



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

MAY 21, 2012

7:00 P.M.

• **5:30 pm – FINANCE & ADMINISTRATION COMMITTEE MEETING**

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Rotary Club of Presque Isle/Mayor Hughes – Bangor Daily News Comments
- b. Maine Municipal Association – Nominations to MMA's Legislative Policy Committee
- c. Sarah McVeigh – New Application for Pool Board of Trustees – Referral to Services Committee
- d. David Barrett – Application for Reappointment to Dyer Library Board of Trustees – Referral to Services Committee

4. REPORTS

- a. Pool Trustees Minutes – 4/10/2012
- b. Finance & Administration Committee Minutes – 4/23/2012
- c. Finance & Administration Committee Minutes – 5/7/2012

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Approval of Warden & Election Clerk Schedule – 6/12/2012 Election

3. UNFINISHED BUSINESS

- a. Zoning Ordinance Text Amendment to Create a Waterfront 1 District – Referral for Public Hearing

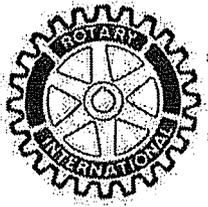
NOTE: The Council will take a 5-minute recess at 8:00 pm.

- b. Adoption of Revised Town Council Rules
- c. Adoption of Non-Municipal Organization Funding Request Policy
- d. Update re Old Hampden Academy Reuse

4. NEW BUSINESS

- a. 2012/2013 Budget:
 - 1. Budget Introduction PowerPoint Presentation
 - 2. Library
 - 3. Recreation
 - 4. Pool
 - 5. Debt Service

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



ROTARY CLUB of PRESQUE ISLE

P.O. Box 641

PRESQUE ISLE, MAINE 04769

A-3-a

May 3, 2012

Mayor Janet Hughes
Hampden Town Office
106 Western Avenue
Hampden, ME 04444

hughestowncouncil@hampdenmaine.gov

RE: Bangor Daily News Comment

Dear Mayor Hughes:

I am writing this letter to ensure to your Town Council that the user posting comments to the online version of the Bangor Daily News web site under the user name, "PresqueIsleRotary", is in no way affiliated with the Presque Isle Rotary Club and does not represent the views or opinions of our organization.

When this issue was brought to my attention on April 13, 2012, I contacted Will Davis, the online editor of the Bangor Daily News, and instructed him to remove all comments from this user and to block the user account. I have consulted legal council to see what additional steps may need to be taken to further protect our name and reputation and to see what legal recourse we may have.

I would appreciate it if you would assist us in our efforts to protect our name and reputation by acknowledging that this poster is in no way affiliated with our organization.

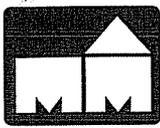
If you have any further questions or concerns, please do not hesitate to contact me directly.

Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey M. Pangburn", written over a horizontal line.

Jeffrey M. Pangburn
President,
Presque Isle Rotary Club



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

A-3-b

TO: MMA's Key Municipal Officials

FROM: Sophia Wilson, President, Maine Municipal Association

DATE: May 1, 2012

RE: Nominations to MMA's Legislative Policy Committee

The time has come to begin the process of electing 70 municipal leaders from across the state to the Maine Municipal Association's Legislative Policy Committee (LPC) for the 2012-2014 biennium.

The work of the LPC is central to the mission of this Association. For that reason, I am hoping you will take the time to read the following information and think very seriously about reaching out to interested municipal officials in your town or city (or region) for the purpose of forwarding a nomination as the LPC election process begins.

The LPC is anything but a quiet working group, sounding board or advisory committee. According to the Legislative Policy Committee's by-laws (the "LPC Handbook"), the specific purpose of the LPC is "*to define municipal interests and to maximize those interests through effective participation in the legislative process.*" Operating along the lines of a town meeting system, the municipal officials elected to the LPC directly stake-out each public policy position the Association takes and advocates in the State House.

The first task of the new LPC after it is elected will be to develop the legislative changes Maine's municipal officials believe should be submitted to the next Legislature in January 2013. In addition to MMA's proactive legislative agenda, the LPC also determines MMA's stance on all the municipally-related legislation of statewide significance submitted by the Governor or legislators. The job of MMA's advocacy staff is to communicate the LPC's positions to the Legislature and otherwise carry-out the LPC's directives.

Comprised of two municipal officials from each of Maine's 35 Senate Districts elected by the municipal officers in the District, the LPC is a diverse group of municipal experts by its structure. As a former Chair of the LPC, it is my view that the diversity of the LPC is its strength. In my experience, the deliberations of this policy committee easily represent some of the highest level public policy discourse in the state.

Enclosed is a **Nomination Form** for the July 2012 – June 2014 term of the LPC. What follows is some background information to help prospective nominees get a sense of what would be involved, as well as details regarding the actual nomination process.

Thank you for your attention to this memo. Please recognize this as a very genuine request and seriously consider forwarding the name of a nominee from your community or Senate District.

Background Information. Any elected or appointed municipal official holding office in any MMA member community is eligible to serve on the Committee. There are two seats on the LPC for each State Senate District. Members serve two-year terms, representing their own community and the other municipalities in their Senate District.

LPC activities require a time commitment of approximately ten hours a month during legislative sessions (i.e., during the first 4 months of each calendar year) which includes attendance at the monthly meeting and contacts with other communities and legislators in the district as issues arise. The LPC is also engaged in the development of MMA's legislative agenda during the fall and early winter of each even-numbered year, which typically involves at least one additional meeting in Augusta. All mileage expenses are reimbursed. MMA's strength as a municipal advocate depends on the active help of a dedicated LPC membership.

More information about MMA's Legislative Policy Committee and the Association's entire advocacy program can be found at the Legislative/Advocacy link at MMA's website <http://www.memun.org/public/MMA/svc/SFR/default.htm> . In particular, the *LPC Handbook* describes the Association's overall policy development process and procedures in more detail.

Nomination Process

Your municipality is entitled to nominate a representative to the LPC.

- The nominee may be either elected or appointed, but must be serving currently as a municipal official.
- You may nominate any municipal official from any member town or city within your Senate/LPC District; you do not have to nominate someone from your municipality.
- The names of all municipal officials properly nominated will appear on the LPC ballot, which will be distributed on June 18th.

Nominee Profile

Because the municipal officers may not be familiar with a nominee from another municipality, a brief description of each nominee who completes the enclosed **Nominee Profile Sheet** will be provided with the ballots that are distributed in mid June. Please make sure that the person you nominate has a chance to complete the Nominee Profile Sheet and that it is returned to MMA with the Nomination Form.

Deadline for Submitting Nomination



The Chairman of your Board of Selectman, Council or Assessors (the "nominator") *and the nominee* must sign the nomination form for it to be valid.



The form must be returned to MMA by **5:00 p.m. on June 14, 2012**, to be counted. Ballots will be mailed out immediately after the nomination process closes, so make sure the nomination form is received by MMA by that deadline. Please return the nomination form to **Laura Veilleux** at MMA either by mail (60 Community Drive, Augusta, Maine, 04330) or by FAX (624-0129).

