Committee members reviewed the information from the packet and made the following decisions:
 1. Bidding out the cemetery work should not be done until a new Public Works Director has a chance to come on board and assess current operations, which would move that to the 2015/16 budget.
 2. The Committee reviewed the Public Works Director advertisement and proposed time line and determined that both were a reasonable approach.
 - b. Skehan Center Lighting – The Committee reviewed the proposal from Hampden Electric to replace 48 fixtures at the Skehan Center with LED lights/fixtures. The net cost to the Town, after application of the double energy rebates from Efficiency Maine, would be \$3,947 and under the amount at which projects need to go out to bid. The committee voted unanimously to recommend to the Council that Hampden Electric be authorized to replace 48 light fixtures with led lights/fixtures at a cost of \$3,947.
 - c. Town Office/Post Office/Pool Site Plan – The Committee discussed the information presented from Woodard & Curran engineer Jim Wilson related to options for handling any new site development and agreed to have the Town Manager invite Mr. Wilson to an upcoming Infrastructure Committee meeting.
 - d. Update – Services Committee – Playing Fields/Recreation – There was a substantial amount of discussion with Committee members and residents Alex and Darla King who attended the meeting. There was general agreement that the Council needs data and a plan, that land would be essential, that public/private partnerships would be important, that this plan needs to work through the Services Committee, that a longer term agreement for the Skehan Center may be necessary and that the Recreation Director and the Town Manager should advocate for what is necessary.
3. NEW BUSINESS
 - a. Backyard Composting Program 2015 – Although the Town has offered a 50% subsidy on composters for a number of years, the Committee voted unanimously

to end the subsidy this year. Interested residents will still be able to purchase a composter through the town if they choose – but without the subsidy.

4. PUBLIC COMMENTS - None
5. COMMITTEE MEMBER COMMENTS – Councilor McAvoy requested that the subject of Jake Brake signs and lack of a town ordinance be included on the next Infrastructure Committee agenda.

The meeting was adjourned at 7 p.m.

Respectfully submitted,

Chairman Dennis Marble

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES

Monday, March 2, 2015

Attending:

Mayor David Ryder	Councilor William Shakespeare
Councilor Greg Sirois	Councilor Terry McAvoy
Councilor Dennis Marble	Councilor Stephen Wilde

The meeting was opened at 6 p.m. by Mayor Ryder

1. Meeting Minutes
 - a. February 9, 2015 – Motion by Councilor Marble, seconded by Councilor Shakespeare to approve the minutes as presented. Unanimous vote in favor.
2. Review & Sign Warrants – Councilor Shakespeare asked questioned related to the cleaning contract at the Municipal Building and a grant received by the Police Department. He asked that the cleaning contract for the Municipal Building be put on the agenda for the next Infrastructure Committee Meeting. Motion by Councilor Shakespeare, seconded by Councilor McAvoy to approve the warrants. Unanimous vote in favor.
3. Financial Statements – January, 2015 – The Town Manager presented the financial statements for the Month of January 2015. Motion by Councilor McAvoy, seconded by Councilor Marble to approve the January 2015 financial statements. Unanimous vote in favor.
4. Old Business
 - a. Continued Review of Council Rules – This item was set aside due to the absence of Councilor Duprey. It will be on the agenda for the next meeting.
5. New Business
 - a. Sidewalk Plow Options – The Town Manager reported that she had secured a two month rental to replace the Town's sidewalk plow that had lost an engine. The Council will have an opportunity through the Infrastructure Committee and the budget process to determine how it wishes to handle this matter.
 - b. Request to use Computer Reserve Funds for Replacement of Police Cruiser Laptops – GIS/IT Specialist Kyle Severance presented the request to use Computer Reserve funds for the purchase of three laptops to replace those in the Police Cruisers. The current laptops are 7 years old. This purchase is through a State Police Contract and the total needed for the three complete systems is \$13,315.26. Motion by Councilor Marble, seconded by Councilor Sirois to recommend to Council to use \$13,315.26 from computer reserve to replace the three cruiser laptops. Unanimous vote in favor.
6. Public Comment - None
7. Committee Member Comments – Councilor Shakespeare asked that future discussions related to renewal of the Town Manager contract be done in executive session. The Town Manager informed the Committee that due to

health issues with her fiancé she would not be requesting a contract extension and that it would be on the next Finance and Council agenda to discuss how the Council wished to proceed. It was suggested that outside assistance from a firm such as Eaton Peabody could help with that process. Councilor McAvoy suggested that a forensic audit be done. When asked why he indicated that there had been two department heads leave in the recent past and he thought it was a good idea. He did not agree that asking for a forensic audit meant that criminal activity was suspected. There was some discussion about the meaning of a forensic audit, since the Town has an annual audit of its finances. The audit will be put on the agenda as part of the discussion for replacing the manager.

Motion by Councilor Marble to adjourn at 6:50 p.m., seconded by Councilor Shakespeare. Unanimous vote in favor.

Respectfully submitted,

Susan Lessard
Town Manager

B-4-c

TO: Hampden Town Council
FROM: Sue Lessard, Town Manager
DATE: April 2, 2015
RE: Department Reports – January & February 2015

The purpose of this memo is to transmit the monthly reports of the Town's Departments.

Administration
Town Clerk
Town Manager
Economic Development
Planner
Code Enforcement
Assessing
GIS/IT
Public Safety
Edythe Dyer Library
Lura Hoit Pool
Recreation

Please feel free to contact me with questions or suggestions for changes in the type/format of information submitted.

ADMINISTRATION MONTHLY REPORT – January 2015

VEHICLES REGISTERED	458
EXCISE COLLECTED	\$ 90,822.05
GENERAL ASSISTANCE APPOINTMENTS	0
GENERAL ASSISTANCE GRANTED	\$0
TRANSFER STATION PERMITS ISSUED	877

ADMINISTRATION MONTHLY REPORT – FEBRUARY 2015

VEHICLES REGISTERED	470
EXCISE COLLECTED	\$109,269.97
GENERAL ASSISTANCE APPOINTMENTS	0
GENERAL ASSISTANCE GRANTED	\$0
TRANSFER STATION PERMITS ISSUED	477

Clerk's Monthly Report – January 2015

BOATS REGISTERED	8
ATV'S REGISTERED	7
SNOWMOBILES REGISTERED	121
VITAL RECORDS ISSUED	
BIRTH	6
MARRIAGE	6
DEATH	37
BURIAL PERMITS	3
MARRIAGE LICENSES ISSUED	2
HUNT/FISH LICENSES SOLD	80
DOGS LICENSED	321
VICTUALERS LICENSES ISSUED	1

Clerk's Monthly Report – February 2015

BOATS REGISTERED	2
ATV'S REGISTERED	0
SNOWMOBILES REGISTERED	68
VITAL RECORDS ISSUED	
BIRTH	8
MARRIAGE	5
DEATH	23
BURIAL PERMITS	2
MARRIAGE LICENSES ISSUED	0
HUNT/FISH LICENSES SOLD	22
DOGS LICENSED	53
VICTUALERS LICENSES ISSUED	1

MONTHLY REPORT – TOWN MANAGER
January & February 2015

- Staffed and prepared minutes for Finance & Administration, Infrastructure & Service Committee meetings.
- Staff Annual Council Goals & Objectives meeting and Town Council meetings
- Propose and implement plan for replacing Public Works Director
- Issued request for limited department spending due to low cash flow prior to receipt of second half of property taxes
- Review invoices and approve for payment warrants
- Request budget information from staff members for submission by March 16th
- Work on 2015/16 budget , including preparation of Administration, Communications, Municipal Building, Debt Service, Reserve, Town Council, Non-Department Utilities, Highway, Municipal Garage, Solid Waste department budgets
- Reviewed Governor's budget proposal and prepared information related to municipal government impacts
- Prepare RFP for Property & Casualty Insurance Bid
- Researched health insurance options for Town for budget purposes
- Prepare financial statements, reconcile 3 Town Funds (Sewer/Reserve/General) and calculate and post fair market value changes to reserve accounts
- Work with Staff and NESCOM on upgrade proposal for broadcast equipment
- Assist residents, respond to questions and concerns
- Assist Department heads with issues related to budgets, capital projects, grants, personnel
- Notified RSU 22 of request for increased reimbursement for School Resource Officer
- Personnel reviews – Town Clerk, Tax Collector, Finance/HR, Public Safety Director, Recreation Director, Librarian, Pool Director – remainder direct reports to be done by April 30th.
- Assist residents with Property Tax Fairness Credit application
- Award bid and implement public safety flooring project
- Locked in heating oil and diesel fuel price for 2015/16 at \$2.188 per gallon
- Provided information to Councilors related to constituent questions

Department of Community and Economic Development
Activity Report: February 2015

Hampden Business Park:

- Facilitating ongoing collaboration between Sargents, Ammo Park and MRC/Fiberight Corporation.
- Facilitating ongoing discussions with Bangor Gas, Woodard and Curran, CES and Ammo Park with regard to potential natural gas expansion into the Hampden Triangle.

Business Advocacy:

- Meeting with the HBA Executive Committee to discuss its future and strategic direction.
- Facilitating small business interests, location and re-location.
- Initiating and supporting zoning amendments in response to identified unintended non-supportive consequences on businesses.

Business Attraction:

- Assisted potential businesses with alternative locations in Hampden

TIF Implementation:

- Facilitated the preparation and submission of Emera TIF documents to the Department of Economic and Community Development.

Staff Collaboration:

- Weekly consultation with Town Planner, Code Enforcement Officer, Assessor, GIS/IT Specialist and Public Works Director.

Networking:

- Attending and participating in workshops and conferences to educate and best position myself in promoting businesses development in Hampden and reinforcing Hampden's supportive business attitude.

Town Planner Report

February 2015 activities of the Town Planner include the following:

The Planning Board reviewed applications for final subdivision plan revision, two site plan reviews and one conditional use review. All were approved.

Council Planning and Development Committee activities include preparation of an amendment to the subdivision and zoning ordinances and codes repeals and revisions. Amendments include: review guidance for subdivision ordinance, zoning map amendment for Main Rd. North, private road ordinance, Business B district amendments, rural district cul-de-sac amendment, swimming pool amendment, and package of codes amendments.

Bangor Area Storm Water Group (BASWG) activities include chairman duties at Policy and Executive committees, and attendance of an Education and Outreach meeting related to the permit and staff stormwater meetings.

Bangor Area Comprehensive Transportation System (BACTS) activities include Policy Committee and Technical Committee responsibilities.



HAMPDEN PUBLIC SAFETY
Police – Fire – EMS – Code Enforcement
106 Western Avenue
Hampden, Maine 04444
Phone 207-862-4500
Fax: 207-862-4588



Code Enforcement Division

MONTHLY REPORT

January 2015

2015 has started out very busy for the Hampden Public Safety Code Enforcement Division. CEO Myles Block, BFI Lt. Jason Lundstrom along with LPI Dick Watson continue as the staff of the division performing the majority of the services to the citizens of Hampden along with remarkable continued support of Rosemary in the office.

During the month of January the Code Enforcement Office processed a total of 13 permit applications.

This included:

- 1 – New Single Family Home
- 3 – Interior Alterations (1-Res/2-Comm)
- 2 – Residential Building Additions
- 1 – Communications Tower Alteration
- 5 – Plumbing Permits
- 1 – Certificate of Compliance

A total of \$1,702.00 in fees were collected in the month of January. This compares to \$605.00 the previous year.

The CEO & BFI performed a total of 19 inspections in the month of January. The LPI performed 10 inspections and the Alternate LPI, Richard Babine, performed 1 inspection.

Victualers inspection performed and licenses approved for Fresh Ginger. Initial Building Alterations and Victualers inspection performed for Maxium Fitness Studio & Health Spa. Final Inspection still needed for Alterations permit but CEO and BFI believe Victualers license can be issued prior to applicant completing the work as all components of Victualers license will be required to be complete before COO is issued by this office.

The CEO and BFI attended the Annual Meetings of the Maine Building Officials & Inspectors Association (MBOIA) in South Portland. Lt. Lundstrom was elected to serve on the MBOIA Board of Directors for the next year.



HAMPDEN PUBLIC SAFETY

Police – Fire – EMS – Code Enforcement



The CEO continued work on needed Ordinance amendments. The CEO was unable to present these changes to the P&D Committee in January because of council changes and canceled meetings. The CEO will present to the P&D Committee in February on the revised amendments, from the Town Attorney, for Fire Prevention Code, Life Safety Code, and Zoning Ordinance changes in Articles 3.13, 4.15 & 7.2. The Building Code and Residential Building Code will be presented to P&D for repeal and a new Maine Uniform Building and Energy Code Town Ordinance will be presented as the replacement.

The CEO & BFI responded to 29 calls during the work week as follows:
Assist Duty Crew EMS Calls: 23
Fire response: 6

The CEO & BFI continue to attend the Town Stormwater Group Meetings and are active in preparing the Town should an EPA or DEP audit take place.

The CEO & BFI continue to study for the exams to become certified within the 1 year window. In January, the CEO successfully completed exams for Legal Issues and Land Use/Zoning and the BFI successfully completed exam in Commercial Building Code and Indoor Residential Ventilation.

The Code Enforcement website has made significant changes during this last month. On the website, citizens and builders can find certain permit applications, permit submission requirements (document stating required drawings and materials necessary to obtain certain permit types), contact information, business hours for the CEO and BFI, and a calendar of events for the CEO and BFI.

Respectfully Submitted,

A handwritten signature in black ink that reads "Myles M. Block". The signature is stylized with a large, sweeping flourish at the end.

