



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

MAY 7, 2012

7:00 P.M.

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

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Goodwill Riders Snowmobile Club – Thank You Letter
- b. Victoria Levesque – New Application for Pool Board of Trustees – Referral to Services Committee
- c. Mike Jellison – New Application for Pool Board of Trustees – Referral to Services Committee
- d. David Caliendo – Application for Reappointment to Board of Assessment Review – Referral to Services Committee
- e. William Sinclair – New Application for Personnel Appeals Board – Referral to Finance & Administration Committee

4. REPORTS

- a. Infrastructure Committee Minutes – 4/30/2012

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Victualer's License received from MWP Enterprises LLC d/b/a Nealley's Corner Store at 1230 Kennebec Road
- b. Application for Victualer's License received from Anglers Restaurant at 91 Coldbrook Road
- c. Application for Liquor License received from Anglers Restaurant at 91 Coldbrook Road

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

- d. Proposed Code of Ethics Ordinance – Repeals existing Ordinance adopted on May 15, 2000
- e. Proposed Outdoor Facilities Ordinance – Repeals existing Dorothea Dix Park Ordinance and Papermill Road Recreation Area Ordinance

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Warrant and Notice of Election – SAD #22 Budget Validation Referendum – Countersigned by Council
- b. Notice of Election – State of Maine Primary Election
- c. Zachary Malloy – New Applicant – Board of Appeals – Planning & Development Committee Recommendation

3. UNFINISHED BUSINESS

- a. Western Avenue Recreation Area Playground Bid Results – Recommendations of Services Committee and Finance & Administration Committee
- b. Outdoor Facilities Rules & Regulations – Services Committee Recommendation
- c. Update re Old Hampden Academy Reuse

4. NEW BUSINESS

- a. Paving Bid Results – Infrastructure Committee and Finance & Administration Committee Recommendations
- b. 2012/2013 Budget:
 - 1. Public Safety
 - 2. Police
 - 3. Fire

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT



A-3-a

Goodwill Riders Snowmobile Club

April 18, 2012

Hampden Town Council
Town of Hampden
106 Western Ave.
Hampden, ME 04444

Subject: Goodwill Riders Snowmobile Club – 2012 Town Donation

Goodwill Riders Snowmobile Club would like to thank the Town of Hampden and the Hampden Town Counsel for its very generous donation of One Thousand Dollars for the 2011-2012 winter seasons.

This past winter season has been less than perfect as far as winter outdoor sports are concerned.

Goodwill Riders has been able to maintain our membership near the same level as the past few years and expects to enjoy the same support from our members during the 2012-2013 season.

We have plans for new projects on our trail system next fall that will benefit snowmobilers, cross country skiers and snowshoers in the upcoming season.

Again, Thank for your continued support.

Sincerely

Steve Eyles
Trail Master
Goodwill Riders Snowmobile Club



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN

A-3-b

APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Victoria Levesque G
LAST FIRST MI

ADDRESS: 116 Shaw Hill Rd P.O. Box 288
STREET MAILING

TELEPHONE: 862-3535 944-4206
HOME cell WORK

OCCUPATION: Teacher of Gifted - Fairmount School - Bangor

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Laura Hoit Pool - 2yr

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board on committee? Well educated w/ 2 Master's Degrees, therefore, able to analyze + evaluate information + good social skills/ with teacher experience able to communicate with variety of social strata + citizen of Hampden for 40+ years and support community services. (more on back)

Are there any issues you feel this board or committee should address, or should continue to address? always looking to provide opportunities for community members of all ages and being part of a community that supports on-going health opportunities. 3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL 2yr
- 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: <u>MAY 01 2012</u>
APPOINTMENTS COMMITTEE ACTION:	_____	DATE: _____
COUNCIL ACTION:	_____	DATE: _____
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

- Have taught Aerobics in Hampden for over 30 years,
and am a big believer in promoting good health for
all



Check One: Initial Application
 Application for Reappointment

TOWN OF HAMPDEN

A-3-c

APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Jellison Mike L
LAST FIRST MI

ADDRESS: 13 Summer Str. Hampden
STREET MAILING

TELEPHONE: 862-3153 745-1579 (c)
HOME WORK

OCCUPATION: Business & Community Liaison Barboret Job
Corps Academy

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: Lura Hoyt Memorial Pool

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee?
12+ yrs family member Lura Hoyt Pool -
Experienced in Outreach/Networking
Founding board member Orono/Veazie Lake League
State of Maine Parks Recreation Volunteer of the Year 1996

Are there any issues you feel this board or committee should address, or should continue to address?
Maintaining the financial sustainability of the pool -

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

FOR TOWN USE ONLY		Date Application Received <u>MAY 01 2012</u>
APPOINTMENTS COMMITTEE ACTION:	_____	DATE: _____
COUNCIL ACTION:	_____	DATE: _____
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One: Initial Application
 Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

A-3-d

NAME: CALLENDO, DAVID A.
LAST FIRST MI

ADDRESS: 28 CANAAN ROAD, HAMPDEN, ME 04444
STREET TOWN ZIP

MAILING ADDRESS (if different): SAME

TELEPHONE: (207) 862-3625 (207) 942-4626
HOME WORK

EMAIL: DAVID@BANGORREALESTATE.BIZ

OCCUPATION: REAL ESTATE BROKER

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: BOARD OF ASSESSMENT REVIEW

SECOND CHOICE (OPTIONAL):

How would your experience, education and/or occupation be a benefit to this board or committee? 15+ years as a member of the board of Assessment Review; 10+ years on the Town of Hampden Planning Board. Licensed Real Estate Broker for 18 years. Completed the State of Maine Assessor's Training Courses. Citizen of Hampden since 1965. Property owner in Hampden since 1976.

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: APR 26 2012

COUNCIL 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-e

NAME: SINCLAIR William H Jr
LAST FIRST MI

ADDRESS: 18 OLD COUNTY ROAD HAMPDEN 04444
STREET TOWN ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: 942-0517 N/A
HOME WORK

EMAIL: wsinclair@gmail.com

OCCUPATION: Retired

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: PERSONNEL APPEALS BOARD

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? Associate degree in Fire Science, 17 1/2 years as Fire Chief for Maine Air National Guard supervising 36 full & part time firefighters, AF management & supervisory school, 7 1/2 years Postal Union Representative

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
- FRIENDS OF DOROTHEA DIX PARK

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

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: APR 25 2012
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

INFRASTRUCTURE COMMITTEE MEETING MINUTES
MONDAY, APRIL 30, 2012

Attending:

Councilor Shelby Wright Councilor Kristen Hornbrook
Councilor Jean Lawlis Councilor Janet Hughes
Councilor Jeremy Williams Town Manager Sue Lessard
Public Works Director Chip Swan

1. Minutes of 3/26/2012 meeting – Motion by Councilor Williams, seconded by Councilor Hornbrook to approve the 3/26/12 minutes. Unanimous vote in favor.
2. Old Business - None
3. New Business
 - a) 2012 Paving Bids – Public Works Director Chip Swan presented the bid results from the 2012 Paving Bid. He was pleased to note that there were five bidders on the work and recommended that the Committee approve the bid from B & B paving at a price of \$73.25 per ton. The list of roads to be paved this year includes Patterson Road, Canaan Road, and Emerson Mill Road as well as the Municipal Office parking lot. The estimated total cost is approximately \$285,000. There is \$300,000 available in a combination of operating budget appropriation and Reserve Funds. Committee members discussed concerns over the poor condition of state roads and whether or not the Town should put off paving for a year since Town roads connect to these poorly maintained state roads. After considerable discussion over the safety aspect of maintaining good roads, the fact that putting off paving leads to more expensive reconstruction, and that the roads on the list are heavily travelled through roads, a motion was made by Councilor Hornbrook, seconded by Councilor Williams to recommend to the Council the approval of the low bid from B & B Paving for \$73.25 per ton and to refer the bids to the Finance Committee for a funding recommendation. Unanimous vote in favor.