If you have any questions, please call MMA's State and Federal Relations staff at 1-800-452-8786 or 623-8428.

NOMINATION FORM

Maine Municipal Association's
Legislative Policy Committee
July 2012 to June 2014

Senate District 33

Carmel	Etna	Levant
Charleston	Exeter	Newburgh
Corinna	Garland	Newport
Corinth	Glenburn	Plymouth
Dexter	Hampden	Stetson
Dixmont	Kenduskeag	

The municipal officers of _____ hereby nominate:
Print name of your municipality

Nominee: _____ 
Print name of Nominee

Nominee's municipality: _____ Position: _____

Date: _____ 
Signature of Nominator

Print name of Nominator

Consent

I agree to accept the nomination and to serve if elected to the MMA Legislative Policy Committee:

Date: _____ 
Signature of Nominee

Please return Nomination Form by 5:00 p.m. on June 14, 2012, to:

Laura Veilleux - Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Nominations Received After 5:00 p.m. on June 14, 2012, Will Not Be Counted

LPC NOMINEE BIOGRAPHY

To: Legislative Policy Committee Nominees

From: Maine Municipal Association

Date: May 2, 2012

To help municipal officials make an informed choice when they vote for their LPC representatives, we ask nominees to provide some background information regarding their municipal service and why they want to be LPC members. A "nominee profile" is included on the ballot for each nominee who provides us with a profile.

Name: _____ **Title:** _____

Municipality: _____ **Years in current position:** _____

Mailing Address: _____
(include zip code, please)

Prior (recent) municipal experience: _____

Have you served on the LPC before? No Yes If yes, what years? _____

If you have served on any other MMA Committees, please note them: _____

Please indicate your primary issues of concern, and/or reasons for wanting to serve on the LPC:

Please give this completed form to your Board of Selectmen/Assessors or Council so that it can be returned with the Nomination Form, or send it directly to Laura Veilleux at MMA:

Maine Municipal Association
60 Community Drive
Augusta, ME 04330
FAX: 624-0129

Thank You!



Check One: Initial Application
 Application for Reappointment

A-3-c

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: McVeigh Sarah
LAST FIRST MI
ADDRESS: 127 Sunken Bridge Rd Winterport, ME 04494
STREET MAILING
TELEPHONE: 223-4281
HOME WORK
OCCUPATION: Interpreter
BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: Laura Holt Memorial Pool
SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? In the past I organized and ran the
Winterport ^{summer} Rec program. I was editor of Maine
RID news letter for 5 years. I also helped
plan and organize the Winterport Apple Fest...

Are there any issues you feel this board or committee should address, or should continue to address? _____

- 3 YEAR
- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- DYER LIBRARY
- RECREATION COMMITTEE
- ZONING BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- 5 YEAR
- PLANNING BOARD

FOR TOWN USE ONLY
Date Application Received **MAY 15 2012**
APPOINTMENTS COMMITTEE ACTION: _____ DATE: _____
COUNCIL ACTION: _____ DATE: _____
____ NEW APPT ____ REAPPOINTMENT DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

A-3-d

NAME: Barrett David J
LAST FIRST MI
ADDRESS: 5 Independence Ave Hampden 04444
STREET TOWN ZIP

MAILING ADDRESS (if different):

TELEPHONE: 207 862 3685 HOME 581 1978 WORK

EMAIL: LLABAK@yahoo.com

OCCUPATION: Professor

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: Library

SECOND CHOICE (OPTIONAL):

How would your experience, education and/or occupation be a benefit to this board or committee? CPA, 3 children, several prior years on the board already

Are there any issues you feel this board or committee should address, or should continue to address?

- CONSERVATION COMMITTEE
BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
ECONOMIC DEVELOPMENT COMMITTEE
FRIENDS OF DOROTHEA DIX PARK

3 YEAR

- DYER LIBRARY
RECREATION COMMITTEE
BOARD OF APPEALS
HISTORIC PRESERVATION COMMITTEE
TREE BOARD

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY
Date Application Received: MAY 09 2012
COUNCIL COMMITTEE ACTION: DATE:
COUNCIL ACTION: DATE:
NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES:

Cedena McAvoy brought the meeting to order at 7:00 pm.

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

The secretary's minutes from March were accepted as presented.

The Director's Report:

- ~ The number of participants in March was down 510 people and daily receipts were down \$6,308 compared to last year.
- ~ The pool rental income in March was down \$185 compared to last year.
- ~ The monthly fuel report will be included in next month's packet. The information was not available.

The treasurer's report was reviewed but not voted upon due to Jim's absence.

Darcey received David Hawkins resignation letter from the pool board. She will contact the person who has shown interest in the position.

The capital campaign pledge amount is at \$15,100. Of that, \$9,460 has been banked and the rest is in promised pledges over the next two years.

Darcey reported that the first round of bids for the air handler was rejected because the amounts were too high. The engineers have made alternative options/modifications to the plans and had a re-bid process. Two companies submitted bids. The amounts ranged from \$179,000-\$250,000. The \$179,000 bid had some language written into proposal stating that the amount may need to be higher if there are structural issues once starting the project. Darcey attended the Services Committee and they have now sent the air handler project to the Finance Committee. Darcey will attend the April 23rd meeting. Cedena has agreed to attend on behalf of the board. The Finance Committee will need the information from the board members on what has taken place to this point and what is planned for the upcoming months. The board members will write a short summary for Darcey before the April 23rd meeting.

Capital Campaign Report: John reported that his business contacts went well. He gave Darcey a check for \$1,000 from one business and another has agreed to a \$1,200 banner. He also applied for five different grants this past month. Karen made contact with all her businesses and had to fill out request through corporate headquarters for two of her businesses. She has agreed to help Mary Ellen with her list of businesses and will be contacting them this month. Greg will work on his list of businesses this month as well.

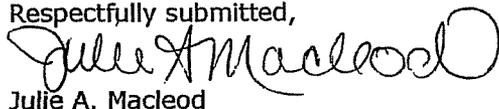
Greg reported that Hampden Kiwanis has agreed to host the Capital Campaign Spaghetti Supper on Saturday, May 19th. There will be three settings; 4:30pm, 5:30pm and 6:30pm and the cost will be \$7 per adult and \$5 per student. The Kiwanis will provide the spaghetti, sauce, salad and bread. Darcey will contact a local bakery to see if they are willing to donate the desserts. Greg will design the tickets and will have a tear away section that the patron will fill out to be entered in to the door prize. The door prize will be a three month family membership to the pool. The pool will also be selling 50/50 raffle tickets. Greg will talk to the Hampden Academy Key Club to see if anyone is willing to volunteer to bus tables and Darcey is going to contact Cedena about the possibility of getting tee-shirts printed for the volunteers.

The nominating committee, composed of Karen & Norm, proposed their list of officers for next year's pool board.

Co-chairman: Cedena McAvoy and Greg Hawkins
Secretary: vacant
Treasurer: Mary Ellen Connor

Meeting adjourned at 8:00pm.