Myles M. Block
Code Enforcement Officer
Firefighter/Paramedic

Permit Application Summary

Permit Application Date Is 01/01/2015 to 01/29/2015

Permit Type	Count	Value	Fee
BLDG NEW CONSTR			
SINGLE FAMILY	1	180,000	312.00
Subtotal	1	180,000	312.00
BLDG RENOVATE			
SINGLE FAMILY	1	10,000	226.00
COMMERCIAL	1	5,000	50.00
Subtotal	2	15,000	276.00
BLDG ADDITIONS			
PORCH	1	10,000	354.00
STEPS	1	500	50.00
Subtotal	2	10,500	404.00
BUSINESS RENVT			
BUSINESS	1	1,000	25.00
Subtotal	1	1,000	25.00
COMM TOWER			
MISCELLANEOUS	1	5,000	25.00
Subtotal	1	5,000	25.00
PLUMBING			
INTERNAL/RES	3	0	370.00
INTERNAL/BUS	1	0	40.00
Subtotal	4	0	410.00
SEWER HOOK ON			
SEWER/RES	1	0	200.00
Subtotal	1	0	200.00
CERT OF COMPLIA			
BUSINESS	1	0	50.00
Subtotal	1	0	50.00
Total	13	211,500	1,702.00

✓ *ok*

permit fees report

Permit Application Date Is 01/01/2015 to 01/29/2015

Permit	Application	Type	Category	Description	Fee
15-083	01/05/2015	COMM TOWER	MISCELLANEOUS	renovating cell tower antenna	25.00
15-084	01/05/2015	PLUMBING	INTERNAL/BUS	internal plumbing permit 3352	40.00
15-085	01/06/2015	BUSINESS RENVT	BUSINESS	renovations to office	25.00
15-086	01/07/2015	CERT OF COMPLIA	BUSINESS	change of ownership and name of business. KIDS. is the name of the buisness.	50.00
15-087	01/13/2015	PLUMBING	INTERNAL/RES	internal plumbing permit 3353	150.00
15-088	01/13/2015	BLDG ADDITIONS	STEPS	handicap ramp on lot 21 trailer park	50.00
15-089	01/15/2015	BLDG NEW CONSTR	SINGLE FAMILY	single family dwelling'	312.00
15-090	01/15/2015	SEWER HOOK ON	SEWER/RES	sewer hook on	200.00
15-091	01/20/2015	PLUMBING	INTERNAL/RES	internal plumbing permit 3354	110.00
15-092	01/20/2015	PLUMBING	INTERNAL/RES	internal plumbing permit 3355	110.00
15-093	01/20/2015	BLDG RENOVATE	COMMERCIAL	alternations permit - (double fee)	50.00
15-094	01/21/2015	BLDG ADDITIONS	PORCH	Construct a wrap around farmer's porch around existing house and a 2-story breezeway between existing house and garage.	354.00
15-095	01/21/2015	BLDG RENOVATE	SINGLE FAMILY	finish basement and add a bath	226.00

Building Permit Log (2014)

1/5/2015	15-083	Comm. Tower	99	Ballfield Road	10-0-014	\$ 25.00	renovations to tower			
1/6/2015	15-085	Lord, Steve	105	Main Rd. South	44-0-079	\$ 25.00	renovations			
1/7/2015	15-086	Lord, Steve	109	Main Rd. South	44-0-080	\$ 50.00	Cert. of Compliance			
1/13/2015	15-088	Peters, Mark	681	Main Rd. North Lot 21	20-0-051-21	\$ 50.00	ramp	Double fee		
1/15/2015	15-089	Pelletier, James	16	Sunrise Lane	24-0-047-14	\$ 312.00	New House			
1/20/2015	15-093	King, Angela	8	Main Rd. South	36-0-001-A	\$ 50.00	Alternations	double fee - paid at front		
1/21/2015	15-094	Wilson, Brandon	809	Western Ave.	08-0-007-O	\$ 354.00	porch/breezeway	Double fee		
1/21/2015	15-095	Devito, Mike	85	Dunton Circle	08-0-020-11	\$ 226.00	renovations to basement	withdrawn		

Plumbing Permit Log (2014)

1/5/2015	15-084	Hamlin Marina	100	Marina Road	28-0-017-A1	\$ 40.00	Internal	3352
1/13/2015	15-087	Wicklow, Nate	3	Bowen Drive	08-0-033-08	\$ 150.00	Internal	3353
1/20/2015	15-091	Schmand, Greg	30	Highland Ridge Drive	03-0-018-5	\$ 110.00	internal	3354
1/20/2015	15-092	Schmand, Greg	32	Highland Ridge Drive	03-0-018-6	\$ 110.00	Internal	3355

Sewer Hook-on Permit Log (2014)

1/15/2015	15-90	Pelletier, James	16	Sunrise Lane	24-0-047-14	\$ 200.00
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HAMPDEN PUBLIC SAFETY
Police – Fire – EMS – Code Enforcement
106 Western Avenue
Hampden, Maine 04444
Phone 207-862-4500
Fax: 207-862-4588



Code Enforcement Division
MONTHLY REPORT
February 2015

- During the month of February the Code Enforcement Office processed a total of 13 permit applications. This included:
 - 3 – Interior Alterations (2-Residential/1-Commercial)
 - 2 – Plumbing Permits
 - 1 – Business Sign
- A total of \$312.00 in fees were collected in the month of February. This compares to \$316.00 the previous year.
- The CEO & BFI performed a total of 18 inspections in the month of January. The LPI performed 8 inspections.
- Victualers inspection performed and licenses approved for Pizza Gourmet and Maxium Fitness Studio & Health Spa.
- The CEO attended the Monthly Meeting of the Hampden Business Association where the topic was the proposed MRC/Fiberight Facility in Hampden.
- The CEO presented to the P&D Committee on the revised amendments, from the Town Attorney, for Fire Prevention Code, Life Safety Code, and Zoning Ordinance changes in Articles 3.13, 4.15 & 7.2. The Building Code and Residential Building Code were presented to P&D for repeal and a new Maine Uniform Building and Energy Code Town Ordinance was presented as the replacement. The P&D Committee recommended that each should be set to council for either public hearing for referral to Planning Board.
- The CEO & BFI continue to attend the Town Stormwater Group Meetings and are active in preparing the Town should an EPA or DEP audit take place.
- The CEO and/or BFI responded to 18 calls during the work week, which included the John Bapst Fire and I-95 Multi-Vehicle Accident, and spent 53 hours as part of the primary ambulance crew to offset overtime costs.
- The CEO & BFI continue to study for the exams to become certified within the 1 year window.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Myles M. Block".

Myles M. Block
Code Enforcement Officer
Firefighter/Paramedic

Permit Application Summary

Permit Application Date Is 02/01/2015 to 02/26/2015

Permit Type	Count	Value	Fee
BLDG RENOVATE			
OUTSIDE DOOR	1	800	25.00
INTERIOR RE-MODEL	1	10,000	47.00
Subtotal	2	10,800	72.00
SIGNS			
BUSINESS	1	1,500	50.00
Subtotal	1	1,500	50.00
BUSINESS RENVT			
COMMERCIAL	1	0	0.00
Subtotal	1	0	0.00
PLUMBING			
INTERNAL/RES	2	0	190.00
Subtotal	2	0	190.00
Total	6	12,300	312.00

permit fees report

Permit Application Date Is 02/01/2015 to 02/26/2015

Permit	Application	Type	Category	Description	Fee
15-097	02/03/2015	PLUMBING	INTERNAL/RES	internal plumbing permit 3356 - relocate kitchen sink - dish washer	40.00
15-098	02/03/2015	SIGNS	BUSINESS	placement of 2 signs.	50.00
15-099	02/09/2015	BUSINESS RENT	COMMERCIAL	New 1674 SF cooler to be constructed within the existing dry storage warehouse.	
15-100	02/17/2015	BLDG RENOVATE	OUTSIDE DOOR	Adding a set of French Doors to back room of house and temporary stairs.	25.00
15-101	02/18/2015	PLUMBING	INTERNAL/RES	internal plumbing permit # 3357	150.00
15-102	02/19/2015	BLDG RENOVATE	INTERIOR RE-MODEL	renovations to kitchen	47.00

Permit List by Permit Number

Permit Application Date Is 02/01/2015 to 02/26/2015

Permit	Type	Application	Applicant	Fee	Street Street Name
15-097	PLUMBING	02/03/2015	SARAH SMITH	40.00	154 MAIN RD SO
15-098	SIGNS	02/03/2015	State Farm/Amanda LeClair	50.00	56 MAIN RD NO
15-099	BUSINESS RENVT	02/09/2015	Dennis Paper & Food Service		101 MECAW RD
15-100	BLDG RENOVATE	02/17/2015	KATHERINE FONSECA	25.00	23 RIVERVIEW RD
15-101	PLUMBING	02/18/2015	LANE CONSTRUCTIO N CORP.	150.00	16 SUNRISE LN
15-102	BLDG RENOVATE	02/19/2015	DAVID M HOUGHTON	47.00	119 OLD COUNTY RD

**ASSESSING REPORT
JANUARY 2015**

As of January 31st I had processed over 50 BETR Reimbursement forms (801) for businesses that qualified and paid their personal property taxes during the year. Some business request them as soon as they pay, others wait until the deadline. I received over 100 documents from the Penobscot Registry of Deeds. They have been processed and recorded in our system.

We (CEO/Building Inspector, Administrative Assistant, Planner, Economic Development Director, GIS/IT and I) held our weekly staff meetings on Monday mornings. This has been our practice for over six months. It allows us to let other departments know what is happening in each of these departments (all of these departments are one person departments and we share the administrative assistant), discuss current issues and possible solutions and coordinate our schedules. Personally, I feel this is very helpful for the above departments that rely on each other and Rosemary.

I worked with Dean on the Emera TIF, providing assessed valuations, acreage, etc., to be included in the agreement I provided the same information to Noreen Norton.

The Sales Study information was returned to the State of Maine and included 155 sales that had occurred between July 2013 and June 2014. Maine Revenue Services will review the sales and make an appointment to visit my office at some point in the next few months. During this visit they will review the work I have completed in the last year and gather more data for the sales ratio report.

The Personal Property Declaration forms will be going in the mail during the month We currently have 228 taxable personal property accounts. We typically mail to approximately 250.

I did do an estimate of the impact the governor's proposed legislative changes regarding exempt properties. As the first \$500,000 in value would continue to be exempt, I only identified two current exemptions that would fall in the guidelines this legislation outlines. As a result we would lose (at the current mil rate) \$8,757.75 in revenue. Our

largest exempt, that is subject to the town's service charge would pay \$12,327 as opposed to this years' service fee that was \$22,077. The other exempt I identified has a current valuation of \$613,400; under the outlined formula their taxable valuation would be \$57,600 and would net the town \$992.25 in taxes at the current rate.

I also scanned and e-mailed numerous property record cards to real estate agents and appraisers; answered the phone; contacted the plumbing inspector; took messages, etc.

Respectfully submitted,

**Kelly J. Karter, CMA
Hampden Assessor**

**ASSESSING REPORT
FEBRUARY 2015**

The month of February I received four appraisals from new property owners to review and respond to their various inquiries. Review of appraisals and the research required on my end, on average, take almost an entire day each. I review recent sales in the area of the subject (if available); look at past history with the property, vacancy, if any, sale type (foreclosure, short sale, rent to own) as well as looking at the comparable used by the appraiser and researching them as well. As a result I responded to the request to review either by mail or verbal discussion. There have not been any abatements issued as a result of these reviews and I am awaiting contact from two for a re-inspection of the property.

I processed the 80 various documents from the Registry of Deeds. Noting mortgages in the Real Estate system and coding them to hand on to the Tax Collector; recording Lien Release Deeds, Transfer Deeds and Foreclosure Deeds. I monitored sales and listings as well as foreclosure sites to update our information.

I updated the Personal Property request form and I printed the application as well as the BETE form; made 250 copies and started preparing to mail the requests.

I met with Dean and Noreen Norton on the Emera Tif to finalize paperwork and update our Tif documents in general. I reviewed the revised documents and continued conversations with both Noreen and Dean.

I conducted a number of "new construction" visits and updated property values involved.

I answered the phone and took messages for various departments as well as responding to copy requests and citizens general inquiries.

Respectfully submitted,

Kelly J. Karter, CMA

IT

- Issues resolved:
 - Public Safety Server stopped doing daily backups and needed the backup application reinstalled.
 - Reinstalled Microsoft Office on Code Enforcement computer due to slowness issues.
 - VPN connection for Building Inspector started acting up again. Reinstalled and reconfigured the sonicwall user access to stabilize the connection.
 - Replaced Police Duty computer #2 because the current computer was running Windows XP which is no longer supported by Microsoft and posed a security risk. The 'new' computer was the previous Fire Duty #2 computer that experienced a hard drive failure. By reformatting a spare hard drive I was able to upgrade the Police Duty computer at no cost.
 - Replaced the external hard drive on the Evidence Library Computer due to a failure of the drive. I was able to recover the video evidence and migrate to new, more stable solution which is working much better.
 - Fixed a wireless connectivity issue at the Skehan Rec Center by remotely rebooting the wireless access point.
- Received an Appreciation Award from Public Safety at the Annual training day for support and efforts to maintain and advance technology within the public safety department.
- Received a cyber-security endorsement of \$1,000,000 for cyber liability and \$50,000 data breach insurance at no cost through MMA Risk Management (if there is an incident there is \$1000 deductible per wrongful act). The endorsement was achieved through working with an underwriter and providing details on the current IT security measures being implemented by the GIS/IT Specialist for the Town (including antivirus, backups, firewalls, etc.). The endorsement is currently in effect but contingent on the creation of a formal Disaster Recovery Plan, Business Continuity Plan, and Data Breach Policy which must be completed within 3 months. This is a great free insurance to have in the Town's portfolio as the Public Technology Institute ranked cybersecurity as the top priority for local government in 2015.
- Met with Manager, Clerk, and Rodney of NESCOM to evaluate the current Town's A/V system and look at potential options to improve how we broadcast our communications to the Town via channel 7.

GIS

- Created map for Hampden Water District which queried the intersect of parcels with a specific aquifer. This map will assist with the planning of potential new water infrastructure.

- Set up a computer kiosk in the assessing office for public use of the Town's online mapping service Main Street Maps. This allows the public to search for specific addresses or by map/lot and print the parcel layer along with overlay of optional layers such as the new aerial photography. The public is charged for printing the maps in accordance with the fees ordinance. Note: Our 'current' printed books of parcels are almost ten years old and in poor condition. It is a lot more cost effective to provide the public with self-service and maintain accurate data electronically than expense large amounts on ink and paper to print books that become outdated in a few years. We have been getting very positive feedback in the direction we are taking to have our documents available electronically.
- Assigned new e911 addresses to a building on the Mayo rd. and on Old County rd.
- Worked with public works to install more GPS units into the public works fleet vehicles and improved the accuracy of the GPS reading through working with the Forward Thinking Solution spatial engineering team.
- Created maps for potential economic developments in the 'Triangle Area'
- Corrected parcel layer for 39 parcels including the Colonial Heights subdivision. Corrections and updates to the parcel layer will be uploaded to public GIS on an annual basis around the start of the new fiscal year.

Stormwater

- Worked with BASWG (Bangor Area Stormwater Group) and consultant SEE (Stillwater Environmental Engineering) to oversee the creation of a BASWG website to increase education and outreach on stormwater. This helps us our MS4 permit compliance with EPA and DEP.
- Networked with MDOT to receive stormwater infrastructure data such as culverts and catch basins for State owned Interstate highway and routes.
- Met with Hampden Water District to determine in-town water testing solutions available to the Town free of charge to test for chemical and bacterial contaminants. We will sample and test outfalls of high priority watersheds in spill/compliant instances. The new MS4 permit has a vastly increased focus on water sampling and testing.
- Trained the entire public safety staff on filing spill reports when sighting or responding to a spill incident.
- Developed a mobile application at the request of public safety so respondents can file the spill report remotely using his or her smart phone.

Other

- Assisted public in person (in code/assessing office), over phone, and via email with numerous requests such as property questions and document retrieval.

IT

- Issues resolved:
 - Trio had a database issue causing compact and repair to fail. Worked with Harris Computing to fix the database inconsistency through file server management.
 - The wifi for the Town Office and Public Safety stopped working entirely. Power cycled the Intellinet box and updated the firmware to (hopefully) prevent it from going down again.
 - Patched and updated the public access desktop computer at the Library with Microsoft Office and used the Deep Freeze software to eliminate privacy and security concerns for the public use of the computer.
 - Reinstalled the backup service application on the public safety server. This server has been requiring more and more attention due to its age and outdated hardware /software. This server is end of life (over 5 years old) and will need to be replaced soon.
 - Replaced a faulty modem at the Pool location. The modem was causing an intermittent issue with the internet and phones losing all connectivity. The new modem (free upgrade from Time Warner Cable) works much better because it is a newer technology
 - Tracked down a rogue firewall (thought to be a switch by a staff member) that was plugged into the public safety network while equipment was being moved around in preparation for the floor replacement. The rogue appliance had been intermittently disrupting the phone system and network connections of the public safety computers. Once the unit was located and replaced with the proper appliance, all network issues were resolved.
- Researched options for upgrading the computers in the police cruisers. After networking with officers at other Police Departments including the State of Maine, was able to secure the contract pricing and units the State is receiving for their current upgrades. A memo was prepared and sent to the Town Manager for council approval to use the computer reserve funds for the purchase of the new computers, docks, and mounting units.
- Completed an inventory of all the computers owned and leased by the Town including the specifications and age of the machines. This inventory will be used to maintain information on all the machines for IT security compliance and for budgetary decision making (which computers will be upgraded, and when, as well as which computers will be leased vs. purchased outright).
- Renewed antivirus Symantec Endpoint Protection licenses for all the active computers with are connected to the internet (65 computers in total). Began the process of configuring a managed server to be able to monitor and ensure the end points have up-to-date protection definitions.