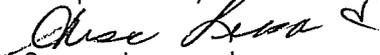
The Public Works Director also informed the Committee that he had received bids for road striping and crosswalk striping. Both projects are under the \$10,000 bid approval limit. Fine Line will be doing the road striping at a cost of \$6,540 and Wilson's Line Striping will be doing the crosswalk striping at a cost of \$3890.

The Public Works Director also notified the Committee that as part of the Route 1A reconstruction project, the town would be given the guardrail to replace the damaged one at the end of the Coldbrook Road.

4. Public Comment - None
5. Committee Member Comment - None

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

Respectfully submitted,



Susan Lessard
Town Manager



C-1-a

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/7/2012
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: Nealley's Corner Store Martin Panther
Business Name Individual

ADDRESS: 1230 Kennebec Rd. PHONE: 862-6150

MAP/LOT: Map 1, Lot 31 DATE: 4/17/2012

DEPARTMENT REPORT:

Appears to comply with the Town of Hampden
Victualer's Ordinance

DATE: 5/3/12

BY: [Signature]
Title: Code Enforcement Officer

BY: [Signature]
Title: FIRE/BUILDING INSPECTOR

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 4/12/12 PHONE NUMBER: 949-1001 Cell
862-6150

NAME(S): Martin Smith

ADDRESS: 1230 Kennebec Road Hampden Po

BOX
334

NAME OF BUSINESS: Nealley's Corner Store

LOCATION OF BUSINESS: 1230 Kennebec Rd

SIGNATURE: Martin Smith

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

[Signature]
Code Enforcement Officer

[Signature]
Fire Inspector/Building Inspector

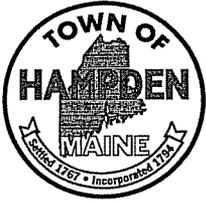
*All sewer user fees and personal property taxes are paid in full to date.

[Signature]
Tax Collector

[Signature]
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: APR 17 2012 / \$125.00
(Fee Includes Notice of Public Hearing)



C-1-b

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/7/2012
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: Anglers Restaurant John Moody
Business Name Individual

ADDRESS: 91 Coldbrook Rd. PHONE: 862-2121

MAP/LOT: Map 22, Lot 4 DATE: 4/9/2012

DEPARTMENT REPORT:

Appears to comply with the Town of Hampden
Victualer's Ordinance

DATE: 5/2/12

BY: [Signature]
Title: COD Enforcement Officer

BY: [Signature]
Title: FIRE/BUILDING INSPECTOR

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 4/9/2012 PHONE NUMBER: 207-862-2121

NAME(S): Anglers Inc.

ADDRESS: 64 W Evergreen Ln. Swanville, ME. 04915

NAME OF BUSINESS: Anglers Restaurant

LOCATION OF BUSINESS: 91 Coldbrook Rd

SIGNATURE: *John Moody*

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Ben Jh
Code Enforcement Officer

David A. [Signature]
Fire Inspector/Building Inspector

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

Cheryl M. Johnson
Tax Collector

Chris [Signature]
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: APR 09 2012 / \$125.00
(Fee Includes Notice of Public Hearing)

C-1-c



TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/7/2012
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: Analers Restaurant John Moody
Business Name Individual

ADDRESS: 91 Coldbrook Rd. PHONE: 862-2121

MAP/LOT: Map 22, Lot 4 DATE: 4/9/2012

DEPARTMENT REPORT:

No Concerns

DATE: 04/11/12

BY: [Signature]
Title: Deputy Public Safety

BY: _____
Title: _____

**Department of Public Safety
Division**



Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

<u>BUREAU USE ONLY</u>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES 5/19/2012

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

<input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV)	<input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)
<input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A)	<input type="checkbox"/> HOTEL (Class I,II,III,IV)
<input type="checkbox"/> CLASS A LOUNGE (Class X)	<input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I)
<input type="checkbox"/> CLUB (Class V)	<input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)
<input type="checkbox"/> TAVERN (Class IV)	<input type="checkbox"/> OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Anglers inc.</u> DOB: _____	2. Business Name (D/B/A) <u>Anglers Restaurant</u>
DOB: _____	
DOB: _____	Location (Street Address) <u>91 Coldbrook Rd</u>
Address	City/Town State Zip Code <u>Hampden</u> <u>Maine</u> <u>04444</u>
<u>60 West Evergreen Ln</u>	Mailing Address <u>91 Coldbrook Rd</u>
City/Town State Zip Code <u>Swanville</u> <u>ME</u> <u>04915</u>	City/Town State Zip Code <u>Hampden</u> <u>Maine</u> <u>04444</u>
Telephone Number Fax Number <u>207-322-5071</u> <u>862-2120</u>	Business Telephone Number Fax Number <u>(207)862-2121</u> <u>(207)862-2120</u>
Federal I.D. # <u>01-0531899</u>	Seller Certificate #

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ None FOOD \$ _____ LIQUOR \$ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: John Moody
8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: open Business hours: 11am - 8pm 7 days a week
9. Business records are located at: 91 Coldbrook Rd. Hampden, ME 04444
10. Is/are applicants(s) citizens of the United States? YES NO

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

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

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

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Albert Hall	3/1/1956	Sandford, ME
John Moody	12/11/1987	Milford, CT

Residence address on all of the above for previous 5 years (Limit answer to city & state)

Albert Hall - 64 W Evergreen Ln Swanville, ME

John Moody - Belfast, ME - Monroe, ME.

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES NO

Name: John Moody Date of Conviction: Oct 12, 2011

Offense: Operating Under the influence Location: Hampden, ME

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) See Attached Sheet

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/8 mile Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO
If YES, give details: mortgages thru Camden National Bank