Respectfully submitted,



Julie A. Macleod

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES

Monday, April 23, 2012

Attending:

Mayor Janet Hughes	Town Manager Sue Lessard
Councilor Jean Lawlis	Councilor Jeremy Williams
Councilor Shelby Wright	Councilor Tom Brann
Councilor Andre Cushing	

1. Minutes of 4/2/2012 Meeting – No changes or corrections were made to the minutes.
2. Review & Signature of Warrants – Warrants were reviewed and signed by Committee members.
3. Old Business
 - a. Pool Air Handler – Financing – Services Committee had recommended the award of the air handler replacement go to Mechanical Services for a not-to-exceed expenditure of \$200,000. The Pool Director presented a funding proposal to the Committee that included the use of Capital Campaign funds (\$16,100), pool endowment funds (\$8,900), pool reserve funds (\$50,000), Garage Modification Reserve funds (\$20,000) and a loan from the Host Community Benefit Account in an amount not to exceed \$100,000 to be repaid over 8 years. After considerable discussion over the future of the pool, funding, and long term maintenance a motion was made by Councilor Lawlis, seconded by Councilor Wright to recommend to the full council the award of the air handler replacement to Mechanical services for an amount not to exceed \$200,000 and to fund it as presented. Vote 6-0.
 - b. Town Insurance (Auto, Property & Casualty, and Liability) to bid. Motion by Councilor Lawlis, seconded by Councilor Brann to authorize the Town Manager to put the Town's property and casualty insurance out to bid for the 2012/2013 year. Unanimous vote.
 - c. Outside Agency Requests – Development of Process – The Town Manager presented a draft Non-Municipal Entity Funding Request Policy to the Committee and asked them to review it in preparation for a discussion at the next Finance Committee meeting. Resident Lisa Kelley expressed concern over the funding of non-municipal entities with tax dollars. She indicated that her research had shown that there are over 500 entities regionally that may qualify for such funding.

4. New Business

- a. Playground Equipment Bid Results – Services Committee Recommendation – Recreation Director Kurt Mathies presented bids received for the expansion of the playground at the Lura Hoit Pool. Services Committee had recommended that Design Option II be awarded to M.E. O'Brien at cost of \$20,922. The Director explained that funding of the playground would come from the Recreation Clearing Account which are the funds generated by the payment of program fees to the department. Motion by Councilor Wright, seconded by Councilor Brann to recommend to the full Council the approval of Design Option II to M.E. O'Brien at a cost of \$20,922. Unanimous vote.

5. Public Comment - None

6. Committee Member Comments – None

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

Respectfully submitted,



Susan Lessard

Town Manager

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES

Monday, May 7, 2012

Attendance:

Mayor Janet Hughes
Councilor Jean Lawlis
Councilor Shelby Wright
Councilor Tom Brann
Councilor Andre Cushing
Councilor Kristen Hornbrook (6:30 p.m.)

Sue Lessard, Town Manager
Chip Swan, Public Works Director

1. Review & Signature of Warrants - Committee members reviewed and signed the payment warrants.
2. Old Business
 - a. Outside Agency Requests Policy – Committee members reviewed the draft presented by the Town Manager at the 4/23/12 meeting. A recommendation was made to clarify that the attendee at the Council budget workshop had to be an authorized representative of the organization requesting funding and a second recommendation was made to include as a preference those entities whose purpose was consistent with the Town's Comprehensive Plan. Motion by Councilor Brann, seconded by Councilor Lawlis to recommend to the full Council adoption of the proposed Non-Municipal Organization Funding Protocol including the suggested changes. Unanimous vote.
 - b. Revised Town Council Rules – The draft policy was reviewed along with recommended changes by the Town Attorney. It was suggested that the Town Attorney recommendation for the change in number of days for the FOAA training be made to 120 days to be consistent with state law. It was also suggested that the provision in the existing Council Rules regarding the requirement that it take unanimous council consent to allow a member of the public to speak on an agenda item after the public comment period has passed and a motion and second have been made by the Town Council be included in this version. Also discussed was a provision that required an affirmative vote of the Town Council to extend a Council Meeting beyond 10 p.m. Motion by Councilor Wright, seconded by Councilor Lawlis to recommend to the full Council the adoption of the draft with the suggested changes as identified. Vote 4-1 (Hughes).
3. New Business

- a. Paving Bids – Public Works Director Chip Swan presented the paving bids. Five bids were received and the Infrastructure Committee recommendation was to accept the low bid from B & B Paving at a rate of \$73.25/ton for machine placed pavement and \$100/ton for hand placed pavement. Funding for the project is recommended to come from \$150,000 in the operating budget and up to \$150,500 from the Streets and Roads reserve. Motion by Councilor Brann, seconded by Councilor Cushing to approve the recommendation of the Infrastructure Committee to award the contract to B & B Paving for a price of \$73.25/ton for machine placed and \$100/ton for hand placed mix with funding from operating and reserve account as recommended. Unanimous vote.
- b. Local Option Exemption for Residents Permanently Stationed or Deployed outside of State – The Town Manager explained that the number of persons likely to qualify for this exemption is relatively small – estimated at 5 or so – and that it makes the exemption consistent with existing State law for residents permanently stationed IN Maine. Motion by Councilor Lawlis, seconded by Councilor Wright to refer the item back to Planning & Development with the information that the fiscal impact of such an ordinance is believed to be minimal. Unanimous Vote.
- c. Playground – This item was referred back from the Council for additional information. Recreation Director Kurt Mathies explained the funding mechanism for the recreation department. Salary and benefits is funded from property taxation for himself and the assistant director. All other costs of staff and programs and equipment are funded from the enterprise account which is the fee-based account. Fees paid for programs pay for the program itself but also have a component that allows the Town to accumulate funds to be used for the purpose of purchasing equipment and making program improvements. That account is called the Recreation Clearing account. The proposed playground would be funded from that fund as a legitimate way to improve programs from the fees paid by users. Motion by Councilor Wright, seconded by Councilor Brann to refer the item to the Council with a recommendation to award the bid for Design Option II to ME O'Brien for and fund it from the recreation clearing account. Vote 5-0-1 (Hornbrook abstained)

4. Public Comment - None

5. Committee Member Comments – None

Respectfully submitted,

Susan Lessard
Town Manager

C-2-a

ELECTION CLERKS
GENERAL/REFERENDUM ELECTION
and
MUNICIPAL ELECTION
NOVEMBER 8, 2011

7:30 a.m. to 2:00 p.m.

2:00 p.m. to 9:30 p.m.