- Updated the two firewalls with comprehensive gateway security to improve the security of the Town server and Public Safety server. The Public Technology Institute has identified cyber security to be the #1 technology priority for local governments in 2015.
- Installed and configured a Verizon internet mobile hotspot in the 2013 Tahoe police cruiser. The Verizon connections are more reliable and less expensive compared to the previous AT&T aircards. The AT&T account has now been cancelled.

GIS

- Created an updated map for the Goodwill Riders Snowmobile Club showing the snowmobile trails in Hampden. The Goodwill Riders will be providing the Town with additional copies to give out to residents that are registering a snowmobile or when requested.
- Coordinated with MDEP and MDOT to get updated GIS data on stormwater infrastructure including catch basins, ditches, and outfalls with directional flows. These data were translated and uploaded by FTP onto our public web GIS.
- Approved E911 addresses for two new locations at the request of Planning Board: one on Ruth Ave, other one Main Rd South.
- Created a large format map for MDOT with tax maps 1 and 4 to be used for their route 69 project.
- Corrected, updated, translated, and uploaded Hampden GIS data including: bridges, cemeteries, topography, stormwater infrastructure, hydrants, land hooks, landcovers, open space, pipelines, and trails. These data will be displayed for public access on the Web GIS mainstreetmaps after data conversions are completed.
- Worked with Postmaster to verify correct e911 addresses for Sunrise Ln subdivision.

Other

- Assisted public in person (in code/assessing office), over phone, and via email with numerous requests such as property questions and document retrieval.
- Updated and produced new roads lists with descriptions to be used by front line Town Office staff.
- Received approval by Town Council to have an official Town of Hampden Facebook page. Sufficient time has not yet been allocated to the publishing of the page.
- Started the process of selectively taking information from the Trio real-estate database and displaying it on an electronic tax card. The electronic tax card will be linked to the parcel layer in our publically accessible webGIS. Received very positive feedback from realtors and residents with the prospect of being able to see tax cards digitally at their own convenience/computer.
- Attained NJPA (National Joint Powers Association) membership for the Town of Hampden. I was informed by a very helpful sales manager of the free membership available to government and educational entities that allows for discount contract pricing with many vendors at no cost to the Town. The membership number will be given to department heads to receive discounts from vendors which they are already regularly purchasing products and services. This will save the Town money without sacrificing any services.



HAMPDEN PUBLIC SAFETY

Police - Fire - EMS
106 Western Avenue
Hampden, Maine 04444
Phone 207-862-4000
Fax: 207-862-4588



TO: Susan Lessard, Town Manager
FROM: Joe Rogers, PSD
RE: Monthly Report
DATE: February 2, 2015

During the month of January, the Hampden Police Department responded to 328 calls for service, processed 13 arrests/court violations; and issued 18 traffic citations and 41 written traffic warnings. The Fire Department responded to 38 calls for service and the ambulance responded to 65 calls.

The department held our annual joint training on January 5, 2015. All personnel recertified in CPR, and completed mandatory annual training covering Fire Extinguishers, Bloodborne Pathogens, and Workplace Harassment.

During lunch, we acknowledged Naomi Schmand, a Rite Aid Store manager; who was recognized and presented with a Citizen Appreciation Award. Mrs. Schmand noticed that her customer, an elderly Hampden resident, seemed out of character, appeared anxious; and insisted on purchasing \$3000 worth of prepaid Visa cards. Mrs. Schmand was able to ascertain that this purchase was the result of a telephone scam. She called the police, the bank, and the issuer of the cards to help put a stop to the transactions and prevent the victim from losing her money.

Lt. St.Pierre and FF/Medic McNally were presented with the Life Saving Award for their actions during a particular call where the patient suffered a heart attack and essentially died. They acted expeditiously to resuscitate the patient and get her to the hospital alive. While the patient did eventually succumb, the treatment she received on that day gave her the opportunity to treasure the next several months, take care of things she wanted to take care of, and spend precious time with her loved ones. Her family extended their gratitude for this gift of time and spoke very fondly of Lt. St.Pierre, FF/Medic McNally and the entire public safety team.

Lt. Jason Lundstrom was nominated by his peers as the Employee of the Year for 2014. Sgt. Chris Bailey received the Community Service Award for his activity with the Good Neighbor Program. Several members were also recognized with Certificates of Appreciation for their efforts in preserving massive amounts of food after a motor vehicle crash.



HAMPDEN PUBLIC SAFETY

Police - Fire - EMS
106 Western Avenue
Hampden, Maine 04444
Phone 207-862-4000
Fax: 207-862-4588



TO: Susan Lessard, Town Manager
FROM: Joe Rogers, PSD
RE: Monthly Report
DATE: March 12, 2015

During the month of February, the Hampden Police Department responded to 305 calls for service, processed 12 arrests/court violations; and issued 29 traffic citations and 141 written traffic warnings. The Fire Department responded to 23 calls for service and the ambulance responded to 64 calls.

FF/Medic Joe Dunton attended a week long training program at the Maine Criminal Justice Academy to become certified as a law enforcement chaplain. Joe has already received a certificate in Biblical Studies from Liberty University. He is currently enrolled in the Bachelor Degree Program for Biblical and Theological Studies at Liberty University. Joe volunteered to be charged with this additional responsibility. This may mean that we call him at home at 2am to comfort a woman who has just lost her spouse, or a family who was just notified that their child died in a car crash. It may also mean that we, as individual public safety employees, are experiencing personal struggles – death, illness, divorce, etc., and we turn to Joe for comfort and perspective. And of course, the task we all hope he never has to undertake – comforting and supporting our families should tragedy strike and we not make it home. This is not a position to be taken lightly, and we know from seeing him action over the past several years; that Joe takes all of his responsibilities very seriously. He strives to do his best in every challenge he faces. Joe is extremely compassionate and genuinely cares about people. We are very fortunate to have Joe Dunton on board and so willing to help meet the needs of the department and the Hampden community.

Kandy McCullough and I attended a training held here on Public Access to Public Records. The training deals specifically with law enforcement records and Maine's Freedom of Access Act. The class was instructed by Brian MacMaster of the Maine Office of the Attorney General.

On February 5th I attended training in Portland through the Maine Chiefs of Police Association. One session covered Lone Offender/Active Shooter incidents and was instructed by FBI Special Agent Thomas O'Connor. The other session was on Identity Theft and the instructor was Jane Carpenter from Maine Identity Services.

Finally, everyone is very familiar with the major pileup on I-95. The actions of the Hampden Public Safety crews that day spoke volumes to many. On a daily basis, I have the privilege to personally witness and hear stories about the level of professionalism, skill, and dedication displayed by Hampden Public Safety members at every call they go to. I couldn't be more pleased with our staff and their commitment to public safety, regardless of the magnitude of the incident.

Edythe Dyer Community Library
January, 2015
Report of activities to the Town Council

Circulation: 3077 adult items; 2421 children's materials; 233 items were downloaded; 66 people used our public access computers (this does not include people who brought their own wireless devices). 2028 people came into the Library.

EDL staff answered 454 reference questions for people in the library and 217 over the telephone (these include 37 that were people who thought they were calling the town office)

EDL loaned 632 items to other libraries and borrowed 859 through the statewide delivery service.

Children's programs: Play & Learn Programs: 8 children /6 adults
Preschool Storytimes: 30 children / 21 adults
Toddler Storytimes: 107 toddlers / 81 adults
LEGO play: 10
Boy Scout tour: 13 Scouts / 8 adults

Adult programs: Creative Writing: 14
Knitting group: 24 adults & teens
Book discussions: 14
Murder Mystery Dinner: 26
Downton Abbey discussion: 6

Community groups: 6 groups met: 34 people (a group that used to meet here every Monday & Wednesday evening moved to another location)

Trainings/professional development/Community Service

Susan attended the Minerva Circulation Round Table at Bangor Public Library

Edythe Dyer Community Library
February, 2015
Report of activities to the Town Council

This month was the coldest on record in Maine and we had several snowstorms and one actual blizzard. Even so, the library was quite busy, and more people came in than in January.

Circulation: 2875 adult items; 2545 children's materials; 201 items were downloaded; 52 people used our public access computers (this does not include people who brought their own wireless devices). 1961 people came into the Library.

EDL staff answered 222 reference questions for people in the library and 209 over the telephone (these include 27 that were people who thought they were calling the town office)

EDL loaned 516 items to other libraries and borrowed 837 through the statewide delivery service.

Children's programs: Play & Learn Programs: 17 children /10 adults
Preschool Storytimes: 21 children / 22 adults
Toddler Storytimes: 95 toddlers / 75 adults
3-6 grade book discussion: 16
Vacation programs: 20 children / 13 adults

Adult programs: Creative Writing: 14
Knitting group: 24 adults & teens
Book discussions: 14
Murder Mystery Dinner: 26
Downton Abbey discussion: 6

Community groups: 6 groups met: 34 people (a group that used to meet here every Monday & Wednesday evening moved to another location)

Trainings/professional development/Community Service

Susan attended the Minerva Circulation Round Table at Bangor Public Library

Debbie attended the Bangor Area Librarians' lunch

Daily Receipts

	Jan	Feb	Mar	April	May	June	July	August	Sept	Oct	Nov	Dec
	Holiday	\$392.00										
	\$210.00	storm										
	\$325.00	\$512.25										
	\$480.00	\$336.00										
	\$647.50	\$48.00										
	\$359.00	\$154.00										
	\$20.00	\$278.00										
	\$58.00	\$196.00										
	\$138.00	\$3,462.75										
	\$108.00	\$529.00										
	\$354.00	\$779.00										
	\$373.00	\$304.00										
	\$529.00	\$732.00										
	\$260.00	\$502.00										
	\$208.00	storm										
	\$435.00	holiday										
	\$305.00	\$463.00										
	\$524.00	\$4,360.00										
	Holiday	\$497.00										
	\$3,025.00	\$717.00										
	\$520.00	\$346.00										
	\$320.00	\$286.00										
	\$148.00	\$920.00										
	\$497.00	\$418.00										
	\$267.50	\$100.00										
	\$140.00	\$363.50										
	Storm	\$316.00										
	\$0.00	\$573.00										
	\$316.00											
	\$60.00											
	Storm											
Total	\$10,627.00	\$17,584.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

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Line Start Page 1

Session I: Sept. 7 - Nov 15 2014

Infant/toddler	22	\$1,277.50
Water Tots	22	\$1,280.00
Preschool	53	\$3,319.00
Adv. Pre	10	\$545.00
Beginner	25	\$1,534.00
Adv. Beg.	9	\$430.00
Int/Sw	7	\$408.00
Pre-Comp	6	\$558.00
Adult/Adoles	0	\$0.00
Total =	154	\$9,351.50

Session II :Nov. 16 - Feb 7 2015

Infant/toddler	22	\$1,484.00
Water Tots	21	\$1,462.00
Preschool	54	\$3,259.00
Adv. Pre	7	\$480.00
Beginner	22	\$1,350.00
Adv. Beg.	15	\$930.00
Int/Sw	9	\$563.00
Pre-Comp	10	\$937.00
Adult/Adoles	0	\$0.00
Total =	160	\$10,465.00

Session III: Feb 22 - April 18 2015

Infant/toddler		
Water Tots		
Preschool		
Adv. Pre		
Beginner		
Adv. Beg.		
Int/Sw		
Pre-Comp		
Adult/Adoles		
Total =		

Session IV: April 26 - June 20 2015

Infant/toddler		
Water Tots		
Preschool		
Adv. Pre		
Beginner		
Adv. Beg.		
Int/Sw		
Pre-Comp		
Adult/Adoles		
Total =		

Session V: June 21 - August 29 2015

Infant/toddler		
Water Tots		
Preschool		
Adv. Pre		
Beginner		
Adv. Beg.		
Int/Sw		
Pre-Comp		
Adult/Adoles		
Total =		

Private Lessons

Session I	27	\$ 3,855.00
Session II	17	\$ 1,940.00
Session III		
Session IV		
Session V		
Session VI		
Session VII		

Total # of Participants
Total Income

Group Private Total

Laura Heit Ro 1

Lura Hoit Pool Rentals 2015

Month	# of People	Total Hrs	Wkday Rntal Hrs	Wkend Rntal Hrs	Total Fees
Jan	859	98	67	31	\$5,289.00
Feb	551	59.5	30.5	29	\$3,362.00
Mar					
Apr					
May					
June					
July					
Aug					
Sep					
Oct					
Nov					
Dec					
Year Totals	1410	157.5	97.5	60	\$8,651.00

Lura Hoit Pool Rentals 2014

Month	# of People	Total Hrs	Wkday Rntal Hrs	Wkend Rntal Hrs	Total Fees
Jan	904	89	70	19	\$4,960.00
Feb	609	66.5	33.5	33	\$3,375.00
Mar	585	52	7.5	44.5	\$2,840.00
Apr	584	31.5	8.5	23	\$1,835.00
May	469	45.5	11.5	34	\$2,535.00
June	323	31	8	23	\$1,730.00
July	208	17	8	9	\$680.00
Aug	154	11	5	6	\$655.00
Sep	431	28.5	5.5	23	\$1,485.00
Oct	418	40.5	11.5	29	\$2,266.50
Nov	636	63.5	30.5	33	\$3,540.00
Dec	834	78	51	27	\$4,346.00
Year Totals	6155	554	250.5	303.5	\$30,247.50

Lura Hoit Pool

Lura Hoit Pool Activity Totals

	AM Lap	AM Ex Class	AM Open Lap	Open Sen	AM Lessons	Gentle Aerobics	PM Open Lap 12-1:30	PM Lessons Wkdy	Wkdy Family Swim	PM Ex Class	PM Lap	Wkend Lessons	Wkend Lap	Wkend Fam Swim	Rentals	Totals
Month																
January	66	118	136	106	99	164	142	224	75	87	23	230	93	223	859	2645
February	42	125	114	105	45	129	96	142	464	66	36	109	64	224	551	2312
March																0
April																0
May																0
June																0
July																0
August																0
September																0
October																0
November																0
December																0
Year Totals																0

Lura Hoit Pool

Weekly/Monthly Pool User Tally

	Week dates					
Events	2/1-2/7	2/8-2/14	2/15-2/21	2/22-2/28		Monthly Totals
AM Lap	10	13	7	12		42
AM Ex Class	32	28	25	40		125
AM Open/Lap	25	35	10	44		114
Open/Senior	20	41	14	30		105
AM Lessons	13	0	0	32		45
Gentle Aerobics	31	52	19	27		129
PM Open/Lap 12:30-1:30	15	28	22	31		96
PM Lessons Wkdy	57	0	0	85		142
Wkdy Family Swim	16	34	361	53		464
PM Ex Class	18	23	0	25		66
PM Lap	6	7	16	7		36
Wkend lessons	32	0	0	77		109
Wkend lap	28	29	7	0		64
Wkend Fam Swim	49	50	31	94		224
Rentals	208	183	42	118		551
Totals	560	523	554	675	0	2312

Lora Hoff-Pol

Hampden Recreation Department

Skehan Recreation Center

January Update 2015

Currently we were open 7 days per week. Current day time programming consists of walking, senior fitness, line dancing, yoga and pickleball twice a week. Facility rental this month included the Bangor Roller Derby, two men's basketball group, and John Bapst Basketball. Our business hours during the month of December were Monday 7 AM to 4 PM, Tuesday, Wednesday and Thursday 7 AM to 8:30 PM, Friday 7 AM to 4 PM, and Saturday/Sunday depend on programming/rentals.

Winter I Programming continues into early February, with registration for the second session of Ski and Snowboard Lessons, along with the beginning of the second session of Half Pint Hoops Basketball (age 3 and 4) beginning in January.