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

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

Dated at: Hampden Maine on 3/19, 20 12

Signature of Applicant or Corporate Officer(s): Albert Hall, Pres

Please sign in blue ink

Signature of Applicant or Corporate Officer(s): John Moody, GM

STATE OF MAINE

Dated at: Hampden, Maine Penobscot ss
City/Town (County)
 On: May, 2012
Date

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

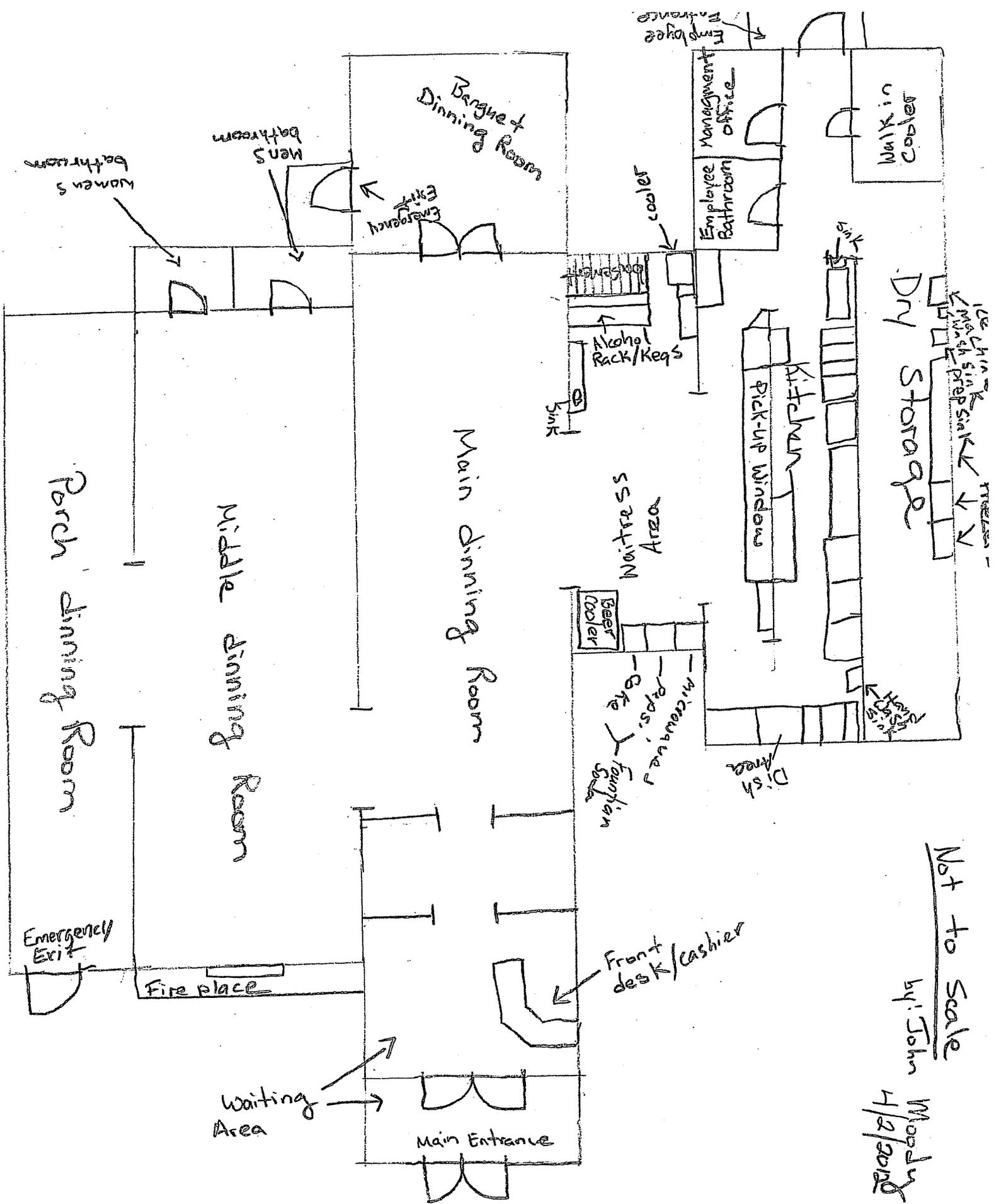
Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.



Not to Scale

by: John

Moody
4/2/2012

C-1-d

(Revised 3/16/12)

The Town of Hampden hereby ordains:

**TOWN OF HAMPDEN
Code of Ethics**

Section 1. Declaration of Policy.

The proper operation of democratic government requires that Town Councilors and their appointees be fair, impartial and responsive to the needs of the people and each other in the performance of their respective functions and duties; that decisions and policy be made in proper channels of the Town's governmental structure; that public office not be used for personal gain; and that such Councilors and their appointees maintain a standard of conduct that will inspire public confidence in the integrity of the Town's government. In recognition of these goals, a Code of Ethics is hereby established for all Town Councilors and all members and associate members of any Board or Committee appointed by the Town Council. This Code of Ethics is not intended to deny Council members, nor Board or Committee members, their constitutional rights nor violate their civil rights.

Section 2. Definitions.

As used in this Ordinance, the following terms shall have the meanings indicated.

Business: Any corporation, partnership, individual, sole proprietorship, joint venture, or any other legally recognized entity, organized for the purposes of making profit.

Censure: A judgment or resolution condemning a person for misconduct.

Confidential Information: Any information, whether oral, written, digital or electronic, which comes to the attention of, or is available to, a Town Official only because of his or her position with the Town and which is not a matter of public record. Information received or discussed during an executive session called pursuant to 1 M.R.S. §405 shall be considered confidential information, and shall not be disclosed to any third party unless permitted by affirmative vote of the body which held the executive session.

Council Appointee: Any sworn member or associate member of any board or committee appointed by the Town Council, including but not limited to appointed Board members, Committee members, and Commission members.

Financial Interest: a direct or indirect interest having monetary or pecuniary value, including but not limited to the ownership of stock.

Immediate Family – Spouse, children, parents, brothers, and sisters. This includes family members related by marriage and adoption.

Special Interest: A direct or indirect interest having value peculiar to a certain individual or group, whether economic or otherwise, which value may accrue to such individual or

group as a result of the passage or denial of any order, ordinance or resolution, or the approval, approval with conditions or denial of any application by the Town Council or Council Appointees, and which interest is not shared by the general public.

Town Councilor: Sworn member of the Hampden Town Council

Town Employee: Any individual working for, on a permanent or temporary basis, and drawing a salary, wages or stipend from the Town of Hampden. The term "Town Employee" shall not include consultants or professional personnel providing services to the Town as independent contractors under a written professional services contract or other similar engagement.

Town Official: A member of the Town Council or a member of any appointed committee, board or commission of the Town Council.

Sec 3. Standards of Conduct.

The purpose of this Code of Ethics is to establish standards of conduct for all Town Councilors and Council Appointees by setting forth those acts or actions deemed to be in conflict or incompatible, or to create the appearance of conflict or incompatibility, with the best interests of the Town of Hampden.

3.1 Statutory Standards: There are certain provisions of the general statutes of the State of Maine, which should, while not set forth herein, be considered an integral part of this Ordinance. Accordingly, the provisions of the following sections of the general statutes of the State of Maine, as may be amended, are hereby incorporated by reference and made a part of this Code of Ethics, and shall apply to all Town Councilors or Council Appointees whenever applicable, as if more fully set forth herein, to wit:

- 17 MRSA §3104 Conflicts of Interest; Purchases by the State
- 17-A MRSA §456 Tampering with Public Records or Information
- 17-A MRSA §602 Bribery in Office with Political Matters
- 17-A MRSA §603 Improper Influence
- 17-A MRSA §604 Improper Compensation for Past Action
- 17-A MRSA §605 Improper Gifts to Public Servants
- 17-A MRSA §606 Improper Compensation for Services
- 17-A MRSA §607 Purchase of Public Office
- 17-A MRSA §608 Official Oppression
- 17-A MRSA §609 Misuse of Information
- 17-A MRSA §903 Misuse of Entrusted Property
- 21-A MRSA §504 Persons Ineligible to Serve
- 30-A MRSA §2605 Conflicts of Interest
- 30-A MRSA §5122 Interest of Public Officials, Trustees of Employees

3.2 Disclosure of Confidential Information: No Town Councilor or Council Appointee shall, without proper legal authorization, disclose confidential information concerning the property, employees or applicants for employment, government or affairs of the Town, nor shall he or she use such information to advance the financial or private interest of him or herself or others. Information received and discussed during an executive session of the Hampden Town Council or any Town Board, Committee, or Commission pursuant to 1 M.R.S. §405 shall be considered within the constraints of this subsection, and shall not be disclosed to any third party unless permitted by affirmative vote of such body.