BALLOT CLERKS:

Betty Hickson
Patricia Totman

Jenny Sass
Susan Palmer

Phyllis Bartlett
Trudy Dunton

Lisa Gadoury
Deanna Patterson

Lisa Kelley (10:30 am – 1:30 pm)
Melinda Nesbit (10:30 am – 1:30 pm)

Kay Carter (4:00 – 9:00 pm)
Tammy Ewing (8:00-9:30 pm)

BALLOT BOX:

Suzanne Mock

Judy Edgerly

DEPUTY WARDEN:

Carolyn Hopkins

Vivian Gresser

WARDEN:

Denise Hodsdon, Town Clerk

VOTER REGISTRATION:

8:00 am to 2:00 pm

2:00 pm to 8:00 pm

Amy Eaton
Susan Hall

Amy Eaton
Debora Lozito

C-3-a



TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner *RO*
SUBJECT: Planning Board Recommendation on Draft Zoning Ordinance Text Amendment to Create a Waterfront 1 District Referral Item.
DATE: May 10, 2012

Please be advised that the Hampden Planning Board at their May 9, 2012 meeting voted unanimously to return the attached Zoning Ordinance text amendment and map amendment to the Town Council with an ought to pass recommendation. The Board held public hearings on the proposed amendments at their April 11, 2012 meeting and the only public comment was from Town Staff. Subsequently the item was sent to the Planning Board Ordinance Committee at their meeting on May 9, 2012. The committee recommended two modest changes to the text amendment which the full Board included with their ought to pass recommendation.

First they proposed that the citation in Article 3.16.5.2 be clarified that it is referring to *MRSA Title 28-A Section 1051(3)* (State law governing serving of alcoholic beverages for outdoor restaurants).

Second, they proposed that Article 3.16.5.4 be added to clarify the access requirements of new lots in the district (given that this area lacks town streets):

4. *All new lots in the district are to be served by and have access to a paved right-of-way leading to a public way. Such right-of-way shall be dimensionally adequate to accommodate two-way traffic and utility services.*

Regarding the map amendment it should be noted that there are three parcels that are proposed to be changed from Commercial Service District to Waterfront 1 District. They are Tax Map 19, Lots 31 and 31-A and Tax Map 28, Lot 17-A.

TOWN OF HAMPDEN

Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

3.16. Waterfront 1 District

3.16.1. Purpose - This district is intended for the location of a wide variety of water dependent and water related uses as well as commercial retail and service uses. In general this area is devoted to uses that are consistent with the Shoreland Zoning General Development uses. Furthermore it is recognized that limited land area is available for such uses thus innovative development standards are required.

3.16.2. Permitted Uses (Subject to Site Plan Review) - Any retail or service business, boat sales, service and storage, hotel and motels, business or professional offices, take-out restaurant, small restaurant, sit-down restaurant, place of assembly, outdoor recreation and accessory uses or structures. Essential service and buildings for essential service.

3.16.3. Conditional Uses (Subject to Site Plan Review) - Outdoor dining restaurant, tavern, bar, dance hall, commercial school, Functionally water-dependent uses along the Penobscot River. Any establishment which provides in excess of 5,000 square feet of outdoor display or storage of goods or equipment. Stockpiles (subject to Article 4.9) not accessory to excavation, gravel pit and quarry activities.

3.16.4. Lot Dimensions

<u>Minimum Lot Area</u>	-	<u>20,000 sq. ft.</u>
<u>Minimum Road Frontage</u>	-	<u>none</u>
<u>Minimum Setbacks:</u>		
<u>Street Yard</u>	-	<u>10 feet</u>
<u>Other Yards</u>	-	<u>10 feet</u>
<u>Maximum Ground Coverage</u>	-	<u>50 percent</u>
<u>Maximum Building Height</u>	-	<u>35 feet</u>

3.16.5. Special District Regulations

1. Notwithstanding the maximum building height regulations in Article 3.16.4, building height may be up to 50 feet under the following standards. Buildings in excess of 35 feet in height shall provide additional setbacks on all yards as herein stipulated: Subtract 35 feet from the proposed building height and add that difference to each yard setback requirement.

EXAMPLE: A 48 foot tall building is proposed. By subtracting the base Commercial Service District maximum building height from the proposed height the following is the result 48' - 35' = 13'.

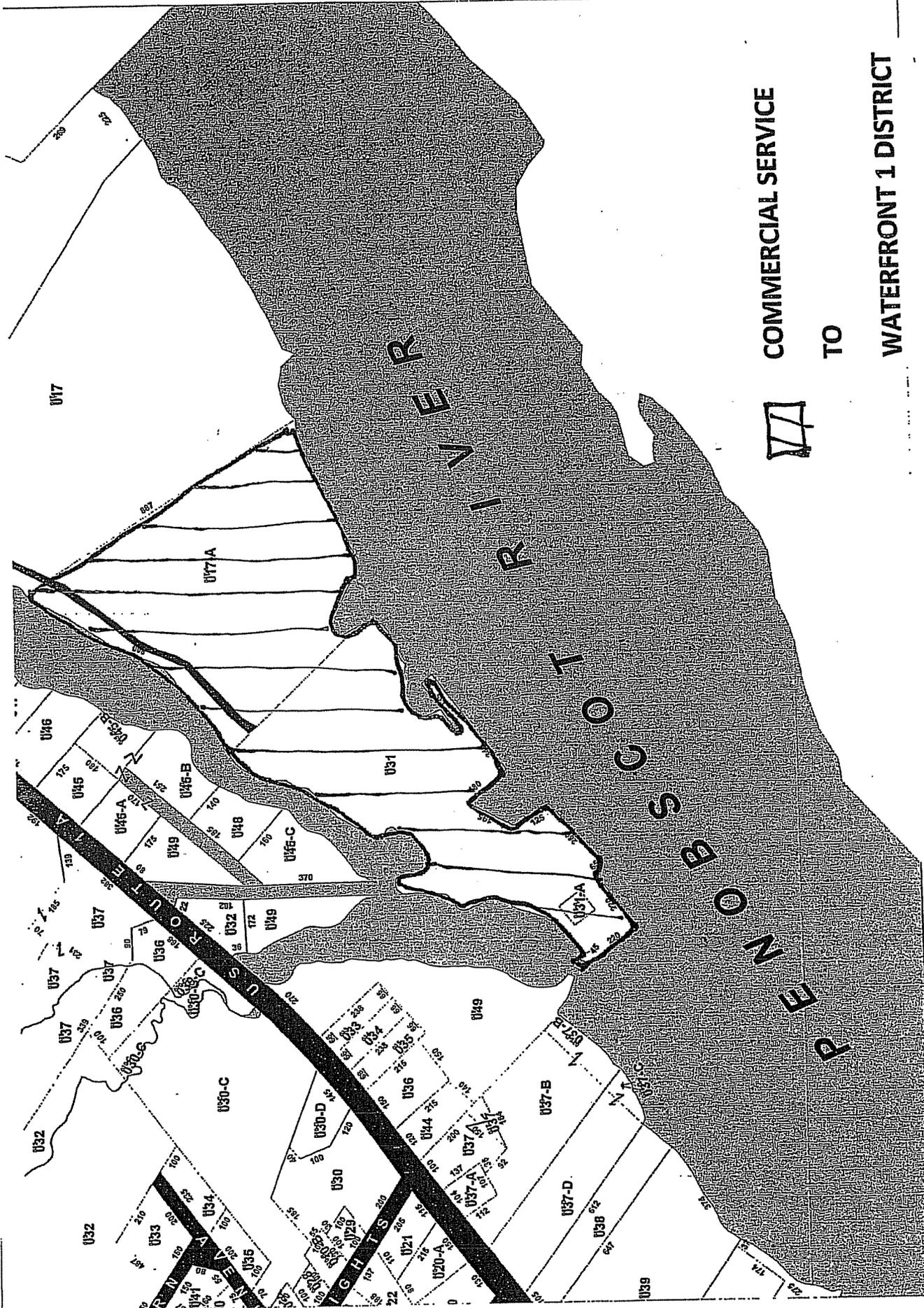
Then add that amount to each yard or setback.