We have worked on multiple maintenance items during the month of January at the Skehan Center. These have included drain repair, toilet repair, heater regulation in the back portion of the center, leaks from overhead heating units during blowing snow, and adding a hot water line to the lobby janitor's closed to help with floor cleaning and dishes from the concession area. In addition, we fought a mouse issue in early January in the concession area, which at this time seems to be resolved.

The newest program guide for the Winter II program session (mid February to mid April) was published in January. We took a serious look at program offerings this session (typically our smallest session participation numbers wise) and made some changes to offer some new options for participants to choose from. Deadlines for many of these programs will be in February, and we are hoping for public excitement and support with the new offerings.

Multiple leads have been followed up on in regards to our Banner Advertising Campaign at the Skehan Center. Two verbal commitments have been made for new banners. We will continue to look for sponsors who may be interested in participating in this campaign. We currently have banner sponsorships from 5 businesses.

Lastly, staff has recently completed a review of programs and participation numbers for our period of lease with Historic Hampden Academy LLC. This document contains programming options for the entire department (indoor and outdoor programs) from September 2012 through the fall session of 2014. That spreadsheet is attached here for your review.

Hampden Recreation Department

Skehan Recreation Center

Director Report

January 2015

- Completed monthly fire extinguisher inspections.
- Completed AED Monthly Test.
- Managed concession stand purchases and sales
- Completed monthly billing for Bangor Roller Derby for January.
- Received payment from John Bapst for December rental time.
- Took registrations for the Winter II Ski and Snowboard Lessons.
- Billed ongoing basketball rental client.
- Scheduled and facilitated an Organizational Meeting (without success) for Hampden Children's Day 2015
- Made Deposits for donations in memory of Chuck Mogan for Hampden Children's Day
- Worked with a parent and coach to address a concern
- Added an ongoing basis rental (3x per week) with a newly located daycare in the old Hampden Academy.
- Followed up with Bronco Travel Soccer on Soccer Camp possibilities for 2015.
- Completed annual performance reviews for two staff.
- Worked with Bel Portraits to offer professional photographs for recreation basketball parent purchases. A percentage of sales are donated back to the Skehan Center.
- Addressed multiple building issues which included, issues with mice in the concession area, drain issues with janitorial sink, regulating more even heating in the back locker room and office portion of the space, leaks from overhead heaters during blowing snow, and toilet repair.
- Added a hot water line of the electric hot water tank in the lobby janitor's closet to assist with cleaning. This faucet was inspected by a plumber after reporting claims of no hot water and was found that it never had hot water lines run into the faucet.
- Worked to follow up on a few leads for banner ads. Verbal commitments made from two additional local businesses.
- Agreed to host with the support of Brookings Smith Funeral Home services for former HA teacher Andy Frace.
- Took a vacation week.
- Worked with Momentum (housed in the old HA) to help offer an open gym option to clients on a snowy afternoon.
- Provided support to Bronco Travel Basketball with the help of the Assistant Director to facilitate registration for their upcoming February tournament weekends.
- Continued to foster and strengthen relationship ties with the building owners Historic Hampden Academy LLC.

Thank you for the opportunity to serve the community in this capacity.

Shelley Abbott
Recreation Director

Fall 2013 (Sept 1-Nov 15)	Enrollment
Coed Adult Pick Up Volleyball	106
Coed Adult Pick Up Basketball	
Reshaping Retirement	1335
Line Dance with Chris	307 9/1-11/30
Line Dance with Anne	78 9/1-10/31 seasonal
Whole Lotta Hoopin	5
Morning Yoga	183
Leash Walking Your Dog	2
Open Gym	99
Halloween Open House at Skehan Center	very lg crowd, rainy and windy
Fall Cheering	17
Flag Football	28
Fall Soccer	128
Beginner Kicks Instructional Soccer	44
Afterschool Science	4 cancelled didn't meet minimum
Beginner Horseback Riding	4
Afterschool Art Club (2 sessions)	28
Karate	5 cancelled didn't meet minimum
Little Stars Sports Sampler	15
Outdoor Beginner Field Hockey	6
Instructional Volleyball	8

Winter I 2013-14 (Nov 16-Feb 15)	Enrollment
Coed Adult Pick Up Volleyball	70
Coed Adult Pick Up Basketball	20
Reshaping Retirement	1369
Line Dancing with Chris	203
Morning Yoga	97
Ski and Snowboard Lessons-Down Hill	35
Winter Open Gym for Special Education	
Karate	7
Vacation Winter Open Gym for Special Education	
Junior Hoops	158
Half Pint Hoops	11
Hoops U	24
Holiday Workshop	cancelled
Kids Night Out	16
MRPA Hot Shot Competition	15
Vacation Open Gym Basketball/Dodge Ball	94
Hogwarts Adventure	38
Men's Noontime Basketball	203
BRD Drop In Skate	21
Home School Open Gym	11 families

Winter II 2014 (Feb16-Aril 15)	Enrollment
Coed Adult Pick Up Volleyball	103

Coed Adult Pick Up Basketball	58
Reshaping Retirement	1129
Line Dancing with Chris	152
Morning Yoga	84
Pickle Ball	5 No Fee
Fused Glass Class	0
From Pong to the Holodeck:Video Games	0
Getting the Most Out of Your iPhone/iPad	4 AE
Self-Defense for Woman	10 AE
Ski and Snowboard Lessons-Down Hill Grades K-12	32
Winter Open Gym for Special Ed Students	0
Open Gym- Free Chilce Grades 3-up	
Diamond Drills-Age 9-15	8
Indoor Soccer	54
Half Pint Soccer ages 3-4	10
Heading on Up-Age 4/5 and Grade K	24
After School Art Club- Grades K-5	20
Dance Basics Grades K-5	10
Walking School Bus Grades K-5	0
Karate- Grades K-12	0
Field Hockey Grades 3-5	15
Great Skates Grades 2-6 (Feb Vacation)	0
Movies & More Grades K-5 (Feb Vacation)	13
Open Gym	173
Indoor Walking	54
Men's Basketball	149
Pitching	3
High School Basketball	68
Bangor Rollar Derby	3
Homeschool Open Gym	29

Spring 2014 (April 16- June 15)

Enrollment

Coed Adult Volley Ball	20
Coed Adult Basketball	27
Reshaping Retirement	1260
Morning Yoga	67
Line Dancing with Chris	164
Pickle Ball	0
Self Defense for Women	0
Princess Party Ages 4-7	11
Superhero Day Ages 4-7	8
Beg. Tennis grades 3-6	5
Softball Clinic	24
High School Basketball Open Gym Grades 9-12	46

Tee Ball ages 4-5	29
Pavement Pounders Grades 3-8	16
Mini Mitts ages 3-4	8
Instructional Baseball Grades K-age 9	55
Afterschool Science Grades 3-5	0
Afterschool Science Grades K-2	0
After-School Art Club Grades K-5	12
Diamond Drills Ages 9-15	12
Karate	0
April Vacation Open Gym (Free Choice) Grades 3-8	0
Volleyball Mini Camp Grades 3-6	0
April Vacation Open Gym (Free Choice) Grades 9-12	0
Science Mini Camp Grades 3-7	0
Hampden 8.5 Mile Road Race	24
Hampden 1 Mile Fun Run	27
Walking	11
BRD	11
Roller Skating (Jim Folsom)	1
Home School- End of Session	3 Families
Men's Basketball	98
Line Dance (\$5 Class)	32
Open Gym	25

Summer 2014 (June 16- Aug 31)	Enrollment
Reshaping Retirement	1476
Morning Yoga	0
Coed Adult Slow Pitch Softball- Team Entry	12
Line Dancing w/ Chris	133
LineDancing w/ Anne	47
Evening Yoga	0
Stained Glass	0
Kid's Kamp grade 1-6	311
Bronco Soccer Camp	135
Pre-Employment Boot Camp	0
Let's Get Active Grades 3-5	0
Let's g\Get Active Grades 6-8	0
Dance Basics PK-5	9
Summer Open Gym	89
Track and Field ages 14-and under	47
Track Magic ages 3-5	6
Beginner Horseback Riding Class ages 7-13	6
Portland Sea Dogs Trip Grades 5-8	6
Hampden Carnival	
Goalie Mini Clinic Grades 5-8	0

Helping Kids Stay Home Alone (June 20)	5
Helping Kids Stay Home Alone (August 21)	0
Men's Basketabl	28

Fall 2014 (September 1- Nov 15)

Enrollment

Reshaping Retirement	1429
Tabata	9+6 drop in
Line Dancing w/Chris	127
Line Dancing w/Anne	42
Pickelball	60
Fitness Boot Camp	8+9 drop in
Fused Glass	2
Stained Glass	7
Co-ed Adult Volleyball	44
Co-Ed Adult Basketball	4
Flag Football Grades K-2	18
Fall Soccer	119
Mini Sports Soccer Ages 3-4	10
Beginner Kick Soccer Ages 4-Grade K	71
After School Art Club	13
After School Art Club Grades 3-5	0
Beg Tennis Grades 3-6	8
Beginner Horseback Riding Ages 7-13	7
Dance Team Grades 2-6	8
Dance Basics Ages 4-8	17
Little Stars Sports Sampler Ages 3-4	8
Beginner Field Hockey grades 3-5	16
Men's Basketball	134+4ps
Walking	37
Morning Yoga	165
Parent Me Yoga	53
Home School Open Gym	18
Open Gym	194

Hampden Recreation Department

Skehan Recreation Center

February Update 2015

Currently we were open 7 days per week. Current day time programming consists of walking, senior fitness, line dancing, yoga and pickleball twice a week. Facility rental this month included the Bangor Roller Derby, two men's basketball group, an long term AAU development program, and John Bapst Basketball. Our business hours during the month of February were Monday 7 AM to 4 PM, Tuesday, Wednesday and Thursday 7 AM to 8:30 PM, Friday 7 AM to 4 PM, and Saturday/Sunday depend on programming/rentals.

Winter I Programming ended in early February, with many registrations deadlines for the Winter II programs being in mid to late February for a March start for these programs. Winter II is typically the session that runs between the February and April school breaks and is our smallest program session of the year. This Winter II session we have switched up programming and formats to offer new options for students and offered programming directly afterschool hours with the service of walking students to the Skehan Center by staff to take part.

Two additional advertising banners were secured and ordered in the month of February. This brings the total to 7 businesses utilizing their advertising dollars with the Skehan Center. We are delighted to welcome Forrest Auto Body and Absolutely Electrolysis and Skin Care. All 7 banner sponsors will continue to be promoted in our Constant Contact email blasts.

In February, the Skehan Center welcomed the Affiliated Program, Bronco Travel Basketball, for two weekends of tournament play. Our location was one of three hosting teams from around the state and Canada for basketball for grades 3-8. This tournament attracts over 20 teams per weekend, many of whom stay in the local area overnight and support our local Hampden businesses. It has gained quite the reputation of a well-run tournament with good competitive play.

With the long winter dragging on, there has been many requests during February to secure program/rental space for the month of March by various groups. We have secured a two evening per week long term rental through May by a local AAU basketball club beginning a Bangor Area program. In addition we have had several requests for interior space for softball/baseball preparation as the teams wait for outdoor space to clear from snow and water. Currently, all weekday evenings are book for the entire month of March from 3 pm through 8 pm each night.

Hampden Recreation Department

Skehan Recreation Center

Director Report

February 2015

- Completed monthly fire extinguisher inspections.
- Completed AED Monthly Test.
- Managed concession stand purchases and sales
- Completed monthly billing for Bangor Roller Derby for February.
- Received payment from John Bapst for January rental time.
- Billed and received payment ongoing basketball rental client.
- Scheduled and facilitated an 2nd Organizational Meeting (without success) for Hampden Children's Day 2015
- Facilitated the sale of Hampden Bronco Tee shirts at Skehan Center to support Hampden Children's Day
- Met with Bronco Travel Soccer on Soccer Camp possibilities for 2015.
- Facilitated agreements for two advertising banner purchases.
- Hosted with the support of Brookings Smith Funeral Home services for former HA teacher Andy Frace.
- Met with an instructor for Zumba kids about a possible summer program.
- Met with a basketball contact about a possible clinic for the summer session.
- Met with Hampden Residents Alex and Darla King regarding Recreation Planning for the future.
- Sent letter of thanks to Winter I program volunteer coaches.
- Partnered with RSU 22 Adult Ed on joint program opportunities.
- Added hours for a part time staff twice weekly during the day to assist with front office responsibilities to allow two full time staff the opportunity to work on other projects.
- Relocated department equipment and supplies for the two weekends of Bronco Travel Tournaments, so the group could use our concession and lobby space.
- Sent letter of request to Bronco Travel Basketball asking for review of current organizational by laws to address an area of concern that was brought up this season, to clarify and correct for future seasons.
- Assisted Bronco Travel Basketball with the set up/clean-up for their two weekend tournaments held at the Skehan Center.
- Collected supplies and divided them for Bronco Travel Basketball tournament weekends.
- Addressed a minor issue with graffiti in a bathroom.
- Began preparation of the FY 15-16 Recreation Budgets.
- Met with two Town Councilors at the Skehan Center.
- Continued to foster and strengthen relationship ties with the building owners Historic Hampden Academy LLC.

Thank you for the opportunity to serve the community in this capacity.

Shelley Abbott
Recreation Director

Lura Hoit Pool -board Meeting February 10, 2015

The meeting was called to order at 7:03pm

Those present: Josh Sargent, Vicki Levesque, Karen Brooks, Ben Curtis, Greg Hawkins, Sue O'Brian, Sarah McVeigh, Darcey Peakall, and David Smith.

Not present: Mike Jellison, Jim Feverston, Sam Manhart, and Pat Foley.

The Secretary's minutes were accepted.

The Directors report

- Activities were down by \$449.00 compared to 2014 possibly due to the many snow days.
- Rentals were up by \$329.00 due to the price raise.
- Receipts were up by \$110.00. Darcey said there were less people but more money taken in.
- Fuel for the month was 433 gal less than in 2014.

Means Investment

John Dudley of Means Investment spoke on how the pools investments were doing.

He discussed how the investments that had been moved out of the higher risk areas were doing. John also discussed the continual move from the higher risk areas to come into compliance with the town's policy regarding how money is invested.

Treasure's report

- Josh reported that there was little activity in the accounts.;
- \$450.00 deposit
- A check to Darcey to pay for a scholarship of \$250.00.

Unfinished business

- Sample LHP banner to thank current participants and promote banner program tabled due to Mike's absence.
- The FB link on the Town site was accomplished thanks to Kyle Severance Town of Hampden IT.

New Business

- Jim's idea of a banner to thank Maine Saving for the interest rate connected to the Susan Abraham account was tabled due to Jim's absence.
- Darcey spoke about the pool's vacuum and how it was wearing out. The Board voted to take money out of the Trustees account of \$3,500 to purchase a new vacuum.

Committee Reports

Annual Giving Letter

Vicki reported that a new letter had been composed to focus on people who had given to the pool in the last 5 years and will email it to members before the next meeting.

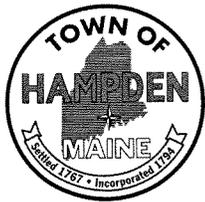
Community Relations

Ben discussed using FB to get people to sign up. He discussed trying to make FB more interesting. He showed us a picture of a loon thinking if the pool had a mascot it would help with fund raising and recognition.

Fund Raising

The pool's name was put into the lottery at Shaw's for parking for an event. The idea of a ticket raffle was discussed but no decision was made.

D-2-a



TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 4/6/2015

Public Hearing: Yes X No

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

NAME: JC's Variety John & Corinne Lanpher
Business Name Individual

ADDRESS: 995 Western Ave PHONE: 632-0090

MAP/LOT: 07-0-042 DATE: 3/12/2015

DEPARTMENT REPORT:

Morris Fire Protection is conducting fire suppression system and fire extinguisher inspections on 4/2/15 @ 1230. This was confirmed with Naomi from Morris Fire Protection. Code Enforcement will verify that this has been done prior to the council meeting on 4/6/15. No other issues noted.