3.3 Gifts and Favors: No Town Councilor or Council Appointee shall solicit or accept any gift, favor or thing of value, whether in the form of service, loan, thing or promise, from any person or business which to his or her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Town; nor shall any Town Councilor or Council Appointee: 1) solicit or accept any gift, favor or thing of value that tends to influence that individual in the discharge of his or her official duties or 2) solicit or grant in the discharge of his or her official duties any improper favor, service or thing of value. The foregoing is not intended to prohibit normal social practices where gifts from friends, associates, and relatives are appropriate for certain occasions.

3.4 Use of Town Property: No Town Councilor or Council Appointee shall use, or permit the use of, any Town-owned property including, but not limited to, motor vehicles, equipment and buildings, for any private purposes. Nothing herein shall prohibit the use of Town buildings and equipment at rates and/or on terms as may be established for the public at large.

3.5 Conflicts of Interest.

A. Deliberation and Vote Prohibited

1. No Town Councilor or Council Appointee shall participate directly or indirectly by means of deliberation, voting, approval or disapproval, or recommendation, or otherwise take part in the decision making process, on any agenda item before the body of which he or she is a member if he or she, or a member of his or her immediate family, has a financial or special interest, other than that possessed by the public generally, in such purchase, award, or approval, held by:
 - a. The Town Councilor or Council Appointee, or a member of their immediate family; or
 - b. A business in which the Town Councilor or Council Appointee, or a member of their immediate family, serves as an officer, director, trustee, partner or employee in a supervisory or management position; or

- c. Any other person or business with whom the Town Councilor, or Council Appointee, or a member of their immediate family, are in business or are negotiating, or have an arrangement concerning future employment.
2. No Town Councilor or Council Appointee shall participate directly or indirectly by means of deliberation, approval or disapproval, or recommendation of an application, purchase, contract, or other legal matter, or in the decision to hire, promote, discipline, lay off or to take any other personnel action in respect to any applicant for employment or employee, where said applicant or employee is:
 - a. A member of their immediate family; or
 - b. A person with whom either the Town Councilor or Council Appointee, or his or her immediate family, are in business.

B. Disclosure of Conflict. Any Town Councilor or Council Appointee who believes he or she, or a member of his or her immediate family, has a financial or special interest, other than an interest held by the public generally, in any agenda item before the body on which he or she serves shall disclose the nature and extent of such interest, and the Town Clerk or his or her designee shall make a record of such disclosure. Such disclosure shall be made no later than the date of the first meeting of the Town Council, Committee, Board, or Commission at which the agenda item concerned is to be taken up for consideration, recommendation, discussion or vote and at which the Town Councilor or Council Appointee is present. Additionally, any Town Councilor or Council Appointee who believes that any fellow Town Councilor or Council Appointee, or a member of such fellow Town Councilor's or Council Appointee's immediate family, has a financial or special interest, other than an interest held by the public generally, in any agenda item before his or her collective body shall disclose the nature and extent of such agenda item before his or her collective body shall disclose the nature and extent of such interest, and the Town Clerk or his or her designee shall make a record of such disclosure.

C. Determination of Conflict. In the event that a conflict has been raised relative to an individual Town Councilor or Council Appointee, and disclosure has been made as described above, such individual's fellow Town Councilors or Council Appointees shall review the facts as disclosed to them and shall vote on whether or not such individual has a financial or special interest with respect to the agenda item concerned. All conflict of interest questions relating to a particular agenda item shall be resolved prior to any consideration of the item concerned, and each Town Councilor or Council Appointee present shall be entitled to vote on all conflict of interest questions except those questions pertaining to that individual Councilor's or Appointee's alleged conflict of interest.

1. All votes of conflicts of interest questions shall be recorded. A majority vote shall determine the question; but a vote by Boards, Committees, and Commissions may later be reviewed by Town Council upon the Town Council's consideration of the same agenda item.
2. Upon determination that a conflict of interest in fact exists, the Town Councilor or Council Appointee concerned shall be excused from participating in discussion, deliberation or vote on the relevant agenda item.
3. In lieu of the vote required by this subsection, the Town Council, upon motion and by majority vote may refer the conflict of interest question to the Town Attorney for a legal opinion, or may table its consideration of the relevant agenda item. In the event a majority of the Town Council, Board, or Commission concerned, or Committee thereof, shall require disclosure of further information not immediately available, or shall require confirmation of the information disclosed, consideration of the relevant agenda item shall be postponed to an appropriate time.

D. Avoidance of Appearance of Conflict: To avoid the appearance of a violation of this Section, once any individual Town Councilor, committee member, board member or commission member is determined to have a conflict of interest in respect to any agenda item and once all conflicts of interest questions relating to the agenda item concerned have been determined as provided in Subsection C above, said individual shall immediately remove him or herself from the meeting room or to the area of the room occupied by the general public. He or she shall not return to his or her regular seat as a member of the body until deliberation and action on the item is completed. Nothing herein shall require an individual councilor, committee member, board member or commission member to remove himself or herself for any item contained on a consent agenda on which there is no deliberation, the individual's conflict has been determined by other members and the right to abstain from voting on the item has been granted.

E. Personal Interest. Nothing herein shall be construed to prohibit any Town Councilor or Council Appointee from representing his or her own personal interest by appearing before his or her collective body on any such agenda item, as long as the representation occurs in the area of the meeting room occupied by applicants or members of the general public.

F. Disclosure Statement. By no later than January 15th of each year, or within fifteen (15) days of being sworn in for a Town Councilor elected at a special election to fill a vacancy, every Town Councilor shall file a completed disclosure form with the Town Clerk. Within thirty (30) days after his or her appointment, every Council Appointee shall file a completed disclosure form with the Town Clerk. Such forms shall be under oath and shall contain the following information to the best of the disclosing party's knowledge and belief:

1. The name of each person or entity whether incorporated or not, doing business with the Town in an amount in excess of \$1000 during the preceding calendar year from which such disclosing party or member of his immediate family has received money or other thing of value in an amount in excess of \$1000 during the preceding fiscal year, including, but not limited to campaign contributions, where applicable.
2. The name of each entity, whether incorporated or not, doing business with the Town in an amount in excess of \$1000 for the preceding calendar year in which such disclosing party or member of his/her immediate family has a financial interest in an amount in excess of \$1000 , including, but not limited to, the ownership of shares of stock.
3. The name of each nonprofit and/or for profit entity, whether incorporated or not, for which such disclosing party or member of his/her immediate family holds a position of officer or member of any board which does business or may potentially do business with the Town. For such entity, such disclosing party shall provide the following information:
 - a. A brief description of the purpose of each board and/or office;
 - b. A short summary of such disclosing party's or family member's duties relative to any such board and/or office;
 - c. The term of service on each such board and/or office; and
 - d. Whether or not such disclosing party or family member receives compensation for service on such board and/or office and the extent to which such compensation exceeds \$100 in the aggregate annually.