<u>Setback Type</u>		<u>Base Setbacks:</u>	<u>Total Setback</u>
<u>Street Yard</u>	<u>-</u>	<u>10 feet</u>	<u>23 feet</u>
<u>Other Yard</u>	<u>-</u>	<u>10 feet</u>	<u>23 feet</u>

2. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. Title 28-A Section 1051(3). Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. Title 28-A: LIQUORS §1051. Licenses generally which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers.

3. Notwithstanding the maximum building height regulations buildings used for functionally water-dependent uses along the Penobscot River are not subject to the maximum building height standard in Article 3.16.4. or 3.16.5.1. provided the lot area for such a use is at least five acres in size.

4. All new lots in the district are to be served by and have access to a paved right-of-way leading to a public way. Such right-of-way shall be dimensionally adequate to accommodate two-way traffic and utility services.

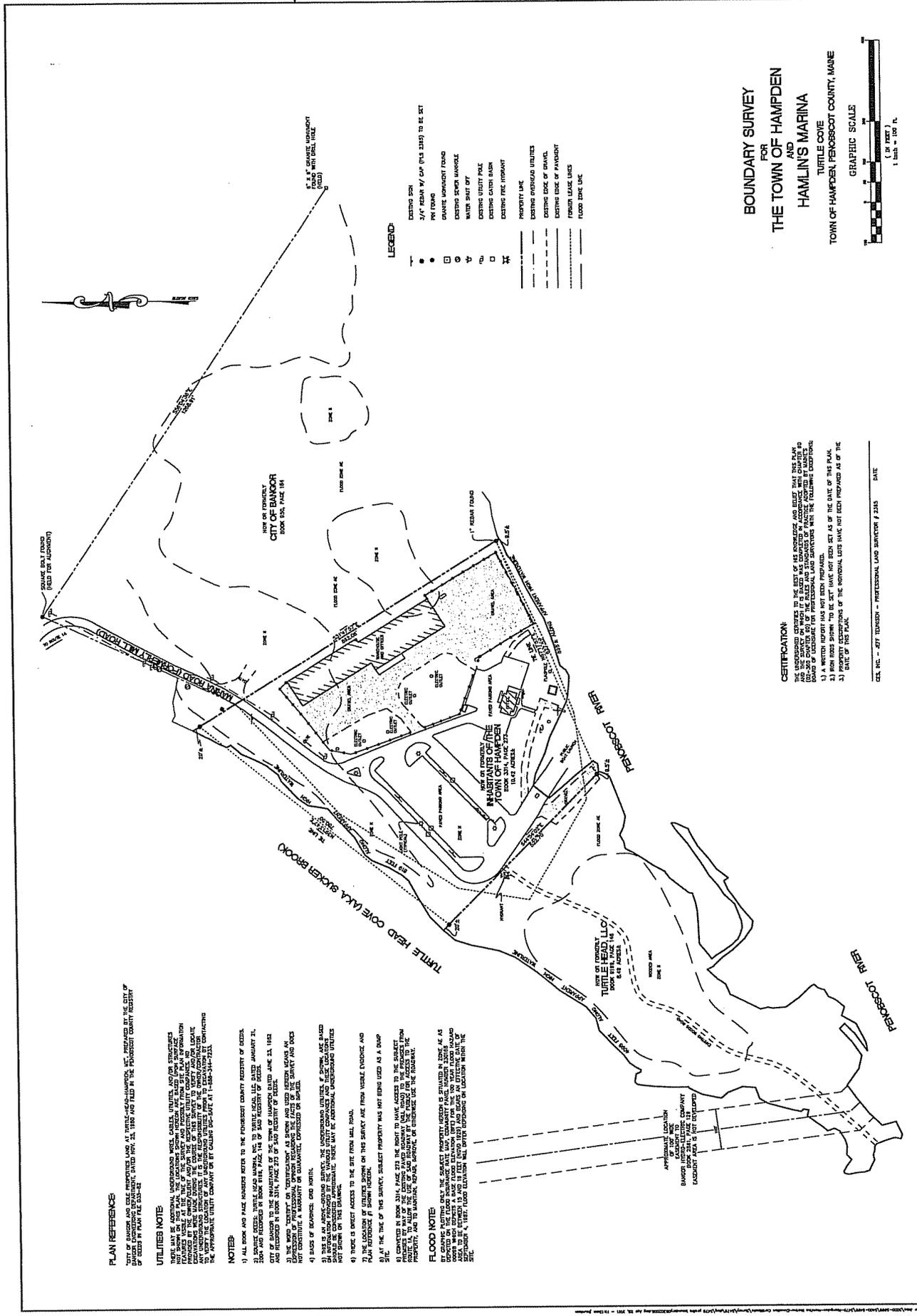


COMMERCIAL SERVICE

TO

WATERFRONT 1 DISTRICT





PLAN REFERENCE

TOWN OF HAMPDEN AND HAMPTON MARINA, MAINE, PREPARED BY THE CITY OF HAMPDEN, MAINE, DATED NOV. 21, 1988 AND FILED IN THE TOWN OF HAMPDEN, MAINE, BY DEED IN PLAIN FILE 103-12.

UTILITIES NOTE

THERE MAY BE ADDITIONAL UNDEGROUND WORK, CABLES, UTILITIES, AND/OR STRUCTURES LOCATED WITHIN THE BOUNDARIES OF THIS SURVEY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS AND HAS BEEN ADVISED BY THE CITY OF HAMPDEN THAT THERE ARE NO ADDITIONAL UTILITIES OR STRUCTURES LOCATED WITHIN THE BOUNDARIES OF THIS SURVEY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS AND HAS BEEN ADVISED BY THE CITY OF HAMPDEN THAT THERE ARE NO ADDITIONAL UTILITIES OR STRUCTURES LOCATED WITHIN THE BOUNDARIES OF THIS SURVEY.