DATE: 4/2/15

BY: [Signature]
Myles M. Block, Code Enforcement Officer

BY: [Signature]
Lt. Jason Lundstrom, Building/Fire Inspector

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 3-10-15 PHONE NUMBER: 207-632-0090

NAME(S): John and Corinne Lanpher

ADDRESS: 34 Sampson's Way Bowdoin, Maine 04287

NAME OF BUSINESS: JC's Variety

LOCATION OF BUSINESS: 995 Western Ave. Hampden, Me. 04444

SIGNATURE: John Lanpher Corinne Lanpher

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Myles M. Blouin
Code Enforcement Officer

Joan Lundstrom
Fire Inspector/Building Inspector

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

Tax Collector
Asa Lund
Town Treasurer

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

LICENSE FEE: \$125.00 Date Received/Fee Paid: MAR 12 2015, \$125.00
(Fee Includes Notice of Public Hearing)

D-2-b



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Life Safety Code Ordinance Amendments
DATE: February 10, 2015

On February 4, 2015 the Planning and Development Committee took up the draft amendments of the Hampden Life Safety Code Ordinance. This document was deemed inconsistent with the 2009 implementation of the NFPA101, Life Safety Code.

David Ryder made a motion to recommend to the Town Council that this item be set for public hearing. Dennis Marble seconded the motion. The vote was unanimous in favor that this Life Safety Code Ordinance amendment be set for Council public hearing.

The Town of Hampden hereby ordains that the following amendments to the Town of Hampden Life Safety Code Ordinance be adopted.

Additions underlined

Deletions ~~stricken~~

Note that there is some re-numbering and rearrangement of sections of this amendment.

TOWN OF HAMPDEN LIFE SAFETY CODE

Section 1. Life Safety Code Adopted.

In accordance with 30-A, M.R.S.A., Section 3003, the Town of Hampden hereby ordains that NFPA 101, *Life Safety Code*, 2009 ~~2003~~ Edition, published by the National Fire Protection Association, Inc., as adopted and amended by the State of Maine by 16-220 C.M.R. ch 20 (effective 7/27/11), be and is hereby adopted and incorporated by reference for the purpose of establishing minimum requirements to provide a reasonable degree of safety from fire and other emergencies in new and existing buildings and structures. *(Amended: 10-03-05)*

Section 2. Definitions for the Life Safety Code.

2.1. The term "authority having jurisdiction" used in the Life Safety Code and this ordinance shall mean the Town of Hampden ~~Fire Department, the Building/Fire Inspector, or the Code Enforcement Officer, Public Safety Director or other person designated by the Public Safety Director or Town Manager.~~ Public Safety Director or other person designated by the Public Safety Director or Town Manager. *(Amended: 10-03-05)*

2.2. The term "legal counsel" used in the Life Safety Code shall mean the Town Attorney. *(Amended: 10-03-05)*

Section 3. Amendments to the Life Safety Code.

3.1. The NFPA 101, *Life Safety Code*, 2009 Edition is adopted in its published form, as amended by the State of Maine by 16-220 C.M.R. ch 20 (effective 7/27/11), as if fully set forth herein except as follows:

- i. Provisions of the Life Safety Code shall not apply to one- and two-family dwellings existing prior to adoption of this amendment, unless the dwellings are being used for a purpose which requires a State of Maine License.

Section 4. Administration and Enforcement.

4.1 ~~3.1~~ It shall be the duty and responsibility of the authority having jurisdiction ~~Fire Department, the Building/Fire Inspector, or the Code Enforcement Officer~~ to enforce the provisions of the Life Safety Code as herein set forth. The designated enforcement officer of this code is herein referred to as the authority having jurisdiction. *(Amended: 10-03-05)*

4.2. ~~3.2~~ The authority having jurisdiction shall have the legal authority to inspect all structures and premises, except existing owner occupied single family dwellings, for the purpose of ascertaining and causing to be corrected any conditions that endanger life from fire, smoke, fumes, panic or any violations of the provisions or intent of this Code, or any other ordinance affecting fire and life safety. *(Amended: 10-03-05)*

4.3. ~~3.2.1~~ In cases where new construction or change of use of an existing building is proposed, the authority having jurisdiction shall require plans prepared and certified by a registered State of Maine Architect or registered State of Maine Professional Engineer, be submitted to the Office of State Fire Marshal ~~State of Maine Firemarshal's Office~~ for review. Once reviewed by the Office of State Fire Marshal ~~State of Maine Firemarshal's Office~~ the applicant shall submit a copy of said plans bearing the stamp of the Office of State Fire Marshal ~~State of Maine Firemarshal's Office~~ with application for either a building permit or certificate of compliance. The requirements of this section shall not pertain to one- and two-family dwellings. *(Amended: 10-03-05)*

4.4. ~~3.3~~ Whenever necessary for the purpose of enforcing the provisions of this Code, or whenever the authority having jurisdiction has reasonable cause to believe that there exists in any structure or premises unsafe conditions, the authority having jurisdiction shall be permitted to enter such structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the authority having jurisdiction by this Code; provided that if such structure or premises be occupied, the authority having jurisdiction shall first present proper credentials and request entry. If such entry is refused, the authority having jurisdiction shall have recourse to every remedy provided by law to secure entry. *(Amended: 10-03-05)*

4.5. ~~3.4~~—The authority having jurisdiction, duly authorized representative or employee charged with enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally and is hereby relieved from all personal liability for any damages to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against any employee because of an act performed in the lawful discharge of duties and under the provisions of this Code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The authority having jurisdiction or any subordinates of the authority having jurisdiction shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; any employee acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of the official duties in connection therewith. *(Amended: 10-03-05)*

4.6. ~~3.5~~ The authority having jurisdiction, and the Town of Hampden, shall not be liable under this Code for damage to persons or property, by reason of the inspection or reinspection of buildings, structures or equipment authorized herein, or failure to inspect or reinspect such

buildings, structures or equipment by reason of the approval or disapproval of any building, structure or equipment authorized herein. *(Amended: 10-03-05)*

4.7. ~~3-6~~ The Municipal Officers shall have the authority as necessary in the interest of public safety, health and the general welfare to promulgate rules and regulation, to interpret and implement the provisions of this Code, to secure the intent thereof and to designate requirements applicable because of climatic or other conditions. Such rules shall not have the effect of waiving any life safety requirements specifically provided in this Code, or violating accepted engineering practice involving public safety. *(Amended: 10-03-05)*

4.8. ~~3-7~~ Whenever the authority having jurisdiction observes an apparent or actual violation of a provision of this Code or other codes or ordinances under the authority having jurisdiction, the authority having jurisdiction shall prepare written notice of violation describing the condition deemed unsafe and specifying time limits for the required repairs or improvements to be made to render the building, structure or premises safe and secure. The written notice of violation of this Code shall be served upon the owner, a duly authorized agent, or upon the occupant or other party responsible for the conditions under violation. Such notice of violations shall be served either by delivering a copy of same to such person or persons by ordinary mail to the last known post office address, delivery to a person in charge of the premises, or by posting a copy of the notice in a conspicuous place at the entrance door or avenue of access; and such procedure shall be deemed the equivalent of personal notice. *(Amended: 10-03-05)*

4.9. ~~3-8~~ If the notice of violation is not complied with within the time specified by the authority having jurisdiction, the authority having jurisdiction shall request the legal counsel of the jurisdiction to institute the appropriate legal proceedings to restrain, correct or abate such violation or to require removal or termination of the unlawful use of the building or structure in violation of the provisions of this Code or any of order or direction made pursuant thereto. *(Amended: 10-03-05)*

Section 5. Civil Penalties.

5.1. ~~3-9~~ Any person, firm or corporation violating any of the provisions of the Code, or failing to comply with any order issued pursuant to any section thereof, shall be guilty of a civil violation and upon conviction thereof shall be subject to a fine. The requirements of 30-A, M.R.S.A., Section 4452 shall apply to the determination of penalties for violations of this Ordinance. The minimum penalty for a specific violation of this Ordinance shall be \$100 and a maximum of \$2,500; provided, however, the maximum penalty may exceed \$2,500, but shall not exceed \$25,000, when it can be shown that there has been a previous conviction of the same party within the past two (2) years for violation of the same ordinance provision. Each day of violation shall constitute a separate offense. All penalties shall inure to the benefit of the Town of Hampden. *(Amended: 10-03-05)*

5.2. ~~3-10~~—The imposition of the penalties herein described, shall not prevent the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct, or abate a violation; or prevent illegal occupancy of a building, structure or premises; or stop an illegal act, conduct of business or use of a building or structure in or about any premises. *(Amended: 10-03-05)*

Section 6. Appeals.

~~**6.1.** 3.11 Compliance with the Board of Appeals Ordinance. Except as expressly provided in this Ordinance, all appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance including but not limited to filing deadlines, application requirements, fees, appeal procedures. ~~decisions of the Board of Appeals and subsequent appeals to Superior Court.~~ Any aggrieved person shall have the right to appeal to the Board of Appeals from a decision of the authority having jurisdiction. The right of appeal does not include the right to appeal enforcement decisions. Any Such appeal shall be commenced on a form provided by the authority having jurisdiction within 30 days of the decision. (Amended: 10-03-05) (Amended: 06-19-06)~~

~~3.12 Appellate Review. The Board of Appeals may conduct an appellate review of the decision of the authority having jurisdiction.~~ (Amended: 10-03-05) (Amended: 06-19-06)

~~3.13 Basis of the Appeal. The appellant must demonstrate that the decision of the authority having jurisdiction: (1) failed to correctly interpret the true intent of this Code or the rules, regulations, or ordinances adopted by the Municipal Officers, (2) the provisions of this Code do not fully apply, or (3) an equally good or better method of providing for the life safety can be used.~~ (Amended: 10-03-05) (Amended: 06-19-06)

~~**6.2.** 3.14 Modifying or Reversing the Decision of the Municipal Authority. The Board of Appeals may modify or reverse the decision of the authority having jurisdiction upon making a determination that: (1) the true intent of this Code or the rules, regulations, or ordinances adopted by the Town Municipal Officers have been incorrectly interpreted, (2) the provisions of this Code do not fully apply, or (3) an equally good or better method of providing for life safety can be used.~~ (Amended: 06-19-06)

Section 7 4. Effective Date.

In accordance with Section 213 of the Town Charter, this Ordinance shall become effective at the expiration of thirty (30) days after the date of adoption by the Town Council.

16 DEPARTMENT OF PUBLIC SAFETY

219 OFFICE OF STATE FIRE MARSHAL

Chapter 20: FIRE SAFETY IN BUILDINGS AND STRUCTURES

SUMMARY: This rule incorporates by reference National Fire Protection Association (NFPA) #101, *Life Safety Code*, 2009 edition; NFPA #80, *Standard for Fire Doors and other Opening Protectives*, 2010 edition; and NFPA #220, *Standard on Types of Building Construction*, 2006 edition. Specific provisions of the Life Safety Code have been excluded to avoid conflict with the *Maine Uniform Building and Energy Code*, and several provisions have been modified to make the provisions specific to Maine. This chapter also includes rules governing portable classrooms and indoor and special pyrotechnic events.

1. This rule incorporates by reference National Fire Protection Association Standard #101, *Life Safety Code*, 2009 edition. All rights reserved by the National Fire Protection Association. Copies of this standard are available through the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269.
 - A. **Unvented fuel-fired heaters.** Unvented fuel-fired heaters shall not be used in a bedroom or bathroom or in a manufactured home.
 - B. **Extinguishment Requirements.** The following provisions of NFPA # 101, the *Life Safety Code*, 2009 edition, are not incorporated by reference:
 1. Chapter 12, section 12.3.5.3, subsections 3 & 4; and,
 2. Chapter 13, section 13.3.5.3, subsections 1 & 2.
 - C. **Extinguishment Requirements in One- and Two- Family Dwellings.** Section 24.3.5.1 of NFPA #101, the *Life Safety Code*, 2009 edition, is not incorporated by reference.
 - D. **Stair risers, guards, treads, and tread nosing.** The following provisions of NFPA # 101, *Life Safety Code*, 2009 edition, are modified as indicated: The maximum height of risers as prescribed in Chapter 24, Section 24.2.5 is modified to permit a maximum 7 ¾" riser for newly constructed stairs in one- and two family dwellings only. The minimum height of guards as prescribed in Chapter 24, Section 24.2.5 is modified to permit a minimum guard height of 36" for newly constructed stairs in one- and two family dwellings only. The minimum tread depth as prescribed in Chapter 24, Section 24.2.5 shall be amended to permit a 10" tread depth for newly constructed stairs in one-and two family dwellings only. Tread nosing as prescribed in Chapter 7, Section 7.2.2.3.5 is modified to permit a nosing at least ¾" but not more than 1 ¼" in depth for newly constructed one-and two family dwellings.
 - E. **Separated Occupancies.** Tables 6.1.14.4.1 a & b, "*Required Separation of Occupancies (hours.)*" shall be cross referenced with Table 508.4 *Required Separation of Occupancies* of the 2009 *International Building Code(IBC)*. Where separation requirements in the two tables conflict, separation requirements set forth in the IBC table control.

- F. **Accessory Occupancies.** Chapter 6, Section 6.1.14.1.3 of NFPA # 101, *Life Safety Code*, 2009 edition, is not incorporated. Section 508.2 *Accessory Occupancies*, of the 2009 *International Building Code* governs.
- G. **Dead End Corridors.** The following provisions of NFPA # 101, *Life Safety Code*, 2009 edition, are modified as indicated: Chapter 18, Section 18.2.5.2 is modified to require dead end corridors not to exceed 20 feet. Chapter 32, Section 32.3.2.5.4 is modified to require dead end corridors not to exceed 50 feet. Chapter 42, Table 42.2.5 is modified to require that a dead end corridor in an ordinary hazard storage occupancy protected by a sprinkler system not exceed 50 feet. A dead end corridor in an ordinary hazard storage occupancy not protected by a sprinkler shall not exceed 20 ft.
2. This rule incorporates by reference the National Fire Protection Association Standard #80, *Standard for Fire Doors and other Opening Protectives*, 2010 edition. All rights reserved by the National Fire Protection Association. Copies of this standard are available through the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269.
3. This rule incorporates by reference the National Fire Protection Association Standard #220, *Standard for Types of Building Construction*, 2006 edition. All rights reserved by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269.

4. **Portable Classrooms**

Portable Classrooms shall mean buildings manufactured and moved to a site to provide educational space for educational facilities. Similar portable classrooms may be site built if the installation follows these requirements and a construction permit is obtained in accordance with Title 25 M.R.S.A. §2448.

- A. All portable classrooms shall be placed in such a manner that no part of the portable classroom is within 20 feet horizontally to any other building.
- B. Groups of portable classrooms shall maintain 20 feet of clearance between individual buildings.
- C. All groups of buildings under this construction shall have a construction permit issued by the Office of State Fire Marshal as required by Title 25 M.R.S.A. §2448.
- D. Buildings and groups of buildings on the same property shall have fire alarm systems as required (NFPA 101, 20069 edition, Sections 14.3.4 and 15.3.4) and all systems shall be interconnected.
- E. Fire Drills shall be conducted in conjunction with drills in main educational buildings.
- F. Portable classrooms shall meet all egress requirements of the adopted National Fire Protection Association Standard #101, *Life Safety Code*, 2009 edition.

- G. No installation shall be completed unless a letter from the municipal fire authority has been received by the Office of State Fire Marshal. This letter must indicate that the fire authority's ability to respond to fire emergencies will not be hindered by the placement of the portable classrooms and that the installations of the portable classrooms do not violate local ordinances.