For purposes of this section "compensation" shall include, but not be limited to, monetary compensation, gifts, gratuities, perks, fringe benefits, services and any other thing of value.

4. Every Town Councilor or Council Appointee shall amend his or her annual disclosure statement as may be required from time to time to ensure the continued accuracy thereof. Each amendment shall be made within fifteen days following the occurrence which requires the amendment.
5. The Town Clerk shall deliver a copy of each completed disclosure statement to every fellow member of the Town Council/Board/Committee of each disclosing party within thirty days of filing.
6. For the purposes of this Ordinance, a list prepared by the Treasurer of those persons or entities doing business with the Town in an amount in excess of \$1000 for the preceding year shall be determinative for purposes of reporting under this section. Income from and financial investments in, policies of insurance, and deposits from accounts from commercial or savings banks, savings and loan associations, or credit unions and the ownership of less

than 5% of the outstanding shares of stock in a publicly held corporation shall not be considered a financial interest within the meaning of this section.

Sec 4. Political Activities.

No Town Employee, Town Councilor or Council Appointee shall participate in any political activity which would be in conflict or incompatible with the performance of his or her official functions and duties of the Town. In conjunction therewith, no Town Councilor or Council Appointee may use his or her official authority or position for the purposes of influencing or interfering with or affecting the results of any election for public office, nor shall he or she solicit funds or contributions or accept or receive funds or contributions from Town Employees for political purposes. No Town Councilor or Council Appointee may distribute handbills or pamphlets while he or she is performing official functions or duties on behalf of the Town, unless such distribution has been authorized by the body of which he or she is a member. Nothing herein shall be construed to prohibit any Town Councilor or Council Appointee from participating in the political process in their private capacity as candidates for elected office or as private citizens.

Sec 5. Incompatible Employment or Office.

No Town Councilor or Council Appointee shall occupy any other office, elected or appointed, in another governmental entity when the duties of such office are incompatible with the proper discharge of his or her official duties with the Town. For purposes of this section, the occupancy of any office, elected or appointed, with any other governmental entity by any Town Council or Council Appointee is hereby prohibited in the following circumstances:

- A. Where the duties of the other office make it a physical impossibility to discharge the duties of the Town position; or
- B. Where one office is subordinate to the other; or
- C. Where one office carries the power of removal of the other; or
- D. Where the occupancy of both offices is prohibited by the Town Charter or by other provisions of law.

Sec 6. Violations of Ethical Standards by Councilors.

When any Councilor believes there has been a breach of the ethical standards set forth herein by another Town Councilor, he or she may ask to enter into executive session pursuant to 1 M.R.S. §405 for purposes of informal discussion of and resolution of an ethical issue. During such session, the Councilor shall specify which area(s) of this Ordinance he or she feels have been breached and by whom. After discussion among all Councilors, the Town Council shall leave executive session, and may proceed with

formal action only by majority vote of the Councilors not alleged to have breached the ethical standards.

- A. Based on information provided in said executive session, the Town Attorney shall provide the Council with an opinion on whether the cited matter(s) constitute a violation of this Ordinance.
- B. All procedures under this section shall be in accord with due process requirements, including, but not limited to, a right to notice and hearing.
- C. The Council may elect to give written warning in lieu of any other remedy or civil penalty available under this Ordinance or any other law or ordinance.

Sec 7. Ethics in Contracting.

The provisions of this Section shall apply to all persons doing business with the Town of Hampden as vendors, suppliers and contractors submitting bids or proposals in response to a Town solicitation or advertisement.

7.1 Gratuities and Kickbacks

- A. **Gratuities.** It shall be a violation of this Ordinance for any person to offer, give, or agree to give any Town Councilor or Council Appointee a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or award pertaining to a Town purchase order, contract, construction contract, or professional services contract, or with respect to any solicitation, advertisement, request for bids, request for proposals, or any bid, proposal, or other response thereto.
- B. **Kickbacks.** It shall be a violation of this Ordinance for any person to solicit, offer, give, accept, or receive any undisclosed gratuity or offer of employment in connection with the award or potential award of any subcontract or contract modification or change order under a Town of Hampden contract for construction, procurement or professional services. To be valid, any disclosure under this paragraph must be made in writing to the Town of Hampden Town Manager prior to the date of opening of any proposals or bids on the prime contract concerned. Notwithstanding an otherwise valid written disclosure, it shall be a violation of this Ordinance to solicit, offer, give, accept, or receive any such gratuity or offer of employment in violation of applicable State or Federal Law.

7.2 Prohibition against Contingent Fees

It shall be a violation of this Ordinance for a person to be retained, or to retain a person, to solicit or secure a Town contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee,

except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

7.3 Recovery of Value Transferred or Received in Breach of Ethical Standards.

The value of anything transferred or received in breach of the ethical standards of this Ordinance by a Town Councilor or a Council Appointee or other person may be recovered from both the Town Councilor or Council Appointee concerned and from the other person concerned.

7.4 Recovery of Kickbacks by the Town

Upon a showing that a subcontractor made a kickback to a prime contractor or a higher tier subcontractor in connection with the award of a subcontract or modification or change order, it shall be conclusively presumed that the amount thereof was included in the price of the subcontract, modification or change order and ultimately borne by the Town and such amount shall be recoverable hereunder from the recipient. In addition, that amount may also be recovered from the subcontractor making such kickbacks. Recovery from one offending party shall not preclude recovery from other offending parties.

7.5 Penalties and Sanctions

- A. In addition to the recoveries provided in Subsections 7.3 and 7.4 above, any violation of Section 7 shall be a civil violation. Upon conviction, any person, firm or corporation found to be in violation of this Section 7 shall be fined not less than three times the value of any improper gift or kickback paid, solicited, or received, or \$500, whichever is greater. The penalties provided in this paragraph shall be in addition to any penalties imposed under State or Federal Law.
- B. Upon conviction of a violation of this Section 7 or upon finding a violation by the Town Council or any Council Appointee following written notice and hearing, the Town Council may impose one or more of the following sanctions on the person, firm, or corporation convicted or found to be in violation:
 - i. written warnings or reprimands
 - ii. termination of contracts
 - iii. debarment or suspension of Town purchasing
- C. Termination of a contract under this Section 7.5 shall also terminate the contractor's right to receive further payment thereunder.

- D. The provisions of this Section 7 shall be provided to all interested bidders or proposers and shall be incorporated by reference as agreed terms in any Town of Hampden construction, procurement, or professional services contract with a base bid in excess of \$10,000. In the case of a professional services contract, the 'base bid price' shall be the expected value of services to be billed during the contract term, or on an annual basis if the contract is of indefinite duration.

Sec 8. Penalties for Town Council or Town Council Appointees.

Any Town Councilor or Council Appointee who violates a provision of this Ordinance shall be subject to a civil penalty of not less than \$100.00 and not more than \$500.00 for each offense, which civil penalty shall inure to the benefit of the Town. In addition, violation of this Ordinance shall constitute cause for censure by the Town Council after notice and hearing conducted by that body.

Sec 9. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance.

Sec 10. Repeal of Prior Ordinance

The existing Code of Ethics Ordinance adopted on May 15, 2000 is hereby repealed in its entirety.

Sec 11. Effective Date

Pursuant to Section 213(c) of the Town Charter, the foregoing provisions shall be effective 30 days after the adoption of this Ordinance by the Town Council.