NOTES:

- 1) ALL BOOK AND PAGE NUMBERS REFER TO THE PROMPT COUNTY RECEIPT OF RECORD.
- 2) RECORD RECORDS: TURTLE HEAD MARINA, INC. TO TURTLE HEAD LLC DATED JANUARY 21, 2004 AND RECORDS IN BOOK 818, PAGE 114 OF SAID RECEIPT OF RECORD.
- 3) RECORD RECORDS: TURTLE HEAD MARINA, INC. TO TURTLE HEAD LLC DATED JUNE 24, 1988 AND RECORDS IN BOOK 818, PAGE 114 OF SAID RECEIPT OF RECORD.
- 4) THIS SURVEY IS A CONTINUATION OF THE SURVEY OF TURTLE HEAD MARINA, INC. TO TURTLE HEAD LLC DATED JUNE 24, 1988 AND RECORDS IN BOOK 818, PAGE 114 OF SAID RECEIPT OF RECORD.
- 5) THIS SURVEY IS A CONTINUATION OF THE SURVEY OF TURTLE HEAD MARINA, INC. TO TURTLE HEAD LLC DATED JUNE 24, 1988 AND RECORDS IN BOOK 818, PAGE 114 OF SAID RECEIPT OF RECORD.
- 6) THERE IS EASEMENT ACCESS TO THE SITE FROM HILL ROAD.
- 7) THE LOCATION OF UTILITIES SHOWN ON THIS SURVEY ARE FROM VISUAL EVIDENCE AND PLAN REFERENCE TO SHOWN RECORDS.
- 8) THE USE OF THIS SURVEY, SUBJECT PROPERTY WAS NOT BEING USED AS A SWAMP OR OTHER WETLANDS AT THE TIME OF THIS SURVEY.
- 9) CONVEYANCE IN BOOK 314, PAGE 278 TO THE RIGHT TO HAVE ACCESS TO THE SUBJECT PROPERTY TO ALLOW THE USE OF SAID PROPERTY BY THE TOWN OF HAMPDEN TO THE PROPERTY, AND TO MAINTAIN, REPAIR, REPLACE, OR OTHERWISE USE THE INFRASTRUCTURE.

FLOOD NOTE

BY GRANTING PLACING ONLY THE EXACT PROPERTY BOUNDARIES AS SHOWN IN THIS PLAN, AS SHOWN IN THE PLAN, THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS AND HAS BEEN ADVISED BY THE CITY OF HAMPDEN THAT THERE ARE NO ADDITIONAL UTILITIES OR STRUCTURES LOCATED WITHIN THE BOUNDARIES OF THIS SURVEY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS AND HAS BEEN ADVISED BY THE CITY OF HAMPDEN THAT THERE ARE NO ADDITIONAL UTILITIES OR STRUCTURES LOCATED WITHIN THE BOUNDARIES OF THIS SURVEY.

CERTIFICATION

THE UNDERSIGNED CERTIFIES TO THE BEST OF HIS KNOWLEDGE AND BELIEF THAT THIS PLAN AND THE DATA ON WHICH IT IS BASED ARE TRUE AND CORRECT AND THAT HE IS A LICENSED PROFESSIONAL LAND SURVEYOR WITH THE FOLLOWING EXCEPTIONS:
 1) A WRITTEN REPORT HAS BEEN PREPARED BY THE SURVEYOR.
 2) THIS SURVEY HAS NOT BEEN SEEN AS OF THE DATE OF THIS PLAN.
 3) PROPERTY REPRESENTATIONS OF THE INDIVIDUAL LOTS HAVE NOT BEEN PREPARED AS OF THE DATE OF THIS PLAN.

CESS, INC. - JEFF THURSDAY - PROFESSIONAL LAND SURVEYOR # 2345 DATE

BOUNDARY SURVEY
 FOR
 THE TOWN OF HAMPDEN
 AND
 HAMPTON MARINA
 TURTLE HEAD COVE
 TOWN OF HAMPDEN, PENOBSCOT COUNTY, MAINE

GRAPHIC SCALE
 1 inch = 100 ft.
 (OR FEET)