5. Indoor Pyrotechnic Events

Indoor events using special effect display features, as defined in Title 8 M.R.S.A. §221-A, shall be held only:

- A. In buildings fully protected by automatic fire sprinkler systems meeting all requirements of National Fire Protection Association #13, *Installation of Sprinkler Systems*, 2006 edition.
- B. With the prior approval of the Office of State Fire Marshal in accordance with the requirements of Title 8 M.R.S.A., Chapter 9-A; Rules Chapters 20 and 26; and the following:
 - 1. The announcement required by Chapter 20, Section 9 shall be made regardless of capacity.
 - 2. The special effect display shall be conducted by a licensed Fireworks Technician with appropriate Indoor and/or Flame Effect endorsement.
 - 3. The event shall be monitored by the Office of State Fire Marshal.
 - 4. An inspection by the Office of State Fire Marshal shall be completed prior to the commencement of the event with all scenery, effects, and equipment in place.

6. Special Pyrotechnic Amusement Events

- A. A special pyrotechnic amusement event is an event, including but not limited to such events as a magic show or theatrical performance, which uses no more than 1 ounce of flash paper, or small open flame devices such as candles, matches or lighters, or similar devices approved for use at special pyrotechnic amusement events by the Office of State Fire Marshal.
- B. An operator of a special pyrotechnic amusement event shall register with the Office of State Fire Marshal and provide a list of scheduled events and their locations. Such registration shall be valid for a period of 1 year. Location and event schedules shall be updated with the Office of State Fire Marshal no less than 10 days prior to any newly scheduled event or location.
- C. An operator or manager of a special pyrotechnic amusement event shall obtain licensure as a Fireworks Technician with indoor pyrotechnic endorsement pursuant to Title 8 M.R.S.A. Chapter 9-A or conduct the event under the direct supervision of one holding this license.

7. Announcement required

At every event with a defined start time, where an assembly occupancy can accommodate 300 occupants or more, the event manager, operator, sponsor, or a designee shall make an audio announcement to all occupants, prior to the commencement of the event, regarding the following:

- A. Location of exits;
- B. Smoking rules and regulations;
- C. Use of open flame devices;
- D. What to do in case of emergency evacuation; and
- E. Location of any first aid stations.

Such events include but are not limited to those held at armories, assembly halls, auditoriums, dance halls, exhibition halls, gymnasiums, special amusement buildings regardless of occupant load, and theaters.

STATUTORY AUTHORITY: 25 M.R.S.A. §2452 and 8 M.R.S.A. §236

EFFECTIVE DATE:

December 22, 1977 - filed September 27, 1978

AMENDED:

October 24, 1982
September 30, 1985
September 1, 1988
September 1, 1991
September 1, 1994

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 15, 1996

AMENDED:

January 2, 1999

REPEALED AND REPLACED:

August 7, 2001 - formerly Ch. 29

AMENDED:

March 11, 2003 - filing 2003-67 (*EMERGENCY, expires June 9, 2003*)
September 1, 2003 - filing 2003-302
August 18, 2004 - filing 2004-345

NON-SUBSTANTIVE CORRECTIONS:

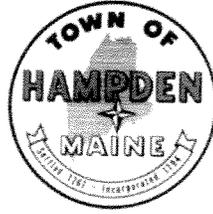
September 13, 2004 - corrected section numbering

AMENDED:

September 21, 2004 - filing 2004-409, section 1.B reinserted

September 3, 2007 – filing 2007-371

July 27, 2011 – filing 2011-250



D-2-C

TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Fire Prevention Code Ordinance Amendments
DATE: February 10, 2015

On February 4, 2015 the Planning and Development Committee took up the draft amendments of the Hampden Fire Prevention Ordinance. The purpose of the amendments is to move to the current NFPA 1 as amended by the State of Maine.

William Shakespeare made a motion to recommend to the Town Council that this item be set for public hearing. Dennis Marble seconded the motion. The vote was unanimous in favor that this Fire Prevention Code Ordinance be set for Council public hearing.

The Town of Hampden hereby ordains that the following amendments to the Town of Hampden Fire Prevention Code be adopted.

Additions underlined

Deletions ~~stricken~~

TOWN OF HAMPDEN FIRE PREVENTION CODE

Sec. 1. Fire Prevention Code Adopted.

In accordance with 30-A M.R.S. Section 3003, as amended, the NFPA 1, “Uniform Fire Code, of the National Fire Protection Association, 2006 Edition, as adopted and amended by the State of Maine by 16-219 C.M.R. ch 3 (effective 9/3/07), be and is hereby adopted as the Fire Code of the Town of Hampden.

~~BOCA National Fire Prevention Code/1990” Eighth Edition, as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the Fire Prevention Code of the Town of Hampden. Said Code is hereby incorporated by reference as the minimum standards for safeguarding life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises.~~

Sec. 2. Amendments to Published Version.

The Uniform Fire Code NFPA 1-2006 Edition ~~BOCA National Fire Prevention Code/1990~~ is adopted in its published form, as amended by the State of Maine by 16-219 C.M.R. ch 3 (effective 9/3/07), as if fully set forth herein except as follows:

Section 1.10 shall be deleted in its entirety.

~~Section F-105.6 is amended to delete the words “code official” therefrom and to substitute the words “Municipal Officers” in place thereof.~~

~~Section F-111.3 is deleted in its entirety and replaced with the following:~~

~~F-111.3 **Civil Penalties**The requirements of 30-A M.R.S.A. Section 4452 shall apply to the determination of penalties for violations of this Ordinance. The minimum penalty for a specific violation of this Ordinance shall be \$100 and the maximum penalty shall be \$2,500; provided, however, the maximum penalty may exceed \$2,500, but shall not exceed \$25,000, when it can be shown that there has been a previous conviction of the same party within the past two (2) years for violation of the same ordinance provision. Each day of violation shall constitute a separate offense. All penalties shall inure to the benefit of the Town of Hampden. Any person~~

undertaking an activity without first obtaining a permit shall be charged double the permit fee in addition to any civil penalties levied.

~~Section F-112.0 is deleted in its entirety and replaced with the following:~~

~~F-112.1 Compliance With Board of Appeals Ordinance:—All appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance including but not limited to filing deadlines, application requirements, fees, appeal procedures, decisions of the Board of Appeals and subsequent appeals to Superior Court. Any aggrieved person shall have the right to appeal to the “Hampden Zoning Board of Appeals” from a decision of the code official.~~

~~Such appeal shall be commenced, within (30) days of the decision.~~

~~F-112.2 Appellate Review. The Board of Appeals may conduct an appellate review of the code official’s refusal to grant a modification to the provisions of this code.~~

~~F-112.3 Basis of the Appeal. The appellant must demonstrate that the decision of the code official: (1) incorrectly interpreted the true intent of this code, (2) misapplied the provisions of this code, or (3) failed to consider an equally good or better method of fire prevention to be used.~~

~~F-112.4 Modification or Reversal of the Decision: The Board of Appeals may modify or reverse the decision of the code official upon making a determination that (1) the true intent of this code has been incorrectly interpreted, (2) the provisions of this Code do not fully apply, or (3) an equally good or better method of fire prevention is used.~~

~~Section F-201.0 GENERAL DEFINITIONS is amended to add the following definition.~~

~~“Outdoor wood fired boiler (OWB)” (same as outdoor wood fired furnace) means an accessory structure or appliance capable of being installed out of doors and designed to transfer or provide heat, via liquid or other means, through the burning of wood or any other nongaseous or non-liquid fuels for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic, swimming pool, hot tub or Jacuzzi water. “Outdoor wood fired boiler or furnace” does not include a fire pit, wood fired barbeque, or chiminea.~~

~~Section F-303.0 is deleted in its entirety.~~

~~F-308.3.1 is amended to add the following:~~

~~F-308.3.1. Outdoor wood fired boilers or furnaces: All outdoor wood fired boilers or furnaces shall be regulated as a special purpose incinerator and shall require a permit under Section F-106.0 PERMITS of this Code. Outdoor wood fired boilers or furnaces shall be operated in strict accordance with its manufacturer’s instructions and specifications. As such, they shall be used to incinerate wood only. It is a violation of this Code to burn or cause to be burned trash, rubbish, garbage, demolition debris, leaves, grass clippings, rags, cardboard, magazines or any non-approved material. Creation of dense smoke or odor upon burning is not permitted. Outdoor wood fired boilers or furnaces shall be prohibited from operating between the dates of May 1 to October 1. The provisions of this subsection shall apply retroactively to all outdoor wood fired boilers of furnaces located in the Town.~~

~~Section F-313.0 is deleted in its entirety and replaced with the following:~~

~~Section F-313.0 Fire Lanes~~

~~F-313.1 Purpose.~~ Fire lanes are established for the purpose of promoting the public health, safety and welfare by recognizing that there exists, and will in the future exist, buildings and other areas within the town within which and to which the public will be invited, served or housed. These buildings or other areas must be provided prompt adequate emergency services including access by fire fighters and fire fighting equipment and other emergency personnel and equipment in order to accomplish said purpose and effect the saving of life and property in emergency situations.

~~F-313.2 Definitions~~

1. ~~A "Fire Lane" is defined for the purposes of this article as a designated unobstructed access roadway that will support the imposed loads of fire apparatus and at least twenty feet (20') in width and having a minimum of thirteen feet, six inches (13'6") of vertical clearance. Fire lanes over one hundred fifty feet (150') in length shall be provided with adequate roadway turning radius. See table 313.~~

~~A "Fire Lane" is further defined as an access roadway that is constructed and maintained in a manner to permit free passage of fire apparatus and other emergency equipment and personnel from a public way to all necessary areas, regardless of season of the year or weather conditions, around buildings, as may be required elsewhere in this article.~~

2. ~~"Parking area" as defined in this article means lots, areas or other accommodations for the parking of motor vehicles off the street, alley or other way, which said lots, areas or other accommodations are available for use by the public either with or without charge.~~

~~F-313.3 Applicability.~~ All premises covered by this Ordinance where the Fire Department may be called upon to protect in case of fire which are not readily accessible from public roads shall be provided with fire lanes. A minimum of one side of the building on the premises shall be accessible to fire apparatus. The Authority Having Jurisdiction may require that additional sides of the building be accessible if the size and type of occupancy of the building warrants additional fire protection and accessibility.

~~The provisions of this article shall, in order to accomplish the stated purpose, be applicable to all proposed and existing developments, buildings and other premises which are included within the following:~~

~~A.) multi-family units with four (4) units or more in one building.~~

~~B.) all schools, whether private or public.~~

~~C.) all hospitals and clinics.~~

~~D.) convalescent homes, rest homes and/or nursing homes.~~

~~E.) all shopping centers (defined as three (3) or more businesses)~~

~~F.) all industrial and commercial buildings over 3,000 sq. ft.~~

~~G.) all places of public assembly used for gathering together of 50 or more persons.~~

In addition to the foregoing, fire lanes shall be provided for all buildings, except one (1) and two (2) family residences, that are set back more than 150 feet from a public road or buildings which exceed 30 feet in height and are 50 feet or more from a public road.

F-313.4 Establishment of fire lanes in the Town of Hampden

1. Each application for any use described in Section F-313.3 above shall be reviewed by the Code Official for purposes of determining the location of such fire lanes as are necessary under this section. The Official's findings, recommendations and required designations shall be reduced to writing and shall be a part of the record for said approval.
2. Within existing developments and premises to which this section is applicable, the Code Official shall designate fire lanes by written order and shall notify the owner, owners or agents of such development or premises by certified mail of such designation and of any specific requirements for compliance with this section. The Code Official shall also file one (1) copy of any order of designation of any such fire lanes with the Town Clerk. Any person aggrieved by such order may appeal in accordance with *Section F-112.0 and the Town of Hampden Board of Appeals Ordinance*.

F-313.5 Maintenance. Fire lanes established under this article shall be kept free of ice and snow and rubbish containers or other obstructions. The owner(s), agent(s), or occupant(s) of any premises to which this article is applicable, shall cause to be erected, installed and maintained at their own expense, permanent, adequate signs bearing the words "FIRE LANE NO PARKING VEHICLES WILL BE TOWED AT OWNER'S EXPENSE" in or adjacent to said fire lanes. Such owner(s), agent(s) or occupant(s) shall cause such other and further designations as are reasonably required by the Code Official to warn persons to keep said fire lanes unobstructed. Failure to maintain a fire lane in accordance with this section shall render the owner(s), agent(s) or occupant(s) of said development liable to a fine in accordance with the general penalty provisions of this Ordinance, with each continuing day of such violation constituting a separate offense.

A.) Signs are required to be placed every one hundred feet (100') facing traffic at a height of seven feet (7'). Placement variations and sign designs shall be subject to approval by the Fire Department.

3.) All curbs adjoining fire lanes or posted areas shall be painted yellow or other approved colors. If no curb is present, an eight inch (8") stripe shall be painted on the pavement.

F-313.6 Compliance. Notice of establishment of fire lanes shall prescribe a reasonable time for compliance. If compliance is not obtained within said time, then such owner(s), agent(s) or occupant(s) shall be subject to a fine in accordance with the general penalty provisions of this Ordinance. Each day following such specified time for compliance shall constitute a new and separate violation.

F-313.7 Whenever any vehicle shall be found in violation of the regulations as established above, any police officer may attach to such vehicle a notice to the owner or the operator that such vehicle has been parked in violation of the regulations. The registered owner of said vehicle shall be presumed to be the operator of said vehicle. Any motor vehicle found parked or standing in a fire lane that has been established in accordance with this article, in

addition to the foregoing, may be towed upon the direction of a police officer, to any public or private parking facility and all expense of such towing and any subsequent storage shall be borne by the registered owner or operator of such vehicle.

F-313.8 Additional Requirements (For new construction)

A.) The access roadway shall be extended to within one hundred fifty feet (150') of all portions of the exterior walls of the first story of any building as measured by an unobstructed route around the exterior of the building. All access, including bridges, shall support the loads of fire apparatus.

B.) Proposed surfaces, other than concrete or asphalt, must be approved by the Fire Department.

C.) When adjacent to buildings that are greater than thirty five feet (35') in height above natural grade, the access roadway shall have a minimum width of twenty six feet (26'). It shall be located between fifteen feet (15') and twenty five feet (25') from the building and shall be positioned parallel to one entire side of the building.

D.) When adjacent to Fire Hydrants, access roadways and fire lanes shall be a minimum of twenty six feet (26') wide for twenty feet (20') in either direction from the hydrant.

E.) Maximum grades shall not exceed fifteen percent (15%) (6.75 degrees) for concrete and twelve percent (12%) (5.4 degrees) for asphalt.

F.) Very large buildings—Buildings exceeding one hundred feet (100') in width and six hundred feet (600') in length, shall have access roadways along the two (2) long sides of the building.

The following section is added to Article 5

F-518.0 Fire Hydrants

General

F-518.1 The Fire Department shall have the authority for the approval of hydrant design and installations. This shall include the size and type of hydrants, number and size of outlets, and the threads used, as well as approval for each specific hydrant location and installation. Hydrant placement shall reflect the hazards of the locality and the needs of the Fire Department in dealing with those hazards.

F-518.2 Fire hydrant locations shall be clearly marked and maintained so that each hydrant location is visible and accessible at all times.

F-518.3 All Fire Hydrants shall be tested in the presence of the Fire Department and approved before the hydrant is placed in service.

F-518.4 After being placed in service, all hydrants shall be maintained in proper working order at all times and shall be subject to periodic testing (at least once a year and after use at a fire). If problems or deficiencies are noted, the problems shall be repaired as soon as possible and the Fire Department shall be notified.

F-518.5 If practical, buildings equipped with automatic sprinkler system, a hydrant shall be located no more than 150 feet from Fire Department sprinkler connection on the building.