TOWN OF HAMPDEN
ELECTED / APPOINTED OFFICIAL DISCLOSURE FORM

Date: _____

Last name: _____ First name: _____

Address: _____

Telephone: _____

Email Address: _____

1. List of entities doing business with the Town from which the person named on this form or any member of his/her immediate family received more than \$1,000 during the preceding fiscal year.

2. List of entities doing business with the Town that the person named on this form or any member of his/her immediate family has an ownership interest in that exceed \$1,000, including, but not limited to the ownership of shares of stock.

3. List of any non-profit or for-profit entities which does business or may potentially do business with the Town for which the person named on this form or a member of his/her immediate family holds a position of officer or board member. Please include the name of position served, the term of service, and compensation received (if it is more than \$1,000 per year in the aggregate.)

Signature of Town Councilor / Council Appointee

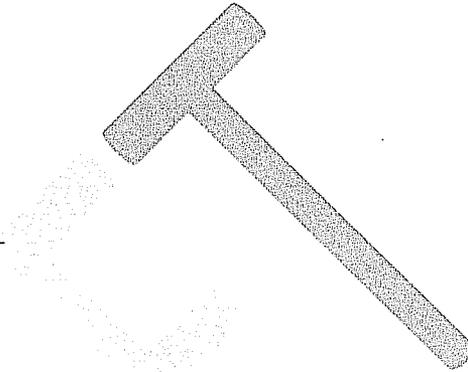
**TOWN OF HAMPDEN, MAINE
OUTDOOR FACILITIES ORDINANCE**

C-1-e

ENACTED DATE: MONTH, XX, 2012~~4~~
EFFECTIVE DATE: MONTH, XX, 2012~~4~~

CERTIFIED BY: _____
Name

Title Affix Seal



**TOWN OF HAMPDEN, MAINE
OUTDOOR FACILITIES ORDINANCE
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**THE TOWN OF HAMPDEN HEREBY ORDAINS THAT THE FOLLOWING
ORDINANCE BE ADOPTED.**

**ARTICLE I.
PURPOSE**

1.1 Purpose. The purpose of this Ordinance is to provide rules and regulations for the use of and conduct in outdoor facilities situated in Hampden. This Ordinance ~~replaces hereby repeals~~ the former Dorothea Dix Park Ordinance and Papermill Road Recreation Area Ordinance.

**ARTICLE II.
AUTHORITY**

2.1 Authority. Pursuant to the provisions of Title 30-A M.R.S. Sections 3001 and 3281-3284 and the Charter of the Town of Hampden, Article II, Section 212, and Article III, Section 302, there is hereby established an Outdoor public Facilities Ordinance to be organized, administered and governed in accordance with the following provisions.

**ARTICLE III.
APPLICABILITY**

3.1 Applicability. This Ordinance provides full power and authority over all ~~public-outdoor property~~ facilities within the Town.

**ARTICLE IV.
DEFINITIONS**

4.1 Definitions. Unless specifically defined below, words and phrases used in this Ordinance shall have the customary dictionary definitions that same meaning as they have at common law and to give this Ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

Alcoholic Beverage: any beverage containing any amount of alcohol as regulated under state law.

Controlled Substance: any legal or illegal drug, narcotic, hallucinogen, opiate, prescription drug, or any other such substance regulated by state or federal law.

Motorized Vehicle: any vehicle that is propelled by an engine, including but not limited to: cars, trucks, motorcycles, snowmobiles, ATVs, OHVs, dune buggies, dirt bikes, three-wheelers, go-karts, and golf carts.

Outdoor Facility: any park, sports field, forest, wooded area, field, playground, or other property owned by the Town of Hampden.

Parks: Includes the following ~~public properties~~ outdoor facilities: Dorothea Dix Park, Papermill Road Recreation Area, Western Avenue Recreation Area, or other areas designated as such.

Public Safety Department: Includes Police, Fire, and Emergency Medical Services (EMS) Departments.

Sports Fields: Includes the following ~~public properties~~ outdoor facilities: Ball Field Road Ball Field, VFW Recreation Area, Western Avenue Recreation Area, or other areas designated as such.

Tobacco Products: cigars, cigarettes, chewing tobacco, snuff, or any other product containing tobacco as regulated under state law.

ARTICLE V. PROHIBITIONS

5.1 Camping. No person shall set up tents, shacks, or any other temporary shelter for the purpose of overnight camping in outdoor facilities, nor shall any person leave in outdoor ~~public properties~~ facilities after closing hours, any movable structures or special vehicle that could be used for such purposes. Upon prior approval of a law enforcement officer of the Town of Hampden, overnight camping may be permitted in situations involving unique circumstances.

5.2 Firearms/Hunting. No person other than law enforcement personnel shall ~~carry or~~ discharge a firearm or engage in any hunting activity within parks or sports fields as defined herein. Refer also to the Town of Hampden Firearms Discharge Ordinance.

5.3 Fires. No person shall kindle, build, maintain or use a fire except in areas designated for such purposes. All fires shall be properly extinguished before the person utilizing the same leaves the outdoor facility. Any fires shall be continuously under the care and supervision of a competent person from the time it is kindled until it is extinguished. Fires may be prohibited by the Recreation Director, Town Forester, and or employees of the Public Safety Department when, in his or her judgment, the conditions are such that any fire would represent a safety hazard.

5.4 Wood. No person shall cut any wood on any ~~public property~~ outdoor facility without a prior permit from the Town Forester, who shall have the discretion to deny any application for such a permit if he or she determines that the proposed activity is inconsistent with the goals of the forest management plan for the property.

5.5 Alcoholic Beverages. No person shall bring, consume or be under the influence of alcoholic beverages into the any outdoor facility, ~~nor shall any person drink or use the same at any time or be under the influence of the same in the outdoor facility.~~

5.6 Tobacco Products. No person shall consume or use tobacco products within ~~the any~~ outdoor facility.

5.7 Controlled Substances. No person shall consume or use any controlled substance legal or illegal while within ~~the~~any outdoor facility, unless the person has a labeled container and proof of prescription.

5.8 Trash. No person shall scatter, drop or leave any debris trash or other rubbish within ~~the~~any outdoor facility except in receptacles provided for that purpose.

5.9 Animals. All animals brought into ~~the~~any outdoor facility shall be on a leash at all times so as to not interfere with the enjoyment of the outdoor facility by other members of the public, if present. No animal shall be off a leash at any time at any sports field as defined herein, or at any part of the Western Avenue Recreation Area. Owners shall pick up after their animals.

5.10 Motor Vehicle Access. Access to outdoor facilities by motor vehicles ~~will~~shall be ~~permitted or prohibited~~governed by pursuant to the rules for that facility contained in the Recreation Department policy document "Outdoor Facilities Rules and Regulations." Upon prior approval of a law enforcement officer of the Town of Hampden, motor vehicle access may be permitted in situations involving unique circumstances. For specific restrictions for each outdoor facility, please refer to the Recreation Department policy document "Outdoor Facilities Rules and Regulations." Motor vehicle access to a ~~facilities'~~facility's parking area is ~~allowed,~~ as this section is meant to address access to parts of facilities that are not meant for motor vehicles.

5.11 Other Vehicles Prohibited. No person shall operate a trail bike, all terrain vehicle, snowmobile, or any other motorized recreational vehicle within any outdoor facility except for on designated trails or areas, or for purposes of maintenance or rescue.