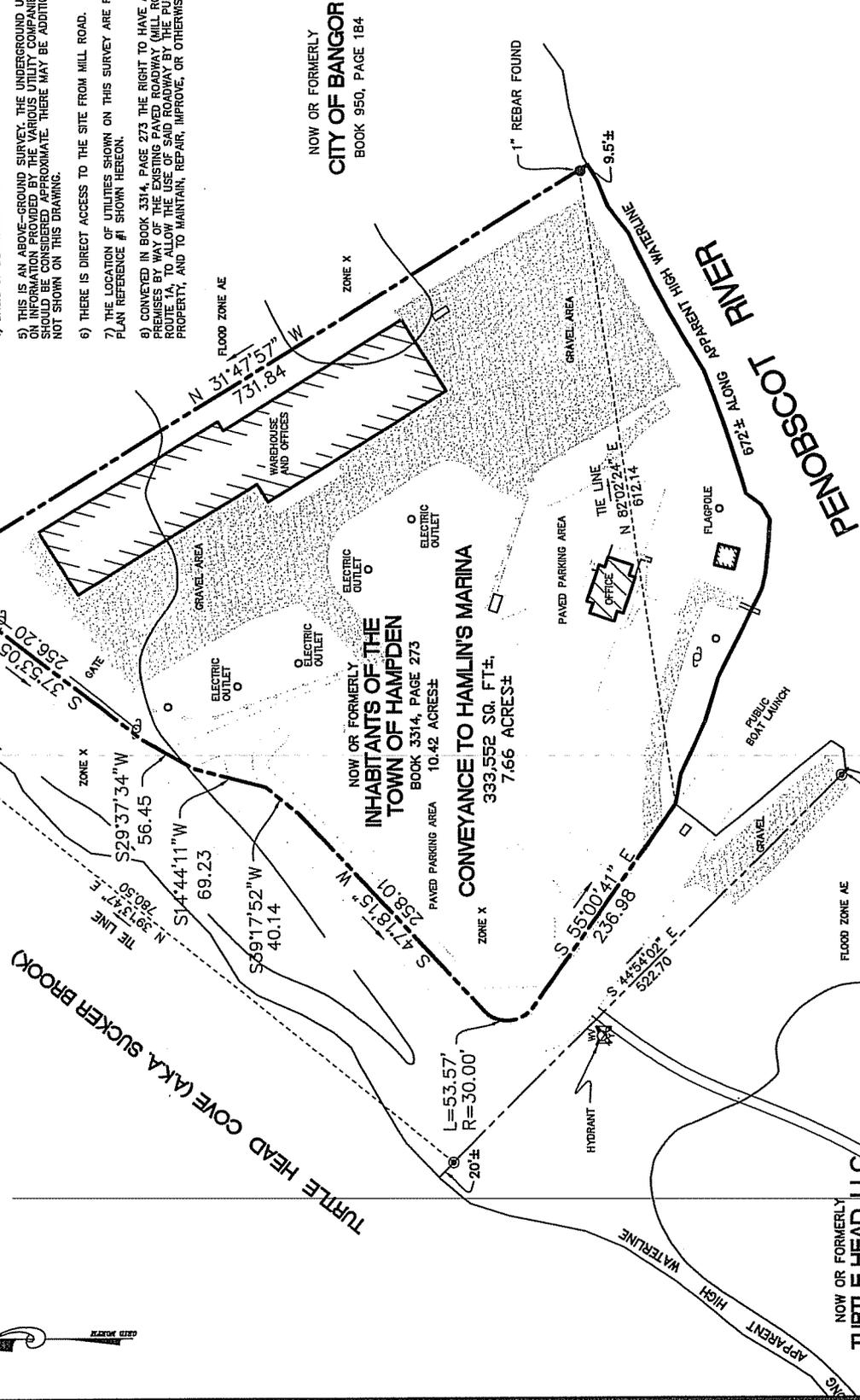
LEGEND

- EXISTING STON
- 3/4" REBAR W/ CAP (1/4" DIA. 2885) TO BE SET
- PROPERTY LINE
- EXISTING OVERHEAD UTILITIES
- EXISTING EDGE OF GRAVEL
- EXISTING EDGE OF PAVEMENT
- REBAR LEASE LINES
- FLOOD ZONE LINE
- EXISTING UTILITY TRENCH
- EXISTING UTILITY PILE
- EXISTING CATCH BASIN
- EXISTING FIRE HYDRANT
- PROPERTY LINE
- EXISTING OVERHEAD UTILITIES
- EXISTING EDGE OF GRAVEL
- EXISTING EDGE OF PAVEMENT
- REBAR LEASE LINES
- FLOOD ZONE LINE

PLAN REFERENCE:

CITY OF BANGOR AND COLE PROPERTIES LAND AT TURTLE HEAD--HAMPTON, ME, PREPARED BY THE CITY OF BANGOR ENGINEERING AND SURVEYING DEPARTMENT, DATED NOV. 25, 1980 AND FILED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN PLAN FILE 035-92.

- NOTES:**
- 1) ALL BOOK AND PAGE NUMBERS REFER TO THE PENOBSCOT COUNTY REGISTRY OF DEEDS.
 - 2) SOURCE DEEDS: TURTLE HEAD, MARINA, INC. TO TURTLE HEAD, LLC, DATED JANUARY 21, 2004 AND RECORDED IN BOOK 9169, PAGE 146 OF SAID REGISTRY OF DEEDS.
 - 3) CITY OF BANGOR TO THE INHABITANTS OF THE TOWN OF HAMPTON DATED JUNE 23, 1982 AND RECORDED IN BOOK 3314, PAGE 273 OF SAID REGISTRY OF DEEDS.
 - 4) THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
 - 5) BASIS OF BEARINGS: GRID NORTH.
 - 6) THIS IS AN ABOVE-GROUND SURVEY. THE UNDERGROUND UTILITIES, IF SHOWN, ARE BASED ON INFORMATION PROVIDED BY THE VARIOUS UTILITY COMPANIES AND THESE LOCATIONS SHOULD BE CONSIDERED APPROXIMATE. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES NOT SHOWN ON THIS DRAWING.
 - 7) THERE IS DIRECT ACCESS TO THE SITE FROM MILL ROAD.
 - 8) THE LOCATION OF UTILITIES SHOWN ON THIS SURVEY ARE FROM VISIBLE EVIDENCE AND PLAN REFERENCE #1 SHOWN HEREON.
 - 9) CONVEYED IN BOOK 3314, PAGE 273 THE RIGHT TO HAVE ACCESS TO THE SUBJECT PREMISES BY WAY OF THE EXISTING PAVED ROADWAY (MILL ROAD) TO THE PREMISES FROM ROUTE 1A, TO ALLOW THE USE OF SAID ROADWAY BY THE PUBLIC FOR ACCESS TO THE PROPERTY, AND TO MAINTAIN, REPAIR, IMPROVE, OR OTHERWISE USE THE ROADWAY.



DWG:	1 OF 1
BY:	JAT
DATE:	10-13-2011
REV:	5479
SCALE:	1"=150'

**TOWN OF HAMPTON TO HAMLIN'S MARINA
TOWN OF HAMPTON
PROPERTY CONVEYANCE EXHIBIT**

NOW OR FORMERLY
TURTLE HEAD, LLC
BOOK 9169, PAGE 146
8.49 ACRES±

NOW OR FORMERLY
CITY OF BANGOR
BOOK 950, PAGE 184

HAMPDEN TOWN COUNCIL RULES

1. The Town Council shall only act by ordinance, order, or resolve. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title. All orders and resolves shall be dated, numbered, and signed by the Town Clerk and the Town Councilors will receive a copy.
2. In all motions of command, the form of expression shall be 'ordered' and in all motions concerning principles, facts, or purposes, the form shall be 'resolved'.
3. The name of the Council member or other person, persons, or group requesting an item on the agenda will be indicated on the agenda with the said item.
4. As a matter of courtesy, conduct for all Council and Committee meetings shall be as follows:
 - a. Cell phones shall be silenced during Council & Committee meetings by Town Councilors, staff, and the general public.
 - b. Councilors and staff shall refrain from texting or emailing during all Council or Committee meetings.
 - c. Cell phone use, texting, and email may be done during breaks in regular or special Council meetings or committee meetings.
5. Town Councilors shall participate in Freedom of Information Act training within 120 days of being sworn in as a Town Councilor and documentation of that training shall be filed with the Town Clerk.
6. Town Councilors shall participate in Elected Officials training offered by the Maine Municipal Association within the first year of office.
7. A New Councilor orientation packet shall be provided to all Councilors at the time they are sworn in.
8. Excused absences for Councilors for Council meetings may be granted as the result of illness, vacation, work commitments, or family illness.
9. The Mayor shall take the chair at the appointed time for the meeting, call the members to order, and proceed to the following order of business:
 - A. Consent Agenda
 1. Signatures – Treasurer's Warrants, etc
 2. Secretary's Report
 3. Communications
 4. Reports
 - B. Public Comments
 - C. Policy Agenda
 1. Public Hearings
 2. Nominations-Appointments – Elections
 3. Unfinished Business
 4. New Business
 - D. Committee Reports
 - E. Manager's Report

F. Councilor Comments

G. Adjournment

10. In the absence of the Mayor, the Deputy Mayor shall preside over the Town Council meeting. In the absence of the Deputy Mayor, the Mayor shall appoint, in advance, another Council to chair the meeting.
11. When a question is under debate, the Mayor shall receive no motion but to adjourn, or for the previous question, to lay on the table, or to postpone to a day certain, or to refer to a committee or some administrative official or to amend, or to postpone indefinitely; which several motions shall have precedence in order in which they stand arranged.
12. When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and when a motion or reconsideration is decided, that vote shall not be reconsidered.
13. When any member is about to speak, they shall respectfully address the Mayor, confine themselves to the question under debate, and avoid personalities. No member speaking shall be interrupted by another but by a call to order, or to correct a mistake.
14. Every member present, when a question is put, shall give their vote, unless the Council, for special reasons, shall excuse them. Application to be so excused must be made before debate on the issue and the decision on the application shall be made by a majority vote of the council without debate.
15. The rules cannot be dispensed with or suspended if one or more members of the council shall object. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.
16. Any person wishing to address the Town Council will be given the opportunity to do so in accordance with the following procedure:
 - a. Persons wishing to address the Council on an item which appears on the agenda shall wait until the Mayor announces the consideration of such item, at which time they may address the Council on that particular item. There shall be a five minute limit on such comments per person, per item. In the event that a large number of persons wish to speak on an issue, this limit may be changed to insure that all who wish to speak have the opportunity to do so. Once public comment on an item has closed and a motion and second has been made by members of the Town Council, further public comment is only allowed if approved by a unanimous vote of the Town Council.
 - b. Any person wishing to address the Council on an item not appearing on the agenda shall be allowed to do so only in that section of the agenda referred to as "Public Comments". There shall be a five minute limit on such

comments per person per subject raised. Items heard during Public Comment may be agendaed for a subsequent meeting or referred to a Committee or staff member for discussion/action. No votes may be taken by the Council on a subject raised during Public Comment without a vote by the Council to set aside the rules and add it to the regular agenda for consideration.