~~F-518.6 Hydrants shall be of approved type and shall not have less than a six inch (6") connection with the mains. The fire flow needed shall be determined by the Fire Department.~~

~~F-518.7 Hydrants shall be equipped with NH standard external threads. Exception: existing hydrants approved by Fire Department.~~

~~F-518.8 Hydrants shall be installed in accordance with NFPA-24 and the authority having jurisdiction.~~

~~F-518.9 There shall be no parking at any time within fifteen feet (15') of any hydrant. Vehicles parked within this space shall be subject to towing at the owner's expense.~~

~~F-601.1 is deleted and replaced with the following:~~

~~F-601.1 Obstructions: A person shall not at any time place an encumbrance of any kind before or upon any fire escape or balcony intended as a means of escape from fire. The means of egress from each part of the building, including stairways, egress doors and any panic hardware installed thereon, aisles, corridors, passageways and similar elements of the means of egress, shall at all times be maintained in a safe condition and shall be available for immediate use and free of all obstructions.~~

~~Article 8 is deleted.~~

~~Article 11 is deleted.~~

~~Article 18 is deleted.~~

~~F-1900.2 is deleted in its entirety.~~

~~F-2400.2 is deleted in its entirety.~~

~~Article 25 is deleted in its entirety.~~

~~Article 26 is deleted in its entirety.~~

~~Article 27 is deleted in its entirety.~~

~~F-2800.3 is deleted in its entirety.~~

~~F-2800.4 is deleted in its entirety.~~

~~F-2805.0 is deleted in its entirety.~~

~~F-2806.0 is deleted in its entirety.~~

~~F-2807.2 is deleted in its entirety except for Table F-280.2 and replaced with the following:~~

~~F-280.2 Size: Containers and portable tanks for flammable and combustible liquids shall conform to Sections F-2801.2 and Table F-2805.2.~~

~~F-2809.0 is deleted in its entirety.~~

~~F-2900.2 is deleted in its entirety.~~

~~Article 31 is deleted in its entirety.~~

~~Article 32 is deleted in its entirety.~~

Sec. 3. Authority Having Jurisdiction.

The authority having jurisdiction in this Code shall be defined as the Town of Hampden Code Enforcement Officer, Building/Fire Inspector, Public Safety Director or other person designated by the Public Safety Director or Town Manager.

Sec. 4. Civil Penalties.

- a) Any person, firm or corporation violating any of the provisions of the Code, or failing to comply with any order issued pursuant to any section thereof, shall be guilty of a civil violation and upon conviction thereof shall be subject to a civil penalty. The requirements of Title 30-A M.R.S. Section 4452 shall apply to the determination of penalties for violations of this Ordinance. The minimum penalty for a specific violation of this Ordinance shall be \$100 and a maximum of \$2,500; provided, however, the maximum penalty may exceed \$2,500, but shall not exceed \$25,000, when it can be shown that there has been a previous conviction of the same party within the past two (2) years for violation of the same ordinance provision. Each day of violation shall constitute a separate offense. All penalties shall inure to the benefit of the Town of Hampden.
- b) The imposition of the penalties herein described, shall not prevent the legal officer of the Town from instituting appropriate action to prevent unlawful construction or to restrain, correct, or abate a violation; or prevent illegal occupancy of a building, structure or premises; or stop an illegal act, conduct of business or use of a building or structure in or about any premises.

Sec. 5. Appeals

- a) Except as expressly provided in this Ordinance, all appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance, including but not limited to filing deadlines, application requirements, fees and appeal procedures. Any aggrieved person shall have the right to appeal to the Board of Appeals from a decision of the authority having jurisdiction. This right of appeal does not include the right to appeal enforcement decisions. Any appeal shall be commenced on a form provided by the authority having jurisdiction.
- b) The Board of Appeals may modify or reverse the decision of the authority having jurisdiction upon making a determination that: (1) the true intent of this Code or the rules, regulations, or ordinances adopted by the Town have been incorrectly interpreted, (2) the provisions of this Code do not fully apply, or (3) an equally good or better method of providing for fire prevention can be used. The Board of Appeals may only modify or

reverse the decision of the authority having jurisdiction upon a concurring vote of at least four members.

Sec 6. Effective Date.

In accordance with Section 213 of the Town Charter, this Ordinance shall become effective at the expiration of thirty (30) days after the date of adoption by the Town Council.

16 DEPARTMENT OF PUBLIC SAFETY

219 OFFICE OF STATE FIRE MARSHAL

Chapter 3: FIRE PREVENTION CODE

SUMMARY: This chapter establishes the rules and regulations prescribing the minimum requirements necessary to establish a reasonable level of fire safety and property protection from the hazards created by fire and explosion.

1. This rule incorporates by reference the following National Fire Protection Association standard, available from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269:

NFPA # 1, Uniform Fire Code, 2006 edition.

2. The following chapters and sections of NFPA #1, Uniform Fire Code, shall not be incorporated in the State of Maine:

Chapter 65, Section 11 (see Rules of the State Fire Marshal, Chapter 25 & Title 8 M.R.S.A §236)

Chapter 20, Sections: 2.3.5; 3.2.1; 4.2.6; 5.2.5.4; 6.2.6; 7.2.6; 8.2.6; 9.2.2; 10.2; and, 11.2

Chapter 13, Section 2.2.2

Chapter 66, Table(s): 66.2.3.2.1.1(a); 66.2.3.2.1.1(b); 66.2.3.2.1.4

3. The following chapter and section shall be amended to read:

Chapter 20, Section 11.1 Application. New and existing one-and two-family dwellings shall comply with Section 20.11 and NFPA 101. Chapter 24, Section 3.5.1 of NFPA 101 shall not be incorporated in this rule.

STATUTORY AUTHORITY: 25 MRSA §2452

EFFECTIVE DATE:

August 17, 2002 - filing 2002-310

AMENDED:

August 18, 2004 - filing 2004-339

September 3, 2007 – filing 2007-363

D-4-a

TO: Hampden Town Council
FROM: Sue Lessard, Town Manager
DATE: April 2, 2015
RE: 106 Manning Mill Road

The purpose of this email is to update the Council as to the disposition of the property at 106 Manning Mill Road that the Council voted to put out for public sale at the 3/16/15 Council meeting.

Following the Sale of Town Owned Real Estate ordinance I notified the record owner and mortgage holders that there was a 30 day period in which the property could be redeemed by payment of all outstanding tax, costs, and interest. One week later one of the property mortgage holders paid all outstanding amounts due and the property was quit-claimed back to the record owner.

D-5-6

TO: Hampden Town Council
FROM: Sue Lessard, Town Manager
DATE: March 31, 2015
RE: Alewives

Last year the Town received a letter from the State of Maine in regard to retaining the fishing rights for alewives (copy attached). Town Clerk Denise Hodsdon called the Department today to find out if there was any new information coming out this year in regard to alewives since the Town had not received a letter. Claire Enterline, who is in charge of the program is on vacation this week but Denise spoke with Oliver Cox from the department who indicated that nothing had changed in the rules and that the Town should follow the same process that it had the prior year.



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

March 4, 2014

Denise Hodsdon
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Dear Ms. Hodsdon:

This letter is to remind you that the town river herring rights must be approved each year as a municipal ordinance by your town selectman, fish commission, or by town vote, and sent into the Department of Marine Resources (DMR) for approval by April 20, 2014. The town must establish these rights in order to have either a municipal river herring harvest in 2014, a conservation closure, or rules different than the state general law.

The Atlantic States Marine Fisheries Commission adopted the Shad and River Herring Amendment 2 in 2010, which, citing a concern about the coast-wide decline in river herring populations, stated that all river herring (alewife and blue herring) fisheries must close in 2012 unless they are determined to be sustainable harvests. To comply with Amendment 2, the DMR closed all alewife and blueback herring harvests that did not fit the following criteria:

- 1) Harvest populations must be self-sustaining and not supplemented by stocking from outside of the watershed. If a run had been stocked, no harvest will be allowed for at least one generation post-stocking (4-years) to determine that river herring are returning successfully on their own.
- 2) The total river herring count must be equal to or exceed the estimated adult production of the spawning lake or pond for a multi-year period. DMR uses a production estimate of 235 fish/surface acre. This must be demonstrated through a count or other quantitative estimation.
- 3) The run must have a healthy spawning stock biomass, with a high survival rate (low mortality rate) and good representation of older age classes. This must be demonstrated through sampling.
- 4) The run must have a high repeat spawning ratio, where a proportion of adult spawning fish have spawned in previous years. This must be demonstrated through sampling.

If your town was not approved for harvest in 2013, it will not be approved for harvest in 2014. We are working with volunteers in municipalities that would like the Department to consider allowing harvest to collect biological samples and count data to show that the run could support sustainable harvest. The biological and count data collected so far have not shown that any closed run can support a sustainable harvest at this point. We encourage the towns to continue working with the Department to collect these data that may show that a sustainable harvest can operate in the future. Included in this letter are an example river herring ordinance and current state regulations and laws concerning river herring harvest. If you have any questions, please contact me at (207) 624-6341.

Best Regards,

Claire L. Enterline
172 State House Station
Augusta, ME 04333

OFFICES AT 2 BEECH ST., BAKER BUILDING, HALLOWELL, MAINE
<http://www.Maine.gov/dmr>

PHONE: (207) 624-6550

FAX: (207) 624-6024

DEPARTMENT OF MARINE RESOURCES

CHAPTER 30 - RIVER HERRING

INDEX

30.01 Definitions

30.02 Limits on River Herring

30.03 Taking of River Herring from Walker's Brook

30.04 Taking of River Herring in the Town of Orland regulated

30.05 Taking of River Herring in Georges River

30.06 Taking of River Herring in Damariscotta River

13-188 DEPARTMENT OF MARINE RESOURCES

Chapter 30: River Herring

30.01 Definitions

- A. In addition to the definitions set forth in 12 M.R.S. §6001, the following definitions shall apply in interpretation of Chapter 30.
1. "River Herring" means the species *Alosa pseudoharengus* commonly called alewife, and *Alosa aestivalis*, commonly called blueback herring.

30.02 Limits on River Herring

Beginning January 1, 2012 it shall be unlawful for any person to take, possess, harvest or sell river herring in the State of Maine or in waters under the jurisdiction of the State of Maine.

Exceptions:

- A. River Herring fishing rights.
A municipality or an individual with existing river herring harvest rights granted by the Commissioner in accordance with 12 M.R.S. §6131 are not subject to Chapter 30. The Commissioner may authorize a future river herring fishery, authorized pursuant to 12 M.R.S. §6131, after submission of a sustainable fisheries management plan for that fishery by the Department, which is approved by the Atlantic States Marine Fisheries Commission (ASMFC) Management Board.
- Individuals holding a valid license issued under 12 M.R.S. §6851 may buy, sell, ship or transport river herring obtained from a municipality or individual with river herring harvest rights granted by the Commissioner in accordance with 12 M.R.S. §6131. Individuals may buy river herring from a municipality or individual with river herring rights, or an individual holding a valid license issued under M.R.S. §6851, but must produce a bill of sale indicating amount of fish purchased, date of purchase, and river of origin if requested by marine patrol, and may sell those river herring in the retail trade.
- B. Tolerance for river herring as bycatch in fisheries conducted inside and outside Maine territorial waters.
No person may possess fish where more than 5% of the total by count is comprised of river herring. The 5% tolerance by count will be determined by examination of ½ bushel chosen at random by marine patrol from the bulk pile. The number of fish in the sample will be separated by species to obtain a count of river herring verses other species. The total number of river herring in the sample will be divided by the total number of fish in the sample to determine the percent composition of river herring caught.
- C. Recreational fishing limit.
Beginning January 1, 2012 an individual may take up to 25 river herring per day for recreational or personal use. If a municipality or individual has obtained exclusive river herring harvesting rights under 12 M.R.S. §6131, an individual may only take river herring for recreational or personal use if it is in accordance with the municipal harvest plan submitted annually to the Department by the municipality.

Methods for taking river herring are limited to hook and line and dip net. The possession limit is 25 fish per individual. Individuals must be properly registered or licensed.*

* Registry or license information is available at DMR Licensing Division, 21 State House Station, Augusta, Maine 04333-0021, Telephone (207) 624-6550 or online at the following web link: <http://maine.gov/saltwater>

30.03 Taking of River Herring from Walker's Brook

It shall be unlawful for any person to take, in any manner, river herring from the waters of Walker's Brook, so-called, that run between Walker's Pond and the Bagaduce River in the Town of Brooksville.

30.04 Taking of River Herring in the Town of Orland regulated

The St. Regis Paper Company or its successors shall be required from the 15th day of April to the first day of December of each year, at their own expense, to keep the fishways at the lower and upper dams of the Eastern River in repair and in such order at all times so that the passage of said fish into, or out of, Lake Alamoosook, so called, will not be hindered.

30.05 Taking of River Herring in Georges River

- A. It shall be unlawful to construct, set, maintain or use any net or seine in the water of Georges River above a line drawn from Hooper's Point in the Town of St. George, westerly past the northerly end of Caldwell's Island to a point opposite on the shore in the town of Cushing, for the purpose of taking or catching river herring between April 1st and July 15th. Nothing herein shall be construed to abridge or affect in any manner the rights and privileges now held by law by the Town of Warren in the river herring fishing in the said Georges River.
- B. Between April 20th and June 15th of each year no one shall fish, disturb or molest the river herring, or operate any boat within 1,000 feet of the river herring trap, located approximately 500 feet south of the Lower Warren Village Bridge on the Georges River.

30.06 Taking of River Herring in Damariscotta River

- A. It shall be unlawful to construct, set, maintain, or use any net, weir, seine or other device, in the waters of the Damariscotta River, northerly of the bridge between the Villages of Newcastle and Damariscotta, for the purpose of taking or catching river herring. No one shall fish, disturb or molest the river herring in any way, west of the railroad bridge, from April 20th to June 15th. Nothing herein shall be construed to abridge nor affect in any manner the rights and privileges now held by law by the Towns of Newcastle and Nobleboro in the river herring fishery in the said Damariscotta River.

DEPARTMENT OF MARINE RESOURCES

CHAPTER 30 - ALEWIVES

INDEX

EFFECTIVE DATE:

P&SL 1959, c. 155, §38 - Section 01. This section is subject to the Revised Statutes, Title 12, Section 6131, as amended.
P&SL 1969, c. 254, §2 - Section 01
P&SL 1959, c. 155 §40 – Section 02
P&SL 1959, c. 155, §42 – Section 03
P&SL 1959, c. 155, §43 – Section 04
P&SL 1969, c. 254, §2 – Section 04
P&SL 1959, c. 155, §54 - Section 05. This section is subject to the Revised Statutes of 1964, Title 12, Section 3708, as amended.
P&SL 1969, c. 105 – Section 05
P&SL 1969, c. 254, §2 – Section 05
P&SL 1959, c. 155, §64 – Section 06. This section is subject to the Revised Statutes of 1964, Title 12, Section 3708, as amended.
P&SL 1969, c. 19 – Section 06
P&SL 1969, c. 254, §2 – Section 06
P&SL 1959, c. 155, §106 – Section 07
P&SL 1959, c. 155, §130-A – Section 08
P&SL 1973, c. 44 – Section 08

AMENDED:

May 9, 2002 - Section 02 (EMERGENCY, EXPIRES 8/7/02)
June 24, 2002 – Section 02
April 11, 2012 – Entire Chapter

12 §6131. RIVER HERRING FISHING RIGHTS

12 §6131. RIVER HERRING FISHING RIGHTS

The commissioner is authorized to develop, manage or lease river herring fishing rights as follows. [2011, c. 598, §11 (AMD) .]

1. River herring rights. The commissioner shall grant the right, exclusive or otherwise, to take river herring to any municipality entitled to those rights on January 1, 1974 and may grant the right to take river herring to any other municipality provided:

A. Any municipality that has had the right to take river herring, exclusive or otherwise, or is granted that right by the commissioner, shall take action through its legislative body and file a copy of this action with the commissioner prior to April 20th or lose that right for the remaining part of that year; [2011, c. 598, §11 (AMD) .]