ARTICLE VI. OPERATION

6.1 Hours & Dates of Operation. Outdoor facilities shall be open to the public from a half hour before dawn to dusk ~~an hour after sunset~~. Outdoor facilities are open 365 days a year as weather allows. For information on reservations, which facilities are plowed during the winter, and closing times for areas with artificial lighting, please see the Recreation Department policy document "Outdoor Facilities Rules and Regulations." Snowmobiles are permitted after dark on designated trails.

ARTICLE VII. ENFORCEMENT

7.1 Law Enforcement. Any law enforcement officer of the Town of Hampden shall have the authority to revoke the permission of any individual to use an outdoor facility when the officer observes, or has probable cause to believe, that such individual has violated any provisions of this Ordinance, committed a civil infraction within the facility, or has violated any provision of the laws and Ordinances of the State of Maine or the Town of Hampden within the facility. The Recreation Department also has the authority to revoke the permissions of any individual to use an outdoor facility if they are found to have violated the provisions of this Ordinance.

7.2 *Alternative Enforcement.* The Recreation Director and his or her subordinate employees shall be empowered to enforce the provisions of this Ordinance. In addition, the Town Forester, Code Enforcement Officer and the members of Hampden Public Safety shall also have the authority to enforce the provisions of this Ordinance.

7.3 *Enforcement Mechanism.* This Ordinance may be enforced by the institution of legal or equitable proceedings in court, including proceedings pursuant to 30-A M.R.S. §4452.

**ARTICLE VIII.
PENALTIES**

8.1 *Penalties.* Any person, firm or corporation violating any provisions of this Ordinance shall be fined not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Fifty Dollars (\$150.00) for each violation. Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any fines recovered shall inure to the benefit of the Town of Hampden.

**ARTICLE IX.
SEVERABILITY**

9.1 *Severability.* If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**ARTICLE X.
EFFECTIVE DATE**

10.1 *Effective Date.* Pursuant to Section 213(c) of the Town Charter, this Ordinance shall become effective at the expiration of 30 days after its adoption by the Town Council.

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

TO: David Greenier, a resident of Maine School Administrative District No. 22 composed of the Towns of Hampden, Newburgh and Winterport, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within Maine School Administrative District No. 22, namely, the Towns of Hampden, Newburgh and Winterport, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers. The municipal officers shall meet forthwith and countersign this warrant and notice of election. The municipal officers shall provide below for the respective municipal clerks to post or have posted this warrant and notice of election.

**TOWN OF HAMPDEN
DISTRICT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

Penobscot ss.

State of Maine

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

TO THE VOTERS OF HAMPDEN:

You are hereby notified that the District budget validation referendum election will be held at the Hampden Municipal Building, 106 Western Avenue in the Town of Hampden on Tuesday, June 12, 2012 for the purpose of determining the following referendum question:

Question 1: Do you favor approving the Maine School Administrative District No. 22 budget for the upcoming school year that was adopted at the latest District budget meeting?

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

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

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

C-2-b

State of Maine
Notice of Primary Election
Tuesday, June 12, 2012

Municipality Town of Hampden Voting District _____

Voting Place Name Municipal Building Community Room

Voting Place Location 106 Western Avenue

Polls Open at 8:00 A.M.

Polls Close at 8:00 P.M.

Absentee Ballot Processing (check all that apply):

Processed by: Clerk (Centrally) Warden (At polls)

Date/Time of Processing (check all that apply):

Day **Before** Election Day (6/11/12) *
1-Hour Inspection Time Period: 9:00 am to 10:00 am
Time Processing Begins: 9:00 am, or immediately following a requested inspection

During Election Day (6/12) Processing Time(s): 9:00 am; 11:00 am; 1:00 pm; 3:00 pm; 5:00 pm; and 8:00 pm

Only after 8 p.m. on Election Day (6/12)

Federal and State Offices To Be Voted On:

County Offices (Please list):

United States Senator
Representative to Congress, District 2
State Senator, District 33
State Representative, District 39

Register of Probate
County Commissioner District 2

A True Copy
Attested Denise Hodson
(Signature of Municipal Clerk)

Date 5/2/2012

* Clerk has read and will comply with the Uniform Guidelines for Securing Ballots and Other Materials. dh
Clerk initials



Check One: Initial Application
 Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

C-2-C

NAME: Malloy LAST Zachary FIRST X MI

ADDRESS: 338 Western Avenue STREET Hampden TOWN 01444 ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: (207) 951-4712 HOME _____ WORK

EMAIL: ZachMalloy@era-dawson.com

OCCUPATION: Real Estate Agent

BOARD OR COMMITTEE PREFERENCE:
FIRST CHOICE: Board of Appeals
and/or
SECOND CHOICE (OPTIONAL): Board of Assessment Review

How would your experience, education and/or occupation be a benefit to this board or committee?
• Rentor at ERA Dawson - Bradford Co.
• Resident of Hampden for 15 years.
• Involved in our local community

Are there any issues you feel this board or committee should address, or should continue to address?
All boards and committees should maintain accountability and transparency to the citizens of Hampden.

3 YEAR

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

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

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: DEC 27 2011
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

C-3-a

TOWN OF HAMPDEN
WESTERN AVE. RECREATION AREA
PLAYGROUND EQUIPMENT
BID SHEET

APRIL 2, 2012
1:00 pm

BIDDER	# PLAY STATIONS	BID AMOUNT
M. E. O'Brien & Sons, Inc.	Option 1 11	17,026.00
M. E. O'Brien & Sons, Inc.	Option 2 14	20,922.00



Date: March 22, 2012
Job: Western Avenue Playground
Location: Hampden, Maine
Salesperson: Joel St. Pierre, CPRP, CPSI
E-mail: Joel_StPierre@obrienandsons.com

93 West Street
P.O. Box 650
Medfield, MA 02052
SDO CERTIFIED WBE

Corporate Office: 800-835-0056 • Telephone: 508-359-4200 • Fax: 508-359-2817
Web: www.obrienandsons.com • Email: mail@obrienandsons.com

QUOTATION

We are pleased to offer our quotation on the following for the above subject job:

<u>QTY.</u>	<u>MODEL #</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
1		MEO12122PS – Playground Design Option 1 Furnished and Installed	\$17,026.00
1		MEO12122 PLAYSENSE – Playground Design Option Furnished and Installed	\$20,922.00

IMPORTANT NOTES:

- ❖ Customer is responsible for quantity confirmation
- ❖ Pricing on this product is valid for 30 days only, due to the erratic cost of steel at the present time. Prices are subject to review thereafter.
- ❖ Prices based on quantities listed. Any change to quantities may impact prices quoted. The above prices are f.o.b. your specified destination and are for materials only unless otherwise noted.
- ❖ Prices are not using prevailing wages unless otherwise specified.
- ❖ Standard manufacturer's colors, design, specifications, and construction apply, unless specifically noted in description.
- ❖ Our terms are: **To Be Determined** - First order requires 50% deposit & execution of credit application.
- ❖ Retainage does not apply as we are a material supplier only.
- ❖ Please allow **4 to 6 weeks** for delivery after receipt of order and architectural approval should it be required.
- ❖ No back charges will be honored unless express written approval has been issued by O'Brien & Sons and price has been agreed on before execution of remedy. Failure to do so will void any obligation of payment toward said remedy on the part of O'Brien & Sons and could result in termination / suspension of your credit / account.
- ❖ Restocking fees will apply on returned items.