- c. Any person wishing to address the Council shall signify their desire by raising their hand and, when recognized by the Mayor, such person shall thereupon request permission to address the Council, giving their name and address and then designating the subject matter on which they desire to address the Council.

17. At the commencement of the Calendar year, or as soon thereafter as possible, there shall be chosen the following Committees, each Committee to consist of three (3) members of the Council as the Mayor may designate, or, upon a motion, the Council may ballot.

- a. Finance & Administration – The purpose of this committee shall be to review all items related to their fiscal impact on the Town as well as all matters that pertain to items of administrative procedures. This committee will also have the responsibility for the review and signature of all payment warrants.
- b. Services Committee – The purpose of this committee shall be to review all matters related to services provided by the Town related to recreation, parks, trails, the library, the pool, and other items related to non-emergency or public works services provided in the community
- c. Infrastructure – The purpose of this Committee shall be to review all matters pertaining to public infrastructure including buildings, roads, and all town capital equipment.
- d. Planning & Development – The purpose of this Committee shall be to review all matters related to all ordinances of the Town and all proposals for economic & community development.
- e. Communications – The purpose of this Committee shall be to review all matters related to the Town Website, Town Newsletter, Town Cable Channel 7, and other town sponsored communication activities.

18. Committee procedure shall be governed as follows:

- a. All Committees will be required to post an agenda at least 48 hours prior to the meeting and no issue may be voted on unless it is agendaed.
- b. It shall be the responsibility of the Committee Chair to discuss the development of the meeting agenda with the assigned staff person at least 24 hours before the meeting is required to be posted.

- c. The assigned staff member shall prepare and post the agenda.
 - d. Draft minutes of each meeting will be prepared by the staff member supporting the committee within three business days.
 - e. Committee meeting minutes shall be posted on the Town website following their voted approval by the Committee.
 - f. Non-committee Council members attending a Committee meeting will have voting rights if they have been present for the entire discussion of an issue, providing that at least two of the three appointed members of the committee are present.
 - g. Two appointed members of the Committee shall constitute a quorum
 - h. The Mayor shall serve as an ex-officio member of all committees with the exception of Finance & Administration, and shall serve as a member and Chairperson of that Committee. The Mayor shall not count as an appointed member for the purpose of establishing a quorum at all other Committee meetings.
19. The Mayor of the Council may appoint members of the Council and/or citizens of the Town to special committees as authorized by the Council. No Committee shall have the power of executive action unless specifically authorized and shall report back to the Council for action on its recommendations or proposals.
20. In all cases where the parliamentary proceedings are not determined by the by foregoing rules and orders. "Roberts Rules of Order" shall be taken as authority to decide the course of proceedings.
21. The first and third Mondays of each month are designated as 'regular' council meetings with the provision that a unanimous vote of the council would cancel a meeting. Whenever a regular meeting falls on a legal holiday, such meeting will take place the following day.
22. Special meetings of the Town Council may be scheduled for other dates for special purposes. The agendas for such meetings shall be posted at the Post Office, Town Office, Town Bulletin Board, on the Town website, no less than 72 hours in advance of the meeting (unless an emergency meeting is needed for the purpose of dealing with an unanticipated Town emergency, in which case posting shall be to all normal posting locations and via email to local print media as soon as it is identified that a meeting will be held). The agenda for a Special Meeting shall be prepared as follows;
- A. Call to order
 - B. Subject(s) for meeting
 - C. Adjourn

The general public shall be allowed to comment on subjects at Special meetings in the same manner as for Regular Council meetings. There shall be no general Public Comment section for items not contained on the agenda for Special Council meetings.

23. Any item on the consent agenda can be set aside for discussion at the request of any Councilor, prior to a motion on the remainder of the consent agenda.
24. Council Meetings shall not extend beyond 10 p.m. without an affirmative vote of the Town Council.
25. The Councilor Comment section of the agenda is reserved for the purpose of enabling any Council member to discuss matters not previously mentioned on the agenda. No official Council action can be taken at this time.

This policy replaces the Council Rules last updated February 19, 2008.

TOWN OF HAMPDEN
NON-MUNICIPAL ORGANIZATION FUNDING REQUEST POLICY

As part of the annual budget review process, the Hampden Town Council shall consider whether to include budget requests from non-profit Non-Municipal Organizations. This decision shall be made after the municipal budget, including school, and county costs, has been presented. The annual amount of funding for non-municipal organizations shall not exceed \$20,000 without a super majority vote of the Town Council.

The following process shall be followed by interested organizations:

1. Application –

Non-profit and civic organizations seeking funding from the Town of Hampden shall meet the following criteria and provide the following information:

A. Eligibility criteria –

1. Organizations must provide a service/benefit to residents of the Town of Hampden
2. Organizations must be non-profit entities

B. Information/action required for consideration of request

1. Completion of non-municipal organization funding request form and submission of verifying documentation.
2. Attendance by an authorized representative of the entity requesting funding at the Hampden annual budget review session related to non-municipal funding requests

2. Evaluation

Non-municipal organization funding requests shall be evaluated according to the following criteria:

- A. Type of service/benefit provided & value to the community
- B. Availability of the service/benefit in the community
- C. Resident participation/benefit
- D. Preference

1. Preference shall be given to organizations located in the Town of Hampden
2. Preference shall be given to organizations who provide service to the community through volunteer activities
3. Preference shall be given to organizations that provide necessary services that may otherwise result in impacts to the municipal budget through line items such as general assistance.

4. Preference shall be given to organizations that offer desired services not otherwise available to Hampden residents.
5. Preference shall be given to entities whose purpose furthers goal(s) in the Town's Comprehensive Plan.



**TOWN OF HAMPDEN
NON-MUNICIPAL ORGANIZATION FUNDING REQUEST FORM**

Name of Organization: _____

Address : _____

Telephone number: _____

Email address: _____

Date Organization established: _____

Non-profit : Yes _____ No _____

501c3: Yes _____ No _____

Service/benefit provided to Hampden Residents:

Location(s) service(s)/benefit(s) provided:

Dollar value of service provided: _____

Documentation supporting this request must be included with the application.