B. Municipal rights that are not exercised for 3 consecutive years lapse; [2009, c. 17, §1 (AMD) .]

C. At its annual meeting the municipality may determine by vote:

(1) Whether river herring fishing will be operated by the municipality through the municipal officers or a committee; and

(2) Whether the municipal rights to take river herring will be sold by the municipal officers or committee; and [2011, c. 598, §11 (AMD) .]

D. Harvesting plans must be developed as follows.

(1) Any municipality engaged in harvesting river herring shall submit a written harvesting plan to the commissioner prior to April 20th of each calendar year. All harvesting plans must set forth in detail the exact conditions under which river herring may be taken, all in accordance with good conservation practices.

(2) The commissioner, after consultation with the appropriate municipal officers, shall approve or modify the harvesting plan as the commissioner determines necessary for the conservation of river herring and other anadromous fish, and shall file a copy of the approved plan with the clerk of the municipality. [2011, c. 598, §11 (AMD) .]

[2011, c. 598, §11 (AMD) .]

2. Limitations. The following limitations apply to any grant.

A. It is unlawful to take river herring from 6 a.m. each Thursday morning until 6 a.m. Sunday morning. Municipalities that make other provisions for escape of spawning river herring that are approved by the commissioner are exempt from this limit. [2011, c. 598, §11 (AMD) .]

B. It is unlawful for any municipality or purchaser or lessee of the municipal right to take river herring in any manner except as provided in the approved river herring harvesting plan. [2011, c. 598, §11 (AMD) .]

[2011, c. 598, §11 (AMD) .]

3. Closed period in rivers and streams not under lease agreement. In any river or stream not managed under a lease agreement, there is a 72-hour closed period on the taking of river herring and obstruction of the watercourse to allow the free passage of fish from 6 a.m. on Thursday to 6 a.m. the following Sunday.

[2011, c. 598, §11 (AMD) .]

4. Violation of harvesting plan. If the commissioner determines after investigation that the municipality is not following its river herring harvesting plan, the commissioner shall notify the municipality. Any municipality that fails to take corrective action within 48 hours of notification loses its river herring fishing privilege for that calendar year. Upon further notification by the commissioner of loss of river herring fishing privileges, the municipality or its agents shall cease all fishing activity and immediately remove all traps, weirs, seines or other river herring fishing gear from their river herring waters.

[2011, c. 598, §11 (AMD) .]

5. Leasing of rights. The commissioner:

A. When the commissioner decides to manage or lease any river herring fishing rights when a municipality has had those rights and has failed to act as provided in subsection 1, shall so notify the clerk of the municipality in writing. After the notice, the commissioner may lease any of those rights to any person, as the commissioner determines is in the best interest of the State. All leases must be in writing and signed by the commissioner and the lessee and must set forth in detail the exact conditions under which the river herring may be taken, all in accordance with good conservation practices; and [2011, c. 598, §11 (AMD) .]

B. May manage or lease river herring fishing rights in any river or stream where a municipality does not have those rights. The commissioner may lease any of those rights to any person, as the commissioner determines is in the best interest of the State. All leases must be in writing and approved and signed by the commissioner and the lessee and must set forth in detail the exact conditions under which the river herring may be taken, all in accordance with good conservation practices. [2011, c. 598, §11 (AMD) .]

[2011, c. 598, §11 (AMD) .]

6. Violation of terms. It is unlawful for any person holding such a lease to violate any of its terms or to cause the same to be done.

[2011, c. 598, §11 (AMD) .]

7. Molesting equipment. It is unlawful to molest the fishing equipment of any lease holder or to interfere with the fishing rights granted by the lease.

[2011, c. 598, §11 (AMD) .]

8. Migratory Fish Fund. All fees received by the commissioner from river herring leasing rights are allocated to the Migratory Fish Fund, as established. Expenditures from the Migratory Fish Fund must be made:

A. To build fishways for river herring and other migratory fish; [2011, c. 598, §11 (AMD) .]

B. For construction of other facilities for improving the environment of river herring and other migratory fish; [2011, c. 598, §11 (AMD) .]

C. For general propagation and conservation of river herring and other migratory fish; [2011, c. 598, §11 (AMD) .]

D. For research to enhance the fishing industry based on river herring and other migratory fish; and [2011, c. 598, §11 (AMD) .]

E. For management measures required to maintain or enhance river herring populations or populations of other migratory fish. [2011, c. 598, §11 (AMD) .]

The Migratory Fish Fund does not lapse.

[2011, c. 598, §11 (AMD) .]

SECTION HISTORY

1977, c. 661, §5 (NEW). 1977, c. 661, §5 (NEW). 1981, c. 433, §3 (AMD).
1987, c. 513, §2 (AMD). 1993, c. 731, §1 (AMD). 2009, c. 17, §§1-4
(AMD). 2011, c. 598, §11 (AMD).

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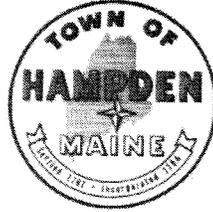
PLANNING & DEVELOPMENT COMMITTEE MEETING
April 1, 2015

New Business B. Old County-1A Sewer (From Infrastructure Committee)

Manager Lessard presented a memo from acting Public Works Director Greg Nash concerning the needed repairs of a section of roadway coinciding with a Water District bid request. The issue, in efforts to reduce costs, is whether to bid the project out separately or include the town project in the Water District bid proposal in efforts to potential reduce costs.

Committee Action: Motion to recommend to Town Council to include the town's project (replacement of sewer that crosses Route 1A and the south end of the Old County Road) as a non-binding bid option to the Water District's bid proposal.

Motion: 5-0.



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Map Amendment, Main Road North
DATE: March 24, 2015

At the March 18, 2015 Planning and Development Committee the following action was taken:

B. Rezoning Discussion - Main Rd. North

The Town Planner indicated that the committee received the draft Zoning Map amendment for the Main Road North corridor as previously discussed. After brief discussion Bill Shakespeare made a motion that the item be sent to the Council with a recommendation that the item be referred to the Planning Board for public hearing and comment. Dennis Marble seconded the motion which passed unanimously.

Please find attached a draft Zoning Ordinance Map amendment that changes properties on Main Road North in the general vicinity of Cottage Street to Village Commercial from the respective Residential A District on the east side of Main Road North and Residential B District on the West side of that street.

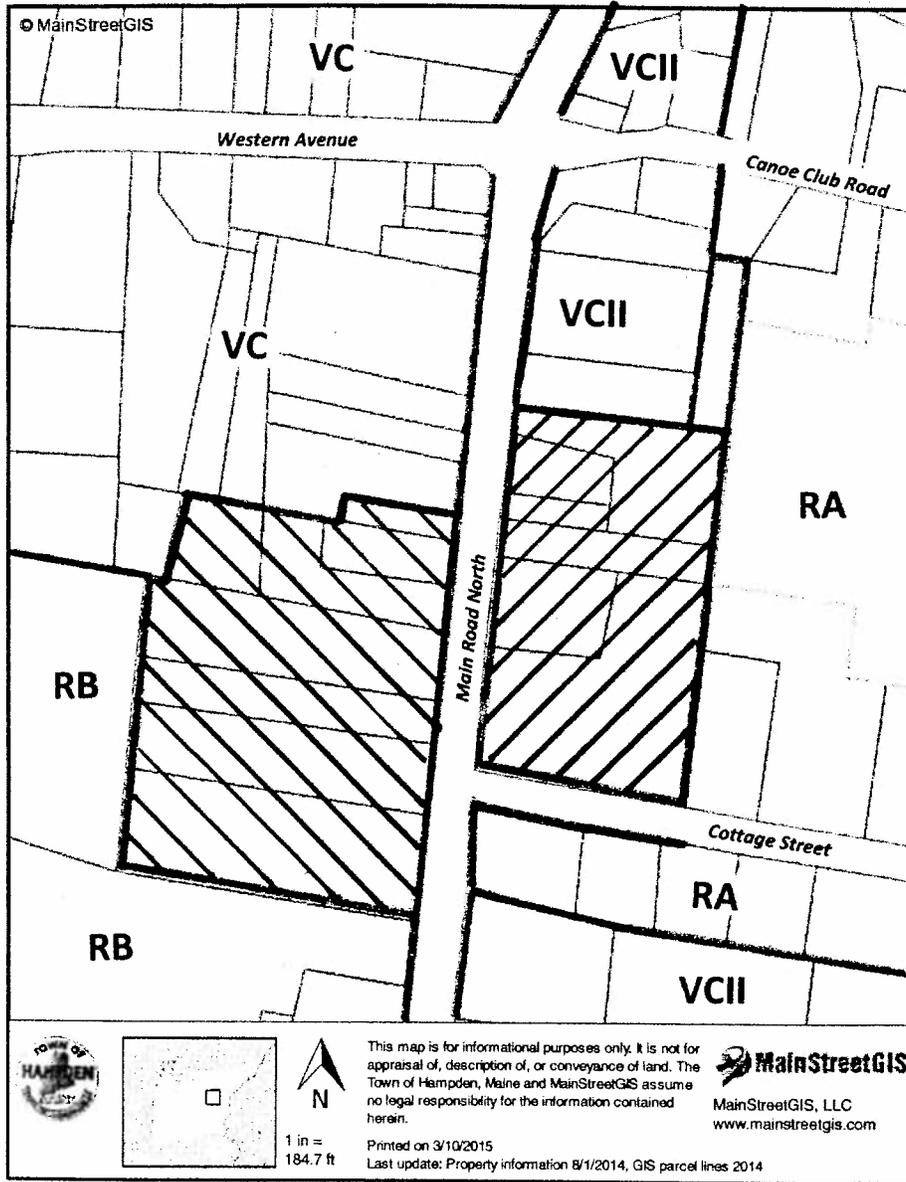
The land parcels involved include the following: Starting on the west side of Main Road North the parcels are Map 36, Lots 7, 8, 9, 10, 11, 12 and 13. On the east side of Main Road North the parcels are Map 36, Lots 47, 48, 49, 50 and 51.

The total land area to be rezoned on the West side of the street is 4.35 from Res. B to Village Commercial District and on the East side of the street 3.35 acres from Res. A to Village Commercial District.

TOWN OF HAMPDEN

Draft

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



Residential B to Village Commercial District



Residential A to Village Commercial District

D-5-f



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Zoning Ordinance Text Amendment, Article 3.9 Rural District Frontage Exception for Cul-de-sac Lots
DATE: April 2, 2015

At the April 1, 2015 meeting the Planning and Development Committee considered the subject amendment and took the following action:

Terry McAvoy made a motion to recommend that the Town Council refer the Zoning Ordinance text amendment to the Planning Board for public hearing and recommendation. David Ryder seconded the motion. The Committee voted unanimously in favor of the motion.

The concept is to create an exception from the 200 foot frontage required in the Rural District for cul-de-sac lots. What is proposed is to reduce the frontage of lots on the cul-de-sac to 100 feet and to double the street yard setback to create the appearance of spacing between the houses similar to what would have occurred if the frontage standard had not been changed.

TOWN OF HAMPDEN
Draft

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

Additions are Double Underlined Deletions are ~~Strikethrough~~

3.9. Rural District

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

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

3.9.3. Conditional Uses (Subject to Site Plan Review) - Daycare facility, child care center (subject to *Section 4.19*), nursing home, non-profit school, public schools, church, non-profit club, hospital or clinic, mobile home park (subject to *Section 4.13*), campground, cemetery, buildings and parking for recreational facilities, processing agricultural products which are not accessory to an agricultural use, processing and excavation, gravel pit and quarry activities (subject to *Article 4.23 Excavations, Gravel Pits and Quarries*), stockpiles (subject to *Article 4.9*) not accessory to excavation, gravel pit and quarry activities, commercial nursery, indoor recreational facilities, boarding of animals; to include training and grooming, veterinary hospital, buildings necessary for essential services, community facility (including solid waste facility), Customary Rural Business (subject to *Section 4.20*). *(Amended: 8-22-94, 12/18/95, 12-2-96, 1-21-97, 03-21-05, 12-17-07, 01-03-11)*

3.9.4. Lot Dimensions

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

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

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

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

3.9.5. Special District Requirements

1. All buildings for the commercial raising or keeping of animals shall be set back a minimum of fifty (50') feet from side and rear property line. *(Amended: 10-3-94, 12-18-95)*
2. Kennels for the commercial boarding, raising, and training of six or more dogs shall be kept fifty (50') feet from side and rear property lines. *(Amended: 12-18-95)*
3. Accessory structures or buildings associated with single family residences may be larger than the principal building (single family residence) in both building height and total floor area provided that: The accessory building shall function as an accessory use to the residential use and not as a second primary use. Vehicles or equipment owned or leased by the person(s) residing on a lot may be stored or repaired in the accessory structure or building, and shall be considered to be an accessory use to the single family residential use. The accessory building shall not exceed 5,000 sq. ft. in floor area. The accessory building shall be constructed on a lot of at least 3 acres in size. Accessory buildings that meet these requirements do not require site plan approval. *(Amended: 7-6-2010)*
4. Exception: Notwithstanding the minimum road frontage standard found in Article 3.9.4 Lot Dimensions, lots located entirely or primarily on a street cul-de-sac the minimum frontage required for such a lot is reduced to 100 feet provided that the street yard setback is increased to a minimum of 60 feet.

TO: Hampden Town Council
FROM: Sue Lessard, Town Manager
DATE: March 25, 2015
RE: Proposed Amendment – Sale of Town Owned Property Ordinance

The purpose of this memo is to propose an amendment to the Sale of Town Owned Property Ordinance. One use of this Ordinance is when the Town seeks to sell property acquired through the foreclosure of expired property tax liens. The proposed amendment is as follows:

Section 1.4 ~~Tax~~ Foreclosure 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 **or sewer lien** 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. mail to the property owner's last known address at least 30 days before the notice of public sale is given in the manner specified in Section 1.2 above. Failure of any prior owner to receive such notice shall not necessitate another sale or invalidate any action of the Town Council.

If the prior owner of record makes full payment of all sums due the Town on the said tax claim, including but not limited to the amount of any tax and/or sewer liens, real estate taxes, personal property taxes, sewer charges, recording fees, interest, and costs, before notice of public sale is given, the Town Treasurer shall release title to said real estate to its record owner.

This amendment allows the Town to also sell property acquired through sewer lien foreclosure and to collect any outstanding sewer or real estate charges at the time of a foreclosure of either type.

The Town of Hampden hereby ordains that the following amendments to the Town of Hampden Sale of Town Owned Real Estate Ordinance be adopted:

Additions underlined

Deletions ~~stricken~~

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

ARTICLE I - SALE 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. Notices shall be sent to the previous owner in the case of tax acquired property. 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 for 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~~ date and time 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 to the highest bidder. The Council may reject any bid which does not comply with Town's bid procedure guidelines; furthermore, the Council may reject all bids and withdraw the offer to sell the property.

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 FORECLOSURE 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 or sewer 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. mail to the property owner's last known address at least 30 days before notice of public sale is given in the manner specified in Section 1.2 above. Failure of any prior owner to receive such notice shall not necessitate another sale or invalidate any action of the Town Council.

If the prior owner of record makes full payment of all sums due the Town on the said tax claim, including but not limited to the amount of any tax and/or sewer liens, real estate taxes, personal property taxes, sewer charges, recording fees, interest and costs, before notice of public sale is given, the Town Treasurer shall release title to said real estate to its record owner.

ADOPTED BY THE HAMPDEN TOWN COUNCIL: November 19, 1979

EFFECTIVE: December 19, 1979

AMENDED: July 6, 1987

EFFECTIVE: August 4, 1987