If we can be of further assistance, please feel free to contact us. *Thank you!*

Outdoor Facilities Rules and Regulations

Motor Vehicle Access. Shall be permitted as weather allows under the direction of the Recreation Director, for all outdoor facilities that have areas for motor vehicle access. No person shall operate a motor vehicle in or on an Outdoor Facility or in any area except established roads, driveways, or parking areas, or such other areas as may, on occasion, be specifically designated as temporary parking areas by the Recreation Director.

Dorothea Dix Park. Access to the park by motor vehicles (as defined in the Outdoor Facilities Ordinance) will generally be permitted between April 1 and November 1, although the Recreation Director shall have the authority to provide for different dates of motor vehicle access depending on weather conditions. Motor vehicle access applies only to those parts of the park that are designated driveways and parking areas. No person shall operate a motor vehicle in the park, or leave a motor vehicle standing or parked therein, during times when it is closed to the public. The park is not plowed during the winter. No section or parts of the park may be reserved.

Papermill Road Recreation Area. Access to the park by motor vehicles (as defined in the Outdoor Facilities Ordinance) will generally be permitted between April 1 and November 1, although the Recreation Director shall have the authority to provide for different dates of motor vehicle access depending on weather conditions. Motor vehicle access applies only to those parts of the park that are designated driveways and parking areas. No person shall operate a motor vehicle in the park, or leave a motor vehicle standing or parked therein, during times when it is closed to the public.

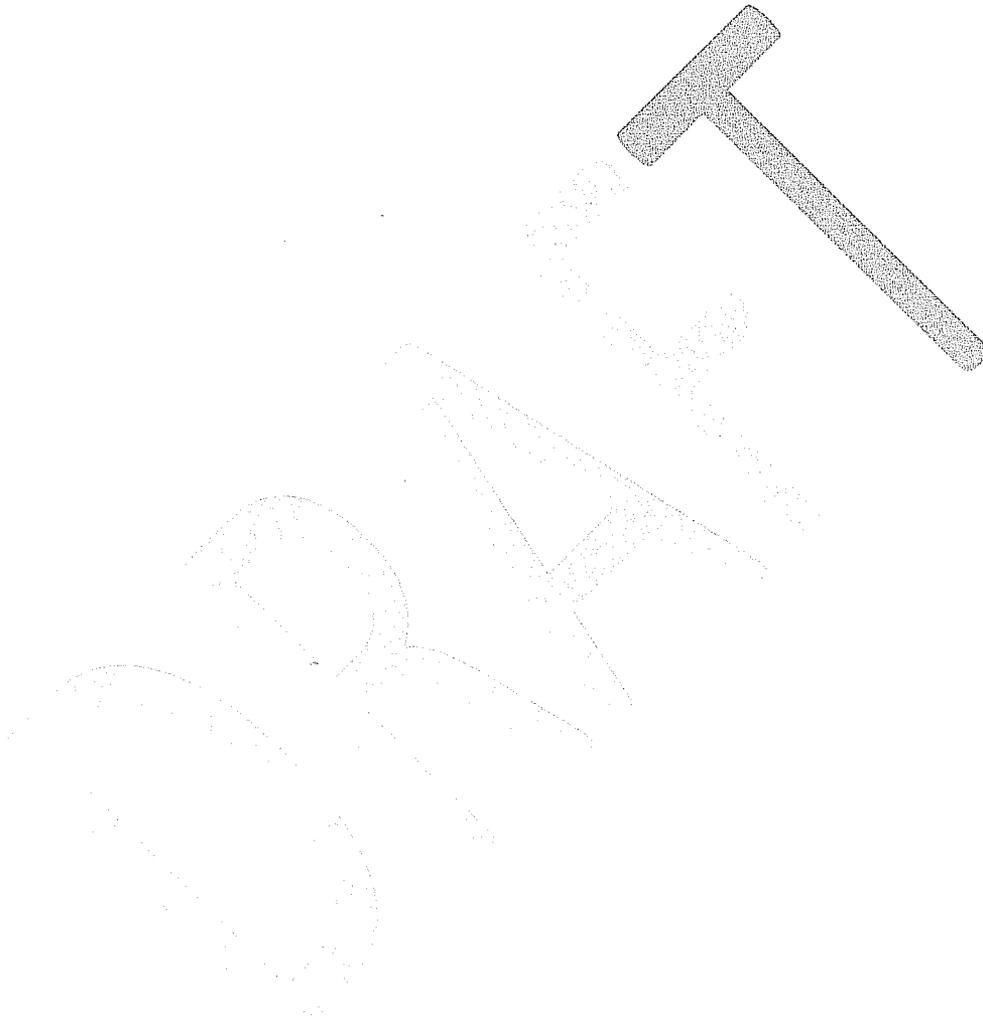
Western Avenue Recreation Area. Motor vehicle (as defined in the Outdoor Facilities Ordinance) access is permitted within the paved parking lot area only. The gazebo is considered closed at dusk. Lighting turns off at 10pm, at which time the facility is considered closed to the public. The multi-purpose field can be reserved, during which times the area is not open to the public. All other areas cannot be reserved, and are always open to the public. The parking lot is plowed during the winter.

VFW Recreation Area. Access to the park-sports field by motor vehicles (as defined in the Outdoor Facilities Ordinance) will generally be permitted as weather allows, although the Recreation Director shall have the authority to provide for restriction of motor vehicle access depending on weather conditions. Motor vehicle access is permitted within the gravel parking areas only. Artificial lighting is available on a timed switch at all hours for the tennis courts only. All or parts of this facility can be reserved, during which times the area is not open to the public.

Ball Field Road Ball Field. Access to the park-sports field by motor vehicles (as defined in the Outdoor Facilities Ordinance) will generally be permitted as weather allows, although the Recreation Director shall have the authority to provide for restriction of motor vehicle access depending on weather conditions. Motor vehicle access is permitted only within the dirt/gravel area across the road from the ball field. Use of artificial lighting is available upon request. All or parts of this facility can be reserved, during which times the area is not open to the public.

Marina. Refer to Harbor Ordinance.

Reservations. Please see the details for each facility in the previous sections regarding what can and cannot be reserved. Fees for reservations are in the Town of Hampden Fees Ordinance.



C-4-a



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 30, 2012

To: Sue Lessard
From: Chip Swan
Subject: Paving Award

Below are the results of the recent paving bid opened on April 19th 2012.

	PRICE /TON / HAND PLACED / (3688/Tons)	(50/TONS)	TOTAL
B & B PAVING	\$73.25	\$100.00	\$275,146.00
LANE CONSTRUCTION	\$73.40	\$140.00	\$277,699.20
VAUGHN THIBODEAU II	\$74.37	\$124.00	\$280476.56
WELLMAN PAVING	\$78.75	\$125.00	\$296680.00
PIKE INDUSTRIES	\$81.50	\$190.00	\$310,072.00

I was happy to receive 5bids for the annual street paving.
The price per ton from B&B PAVING is \$5.88/ton more than last year's price.

I would like to recommend awarding B & B PAVING 2012 paving contract with a price per ton of \$73.25 for main line paving and \$100.00/ton for hand place mix.

Please let me know if you have any questions on these items.

Yours Truly,

Chip Swan